

LOCAL PLANNING AGENCY (LPA)/
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
HYBRID FORMAT

TUESDAY, DECEMBER 17, 2024, COMMENCING AT 6:01 P.M.

Board Members Present:

Eibi Aizenstat, Chairman
Julio Grabiell
Wayne "Chip" Withers
Sue Kawalerski
Felix Pardo
Javier Salman
Robert Behar

City Staff and Consultants:

Jennifer Garcia, Planning and Zoning Director
Arceli Redila, Zoning Administrator
Craig Collier, Special Counsel
Jill Menendez, Administrative Assistant, Board Secretary
Fenggian/Grace Chen, Principal Planner
Hermes Diaz, Public Works Director
Paul Rodas, City Engineer
Edward Hudak, Chief of Police

Also Participating:

Jorge Navarro, Esq., On behalf of Item E-1 and E-2
Devon Vickers, Esq., On behalf of Item E-1 and E-2
Tim Plummer, Traffic Engineer
Hamed Rodriguez, Architect
Diego Tejera
Joe Jimenez
Cathy Swanson
Hillary Rodriguez
Jaimie Mayer, Esq.
Jose Boschetti

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Pursuant to Resolution Number 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the Planning and Zoning Board has established the ability for the public to provide comments virtually. For those members of the public who are appearing on Zoom and wish to testify, you must be visible to the court reporter to be sworn in. Otherwise, if you speak without being sworn in, your comments may not have evidentiary value.

Lobbyist Registration and Disclosure, any person who acts as a lobbyist must register with the City Clerk, as required by the City Code.

As Chair, I now officially call the City of Coral Gables Planning and Zoning Board Meeting of December 17, 2024 to order. The time is 6:01.

Jill, if you'd please call the roll.

THE SECRETARY: Robert Behar?

MR. BEHAR: Here.

THE SECRETARY: Julio Grabiell?

MR. GRABIEL: Here.

THE SECRETARY: Sue Kawalerski?

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THEREUPON:

(The following proceedings were held.)

CHAIRMAN AIZENSTAT: Let's go ahead and get started. I'd like to call the meeting to order. I'd like to ask everybody to please silence their phones and beepers, if they still have any.

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

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

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MS. KAWALERSKI: Here.

THE SECRETARY: Felix Pardo?

MR. PARDO: Here.

THE SECRETARY: Javier Salman?

MR. SALMAN: Yes.

THE SECRETARY: Chip Withers?

Eibi Aizenstat?

CHAIRMAN AIZENSTAT: Here.

Notice Regarding Ex Parte Communications, please be advised that this Board is a quasi-judicial board, which requires Board Members to disclose all ex parte communications and site visits. An ex parte communication is defined as any contact, communication, conversation, correspondence, memorandum or other written or verbal communication, that takes place outside of a public hearing, between a member of the public and a member of the quasi-judicial board, regarding matters to be heard by the Board. If anyone made any contact with a Board Member regarding an issue before the Board, the Board Member must state, on the record, the existence of the ex parte communication and the party who originated the communication.

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

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

16 MR. BEHAR: No.

17 MR. GRABIEL: No.

18 MR. SALMAN: No.

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

24 Now, with the exception of attorneys, all
25 persons physically in the City Fire Chambers

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1 and Police Chambers, who will speak on agenda
2 items before us this evening, please rise to be
3 sworn in.

4 (Thereupon, the participants were sworn.)

5 CHAIRMAN AIZENSTAT: Thank you.

6 Zoom platform participants, I will ask any
7 person wishing to speak on tonight's agenda
8 item to please open your chat and send a direct
9 message to Jill Menendez, stating you would
10 like to speak before the Board and include your
11 full name. Jill will call you when it's your
12 turn. I ask you to please be concise, for the
13 interest of time.

14 Afterwards, we'll have phone platform
15 participants. After the Zoom platform
16 participants are done, I will ask phone
17 participants to comment on tonight's agenda
18 item. I also ask you to be concise, for the
19 interest of time.

20 First we have the Approval of the Minutes,
21 which are from the November 13, 2024 meeting,
22 and that includes the attached letter by
23 Mr. Hartnett dated November 11, 2024.

24 MR. BEHAR: Motion to approve.

25 CHAIRMAN AIZENSTAT: We have a motion. Is

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1 there a second?

2 MS. KAWALERSKI: Second.

3 MR. SALMAN: Second.

4 CHAIRMAN AIZENSTAT: That was a tie.
5 Javier wins.

6 Any comments? No?

7 Call the roll, please.

8 THE SECRETARY: Julio Grabiell?

9 MR. GRABIEL: Yes.

10 THE SECRETARY: Sue Kawalerski?

11 MS. KAWALERSKI: Yes.

12 THE SECRETARY: Felix Pardo?

13 MR. PARDO: Yes.

14 THE SECRETARY: Javier Salman?

15 MR. SALMAN: Yes.

16 THE SECRETARY: Robert Behar?

17 MR. BEHAR: Yes.

18 THE SECRETARY: Eibi Aizenstat?

19 CHAIRMAN AIZENSTAT: Yes.

20 The procedure that we'll use tonight, first
21 we'll have the identification of the agenda
22 item by Mr. Coller. Then we'll have the
23 presentation by applicant or agent. Then we'll
24 have the presentation by Staff. I'll go ahead
25 and open it to public comment, first in

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1 Chambers, then the Zoom platform, and then the
2 phone line platform. I'll go ahead and close
3 the public comment. At which time, we'll have
4 Board discussion, a motion, further discussion,
5 and a second of the motion, if applicable.
6 Then we'll have the Board's final comments, and
7 a vote.

8 What I'd like to do tonight is take it out
9 of order. Chip Withers is coming about ten,
10 fifteen minutes late. So what I'd like to do
11 is start with a legislative item first, which
12 will be E-4. That will give him a chance to
13 arrive before we get into the quasi-judicial.

14 MR. Coller: Item E-4 --

15 MS. KAWALERSKI: Excuse me one second,
16 please.

17 MR. Coller: Sorry.

18 MS. KAWALERSKI: Mr. Chair, I'd like to
19 bring up two items here, before we get into the
20 agenda. I think they're very important.

21 At the last meeting, we discussed the fact
22 that once we pass something with, for example,
23 conditions or requests, we never hear back what
24 happens. And the prime example in this case
25 is, we had a motion of the Commission to allow

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us to meet specifically about the whole review process for these applications, and I think the Commission took it up on Tuesday. I can't be sure. But we should get some kind of report back of what the status is -- what the status of the motion is. We never hear back from what happens with what we do here, and I would like it to be part of your monthly agenda, that we do hear back on the disposition of what we have passed or what answer we're expecting. That's Thing Number One.

Thing Number Two, the City Architect, Juan Riesgo, was before us, I think, two months ago, and I asked him to please supply the Planning and Zoning Board with the names of the persons who changed the design and the Mediterranean elements of the Paseo de la Riviera windows and also The Standard windows. He said he would bring that to us, he would get the names of the people and why those elements were changed, and we haven't heard back.

So I don't know if it's a formal request that we have to make. I know it was back, you know, back and forth two months ago. If it's a formal request we have to make, I think we

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should find out why and who changed those design elements, past the approval process.

CHAIRMAN AIZENSTAT: Thank you.

Jennifer, do you have any update you can share with us on the first point?

MS. GARCIA: So I think it might be helpful if we have, as part of our agenda, maybe we have a follow-up subsection of our agenda, to be able to report back and share information. The issue with Legistar, our software that we use, it's basically a schedule for an agenda. We can't take those links and have them public, until the agenda has been published and that was the reason we weren't able to send that to you in a timely manner. We were waiting until the agenda published and then it fell through the cracks. So my apologies, but I think if we are able to have a subsection, we can be able to report back on the past agenda items, for that time.

The second item, you are looking for the Staff person and the process that changed the windows, specifically?

MS. KAWALERSKI: Specifically, because both of those projects, the design and the windows

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were changed after the approval process went through, and Juan couldn't tell us why. So what happens, we approve a project, the Board of Architects approves projects, the Commission approves projects. They get built, and oops they're not Mediterranean windows. Like who made that change and why, after it goes through this lengthy process of approvals?

MS. GARCIA: You know, typically when it's in the permit process, the City Architect is the one reviewing, based on what was approved at the Board of Architects level, but we can research that and bring it back to you.

MS. KAWALERSKI: Yes, because Juan Riesgo promised that he would bring that to us, please. Do we have to do a motion to make sure that happens or is this going to be --

MS. GARCIA: It's part of the minutes. You can always remind me in a couple of weeks, after the holidays. I will look into it.

MS. KAWALERSKI: Okay. All right. Thank you.

CHAIRMAN AIZENSTAT: I'm sure Juan will go ahead and do that for us. I know he's been, I can imagine, pretty busy with work and so

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forth, but I'm sure he's diligent about it.

MS. KAWALERSKI: Okay. Thank you, Mr. Chair.

CHAIRMAN AIZENSTAT: Thank you.

Mr. Collier.

MR. Collier: Item E-4, an Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code by amending Article 2, "Zoning Districts," Section 2-101, "Single-Family Residential (SFR) district," and Article 5, "Architecture," Section 5-503, "Flat roofs with a parapet," to allow enclosed stairwells to exceed the maximum building height of single-family homes and to modify outdated building height provisions related to parapets in flood hazard districts; and providing for a repealer provision, severability clause, codification, and providing for an effective rate.

Item E-4, public hearing.

CHAIRMAN AIZENSTAT: Thank you.

MS. GARCIA: So, Jennifer Garcia, Planning and Zoning Director. I have a PowerPoint that I'm sharing. Oh, magic. Perfect.

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1 So, at the last meeting, we discussed the
2 possibility of allowing single-family homes to
3 have an enclosed stairway poke beyond the 25
4 feet of habitable height. Right now, you can't
5 have an exterior stair, to be able to access
6 that rooftop. But it's requesting an actual
7 enclosed area just for the stairs.

8 So you can see in that diagram, right now,
9 you see those two stories, that's the maximum
10 height you could have in single-family zoning.
11 The features -- the architecture feature and
12 the roof pitch go beyond that 25 feet that's
13 allowed. What this is requesting, though, is
14 to have an enclosed stair beyond that 25 feet.

15 This will be just for -- sorry, just a
16 second. I think my computer froze.

17 So this will be just limited to 30,000
18 square feet. And the purpose of that is so
19 that you would have enough -- ample space
20 between you and your neighbor, to not impede on
21 any privacy issues.

22 MR. BEHAR: And Jennifer, one of the
23 discussions we had the last time is, how big of
24 an area are we going to allow? Did we do
25 any -- I thought I saw something on your

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1 presentation that puts up, I think, it's ten
2 percent of the area, of the floor plate below?

3 MS. GARCIA: Yes. So, again,
4 (unintelligible) will be ten percent of the
5 floor area below. If by chance, there's two
6 masses, it would be really the floor area below
7 and not the two masses that are reaching the
8 second story, if that makes sense.

9 The point of that is that if you have a
10 larger house or a smaller house, it's really
11 depending on the massing of the house, versus
12 having an actual square footage.

13 MR. BEHAR: So, as an example, just to
14 clear my questions, if you have a house, that
15 the lot -- the floor plate is 10,000 square
16 feet, I could do an enclosed area of a thousand
17 square feet, right?

18 MS. GARCIA: Yes.

19 MR. BEHAR: That seems, to me, a little bit
20 too big, because it's not just the fact of
21 giving them access to the roof, but with that
22 kind of area, you could do a habitable space.
23 Did we -- did that number come as a result of
24 any studies or -- how did you --

25 MS. GARCIA: Yes. I have a slide to show

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1 that. Unfortunately, I'm not unable to share
2 that slide.

3 MR. BEHAR: I'm trying to help you.

4 MS. GARCIA: I appreciate it.

5 MR. PARDO: Mr. Chairman?

6 CHAIRMAN AIZENSTAT: Yes, sir.

7 MR. PARDO: Since Robert started already,
8 and it's his fault, you know, I'd like to be
9 able to ask questions and make comments.

10 MR. BEHAR: There we go. There we go.

11 CHAIRMAN AIZENSTAT: Let's let Jennifer do
12 her presentation.

13 MR. PARDO: Sure. Sure.

14 CHAIRMAN AIZENSTAT: And then we'll go
15 ahead and tackle that.

16 MS. GARCIA: So this is an image rendering
17 of a currently under construction house, that
18 has, as you could see, if I can show on here or
19 over there, you can see here the -- oh, I guess
20 you're looking over here, aren't you?

21 Well, on the very right side of the yellow
22 area, is an exterior stair. So, right now,
23 that's the way that people are accessing
24 their -- the top of their second floor, is by
25 an exterior stair. Again, this would be to

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1 allow an enclosed area, so that your stairs are
2 not subject to the outside.

3 Let's see, this is an image that's showing
4 our large properties in our City. As you can
5 see, the yellow is showing the 20,000 -- I'm
6 sorry, 30,000 square feet. Most of those are
7 in the south part of our City, south of Sunset,
8 as those are where our more larger properties
9 are. And the blue areas area showing the
10 20,000 square feet. I think that was mentioned
11 the last time, at our last meeting, why not
12 20,000 square feet. It would encompass
13 probably twice as many more properties in our
14 City. So it's up to the Board if they feel
15 that that needs to be adjusted, for that
16 minimum square footage.

17 Let's see. So, in summary, this is an
18 addition to the language, what we looked at
19 last time, to not exceed ten percent. Now,
20 since this was published, I did reach out to an
21 architect who does these large houses. He
22 mentioned maybe having just the square footage,
23 similar to what we discussed the last time,
24 maybe like 500 square feet, as a, you know,
25 round number, as well.

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1 So it's up to the Board. If the Board
2 feels like it should be based on a percentage
3 of the, you know, square footage of the house
4 or of the second floor or if it should just be
5 a square footage, no matter the massing of the
6 house.

7 MR. SALMAN: Why not both?

8 MS. GARCIA: Both as in either/or or --

9 MR. SALMAN: Ten percent to a maximum
10 amount.

11 MS. GARCIA: Can you talk into the mike?

12 MR. SALMAN: Ten percent to a maximum
13 amount.

14 MS. GARCIA: Okay.

15 CHAIRMAN AIZENSTAT: I'm going to let
16 you -- go ahead and finish the presentation.

17 MS. GARCIA: So, in summary, that's really
18 what I have, just a few images, to get the
19 discussion going again with the Board. I'm
20 here for your feedback.

21 CHAIRMAN AIZENSTAT: Thank you.

22 Before we begin, what I would like to do
23 is, is there anybody that would like to speak
24 on this item, that's here with us tonight?
25 Jill, did anybody sign up for this item?

17

1 commercial roof. I think it's awful, for that
2 reason.

3 The second thing is, it's an invasion of
4 privacy of your next door neighbor. It wasn't
5 intended to be a window's walk, that you see in
6 New England somewhere, you know, where the
7 properties were large and they were overlooking
8 the ocean and there was a historical context to
9 that. There is none here.

10 This is just a matter of now complimenting
11 and getting more usability and promoting,
12 actually, more of these box like designs in
13 houses that are springing up in the City of
14 Coral Gables. It just doesn't look like Coral
15 Gables anymore. I think this will only promote
16 that type of negative -- negative, bulky-type
17 of design, that I have seen, and I find
18 offensive.

19 There's no reason, if you want to have a
20 contemporary design, that you must be able to
21 use the roof for any purposes. So you start
22 off on one side. Then you continue on the next
23 one. The next thing you know, you have
24 barbecues and everything up there, and this is
25 not an area to tailgate. I think it has

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1 THE SECRETARY: Not for this item, no.

2 CHAIRMAN AIZENSTAT: Is there anybody on
3 Zoom or on the phone platform?

4 THE SECRETARY: No.

5 CHAIRMAN AIZENSTAT: Okay. I'll go ahead
6 and close it for public comment at this time.
7 Felix, would you start us off?

8 MR. PARDO: Thank you, Mr. Chairman.

9 So the intent of our maximum of two stories
10 in the City of Coral Gables historically -- and
11 I'm sorry, Mr. Chairman, I'd like to recognize
12 the late Chip Withers.

13 MR. WITHERS: The late or -- I'm still
14 breathing.

15 CHAIRMAN AIZENSTAT: If we can please note
16 that Mr. Withers has joined us.

17 MR. PARDO: So one of the issues I see is
18 that the City of Coral Gables has prided itself
19 and made sure that single-family residential is
20 two stories. This, I think, is a horrible
21 idea. The reason it's a horrible idea is
22 because, whether it's a thousand square feet,
23 500 square feet, 1500 square feet, it's the
24 usability of someone to get up on that roof,
25 and this is not intended to be a usable

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1 nothing to do with residential, and if this was
2 bringing something other than that, I could get
3 that.

4 For me, when you look at some of these
5 usable spaces, they're in Commercial areas, and
6 they're on the tops of buildings and there are
7 specific reasons and specific ways that they're
8 done. I think this has absolutely no purpose,
9 for the few that have 30,000 square feet, you
10 know, in the City of Coral Gables, and it has
11 absolutely no advantage to the rest of the
12 people. I think it's wrong.

13 CHAIRMAN AIZENSTAT: Thank you.

14 Chip, just to bring you up to speed, we
15 started with E-4 first, which is legislative,
16 so that you'd be able to vote on the
17 quasi-judicial down the road.

18 MR. WITHERS: Thank you very, very much.

19 CHAIRMAN AIZENSTAT: Thank you.

20 Sue, would you go next?

21 MS. KAWALERSKI: Yeah. I'm going to echo
22 what Felix said. I think this opens up a
23 Pandora's Box. You know, I think the purpose
24 of having a staircase to the roof is for
25 maintenance and utility, not for pleasure. I

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1 can see that the roofs, all of a sudden, will
2 have sound systems. And you're talking about
3 intruding on a neighbor, you put a sound system
4 up there, you know, that interferes with the
5 neighbor's privacy.

6 So I'm totally against this. I see no
7 reason to make that space semi habitable. It's
8 supposed to be utilitarian.

9 CHAIRMAN AIZENSTAT: Thank you.

10 Julio.

11 MR. GRABIEL: I think -- wait -- got it.
12 Technology, I'm not good at it.

13 I don't see any problem with having an
14 accessible roof for a house. There is a lot of
15 places where the views from the house are best
16 enjoyed from the roof, and I don't see any
17 problem whatsoever giving the owners of a
18 property access to that roof through a stairs.

19 CHAIRMAN AIZENSTAT: Thank you.

20 Javier.

21 MR. SALMAN: Thank you, Mr. Chair.

22 I see this as sort of a solution in search
23 of a problem, and it has a series of collateral
24 issues, that I'd like to discuss, with regards
25 to any kind of rooftop area.

21

1 there? Do you put chaise lounges up there? Do
2 you put planters up there? You know, what's
3 allowed up there? And I just think it's going
4 to be hard to regulate that.

5 CHAIRMAN AIZENSTAT: Thank you.

6 Robert.

7 MR. BEHAR: Thank you, Mr. Chair.

8 For me, this is one of those, that there's
9 a time and place for everything, and to sum
10 what Javier mentioned, in the right location,
11 the right place, for me, this is definitely a
12 positive. If we had a house that we were
13 overlooking -- let's say, in Gables Estate,
14 overlooking the water, this is appropriate, and
15 I don't see why an owner would not have the
16 ability to do that. I don't think it's
17 appropriate City-wide, because, you're right,
18 you may have lots that are going to be too
19 close, and you're going to be invading some
20 people's privacy. I think that, in the right
21 location, and if we could find a way to do that
22 more specifically, I think it's appropriate.

23 To me, the size of it, ten percent is too
24 much. I think 200 feet is too little. I think
25 anywhere from, my opinion, 400, 450 square feet

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1 A rooftop area means that they're going to
2 have chairs, umbrellas. Before you know it,
3 they're going to have a trellis. It's the
4 beginning of a slippery slope, and we've
5 traditionally held all construction for
6 residential to two stories. There are rare
7 exceptions, especially for very large
8 properties, and therein, I have no problems
9 with those specific exceptions, but to just
10 make it across the City, doesn't make any
11 sense, at least to me.

12 And as it's written, it's too wide to be
13 truly limiting. It needs to be a certain
14 percentage, to a maximum of like 200 square
15 feet. I can't imagine you need more than that
16 for a stair. And even then, I still don't see
17 the overall reason for it.

18 CHAIRMAN AIZENSTAT: Thank you.

19 Chip.

20 MR. WITHERS: I echo exactly what you said.
21 I think it's going to be very hard to corral it
22 in, once you kind of let it start to happen. I
23 mean, do you put umbrellas up there? Do you
24 put barbecue grills up there? Do you put sound
25 systems up there? Do you put hot tubs up

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1 that you get -- because the stair itself is
2 going to make about 200 -- you know, 10 by 20.

3 MR. SALMAN: Yeah.

4 MR. BEHAR: And then a little bit extra to
5 come out, you know, a little small foyer,
6 vestibule, you know, 150, 200 square feet. So
7 maybe 400 square feet, I think is -- and I
8 think we should put a limitation on the square
9 footage. I think that the percentage is not,
10 in my mind, the right way to go.

11 So I will be in support, if it's in the
12 defined areas where you could do this. That's
13 it.

14 CHAIRMAN AIZENSTAT: Thank you.

15 Jennifer, let me ask you a couple of
16 questions, please, if I may. What's the intent
17 of this? What's the reason that you're
18 bringing this before us?

19 MS. GARCIA: So there's the desire, for
20 many, many years, to be able to easily access
21 your rooftop. The concern that the
22 Commissioner has is that privacy, right.
23 Should we be limiting it to a certain size of
24 properties, so you don't have that privacy of
25 your next door neighbor, the neighbor in the

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back, that you're going to be looking over more easily into their backyard or side yard.

CHAIRMAN AIZENSTAT: So, for now, somebody can do a staircase on the exterior to access the roof if they wanted to?

MS. GARCIA: Yes. Right.

CHAIRMAN AIZENSTAT: The difference is --

MS. GARCIA: As you can imagine, it's a little more difficult to get approved by the Board of Architects, because it's not always very attractive.

CHAIRMAN AIZENSTAT: Okay. And if somebody wants to go ahead and do an elevator tower in their home, they have a big home and they want to use an elevator tower, how much above the allowable height of the regular roof line can they go?

MS. GARCIA: Whatever the BOA will approve. So they cannot access their rooftop from that elevator, but the elevator overhead can go beyond the 25 feet.

CHAIRMAN AIZENSTAT: But if that elevator --

MS. GARCIA: But not the cab itself.

CHAIRMAN AIZENSTAT: If the elevator lands

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on that floor, they'd be able to have access to it? In other words, if that's the top --

MS. GARCIA: But because of the language of two stories, we're not allowing access to the rooftop from an elevator.

CHAIRMAN AIZENSTAT: I think one of the discussions that we had last time was allowing it to be an interior space, as a landing for the stair and so forth, and not so much as an added area of square footage that was outside.

MR. PARDO: Mr. Chairman, I just wanted to help you a little bit on this. If you don't mind, I want to just help you a little bit.

CHAIRMAN AIZENSTAT: Please.

MR. PARDO: On Commercial buildings, the extension -- the safety extension of the elevator is exempt, the same as stair towers, but in Residential, it is not.

CHAIRMAN AIZENSTAT: Okay.

MR. PARDO: So it's not up to the purview of the Board of Architects, as was stated by the Director. It is up to the Zoning Code and the Zoning Code is clear.

MR. BEHAR: But, Felix, in a residential elevator, you don't need an override.

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MR. PARDO: I'm sorry?

MR. BEHAR: In a residential elevator, you really don't need an override.

MR. PARDO: No. And Robert, that is absolutely correct, and the reason I bring this up is because people get confused on understanding that, well, overruns are not counted. They're not counted for Commercial. And in fact, also, be careful, because certain jurisdictions do even count parapets, where others do not. So you have to be very careful with that, also.

CHAIRMAN AIZENSTAT: And you'd also have to have a flat roof, in order to do that, which in Coral Gables is limited.

MR. PARDO: A hundred percent. And then you get into the safety issue, because now, when you go there, it becomes a habitable space, and you have to have at least 42 inches, as a safety guard. So now you've raised the elevation even more.

Look, I love contemporary architecture, where it's supposed to go, and I understand what Robert says about having a view of the ocean, absolutely, no problem there. This does

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not do either of those.

MR. BEHAR: Well, it could be. It depends on the area. And there is a limitation, you put a minimum lot size of 30,000 square feet. You know, what percentage of the properties, outside of the incorporated into the Gables, Gables Estates, you know, Snapper Creek, all of that area, are more than 30,000 square feet? Because I don't imagine you're going to have a lot of property, in the Central Gables, South Gables, you know, that are going to be exceeding 30,000 square feet.

And I think, to me, the limiting of where you could do it -- you know, to me, the example I'm giving you guys, you know, Gables Estates, properties there are, by far, more than an acre. It should be okay. I mean, I don't see it, you know, in the North Ponce area. One, you don't have a 30,000 square foot lot.

MR. PARDO: In your packet, Staff designated in yellow, if I recall, specifically every single lot in the City of Coral Gables, from the northern part of Coral Gables, and you would be surprised. Right off of North Greenway, they're 30,000 square feet. Right

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1 off of Alhambra, they're 30,000 square feet.
2 That has nothing to do with the price of tea in
3 China. This is not overlooking Biscayne Bay,
4 and I get that.

5 And I understand why people in The Keys,
6 they want to have that, and I think it's a
7 wonderful thing, because you're taking
8 advantage of that. This is a different animal
9 altogether. And once you go down that slippery
10 slope of the uses, keep in mind, you go down
11 the slippery slope of how many floors are okay
12 to have in the City of Coral Gables
13 single-family residential.

14 I mean, this is the last thing we can
15 protect, and I'm here to protect it.

16 CHAIRMAN AIZENSTAT: Okay. To me, I see
17 that if you can -- first, if you can limit this
18 to certain properties. A property that's on a
19 waterway, but has a neighbor that's across the
20 canal, I would not be so much in favor of,
21 because noise travels by the waterways, and the
22 person across the canal is going to be able to
23 see. If you have properties that are on the
24 open bay, I would be more in favor of that.

25 And to me, I would limit the size. I

29

1 wouldn't go by a percentage. I would just do
2 300 square feet or small area, not to -- I
3 wouldn't want to give it as a big incentive for
4 people to just do it. I would do it as a small
5 area, that they could have up there, if they
6 want to go up there and they want to see the
7 view or whatever it is, as opposed to creating
8 another backyard on the top floor.

9 MS. KAWALERSKI: But how do you prevent
10 that from happening?

11 MR. WITHERS: I mean, you can build a house
12 with a patio off your master bedroom or off
13 your living room and do the same thing, can't
14 you?

15 CHAIRMAN AIZENSTAT: Yes.

16 MR. WITHERS: You could put a big deck out,
17 if you're building it from the second floor.

18 MS. KAWALERSKI: Absolutely. From the
19 second floor, sure.

20 MR. PARDO: From the second floor, not from
21 the roof.

22 MR. WITHERS: But that's what I'm saying.
23 So you can still have it.

24 MR. PARDO: A hundred percent. And there
25 are many beautiful homes, as you well know,

30

1 along the Biltmore Golf Course, that have these
2 beautiful views of the greens. Absolutely.
3 I'm with that, all day.

4 MS. KAWALERSKI: Yeah.

5 CHAIRMAN AIZENSTAT: How would the Board
6 like to move forward on this? Is there a
7 motion that somebody would like to make?

8 MR. PARDO: Mr. Chairman, I'd like to make
9 a motion to -- for disapproval of this
10 particular requested legislative action.

11 MS. KAWALERSKI: I second.

12 CHAIRMAN AIZENSTAT: So you want to go
13 ahead and do a denial?

14 MR. PARDO: Denial of Staff's
15 recommendation of the legislative --

16 CHAIRMAN AIZENSTAT: And we have a second
17 by Sue.

18 Any conversation? Any comments?

19 MR. BEHAR: At this point, we have a motion
20 and a second. Let's call the roll and see what
21 happens.

22 CHAIRMAN AIZENSTAT: All right. Let's call
23 the roll, please.

24 THE SECRETARY: Sue Kawalerski?

25 MS. KAWALERSKI: Yes.

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1 THE SECRETARY: Felix Pardo?

2 MR. PARDO: Yes.

3 THE SECRETARY: Javier Salman?

4 MR. SALMAN: Yes.

5 THE SECRETARY: Chip Withers?

6 MR. WITHERS: Yes.

7 THE SECRETARY: Robert Behar?

8 MR. BEHAR: No.

9 THE SECRETARY: Julio Grabiell?

10 MR. GRABIEL: No.

11 THE SECRETARY: Eibi Aizenstat?

12 CHAIRMAN AIZENSTAT: Yes.

13 THE SECRETARY: Five-two.

14 CHAIRMAN AIZENSTAT: Thank you.

15 Now that we have a full Board, let's go
16 ahead and move up to E-1, please. Back to our
17 regular order.

18 MR. COLLER: Item E-1, a Resolution of the
19 City Commission of Coral Gables, Florida
20 approving receipt of Transfer of Development
21 Rights (TDRs) pursuant to Zoning Code Article
22 14, "Process," Section 14-204.6, "Review and
23 approval of the use of TDRs on receiver sites,"
24 for the receipt and use of TDRs for a Mixed-use
25 project referred to as "299 Minorca" on the

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property legally described as Lots 45 through 48, less than North 12 feet thereof, Block 17, Section "K", Coral Gables, Florida; including required conditions, providing for a repealer provision, severability clause, and providing for an effective date.

I think Item 2 is related.

THE SECRETARY: Yes, it is.

CHAIRMAN AIZENSTAT: Yes.

MR. Collier: Item E-2, a Resolution of the City Commission of Coral Gables, Florida granting Remote Parking (Section 10-109) Conditional Use approval pursuant to Article 14, "Process", Section 14-203, "Conditional Uses," for proposed Remote Parking associated with the commercial project referred to as "299 Minorca" on the property legally described as Lots 45 through 48, less than North 12 feet thereof, Block 17, Section "K", Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.

Item E-1 and E-2, public hearing.

I would recommend that you hear -- that the public hearing is for both items, but you vote

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neighborhood, where people could park in a garage and be able to walk around, as people generally do in a Downtown. And I can tell you that I've used a lot of remote parking ordinances in my time, in different jurisdictions, and cities generally say, "Well, you're in the Downtown, and there's a lot of parking, we'll waive it," but Coral Gables was much more restrictive.

The way that the Coral Gables Remote Parking Ordinance -- and I know that you're all aware of it -- is, basically, if you can find available parking within a thousand feet, then you would provide your required parking within that garage.

One of the reasons that this got spurred at the time is, back at that time, there was -- basically, to do a large scale development, you would have to assemble a lot of property, and that was leading to much larger projects, that had a lot of parking and a lot of units and people were very unhappy with that.

So the goal was to find a mechanism to allow smaller lots, within Downtown, to be redeveloped, without becoming these monster

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on the items separately.

CHAIRMAN AIZENSTAT: Thank you.

Mr. Navarro, welcome.

MR. NAVARRO: Thank you.

Excuse me, while I try to figure out the new podium.

Mr. Chairman, Members of the Board, Jorge Navarro, with offices at 333 Southeast 2nd Avenue. I'm joined this evening by my colleague, Devon Vickers, our project architect, Hamed Rodriguez, our traffic engineer, Tim Plummer, and my clients, Mr. Jose Boschetti and Mr. Eduardo Otaola.

We're here to present an exciting and innovative new project in Downtown, Coral Gables. And before I start, I'd like to take you in my time machine back to 2021, when the City went through great efforts to try to create a remote parking and TDR Ordinance for Downtown.

And at the time, the City recognized that these are areas -- it did it here and it did it in Merrick Park -- where there were many underutilized garages or surface parking. The idea is that these are very walkable

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projects, and I think you'll see that today with the project that we have, that we have been able to come up with a very unique and a very nice project, that fits on a 10,000 square foot lot, and that is taking advantage of the ability to do TDRs and remote parking, in order to create a viable development, that is not the typical project you find in Downtown nowadays.

So, as I mentioned, other projects, I think that you reviewed them in the last couple of years, have used these regulations, and we are proposing to use them, as well. Our project is 100 percent in compliance with those regulations. We are also one hundred percent in compliance with our existing Zoning regulations.

And with that, I'd like to orient you a little bit to our project site, which is very convenient, because it happens to be right across from us this evening. If we could get the PowerPoint presentation up?

While we figure out our presentation, I can go ahead and go on, but, essentially, it is the surface parking lot across the street, and I think we have the picture of the building,

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conveniently, right behind me. I was expecting our PowerPoint to have some issues. But this is obviously a very important, prominent corner in Downtown. You know what's around us. You know the building we're in and all of the developments that are around it.

This property is zoned MX2. It's within your Central Business District Overlay. We're not asking for any kind of Zoning changes in connection with this application. What we are proposing -- oh, here we go. Perfect.

What we are proposing is to take this 10,000 square foot lot and to use remote parking and TDRs to be able to do an eight-story Residential building, that's very much in context with the area. You could see it's fully activated at the ground. It doesn't have the bulky parking podium that many people have raised concerns with.

This is a 45-unit building, so it's a very small development. It has 4,800 square feet of ground floor retail lining the bottom. So it's a very active pedestrian environment. This is a little bit of -- going back in my presentation, this is the location, just so

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everybody's aware of it. The building that we're currently sitting in is directly to the south, to the bottom of the page. And this is the current site today, and this is what we propose to do.

Now, in order to achieve that, we're asking for Transfer of Development Rights. We're also asking to remotely park our 56 required spaces. Those 56 required spaces are based on this building being a hotel, which is the most conservative of the calculations, as these units will have the ability to be leased out for shorter periods. The City is treating it as a hotel. But we expect to have far less parking required.

Regarding the TDRs, we've been speaking with the Manager's Office and our intent is to purchase these TDRs from the City in the amount of \$360,000. That will be an item that will run as a companion with this item, hopefully, if we move on to the City Commission.

As we all know, the City has a very large inventory of historic properties, which many require immediate maintenance, and they have limited resources to do it. So, as residents

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and business owners in Coral Gables, we're very happy to be able to support those efforts.

So I'd like to walk you through our remote parking location. This is probably the easiest presentative I've had, because every site that we're proposing is directly next to us. So, the remote parking in your Code, allows for us to be able to find a remote parking location, that has excess parking, within a thousand feet. The site that we have chosen is the 255 Alhambra garage, which is located just that way, one block away, within a very short walking distance to this project. So we comply with the first requirement.

The second requirement that the City implemented is a parking -- it's a monetary contribution to the Parking Trust Fund, and as part of this project, we will be making a \$700,000 payment to the parking trust fund. This is monies that's used by the City to enhance existing parking facilities or to create new ones.

And the last item is, we need to have an agreement with the garage owner that we seek to remote park, and as has been done with similar

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projects, we will be entering into an agreement, in place, with the owner, in order to use these spaces. We have a letter from the owner, currently confirming that there's available spaces, and also confirming that he has agreed to lease us those spaces. And one of the conditions in your Staff report is that this agreement must be submitted to the City prior to building permit issuance, to make sure that it's in place, and that we have control to use those spaces, and we are in agreement with that condition.

With that, I'd like to introduce Tim Plummer, so he could walk you through the parking analysis that we did for our remote parking location, and then I'm going to hand over this presentation to Hamed Rodriguez, so he could present the project to you.

Thank you.

MR. PLUMMER: Good evening, Members of the Board. Tim Plummer. I'm the President of David Plummer and Associates, with offices at 1750 Ponce de Leon Boulevard, here in Coral Gables.

Our task was very straight-forward, as it

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relates to remote parking. The garage that's been identified by ownership, we needed to find out if there's available capacity to park the 56 cars in the garage.

And we did a survey, at 255 Alhambra Circle. We did it on a Thursday evening. It's an office building. Weekends, really, aren't very important. The garages that are office only are empty. So we did it on a Thursday.

We did counts from 10:00 in the morning to 7:00 in the evening, to see what the occupancy of that parking garage was. If we can go to the next slide, Devon.

So, as Jorge mentioned, about 400 feet south of the project, we found out, after our survey, that the office building is actually 83 percent occupied. There's access on Alcazar and Salzedo Street to that parking garage. Approximately, there are 568 parking spaces, and what we found out is that, on that Thursday, that the peak was at noon. There were 352 parked cars, about 216 available spaces.

And, then, as expected, and this use here, being a residential use, is a very good mix

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with an office use, because as folks leave the office building and go home, the parking garage starts to empty, and as residents come back to our project, the garage will have plenty of available parking. As you can see, at 6:00 p.m., there's actually almost 400 available parking spaces.

If you go to the next one, Devon.

And then we quickly looked at what happens if the office is 100 percent occupied. Offices never are. They're generally 90 to 95, which is generally considered full occupancy. Same thing. At the peak at noon, 144 spaces. 6:00 p.m., 355 spaces. There's plenty of available capacity in this parking garage.

Staff has reviewed our documentation, our report and has agreed with the conclusions, and I'll be here to answer any questions you might have.

CHAIRMAN AIZENSTAT: Thank you.

MR. RODRIGUEZ: Good evening, Board Members. Hamed Rodriguez, with office at 275 Minorca, immediately next door to this project.

We enjoyed this project. We think it's an enhancement to the Central Business District.

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We think that it anchors this corner. And the opportunity to do this, with the remote parking, gives us the availability to have a much more toned down base. As you know, the base height is 45 feet, and after that, the step backs occur.

Well, our base is actually less than 36 feet, because we did not need to use it to create a parking podium, and instead of having a base of 27 and 28 feet in width structurally, we're closer to 25, so we have more of a human scale, and we've lowered the base there, as you can see. So the proportions of the residential units above that more in play with the size of the building.

So we feel that the building, with the fact that we went for Mediterranean Bonus Level 2, and we're proposing a design which is Spanish influenced, so the idea here was to create the balconies and the use and views of this urban environment, and have a liner building or a liner base, that is very elegant and inviting to the retail. We have retail facing both sides, the Minorca side, halfway through, and fully on the Salzedo side.

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Again, if you have any questions, let me know.

CHAIRMAN AIZENSTAT: Thank you.

MR. NAVARRO: So I think, briefly, you saw the process that we've gone through. I think Hamed has done a great job of trying to design a small scale building, that fits very nice within the context of this area. This project was very well received by the Board of Architects, and also by your Historic Preservation Board, who both reviewed and unanimously approved this project, prior to this Board.

As I mentioned, Staff is recommending approval, with certain conditions. My client has reviewed those conditions, and we're in agreement with all of them, and we would ask that you recommend approval of this project to the City Commission.

With that, we'll conclude our presentation, and I'd like to just save two minutes for rebuttal at the end, and thank you.

CHAIRMAN AIZENSTAT: Thank you.

Just a quick question, before I open it up for public comment. We didn't touch much on

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1 the TDRs.

2 MR. NAVARRO: Correct.

3 CHAIRMAN AIZENSTAT: How many --

4 MR. NAVARRO: So we are purchasing -- we
5 would, if approved, be purchasing 9,000 square
6 feet of TDRs.

7 CHAIRMAN AIZENSTAT: Okay. 9,000
8 additional square feet of additional TDRs --

9 MR. NAVARRO: Yes, correct.

10 CHAIRMAN AIZENSTAT: -- to the building?

11 And that 9,000 square feet, what size --
12 your average size of unit?

13 MR. NAVARRO: It's about -- so I'll have
14 Hamed come up. The TDRs are all filling in
15 within the allowable envelope. I'll have Hamed
16 confirm exactly the unit sizes for this.

17 MR. RODRIGUEZ: The minimum unit size that
18 we are allowed is 500. We're over 500. We
19 probably average closer to 750 to 800 square
20 feet.

21 CHAIRMAN AIZENSTAT: Thank you.

22 MR. BEHAR: I have one more question. You
23 say you're going to have an agreement with the
24 parking garage.

25 MR. NAVARRO: Correct.

45

1 two requests today for this project, the
2 conditional use for remote parking, as well as
3 a TDR request.

4 As we know, it's across the street, on
5 Alcazar and Salzedo, at the northeast
6 intersection. Here's an aerial looking down.
7 You can see it's across the street from the
8 Codina Sofia development to the west, a smaller
9 office building to the southwest, and the
10 police station to the south, and to the north
11 is apartment buildings, and directly east are
12 office buildings.

13 The current Future Land Use Map is
14 Commercial Mid Rise Intensity, and the Zoning
15 is MX2, and they're both within -- they're
16 both -- it's within the Central Business
17 District.

18 This is a street view showing the area.
19 Right now it's a surface parking lot. The
20 request -- first request is for a conditional
21 use for remote parking. This is a view of the
22 site plan. You can see the existing alley is
23 going one way westbound, on the north side, the
24 upper side of the site plan. The loading and
25 delivery areas are happening along that

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1 MR. BEHAR: How long is that agreement
2 going to be for?

3 MR. NAVARRO: We have not negotiated that
4 agreement yet, but if the Board has a
5 recommendation for that -- I don't think your
6 City Code actually has a limit. Obviously, we
7 would prefer a longer term agreement, but from
8 what we understand, that building was just
9 completely refurbished and released. So they
10 have no plans to do anything with that building
11 and the garage is available for us. So if the
12 Board has a recommendation on the term that
13 they would like to see for that agreement, that
14 is something we'll definitely consider and try
15 to do.

16 CHAIRMAN AIZENSTAT: Okay. Thank you.

17 I'd like to go ahead and open it up for
18 public comment. Jill -- I'm sorry, Staff. I
19 apologize. I was jumping ahead.

20 MS. GARCIA: Jennifer Garcia, Planning and
21 Zoning Director.

22 If I could have the PowerPoint, please.
23 I'm sharing it right now. Please work.
24 Thanks.

25 All right. So we have two conditions --

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1 internal driveway they're creating on the east
2 side of the property, as well as a little drop
3 off, pick up area, that comes out of that
4 internal drive. The Commercial is facing
5 Salzedo, as well as facing Minorca, and
6 on-street parking to remain on Salzedo.

7 All right. Right now, the density in our
8 CBD is unlimited. They're proposing to have 45
9 units at this property, with about 4,800 square
10 feet of ground floor commercial retail, and
11 with the parking requirements, we're expecting,
12 I guess, the worst case scenario for parking
13 requirements. They are proposing a condo hotel
14 use. So, for one bedrooms, we are expecting
15 the one bedrooms to be an over-accommodation for
16 the higher parking requirement, at one and
17 one-eighth per room. So that will be 39
18 spaces. The two bedrooms, expected worst
19 scenario, we're using our requirement of a
20 two-bedroom, which is 1.75 per bedroom. So a
21 total of 56 spaces for those 45 units that
22 they're proposing.

23 And the remote parking, they're proposing
24 it to be at 255 Alhambra, and that's exactly
25 330 feet south of the property, which is south

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of here, where we are right now.

And the second request is for the TDRs. They're requesting 9,049 square feet of TDRs. Their plan is to purchase those from the City, from our larger pot of historic TDRs that we have available to be able to fund our historic buildings in the City. The building height is not being affected by the additional TDRs and the square footage. It's only making the building a bit fatter, and have a 4.375 FAR.

An image of the building, you can see that most of the mass is on the ground, like I said, the base of the building. I think it was 30 something feet, before the step back. This is an area view looking northeast, a bird's eye view. You can see the Codina Sofia Building to the left of this rendering and the police station to the right of this rendering.

So the project went to be reviewed by the DRC. So it received comments from the Staff in June of this year. They were to the Board of Architects a couple of times, received approval in September. They received approval from the Historic Preservation Board in October. They had a November -- sorry, the Neighborhood

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Meeting, as required by the Zoning Code, in late October. They were reviewed by the Parking Advisory Board in late November, and here we are today for this Planning and Zoning Board Meeting. They are scheduled to be on tomorrow's agenda for the School Community Relationship Committee, as required, since they are within a thousand feet of a public school. As you can see here, the red dot is the property, and you can see the thousand feet radius, and that's including Gables Prep, which is off to the east of the property.

So we've sent out letters three times, for Neighborhood Meeting, the Historic Preservation Board, and for this meeting tonight. The property has been posted four times. The website has been posted five times for all of those public hearings -- for the public meetings, rather, and two times for newspaper advertisement.

Staff has determined that it's consistent with the Comp Plan, as far as the goals, objectives of our Downtown and encouraging Mixed-Use uses in our Downtown. We recommend approval with conditions. Those conditions are

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outlined in your Staff report, but the highlights are to maintain circulation, both, vehicular and pedestrian circulation on the side blocks and alleys to be maintained during construction, so we don't have any street closures -- I'm sorry, any sidewalk closures or any alley closures, as we need the alley to remain open during construction. Pedestrian and streetscape improvements on Salzedo and Minorca, including a crosswalk and four-way stop, as approved by the County, at the intersection of Salzedo and Minorca, to include also landscape and bump outs. Alley improvements, including the signage and any undergrounding of adjacent utilities along the alley. And, then, after construction, basically clarifying that deliveries and loading and pick up and drop off will be prohibited within the alley, and to make sure the alleyway is clear at all times.

Thank you.

CHAIRMAN AIZENSTAT: Thank you.

Jill, do we have any speakers in Chambers for this project?

THE SECRETARY: Yes. Mr. Diego.

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CHAIRMAN AIZENSTAT: How many speakers do we have in Chambers?

THE SECRETARY: Actually, one, and no one on Zoom.

CHAIRMAN AIZENSTAT: Okay.

MR. TEJERA: I will keep this real brief. I'm in support of this project.

CHAIRMAN AIZENSTAT: If you could state your name and address, please.

MR. TEJERA: Sorry. Diego Tejera, 265 Grapetree Drive. I frequent the Gables almost daily and I think it's a great addition to the CBD and I'm in support of the project. Thank you.

CHAIRMAN AIZENSTAT: Thank you.

THE SECRETARY: We have Chief Hudak.

CHIEF HUDAK: Thank you, all. Ed Hudak, Chief of Police of Coral Gables, 2151 Salzedo, on behalf of the Police Department.

The one consideration, and we agree with our Planning and Zoning Department, that this is a beautiful facility that you're considering. Taking into consideration our emergency responses, the traffic issues that we have in this area, the fact that the remote

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1 parking, I believe the diagram has it further
2 down, but it's actually on Alcazar, so you are
3 now going to have traffic -- additional traffic
4 back up to the entrance, the only entrance, to
5 the Police Department, and the exit and
6 entrance to the Fire Department, on the south
7 side of this building, which goes up there.

8 So our concern is not so much the design of
9 the building, but we wanted to make sure that
10 planning was -- although our colleagues at the
11 City, in talking with the Manager's Office, we
12 just wanted to make sure that you all are aware
13 that we do have a concern about the size of
14 that. And, again, the eight stories, we do
15 have some additional security considerations on
16 having to relocate some of our security cameras
17 around this building, because we're going to be
18 looking right into those bedrooms, and that is
19 a security concern from us, and looking at
20 ISCP, when we did this -- put this building
21 together, we took that into consideration, of
22 that open space area.

23 I understand, you know, the right to build,
24 but I needed to make sure, on behalf of the
25 Police Department, that we've got some concerns

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1 just with the traffic alone. There are four
2 parking garages that empty onto this street.
3 So between this garage, the new City garage,
4 the high rise to the north and the high rise to
5 the end (sic), the only way that we can go
6 north during rush hour traffic is north on
7 Salzedo, from these buildings, because you can
8 only make a right-hand turn on Ponce at that
9 point into a school zone.

10 So we are concerned, even if it is commuter
11 type traffic on the trips, if you will, as well
12 as any kind of back up into the design -- into
13 this driveway, which is right across the
14 street. You can look out of the door. It
15 backs up into to the Police Department exit and
16 entrance, and we are a 24/7 operation. So that
17 has been concerns raised on our side.

18 Again, the building looks very nice, but we
19 are concerned about -- we've seen an increase
20 in the traffic accidents already, both, at
21 Salzedo, at the intersection, a near fatality
22 at Alcazar, and so -- I'm not going to speak
23 for the Fire Department, but the entrances to
24 those garages are on Salzedo and coming out of
25 Alcazar. We actually used the same garage

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1 before this one was done.

2 So the density input is going to add a
3 traffic concern for us and the safety to
4 respond officially from the Police Department.

5 CHAIRMAN AIZENSTAT: Thank you, Chief.

6 Any other speakers?

7 THE SECRETARY: No, no more speakers.

8 CHAIRMAN AIZENSTAT: None in Zoom?

9 THE SECRETARY: No.

10 CHAIRMAN AIZENSTAT: And none on the phone
11 platform?

12 I'll go ahead and close it for public
13 comment.

14 Mr. Navarro.

15 MR. NAVARRO: Thank you.

16 Just before I begin, I'd just like to take
17 a moment to say how much I respect the Police
18 Chief and his concerns and how much I
19 appreciate all he does for this community, and,
20 obviously his years of public safety.

21 We take the Police Chief's concerns very
22 seriously, and our team has had an opportunity
23 to meet with him on various occasions to
24 discuss our project.

25 In response to the concerns, we've made

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1 several commitments and changes to our project.
2 Obviously, I think it's important to understand
3 that is zoned for Commercial development. It's
4 privately owned and it's within the CBD. It's
5 a very important corner and something will be
6 redeveloped there. It's not a question of if,
7 but a question of what, and I think this is
8 probably the least intense of the projects you
9 could have, not only from a design perspective,
10 because we would have a parking garage there,
11 and we're basically picking up the parking
12 garage and moving it over here, further away
13 from the police station. We all know that what
14 generates traffic is the parking pedestal. So
15 that's one of the things we've done.

16 But, also, a few others that I'd like to
17 highlight here. The first thing we did is,
18 when we originally started this project at the
19 outset, we had considered and were requesting
20 to use the City garage right next door. From
21 what I recall at the time that garage was
22 built, it was built with excess parking, and we
23 thought it was a great location, directly
24 across the street, obviously very convenient,
25 but we understand the Police Chief's concerns

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1 along Minorca, and that is where -- you know,
2 with those concerns being raised, and from the
3 recommendation that we received from the
4 Parking Advisory Board, where they'd prefer
5 that we used a private garage, rather than a
6 City garage, those two items had us basically
7 change our remote parking location to the one
8 before you today.

9 So all future residents of this project
10 will no longer be driving on Minorca. They'll
11 be driving on Alcazar. But, at some point,
12 this is a property that needs to be accessed
13 and will be accessed in some way, and that goes
14 to my second point.

15 One of the things that we did, as well, is
16 that even though it's not required by your
17 Code, this project triggered such a minimal
18 number of trips, that it does not rise to the
19 level of requiring a traffic study, we went
20 ahead and voluntarily did a traffic study,
21 working with your traffic staff, in order to
22 analyze and study the volumes of traffic that
23 would be on Minorca and the adjacent streets,
24 specifically in front of the Police Building,
25 and Mr. Tim Plummer can explain that study in

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1 detail, if this Board has any questions, but
2 the findings were that this project would have
3 minimal impacts to the area, and I think that
4 goes to the design of the project, how we have
5 picked up the parking garage and moved it,
6 which will be the traffic generator, but also
7 in the use.

8 We're talking about a very low impact use.
9 This is a use where you have residential units,
10 that are tailored to people that live in the
11 CBD. People like to walk in this area. They
12 may live close to work. We've known of the
13 great efforts Coral Gables has made moving
14 international businesses and corporate
15 headquarters into Downtown. Many people in
16 this area want to walk to work or take the
17 trolley to work. So there's a less reduction
18 on the vehicle.

19 Also, the fact that some of these units
20 have the ability for overnight accommodations,
21 people that come and stay in these units, that
22 buy these units or rent these units, they may
23 not be here all year long, and they'll have the
24 opportunity to rent these units to people that,
25 for the large part, don't rely on vehicles.

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1 So, from a use perspective, we're also talking
2 about a very low impact use, in terms of what
3 could be built here.

4 One item, and it's a condition of your
5 Staff report, that we have committed to
6 provide, after much consideration is, we have
7 committed to construct a four-way stop sign
8 right there at that intersection. Now, what
9 that's going to do is that it's going to be
10 able to force cars traveling on Minorca to stop
11 on Salzedo and create a gap, that does not
12 exist today. I just saw cars passing by right
13 now. It will force cars to stop, which will
14 create a gap that will facilitate ingress and
15 egress from all of these garages and we will
16 construct that on our own.

17 And, lastly, and I think it's something
18 that Jennifer showed on her PowerPoint but we
19 did not highlight, is that even though it's not
20 required by the Code, there was a concern about
21 Ubers and pick ups and deliveries and services,
22 and one of the things that we did is that, even
23 though a paseo is not required, we have created
24 a completely internalized pick up and drop off
25 lane, that has sufficient clearance -- it's

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1 fourteen feet high -- to accommodate any Amazon
2 truck, any UPS truck, any kind of -- even
3 though residents aren't driving to this
4 building, anybody that comes to this building
5 will now be taken off the street and onto our
6 property, and we went ahead and incorporated
7 that into our project, to try and alleviate
8 some of the Chief's concerns regarding traffic.

9 So I just want to thank the Chief, again,
10 for all of his input on this project and for
11 coming out to speak tonight. We look forward
12 to continuing to work with him. This is, you
13 know, not the conclusion of those discussions,
14 but we have a commitment to continue to work
15 with him, and not just now, also during
16 construction.

17 And like I mentioned, you know, something
18 will be built here, and we think that, of all
19 of the possibilities, this is probably the
20 least impactful, in terms of traffic. For
21 instance, one of the things that -- being in
22 the CBD, you could have a building that has
23 1.45 FAR, with no parking. You don't have to
24 provide any parking, no payment to the Parking
25 Trust Fund, and there could be a 10,000 square

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foot restaurant built right across the street. You know, Bachour, Hillstone, any type of those restaurants, which Mr. Plummer looked at a report, and it would actually double the amount of daily trips and double the amount of traffic in the peak p.m. hours than this project would, and that project wouldn't have to go through a thorough review process like this one. That one is permitted, due to the size of this lot, without even a conditional use, and that's, you know, one of the alternatives.

Another thing that could happen is that this whole site could be aggregated. There's multiple properties here, and you could have a large scale project, which is, I think, what this Remote Parking Legislature was trying to avoid, with its own parking garage and a ton of units, with access on Minorca, direct garage access, which I think is something that we're all trying to avoid, especially in light of the Chief's comments.

So as I mentioned, we designed this project fully in accordance with the Code. We're not asking for anything that isn't allowed within the CBD or that hasn't been approved for other

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properties in the CBD. We check off all of the boxes, and we hope that we could have your favorable condition of this request, and our entire team is here to answer any questions.

CHAIRMAN AIZENSTAT: Thank you very much. Thank you.

MR. BEHAR: I have a quick question before he steps out.

MS. KAWALERSKI: And I do, too.

MR. BEHAR: Do you want to go first? Go ahead. Go ahead.

MS. KAWALERSKI: Mr. Navarro, you said that the City is viewing this as a hotel. Was that an accurate statement?

MR. NAVARRO: So, from a parking perspective, it is. So these are residential units. People will have the ability to live here all year, if they'd like, right. This is a residential building. But there are a lot of people that only live here part of the year, right, snow birds or people that just come down, and this gives the ability to put your unit into a pool.

This isn't like everybody gets to rent their own unit. There's a centrally managed

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company, that if you are not going to be here, you could put it into that pool, and it is rented as a hotel. And the idea is, as Hamed mentioned, these are larger units. There's a lot of international businesses in this area. A lot of people come down here for travel. And some people want to stay in a more private, larger unit, that's more boutique, that has a lot of amenities, rather than stay in your typical hotel, and it gives those people that may not be here all year long, the ability to rent it out.

MS. KAWALERSKI: Okay. But let's take, for instance, there's 45 units.

MR. NAVARRO: Yes, correct.

MS. KAWALERSKI: If all 45 were rented out as a hotel -- rented out as hotel space, wouldn't that increase the traffic because of Ubers and Lyfts and other vehicles coming and going? Did you take that into consideration when you did this traffic study?

MR. NAVARRO: I'm going to have Tim Plummer come up and explain, but that is why we have this dedicated drop off lane that I spoke of. Now, practically speaking, in these units,

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there is no possibility that all of these units are rented out at once. That's, you know, unlikely.

But from a parking perspective and things, that is, you know, obviously taking the worst case scenario. The way that we calculated parking is, I think, how Jennifer --

MS. KAWALERSKI: And because this might be a hotel, do you have service people that will be coming to work?

MR. NAVARRO: So this is a residential building. There will be some units that will be leased out for shorter term. So I want to go back to, this is not a hotel. It's a residential building.

Now, in order to provide the types of things you need to ensure that this is a luxury building, operates as such, we have a central management company that will do these reservations. So they're all done through a company that can control all of this. And, then, secondly, we do have 24-hour front desk. So if there's ever an issue, someone in the building calls the front desk and our management company can address that.

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MS. KAWALERSKI: But do you have maid service?

MR. NAVARRO: No. No.

MR. BEHAR: This is short-term rentals.

CHAIRMAN AIZENSTAT: It's a resort transient use as defined by the State.

MR. NAVARRO: Exactly. Yeah. Somebody's coming down. They want -- you know, mostly, the people that use these, are people that are coming to visit Downtown Coral Gables maybe for three days, for a series of meetings, for a conference, and people want to stay there, but --

MS. KAWALERSKI: No, I understand that. But when you said, "The City is viewing this as a hotel," somebody could rent it for a night.

MR. NAVARRO: Yeah. Correct.

MS. KAWALERSKI: Many people could rent it just for one night. So you would have a lot of transients and potentially a lot of traffic, because they need to get around, right?

MR. NAVARRO: So, usually, the way that it works is that they will be dropped off here, right. And normally, when you're at a hotel, yeah, you could take an Uber, but the point of

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this whole Downtown is to be able to walk around, whether it's to work, whether it's to one of the offices or restaurant. I mean, the whole --

MS. KAWALERSKI: No, I get that, but, you know, what I'm looking at here -- only part of your egress is covered and on the property. The other part of your egress is a public alleyway, correct?

MR. NAVARRO: Yeah, the Code actually promotes you to use the alleys as part of your --

MS. KAWALERSKI: Okay. But I'm looking at your drawings, and I'm seeing like one vehicle can get through. What if there's an Amazon truck parked there, doesn't that back up your --

MR. NAVARRO: Let me pull it up for you, so I can show you. We did create a bypass lane.

MS. KAWALERSKI: Okay.

CHAIRMAN AIZENSTAT: Robert, while they're pulling that up, is there a quick question you want to ask?

MR. BEHAR: Yes. The Sofia project is literally right across the street on the other

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side. Did you try to secure parking in that building, that it was going to eliminate or minimize the impact on Alcazar?

MR. NAVARRO: So the concern was, at some point, this is a property that needs to have access. It's either Minorca or Alcazar. There's no other streets. So the idea was, at the beginning, when we had -- even if we have Sofia, we're still on Minorca.

MR. BEHAR: Yeah, but Jorge, there's a difference. You got the entrances to the garage on Alcazar, which is more congested than if you had it on Minorca.

MR. NAVARRO: Yeah. So that's -- the garage actually has an entrance, as well, along the side. It's got two entrances. So it's not just, the main entrance to that garage is just Alcazar. It has, actually, on the Alhambra side, as well -- Salzedo, sorry. I got spun around.

CHIEF HUDAK: There's an entrance and exit on Salzedo and on Alcazar.

MR. NAVARRO: Yeah. So that has double the ability to kind of --

MR. BEHAR: So the question, was there an

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effort made to look at spaces in that building?

MR. NAVARRO: I'm being told, yes, it was, and I don't know -- is that a condominium building?

MR. PARDO: I'm sorry, what did you say, Robert? I couldn't hear.

MR. BEHAR: Was an effort made to try to get parking in that garage, instead of the 255 garage?

CHAIRMAN AIZENSTAT: Well, we have a representative here from the Sofia. Maybe that gentleman can answer that question.

MR. JIMENEZ: No. I'm sorry, Joe Jimenez, with offices at 2020 Salzedo Street. I'm not here in any way representing the Sofia. So you know, I was asked about it.

MR. PARDO: You're against the project?

MR. JIMENEZ: I am not against the project. The Sofia -- being a newer building, the parking of the Sofia, which takes both, the Sofia residential building and the office building, does not leave sufficient parking for this accommodation. The 255 building, built at a different time, was much more overparked, back then, under a City Code that is no longer

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in place today. Less parking is required.
The Sofia was not able to provide parking.
I know, because I'm the one that asked.

CHAIRMAN AIZENSTAT: Thank you.

MR. NAVARRO: He's my expert witness.

CHAIRMAN AIZENSTAT: All right. What I'd like to do is, Chip, would you start us off?

MR. WITHERS: Did you say there was going to be retail?

MR. NAVARRO: So we have ground floor commercial. We don't know whether it will be retail or office, but it's a small amount. It's 4800 square feet.

MR. WITHERS: So how is the -- I know the parking is calculated. If I have a two-bedroom, I get one and three-quarter cars to park. So how do you figure that parking in?

MR. NAVARRO: So in the CBD, the ground -- that's a great question -- the ground floor commercial is exempt.

MR. WITHERS: Is exempt, okay.

Okay. So if I have a two-bedroom and I really want two cars, because I can't drive a three-quarter of a car, what's the program? Do you have an opportunity to extend the number of

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I could check with my client. I think it's something we could accomodate. The good thing is that there's so much parking in that building, that if we needed more, we could get more.

One of the things I was trying to think about was, if you grabbed our building and you put it on top of that building, under today's Code, we would still have surplus spaces. So it's one of those unique situations where we have such a large garage, with so much parking.

MS. KAWALERSKI: And I just want to interrupt for one second.

You know, in your application, it says 53 parking spaces, not 56.

MR. NAVARRO: So those are our calculations, but like I said, we calculated it off of the worst case scenario, so it became 56. That's a great catch. That was our calculations, but the City has a stricter way of looking at it, and we're okay with that.

CHAIRMAN AIZENSTAT: Chip, are you done?

MR. WITHERS: No. That's it.

MS. KAWALERSKI: And while I'm at it, just one more question.

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spaces to 60, 65, for traditional folks that want to --

MR. NAVARRO: The way that it's being approved, it's a minimum of 56. Now, this parking garage is unique. It's a huge garage. So there is an ability for that. But, also, the City does sell, in this area, resident passes that you could purchase, as well.

MR. WITHERS: Would it make sense, if the requirement was raised, to 60, to accommodate some additional cars? I don't know. I'm just saying, it seems it would be in your best interest to do something like that, because you're probably going to charge the tenants or your owners for the space.

MR. NAVARRO: Yes. So the way that it works is, if it's a condominium, obviously the HOA will be paying that, but if it's a rental project, then the owner will pay it, but I think that's something that we would be okay with. Obviously, I have to check with the ownership, but I think we expect to require less parking, based on our calculations, but I know that our calculations are not the ones we're going by. But to have that flexibility,

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CHAIRMAN AIZENSTAT: Well, why don't you go next.

MS. KAWALERSKI: Okay. I noticed bump outs. Is that removing on-street parking? Are the bump outs removing on-street parking?

MS. GARCIA: I can clarify that. So, no. On the on-street parking, the three spaces that are there right now on Salzedo, will remain the same. It's just landscaping the bump outs that are there right now, which are most concrete.

And, also, along Minorca, there are striped areas. They will be expanding the sidewalk and allowing landscape along there, as well, but there will be no loss of on-street parking.

MS. KAWALERSKI: All right. And do you have that slide, by the way, while I'm at it, that you were going to bring up regarding the ingress/egress situation?

MR. NAVARRO: It should be sharing on your computer.

CHAIRMAN AIZENSTAT: You had it up before.

MR. NAVARRO: I wanted to follow-up on your point. That was a question that many residents raised when they went to our meeting. They wanted to make sure that we were not removing

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any on-street parking. And what we're doing is, we're beautifying the sidewalk, but those spaces, we've done the bulb outs to provide that beautiful landscaping, while preserving the existing number of spaces.

There were several residents that came, that were in support of the project, but that was their one thing they wanted to make sure.

MS. KAWALERSKI: Okay. And do the bump outs with landscaping count toward your green space requirement?

MR. NAVARRO: I believe they might.

MS. KAWALERSKI: They might.

MR. NAVARRO: Yeah, because one of the things with these 10,000 square foot lots, this is a very small project --

MS. KAWALERSKI: Right.

MR. NAVARRO: -- you know, to get the circulation and everything that you need for all of this, and the fact that we basically have a dedicated, which I hope I can show you, drop off lane. We are getting -- I could confirm the exact percentage. I don't think it's a ton of percentage. We're probably over.

One of the things that the City Planning

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realm is going to be enjoyed, as opposed to something -- I don't think we're talking about a large number of square feet. But what we're doing is -- and it's not easy, because once you touch that sidewalk, you've got to redo the whole sidewalk.

MS. KAWALERSKI: Look, I get it, but we keep getting projects here using public right-of-way for your benefit, because now you don't have to put that tree on your property. You're putting it on my property. We see this happening all of the time. This is nonsense, and we've got to stop this. It's an abuse of the public's property.

MR. NAVARRO: Yeah, and I totally agree with you. I know that sometimes that's something we do, but in Downtown, we're able to create -- now, in this area, we're able to put larger trees and really create something special. So it's not -- I completely agree with you. It's not a once size fits all. Some projects are using it to completely offset. I think, in this case, it's really to beautify Downtown.

MS. KAWALERSKI: All right, Jorge. You

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Staff wanted to ensure, if you look right outside, we have a very beautiful sidewalk, and we wanted to mirror that, all along Salzedo.

MS. KAWALERSKI: And I get that, except that you're taking public right-of-way in order to fulfill your green space requirement.

MR. NAVARRO: Correct, but in a project like this, right, I think having it in the right-of-way and matching what is there today provides a lot more continuity in Downtown. That's, you know, a sign that people could see and enjoy when they're walking in Downtown, as opposed to having a small 25 square foot green area in the back of our property or something.

MS. KAWALERSKI: No, I get that. I'm all for beauty, too, but it's your beauty on my public property, and I might not want the tree that you plant there on my public property. It's your way of getting around using yours. Instead you're using my property.

MR. NAVARRO: So if we did that, then the sidewalk would just be your typical sidewalk. I think, if you see what we're proposing, this would be one of those situations where the benefit of what we're giving to the public

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said you had a traffic study that you would reveal?

MR. NAVARRO: I'm going to introduce Mr. Tim Plummer, our traffic expert, and then I promise I will get this image up for you at some point, once we figure out our IT situation over here.

MR. PLUMMER: Yes. Do you have a question?

MS. KAWALERSKI: Yes. Mr. Navarro said that you actually did a traffic study with other considerations, other than the we're not doing a traffic study, because the trip evaluation doesn't warrant one?

MR. PLUMMER: Yes. In our package that we submitted to the City and the City reviewed, we did a look at what the trip generation was and the impacts to the roadway adjacent to the project. There was a concern about potential cuing on the back to the roadway system, and that's just not the case. The traffic is so minimal. The peak hours are about twenty trips. That's one trip every three minutes.

MS. KAWALERSKI: Okay. Were you considering an increasing in Ubers, taxis --

MR. PLUMMER: That all goes into the

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1 studies, all of that.
 2 MS. KAWALERSKI: And you did it -- one day,
 3 you did it?
 4 MR. PLUMMER: Well, you do a typical
 5 weekday, is how we do it in our profession.
 6 You do a typical weekday.
 7 MS. KAWALERSKI: Do you know what day that
 8 was? Was it a holiday?
 9 MR. PLUMMER: It's generally considered a
 10 Tuesday, Wednesday or Thursday, never a
 11 holiday.
 12 MS. KAWALERSKI: Okay.
 13 MR. PLUMMER: We don't do any traffic study
 14 or take traffic counts during holidays, because
 15 those traffic patterns are a little abnormal.
 16 People aren't coming into the CBD during
 17 holidays.
 18 MS. KAWALERSKI: So you basically did a
 19 trip evaluation not a traffic study?
 20 MR. PLUMMER: It was a traffic impact
 21 study, to see if there was any cuing that would
 22 come back onto Minorca.
 23 MS. KAWALERSKI: Okay.
 24 MR. PLUMMER: And the conclusions were, no,
 25 because the volumes are so minimal.

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1 MS. KAWALERSKI: So we're looking at the
 2 ingress there. This is where everybody is
 3 going to be cuing up, dropping off, et cetera,
 4 shopping, whatever. You have the one ingress
 5 there, right?
 6 MR. PLUMMER: That's correct.
 7 MS. KAWALERSKI: Okay. And how wide is
 8 that, by the way?
 9 MR. PLUMMER: It's at least 15 feet wide
 10 for the fire trucks.
 11 MS. KAWALERSKI: Okay. And 14 feet high,
 12 you said? That's going to get a fire truck in
 13 there?
 14 MR. BEHAR: But the fire truck would not go
 15 in there, anyways. The fire truck would not go
 16 there. They're on the street.
 17 MR. PLUMMER: Yeah, they'll stay on the
 18 street likely, but they're certainly not going
 19 under the 14 feet of cover.
 20 MS. KAWALERSKI: Okay. So where is the
 21 entrance here? Is it like in the middle of the
 22 project there?
 23 MR. PLUMMER: It's on the east end.
 24 MS. KAWALERSKI: No. No. The entrance to
 25 the building is in the middle of the project

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1 there?
 2 MR. NAVARRO: So the entrance to the
 3 project -- does this thing work? No.
 4 Okay. So if you look at where the north
 5 arrow signal is on the left, it is right up
 6 that curve cut. You could see the curve cut
 7 right there.
 8 MS. KAWALERSKI: Yeah, I see the --
 9 CHAIRMAN AIZENSTAT: It's where the gray
 10 is.
 11 MR. PLUMMER: Jorge is going to point to it
 12 over here.
 13 MS. KAWALERSKI: Okay.
 14 MR. Collier: Wait. Wait. Wait. Can we
 15 take this mike here?
 16 MS. KAWALERSKI: Okay. But people are
 17 going to be coming in here, right, to drop off?
 18 MR. BEHAR: And they'll go through the
 19 sidewalk there.
 20 MR. Collier: I know this room is difficult
 21 for everyone with respect to this, but you
 22 really need to speak into the mike, because
 23 we're recording this, and if we're not on the
 24 mike, then you're not being heard.
 25 MR. NAVARRO: I'm going to point to the

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1 entrance for the vehicular entrance.
 2 MS. KAWALERSKI: No, I got that, but people
 3 are now getting out of their cars to drop off
 4 something. Where do they go, into the
 5 building?
 6 Okay. And where is the entrance to the
 7 building on that side? Or do they have to come
 8 back on --
 9 MR. BEHAR: They come back on the sidewalk
 10 and they have dual entrances, one from the
 11 street and one from the drop off area. So they
 12 could go directly from the drop off into the
 13 building.
 14 MS. KAWALERSKI: Yeah, they can? Okay.
 15 MR. BEHAR: This door.
 16 MS. KAWALERSKI: Got you.
 17 So how many cars will this accommodate?
 18 Like if you have three Ubers waiting to pick
 19 people up, you have an Amazon driver, you have
 20 whatever -- how many cars can that accommodate?
 21 MR. NAVARRO: I believe it could be up to
 22 three.
 23 MS. KAWALERSKI: Two or three at a time?
 24 MR. PLUMMER: It's actually three or four.
 25 MS. KAWALERSKI: Three or four at a time,

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okay.

MR. PLUMMER: Before you spill back onto the sidewalk.

MR. PARDO: What about the moving truck?

MR. PLUMMER: Sure. I mean, there's always going to be situations -- all you have to do is walk around Coral Gables -- where it's never going to be perfect. What we're trying to do is look at the typical scenario for how this functions, and that's how this is going to function, and our study shows there's going to be no backup onto Minorca. The City has reviewed, seen all of our studies, and that's how it works.

Will there be an Uber driver that stops on Minorca, yeah, maybe. We can't control that.

MR. PARDO: How come you don't have a loading space?

MR. PLUMMER: So when people come in, will there be moving trucks? Yeah, occasionally there will be moving trucks.

MS. KAWALERSKI: And to Felix's point, is there a loading area, unloading area? You know, and here the Police Chief is telling us it's already a congested situation. Even a

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moving truck taking a travel lane, because there is no parking to accommodate a moving truck --

CHIEF HUDAK: Some of the issues that we incur, especially Downtown, is if a truck is actively loading or unloading, they can take a lane of traffic. We see it already.

Again, our concerns are not with the design, other than the fact that we've got four other businesses that are dropping off every day, they're using some of the space already. My concern -- our concern, I should say, from the Police Department side, is that we have to be able to get out of this building 24/7, and whether it's not necessarily a delivery here, but kind of Downtown, we had to do extraordinary measures to find where we can put tractor-trailers that are dropping things off. If they stop on Salzedo, they can stop on Salzedo and actively unload. We cannot enforce that.

To Tim's point, no matter what you build, I have to enforce, and that's where the challenges come in, on both sides.

MS. KAWALERSKI: Well, that's one thing --

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that's definitely something I'm concerned about, and I'm concerned about stacking, because this is a very transient situation, and it's not typical -- I'm sorry, Mr. Plummer, this is a typical -- it's not typical, it's atypical. This is potentially a total transient operation that you're running, okay. It's not people living there for years. It's people coming and going.

MR. NAVARRO: Yeah, but they come throughout the day. It's not like a residential building, where everybody exits at 8:00 a.m.

MS. KAWALERSKI: That's to my point, because you started this by saying people are going to go to work, their cars are going to be parked, there's not going to be any traffic, and that's not the case, not with a hotel.

MR. NAVARRO: So this is in terms of a project that's being proposed. It's 45 units. This is a very small number of units. The majority of these people are going -- the reason you move into the CBD is to walk to work, live close to where you work, walk to restaurants. That's why people move into

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Downtown.

MS. KAWALERSKI: I got it, but this is not a residential. This is a combination, residential and --

MR. NAVARRO: It's a combination. So the other half, right, are going to be coming down here to do work in Downtown. They will -- may take an Uber, but not everybody leaves from the hotel, like you do in a residential building, between the peak hours. It's staggered throughout.

We did a study to show that the amount of spaces that we are able to cue there is sufficient. This was reviewed by the City, this cuing study. And that is the number of spaces that they said, based on our project, that we would need.

Now, with the issue of loading, other than an Amazon truck, that I think Amazon comes wherever, but we -- the way that we will allow move ins, we could work on that, and have it to make sure that it's coordinated. We don't expect -- I mean, once you move into this building, right, the furniture usually stays there. There will be a period where it ramps

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up, and then those units will remain furnished, even if you rent them, or if you live there long-term. But we could work -- considering the Police Station is right here -- on the hours for when those loadings are allowed, to make sure that they're the least impactful hours, but also at a reasonable time. We don't want somebody to move in at midnight.

MS. KAWALERSKI: You know, that's not enforceable.

But one of the question, Mr. Navarro, and this has nothing to do with the TDRs or the parking, are those sliding glass doors and windows with Juliet balconies?

MR. RODRIGUEZ: Thank you. Hamed Rodriguez, architect, 275 Minorca. Those are actually casement windows. So they're not real doors. So what we did is, we did a combination, so there wouldn't be a sliding glass door, because it's a little hokey. We can't do the interior doors, because of our wind criteria here. So what we did is, we did a glass panel, to make it seem like a door, not a blank part of stucco, and then casements windows, which have a lot of detail.

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MS. KAWALERSKI: Okay. Thank you.

MR. RODRIGUEZ: Okay.

MS. KAWALERSKI: I'm done.

CHAIRMAN AIZENSTAT: Thank you.

Felix.

MR. PARDO: So many questions, so little time.

When I looked at the application, I like the idea. I understand it. You're not using the parking pedestal, which is, you know, the same as the Biltmore. There's no parking pedestal.

You know, when you look at the history of that particular parcel, the deal that was made between the public parking lot that was here and the rest of it, it was swapped and things happened, and that's fine. The problem is that nobody really thought about getting emergency vehicles out of here and police vehicles. It's a real problem.

The good thing is that -- on your site plan, is that you're going north, not south, and because you're going north, it becomes a natural relief point. I would suggest strongly that you add a loading zone, and you add it on

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the north side. By adding a dedicated loading zone on the north side, you're going to have trucks, like moving trucks, that are going to be for not a short duration of time, as the Chief said, but for a much longer duration of time. People are moving. They're loading, unloading, unloading, loading. This is not the Amazon guy, that's trying to break a record.

The streets are so narrow here. The right-of-ways are so inappropriate for this type of development, and most of the existing development that you have here, that it becomes a problem, where you can't get a doggone car in there without losing a mirror. We're lying to ourselves, if we think that's the case.

But the redeeming value is that, by having something that doesn't have a pedestal, it does bring it down, to a point. I found that some of the Staff comments and recommendations were alarming, and I will go through just a few of those. Just, first of all, to understand and wrap my head around this, in the City of Coral Gables, it used to be that if you had a hotel, it was a hotel. I understand that there's a business plan that is a little different today.

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We've already seen it across from the high school, one of the projects that is being built there, and, again, it's now becoming the new norm.

So, back in the day, if you had hotel, you had a hotel. If you had an apartment building, you had an apartment building. The calculations for parking, et cetera, and many of the uses, were completely different. Now the lines are so blurred, I can't tell the difference. So I think that's a bona fide question that Sue had.

The other thing is that, based on one of the original comments that was made as a preamble to our accepting the minutes and getting into the agenda, is that, when this application went to the BOA for the bonuses, was the BOA told you should look at this project only for the sheer aesthetics of it and not the massing or anything else, as has been done before, which was brought out specifically on Tuesday before the Commission?

The reason that's important is because there is a procedural problem that we have, that when it comes before us, it says here,

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clearly, over and over, "Board of Architects review and approval, subject to Section 5-100, Design Review Standards." That is not true. Massing is in there. The stepping down of buildings is in there. And that's been run around, on an end around, when it comes to actually looking at the massing and how the massing works.

I particularly don't like the design of the building, but that's just my personal opinion. And the reason is, because across the street, what Codina did do, was that he provided some colonnades that are human scale. The scale and the massing of this project of the colonnade you have there into the public right-of-way is about three stories tall, 36 feet. There's no reason for that. And by the way, what Codina did do was, he did put barrel tile and he did have a slope and it looks a lot more Mediterranean than this does. Again, that's my personal opinion.

That's why, it seems to me, kind of strange that the Board of Architects didn't request much more than what they did to grant two levels of Mediterranean bonuses. I have a

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problem with that.

MR. NAVARRO: So to that --

MR. PARDO: If I could finish, I'd really appreciate it. That way you could address all of my comments and tell me how wrong I am. I get that.

MR. NAVARRO: Of course.

MR. PARDO: Here's the problem that I have, I think the application, I think it's a good application, but I think it still needs work. My personal opinion.

Now, with Staff -- well, wait a minute, before I get to that, what the Med Bonus does is, it allows you to go from 70 feet to 97 feet. That's 27 feet. By going 27 feet -- by going 27 feet, that's almost three stories in height.

Immediately to the north of this particular project, just on that side, that is not mixed-use over there, at least not yet, thank God, and it's MF2. What happens with the MF2 over there is remarkable, because that's the Urban Infill Area. Keep in mind that all of the streets going north, south, east, west are very natural right-of-ways, where you can

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barely fit a fire truck and a regular car going through any of those streets, because of the parallel parking, which is essential to all of the residential area to the north. Bad planning.

It says over and over, "The site lies in a traditional area between the high-rise and mid-rise Commercial properties of Downtown." It does not. The Downtown is over there. These are single-family residential. All of this area, the North Gables Apartment District, is really affordable housing for people that work in the City of Coral Gables and elsewhere.

It is crazy. We're looking at things like Live Local, where we want to make affordable housing, but we're going to knock down all of these things down and then just do whatever the hell we want. I think that's wrong. That's me personally.

And it also says, "And the medium density multi-family residential properties in the North Gables Apartment Neighborhood," that's next. This is going to be a complete obliteration of these neighborhoods and the character and fabric that we have. When you

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drive down going north toward Eighth Street, you have a beautiful tree canopy, which is in the public right-of-way, and the trees shade. It's beautiful. Whether it's summer or winter, it makes it pleasant, and you see the residents there walking their dogs, et cetera. We're going to lose that.

Now, with all due respect to the Board of Architects, me, sitting on this Board, I have the ability to say my piece when it comes to massing, scale and compatibility, and I think that it can be redone in a better way.

The other thing that hasn't been discussed is the 800-pound gorilla in the room. What is that? Well, you're adding TDRs, 9,000 some add square feet. You're adding the two bonuses. That's a lot, you're taking out the pedestal of parking, which is great, but at the same time, the building is bursting at the seams, and, therefore, there's very little push and pull, because we're trying to get the last possible square foot there. I have a problem with that. I don't have a problem with the idea. I don't have a problem with what the developer is trying to do. I just have a problem with how

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1 it's being done.

2 The falsehood of TDRs, the TDRs were first
3 brought up to be a contribution to be able to
4 restore historic buildings. Right now, we have
5 problems with historic buildings in the City of
6 Coral Gables. At forty bucks or whatever it is
7 per TDR, times 9,000, that's \$36,000. Maybe
8 you can get maybe two, three, four hardware
9 sets --

10 MR. NAVARRO: So the --

11 MR. PARDO: I'm sorry, someone said
12 something?

13 MR. NAVARRO: Yeah, I just wanted to clarify.

14 The amount to purchase the TDRs, obviously,
15 the City has a higher rate. It would be
16 \$360,000.

17 MR. BEHAR: It's 9,000 --

18 MR. NAVARRO: It's 9,000 times \$40 -- sorry --
19 (Simultaneous speaking.)

20 MS. KAWALERSKI: Thank you.

21 So, Robert, you tell me, \$81,000 doesn't go
22 very long to preserve the Water Tower, you
23 know. So what I'm trying to say is, the 9000
24 square feet, when you divide it by the minimum
25 square footage that you were calculating

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1 before, it's "X" amount of units, but, again,
2 you're adding the density, you're adding more
3 and more and more, and then there's -- it's
4 basically straight down and it's very
5 difficult.

6 It just so happens that, across the street,
7 I think Codina did a very good job. He did a
8 good job. He's got an office building. It
9 works, as well as it can.

10 MR. NAVARRO: Well, I think that property
11 is so large that you have that flexibility.
12 With these smaller lots, it's very difficult to
13 be able to develop.

14 MR. PARDO: Right, but I really didn't want
15 to get into a debate yet, but what I'm trying
16 to say is that, that particular project has its
17 own parking in it.

18 MR. NAVARRO: Correct.

19 MR. PARDO: Once you take that out, you
20 have the Biltmore, which has only surface
21 parking, except for the little office component
22 that was built later.

23 MR. NAVARRO: You're a hundred percent
24 right.

25 MR. PARDO: I'm just saying.

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1 MR. NAVARRO: I agree.

2 MR. PARDO: The streetscape improvement,
3 when the Code gets changed over and over and
4 over, it becomes almost laughable. The amount
5 of ground floor area that we have is 1,144
6 square feet. If you take the cube root of
7 that, 33.8 foot by 33.8 foot. That's like from
8 here to that wall, squared.

9 So when those people are there, living
10 there, there are no parks. There's no
11 infrastructure for those people to have a nice
12 area to go and sit there with their kids, walk
13 their dogs, sit down at a bench. This is
14 something that has been condoned by our own
15 Planning Department, and I think it's wrong.

16 Over and over, I see, in Staff's
17 recommendations, consistencies with the City's
18 Comprehensive Plan, and there's only a term
19 that says, "Compliance with the Zoning Code."
20 So if the Zoning Code to the north of us is
21 MF2, why shouldn't we be concerned about the
22 consistency of that type of lifestyle there? I
23 cannot understand, and I would like Staff to
24 explain to me, that the applicant is going from
25 an FAR of 3.0 to 3.5. Is that simply

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1 Mediterranean Bonus Level 1 and 2?

2 MS. GARCIA: Yes.

3 MR. PARDO: So, there, we have
4 approximately 10,340 additional square feet,
5 when you add the TDRs to it, correct? Okay.

6 So I, originally, when I looked at the
7 application, had reservations about the
8 parking, but taking the parking and splitting
9 it over to somewhere else, which is a walkable
10 distance, I'm good with that. I think that the
11 comments that the Chief came up with are very
12 appropriate, and have to be addressed before I
13 vote for this application. I think, going
14 north, and then putting a loading zone on the
15 north side, will then make sure that people
16 that are going to be there for a longer period
17 of time of loading and unloading, are going to
18 be on the street to the north of the emergency
19 center, and I think that's extremely important.

20 I may differ, as far as the amount of
21 ingress and egress into the parking structure
22 that belongs to the building that you all are
23 going to be using, I think, if you have enough,
24 those amount of parking spaces will dissipate,
25 but the problem that we have is, we have a big

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1 problem of congestions, which impedes emergency
2 vehicle movement, both police and fire, and I
3 don't think that should be on the table.

4 I'm sorry, Mr. Chairman, I said I had a few
5 comments.

6 CHAIRMAN AIZENSTAT: Mr. Pardo, please
7 continue.

8 MR. PARDO: So when I saw the evaluation, I
9 said it embraces Mediterranean architecture.
10 This project does not embrace Mediterranean
11 architecture. I don't mean to insult the
12 architect. I don't mean to insult the Board of
13 Architects. That's just my opinion. It
14 doesn't do enough to make it look like that.
15 But I know that the developer is very capable
16 of really doing a better job, and I think, if
17 they do a better job and they look at the
18 massing, and they look at these suggestions, I
19 don't have a problem voting for this
20 application, but not the way it's presented
21 this evening.

22 And the Staff recommendation also said that
23 the proposed building's density, bulk, size,
24 area and use are fully consistent with the
25 development standards permitted for the

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1 property. That is not true. And the reason I
2 say that is not true is because I don't think
3 that this is the best massing. I don't think
4 it has been done correctly. And I don't think
5 that the loading areas, by being omitted, was
6 really what we wanted to do.

7 We have a trash area there, and it could
8 easily incorporate another use right next to it
9 for loading and unloading, where it becomes
10 dedicated. My concern has to do -- my concern
11 has to do with the suggestion of putting
12 something that's dedicated, to make sure that
13 it attracts the people that are going to be
14 there more than the Amazon truck.

15 MR. NAVARRO: And that's something my
16 client just told me that we will look at, is to
17 find a way to try to incorporate a dedicated
18 loading area.

19 MR. PARDO: And I understand square footage
20 for retail is important. You know, it
21 complements the use. There's no doubt about
22 that. And especially with everything that's
23 coming online, I think that's good, but I would
24 really appreciate that, because sometimes,
25 believe it or not, you see those -- in fact, on

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1 Codina's project -- you know, sometimes they
2 have a loading zone and sometimes the trucker
3 just wants to park outside, because he doesn't
4 want to make the turn to go inside. I get that
5 all day.

6 But when you have police enforcement, and
7 all of a sudden they tell you, put that truck
8 in there, I guarantee you that truck driver is
9 going to do exactly what they're told.

10 MR. NAVARRO: I think it will be a
11 deterrent having the Police Chief across the
12 street, hopefully.

13 MR. PARDO: Yeah. Chief Hudak always
14 carries his gun, so that's --

15 MR. NAVARRO: But that's something we could
16 definitely look at. I think, one of the things
17 you've seen, is our commitment to work with the
18 Chief, and we'll continue to do that, but that
19 is something that my client told me that we'll
20 go back and look at, is how we could fit --
21 because you're right, there are deliveries --
22 like an Uber Eats, they come in, they run in
23 quickly, they drop it off at the front desk and
24 they're gone, 30 seconds, but there are some
25 that may be more lengthy.

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1 MR. PARDO: And that happens. And that
2 happens, because it happens across the street
3 right now.

4 MR. NAVARRO: Yeah.

5 MR. PARDO: The other thing is that I'm
6 very glad that you said that you want to add a
7 four-way stop and you want to add a crosswalk,
8 because it becomes very, very dangerous,
9 especially on the north-south, you know, when
10 pedestrians are trying to make it across the
11 street.

12 The other thing is that Staff constantly
13 says, "The CBD. The CBD. The CBD." I don't
14 think we have to -- this project or any other
15 project has to augment the CBD. I think it has
16 to really complement the single -- or, rather,
17 the residential areas of this City, and I think
18 that compatibility with those areas, such as
19 the North Gables Apartment District, I think
20 it's extremely important.

21 And, finally, Mr. Chairman, in the
22 conditions, which they did not have the
23 crosswalk in there, anything that happens here,
24 I would hope that we add the crosswalks in
25 there, because they put in there specifically,

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"Staff finds that the proposed plans and Staff recommendation and conditions of approval incorporate measures to mitigate potentially negative impacts that could have adverse effects on neighboring properties," and I think that Staff needs a little more time to really evaluate that and be our eyes and ears, with the applicant, and just hone it in, to the point where I feel comfortable in voting for this project.

Thank you, sir.

CHAIRMAN AIZENSTAT: Thank you.

MS. KAWALERSKI: And can I add one thing, while we're on the crosswalk situation? And, Jennifer, maybe you might be able to address this, the developer has no purview to put in a crosswalk or a four-way stop, has no purview at all; is that correct? A developer just can't put in stop signs and a crosswalk?

MS. GARCIA: Yes, they have to have approval from the Miami-Dade County Public Works Department.

MS. KAWALERSKI: I'm sorry, what?

MS. GARCIA: They have to get approval from the County. The County is the one that allows

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us to have --

MS. KAWALERSKI: Correct. So the County could say, no, right? So that crosswalk is a fairly tale. It has to be approved by Miami-Dade County, okay. So that's not a given, that they're going to put in a crosswalk.

CHAIRMAN AIZENSTAT: Well, also, I think the Police Department and the Police Chief can weigh in on that and give a recommendation, if they deem it necessary, at that point.

CHIEF HUDAK: So since the building was built, this building we're in, we've been trying to get a four-way stop sign at this intersection. So we know our accident rates have increased on both of these intersections.

The first thing that the County was waiting on was until we concluded the City garage to do the traffic count on that. We are in the process of trying to re-engage them on that, as well, to do that, who pays for it or whatever, but it does have to be approved through our Public Works and through the County. So we're -- regardless of what happens across the street, we need that stop sign and we know

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that. We've been pushing forward on that.

CHAIRMAN AIZENSTAT: Thank you, Chief.

MS. KAWALERSKI: Yeah. I just wanted to be clear that it's not up to the developer to put that in. It's up to the County to approve it.

CHIEF HUDAK: As far as I know, yeah. We defer to our Public Works, and the County handles all of the traffic.

MS. KAWALERSKI: Thank you.

CHAIRMAN AIZENSTAT: All right. Julio.

MR. GRABIEL: There are a lot of things about this project that I like. One is infilling part of the City that is a parking lot, and this is -- I know that you're referring to the residential, but we're really in the CBD, and with the building of Codina, it has brought the weight of that development all of these many blocks north.

The building is not a great architectural Mediterranean project, but we've approved projects which are very similar to this and still called it Mediterranean, so I don't have a problem with that.

It does a lot of good things overall for the City. I don't have a problem with the

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walking. I don't think -- we're worried about the traffic, but the traffic is dealing with people who will park in the existing parking garage, which is already there. So we're not adding any more spaces for the Downtown area, and it works the way it is.

So I think the building is approvable.

CHAIRMAN AIZENSTAT: Thank you.

Javier.

MR. SALMAN: A couple of questions. One is just my own edification. I noticed that you went to the Historic Preservation Board, but we're not demolishing any historic buildings. What was the point of that review?

MR. NAVARRO: No, we're not. So that's a great question. The Code requires that if we are within 500 feet of a historic site, and we want to use TDRs, the Historic Preservation Board has to review your project.

MR. SALMAN: Is it a TDR trigger?

MR. NAVARRO: Yes. Yeah.

MR. SALMAN: Okay. That was my question.

Second, can you go over the parking calculation again and how you got to that number?

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MR. NAVARRO: Sure. Are you saying for how we got to how many spaces are in this garage or how we're calculating our project?

MR. SALMAN: How are you calculating your project and the number of spaces that you're going to need?

MR. NAVARRO: So this is the expert in the office, Ms. Devon Vickers. She's been working on the parking calculation. I'm going to have her explain how we're calculating parking.

MR. SALMAN: Thank you.

MS. VICKER: Good evening, Devon Vickers. Our offices is located at 333 Southeast 2nd Avenue.

So, as Jorge said, originally, our original application had the 53 parking spaces which I believe you mentioned originally. And so how we were originally calculating our parking was based on the Code, based on, One, our one bedroom count and our two-bedroom count. And so it's one space for one bedrooms, and one point, I believe -- 1.75 two bedrooms.

Staff recommended, after reviewing our application, because we had the residential component, with the option of hotel

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accommodations, that to maximize our parking, that -- instead of doing the one space for one bedroom units, to calculate that based on the hotel accommodations, which gives us a little bit of a bump in required parking spaces.

So that's how we went from 53 required spaces to 56, because instead of calculating the one bedrooms as one space per unit, we calculated it as 1.125 per one bedroom unit. So that's how we ended up with the Staff recommendation.

MR. SALMAN: Your one bedrooms are 1.25 parking spaces per one bedroom unit?

MS. VICKERS: Correct, under the hotel overnight accommodations parking -- required parking.

MR. PARDO: When it's a hotel.

MR. SALMAN: But the problem is, that's the worst case scenario. That's what you had to --

MS. VICKERS: Correct. That's the worst case scenario. That's what Staff recommended and that's what we have agreed to provide.

MR. SALMAN: I know that you're not required to provide any parking for the Commercial, because of the waiver.

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MS. VICKERS: Correct.

MR. SALMAN: But the reality is, you know, I just don't know how that's going to work for your poor tenants that are going to be on the ground floor. I guess you're going to have to rent spaces --

CHAIRMAN AIZENSTAT: If you can speak into the mike?

MR. SALMAN: Can you hear me? No, not a word.

Okay. So I'm worried about your commercial tenants and where they're going to end up having to park. If it's an office building or office use, you know, one per 300, you've got 4000 square feet, it's a sizeable number of parking spaces.

MR. NAVARRO: So the idea is for it to be retail. If we have to provide office --

MR. SALMAN: Office or retail --

MR. NAVARRO: See, this is why there's two very smart women behind me here. Both have confirmed what I thought, is that office use is not exempt. So if we have an office use here, we will have to, as Mr. Withers mentioned, get more parking, but we would like to provide some

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retail, probably -- if we can, there, and that's what's currently in the parking calculations.

So retail is exempt, because you park and you walk around beautiful Downtown, but office does require for us to get more remote parking.

MR. SALMAN: Okay. Thank you very much.

Have you -- I was looking at your drop off. You basically have two spaces, with a column in the middle, that you have to sort of get around.

MR. NAVARRO: Yeah. What I'm being told from Mr. Plummer, is that that space -- I don't know if we have like a huge car in it, but it's supposed to fit three to four cars in the little --

MR. SALMAN: That little stacking area?

MR. NAVARRO: Uh-huh.

MR. SALMAN: No. No.

MR. NAVARRO: Okay. That's what I had heard and I was like, I don't know, we're parking like a --

MR. PARDO: Tim, are those European cars or --

MR. SALMAN: Maybe four Smart cars.

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MR. PLUMMER: It's approximately four cars, from the drop off area, all of the way back to the back of the sidewalk, sustained within the property.

MR. SALMAN: Yeah, but at that point, the car in the entrance is blocking the entire use. So that doesn't really count as a drop off area in my book.

Did you look at providing an additional drop off area along the Minorca side?

MR. NAVARRO: So we did, but one of the things that we have been told is that, obviously, we've heard what's going on with traffic on Minorca, is that that area not be used at all for any kind of valet, loading, or anything. So we have stayed away from using anything on that side of the street for any of those purposes, in order to alleviate anything that's happening within this building.

So we did think about it. We proposed it. We thought, maybe, have a dedicated loading area there, for some of the stuff that's been going on here, but that could create a more problematic traffic situation.

MR. SALMAN: Finally, there's a lot of

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things that I like about the building. The fact that it's kind of packed into that site is not one of them, and the way it addresses the corners is another one.

The best thing it's got going for it are those square covers at the corner, that actually promote some sort of shade and signify an entrance and highlight that corner, but the dichotomy between the base and the residential above, with the number of openings, and -- it just seems to be a bit of a juxtaposition that is not really talking to each other in a way that works, but that's not for me to decide, but I think that it's a good start, and I think it can be a lot better.

MR. NAVARRO: So a lot of the features that you see came from the Board of Architects, and also the Historic Preservation Board. We have tried to capture some of the features, from some of the historic sites in the area, which I think is what you were alluding to the little --

MR. SALMAN: Yeah, but I don't see them here. I don't see them. Thank you.

MR. NAVARRO: No problem.

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CHAIRMAN AIZENSTAT: Thank you, Javier. Robert.

MR. BEHAR: Thank you. There's a lot of things about this project that I think is good. You know, the fact that the Code allows you to do the TDRs, the fact that the Code allows you to do remote parking, you're going by that.

The only problem I have is the comments that -- the concerns that Chief Hudak brought up about the parking access on that street, Alcazar, in front of them. So I asked you already about, if you reached out to the Sofia Building, and you said you did, and there's nothing available.

There's an office building, that is 2020 Ponce. Have you tried -- did you try to do it on that building? Because, at the end of the day, that's an office building that also could be an ideal to provide your parking, and that would eliminate any conflict that is on Alcazar that the Chief has, which is the only thing that I'm going to bring up.

As much as I want to get into the aesthetics of the building, that's not our job to do, and I will agree with my colleagues and

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some of the comment, but, you know, I can't go there. To me, is there a possibility to look at those garages on the 2020 Ponce building?

MR. NAVARRO: It's definitely something that we can look at. I think, the way that we got to this garage, was the fact that Minorca was, at that point -- we're obviously choosing the garage right next door -- the concern, and we were coming this way, right.

MR. BEHAR: Yeah, but I think if you were to take that 2020 garage, that would eliminate some of the concerns that you would have -- the Chief has, because you will put the traffic on this street, not on Alcazar.

CHIEF HUDAK: Alcazar, actually, has the bigger one. The fire trucks leave on the Alcazar side. But only the police cars, when they're leaving from here, can only go on Minorca. So, again, our concern and -- to put anything else on Minorca has become a problem for us.

MR. BEHAR: So it's worse to be on Minorca. So Alcazar would be better?

CHIEF HUDAK: Well, I can't speak for the Fire Chief, but those entrances and exits,

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there's a control of light there. There is a controlled exit emergency light for the fire trucks to leave, in mid block, on Alcazar.

Here, we have to either go against traffic, the opposite way, and again, to go north, we have to go north on Salzedo, because we're going actually into the school zone on Ponce. So we have four garages right now that empty onto Minorca. If we add this one -- it's the trips.

MR. BEHAR: So Minorca is the worse possible --

CHIEF HUDAK: Of the two ones, Minorca is it, but that's the only entrance to the police --

MR. BEHAR: Then, I was a little confused on the entrances, but then -- because on the fire trucks, on Alcazar, those have a light, so those are --

CHIEF HUDAK: It's a much wider street. They have a safety zone in place. And they have an exit lane.

MR. BEHAR: Okay. Then that answered that question.

Then, what is going to be the lease -- the

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terms of your lease or your agreement with that garage? Because for me to support this, there has to be a time that those -- because you could say, "I'm going to do it for one year," and after one year, you have nothing, and then what happens to the spaces?

MR. NAVARRO: So the way that we've done these leases is, it's obviously with a private garage operator. So we have to negotiate that. And they prefer them to be on the lesser side, so they could potentially increase, depending if the market goes up, because the payment that we make to the City is just for the use of remote parking, and then we have to have this agreement.

So there is not a fixed time whether -- you know, what will be a minimum or a maximum. The way it's done is a year or two. I've seen three or four, but they're renewing, right. And the way that they do that is to be able to, you know, adjust the monthly -- or the annual.

MR. BEHAR: Will you be able to commit to a time period, that you say, "Look, for the next three years, we will secure parking in the 255 garage?"

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MR. NAVARRO: Yeah. Yeah, we could do that. We can commit to that.

MR. BEHAR: Okay. I have no further questions.

CHAIRMAN AIZENSTAT: Thank you.

Actually, a lot of the concerns that I had and a lot of the questions that I have, have already been asked.

A couple of things which I heard. One was the dollar amount that the City is charging for the Mediterranean bonuses.

MR. NAVARRO: For the TDRs.

CHAIRMAN AIZENSTAT: I'm sorry, for the TDRs.

MR. NAVARRO: I wanted to clarify that, for the record.

CHAIRMAN AIZENSTAT: I agree, it's a small amount, but I think that's something that the City needs to look at, and I think that's a question of the price that people are willing to pay and what's available. But I do think that that's --

MR. NAVARRO: Yeah, and to your point, because it's something that's come up, we've used the TDR Ordinance through the City a

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couple of times. The way that it has looked at it, because I've done private transactions and transactions with the City, is that the City rate is higher than the private, but obviously there's some ease in working with the City, rather than a private transaction, but it is higher than what the market rate of a TDR in Coral Gables is.

CHAIRMAN AIZENSTAT: What is the market value for a parking space when you do remote parking? I'm not asking what you're paying. What's the market value today?

MR. NAVARRO: To construct --

CHAIRMAN AIZENSTAT: Not to build. I'm saying, to go ahead and get an agreement per parking space.

MR. PARDO: To rent it.

CHAIRMAN AIZENSTAT: To rent it. What's the market value?

MR. BEHAR: It's probably about a hundred dollars a month.

MR. SALMAN: No.

MR. PARDO: No, more than that.

MR. SALMAN: Two to three.

MR. PARDO: Yeah.

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MR. NAVARRO: About \$130 per parking space.

CHAIRMAN AIZENSTAT: The way I look at it is, if you're paying 700,000 as a payment to the City for the amount of spaces that you have, 56, you're paying about \$12,500 for that. And, then, if you add another 100 and change per square foot, it's actually a big bonus for you. It doesn't make sense for you to even consider building a pedestal, even if you wanted to or could.

I'm not here to question or give my opinion on the design of the building, because, as Robert said, that's not what we're here for. That's the Board of Architects. And they're the ones that have to look at the design of the building, whether it meets the Level 2 or does not meet the Level 2. We have talked about what we, as a Board, would like to see with the requirements and what should be done to grant the Level 1 and the Level 2 that has just been looked at, and I hope the Board of Architects does look at that and continues to work with that.

As a 10,000 square foot property, I think you're putting a lot into it. When I say, "A

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lot into it," you're putting both, the TDRs that you're getting and you're getting the remote parking. So, as somebody else said, you're expanding that space to the point where it's going to burst, and I don't know if I'm in agreement with that, for that property.

I understand that it's in the CBD, and I understand that you want people to walk and so forth, but, for me, from what I've seen, I'm just not in favor of the amount you put in there, taking into account, both, what you're asking for, which is the remote parking, and the TDRs.

MR. NAVARRO: So, to that point, because I think that's a great point, and, you know, these are very -- in terms of other projects that have been brought before, 10,000 square feet, you have some very skilled and experienced architects on this, it's very challenging to get parking to work and to construct a building, right, that works and that obviously can be built.

And I think, you know, what's happening was, you would be assembling many 10,000 square foot lots and aggregating a block or half a

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block. The reason we're using both is, to be able to create something that's, you know, more boutique, more unique, and is a lot more delicate than a large scale project, and that actually fits and works within that site. So I think that's the give and pull of -- I know, when the City adopted the Overlay Regulations in 2021, they broke out Miracle Mile separately than the rest of the CBD.

In Miracle Mile, you cannot use remote parking and TDRs, but in the CBD, they allowed it, and it was to have this flexibility, so you have a boutique project like this, that comes up, and is, you know, able to take advantage of that, with really nice ground floor retail, really nice pedestrian connectivity, as opposed to some of the other buildings that you see, that are a little bit older, that have a bay of parking or there are very small frontages, you don't have a lot of retail.

So I do understand your concern with that, and, you know, the idea was -- when this program was created, was to try to use those tools to try to do something like this, and we've tried very hard.

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CHAIRMAN AIZENSTAT: But you're using -- in reality, you're using both of those to maximize your FAR.

MR. NAVARRO: Yeah, and I think that was contemplated, because that's why, on Miracle Mile, you cannot use both. There, they wanted to preserve the massing, and they said, "You remote park, but you can't use TDRs."

In other portions of Downtown -- actually, I think it's only allowed in Merrick Park and Downtown, you're allowed to try to do this, because these are areas that, you know, you're in a more, you know --

CHAIRMAN AIZENSTAT: I agree, but when you're looking at what's defined as Resort Transient Use by the State definition, you're doing 500 to 700 square foot apartments. I mean, you're really gearing yourself up for a resort transient use. While there could be people that are going to be there and may want to live there full-time, I would doubt that it's going to be a good majority of the people. I mean, that's going to be an income producing property.

To me, I disagree with the term that Mr.

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Plummer used that it's a residential property. I think it's a commercial property. That's the way -- I can't speak for anybody else on this Board, but I'm looking at it as a commercial property is what you're doing, because of the way it's being presented.

MR. NAVARRO: Yeah, which is allowed in the CBD.

CHAIRMAN AIZENSTAT: Agreed. I agree.

MR. NAVARRO: And it's one of those things, I think Mr. Pardo mentioned, it's hard to categorize, right, what it is, but, you know, we have tried to design it in a way that operates like a high end hotel or like a high end residential project. It has the amenities of both, almost.

So I do see, you know, when we try to fit it, where does it fit, but --

MR. BEHAR: Mr. Chair, this is a short-term rental, essentially. And we have one, that is in the City of Miami. The advantage is that it's more of a drop off than people having cars, you know, and we see it. We have a large drop off area, where they do come and they utilize that much more.

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The dilemma here, for me, also, is that the Code allows you to do this, you know, and there are some things that -- I wish I could let Felix dictate some of the architecture, but I can't do that, you know.

MR. PARDO: But you can, the massing, et cetera.

MR. BEHAR: You know, so, to me, you know, the concern that I had here is the one that the Chief brought up, and I guess, you know, the least of the problem is, you know, putting it on Alcazar. I guess that's the solution. We're looking at an application that is allowed to be done.

MR. PARDO: Mr. Chairman --

CHAIRMAN AIZENSTAT: Yes, sir.

MR. PARDO: -- I wanted to bring up something to the Board. Unless I'm mistaken. I don't think I am, the TDRs have two purposes. Of course, you get money to be able to restore. It doesn't go very far nowadays. But you also truncate any future development on those historic buildings. So that really was the first purpose. The moneymaker was to be able to turn around and say, "This is what we're

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going to do for you as an incentive to preserve those historic buildings."

So it actually does preserve and it does do a good job, although we're not getting much benefit today in 2024 dollars.

MR. WITHERS: But the City changed the ordinance on TDRs recently, and the money does not get committed to the monument that it came from. It now gets spread through parks, fountains and other buildings. So I understand your -- you know, I agree, the initial desire was for that money to stay with that monument and protect that monument, the maintenance, but unfortunately, the City changed it.

MR. PARDO: Right. And Chip, as you know, you know, one of the things, really, is to preserve the building, so it doesn't get torn down and I think that's an important understanding.

CHAIRMAN AIZENSTAT: Well, at this point, I mean, we've discussed this. Does anybody want to make a motion?

MR. BEHAR: I don't mind making a motion to approve with the condition -- for me, and I will welcome, if it goes that far, a friendly

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amendment. My condition is that you have an agreement in place for a minimum of three years with that garage and continue working with the Chief to make sure that you minimize, if possible.

Unfortunately, to me, the way I see it, you are doing it by Code, so it's hard for me not to -- to say no.

CHAIRMAN AIZENSTAT: So we're looking first at E-1, which is basically the TDRs. So your motion is to approve --

MR. PARDO: It's not to defer.

CHAIRMAN AIZENSTAT: Not to defer. Yours is to approve --

MR. BEHAR: With the conditions -- I guess, for the TDRs, we don't need a condition.

MR. PARDO: No. I was thinking you were talking about the TDRs. Me, the conditional use, for the TDR, I don't have a problem.

MR. BEHAR: So let's take one at a time. I'll make a motion to approve the TDRs.

MR. PARDO: What I was hoping to do is get a deferral to give the applicant -- because there are too many moving parts in this, to condition it like a laundry. By the time it

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gets to Commission, you're going to end up with Swiss cheese.

CHAIRMAN AIZENSTAT: If I can ask a question to that. If you approve the TDRs to this site, if the site plan changes, this doesn't get approved or they don't come back or whatever the reason is --

MR. PARDO: That could be approved with a condition of the approval of that --

CHAIRMAN AIZENSTAT: Of that specific site plan.

MR. PARDO: -- specific project.

CHAIRMAN AIZENSTAT: Okay.

MR. PARDO: Mr. Collier, is that true?

MR. COLLIER: Well, I actually wanted to ask Staff a question, because what we have before us is not a conditional use approval of a site plan. We have two items, right. One is the TDR approval, and the second is the remote parking. There's not a site plan approval at this point.

MS. GARCIA: Correct. Yes, but talking with the City Attorney, we agreed to have those conditions replicated on both of those resolutions, on the TDR resolution, as well as

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on the remote parking resolution.

MR. COLLIER: Right, where does the site plan get approved?

MS. GARCIA: There's no site plan approval here, right. They're just requesting the TDRs and the remote parking.

CHAIRMAN AIZENSTAT: So that means that what we're looking at can change tomorrow?

MR. BEHAR: Yes.

CHAIRMAN AIZENSTAT: That's what I understand from what --

MR. BEHAR: This is --

MR. PARDO: This is not the way to do this.

MS. GARCIA: Well, changes in how --

CHAIRMAN AIZENSTAT: We've always -- as long as I've been here, everything that we have looked at and approved have been based on a site plan that has been brought before us.

To me, I'm looking at this site -- at this project as a site plan. If you're telling me that I shouldn't be looking at it that way, that I should only look if this property can get the TDR bonuses and if this property can get the remote parking, that's different for me. Is that what you're saying?

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MS. GARCIA: So, yes. They're requesting two things, TDRs and remote parking.

CHAIRMAN AIZENSTAT: Without a site plan?

MS. GARCIA: However, the TDRs are, of course, making the building larger. So if you have concerns about the egress and the drop off --

MR. BEHAR: But am I looking at a building or am I just looking at TDRs and remote parking?

MS. GARCIA: You're looking at just TDRs and remote parking, yes. It's not a site plan approval.

MR. BEHAR: So then why were we here for an hour and a half looking at --

MS. GARCIA: Because the impact of the TDRs and removal of parking on-site is impacting the neighborhood. That's why it's going through the conditional use process for remote parking, as well as for the TDRs.

MR. PARDO: Mr. Chairman, I have a real problem with this application right now, and it's not the applicant's fault. I really have an issue that when -- you know, we're conditioning things, on two technical things.

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We're going to blow the project out or approve the project for two technical issues, and not have it tied to a site plan? That's crazy.

I'm sorry, I can't understand it.

MR. BEHAR: Well, that comes from legal, not coming --

MR. PARDO: Exactly.

MR. COLLIER: I think you can -- as I understand it, because all of these things are all intertwined, I think if you want to condition it to this site plan, condition it to the site plan.

MR. PARDO: That's --

CHAIRMAN AIZENSTAT: But that's not the way it is written.

MR. COLLIER: No, but they're asking for remote parking and they're asking for TDRs, and the only way it works, I think, is with this site plan. Isn't what you're --

MR. PARDO: A hundred percent.

MR. NAVARRO: We would have no objections to conditioning this application to the site plan. This is what we want to build and we intend to build, what we've shown you. It is not a rezoning, so there is no issue with

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conditioning this application. It's a conditional use, and I think this Board, subject to your City Attorney confirming, has the flexibility to place those conditions.

MR. COLLIER: Well, the conditional use requires -- conditional use requires demonstration of compatibility. That's in any conditional use. In my view, you're determining, in order for this to be compatible with this neighborhood, you want these drop offs, you want the way the entrances and the exits, and I feel that it's germane to this.

Now, it is a recommendation. It's going to go to the Commission, and presumably, when it's passed, it's passed with the site plan that they're proffering. So I believe that you can condition both, actually -- both items can be tied to it.

MR. PARDO: Mr. Collier -- I'm sorry, Mr. Chairman.

CHAIRMAN AIZENSTAT: Yes. If you'd speak into the microphone.

MR. PARDO: Just to understand, every conditional use that I've worked on in my entire career can be tied to a specific site

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plan.

MR. COLLIER: I certainly believe you can do that. I agree.

MR. PARDO: Exactly, and because it's a conditional use, we can then assume that it's been properly advertised.

MR. COLLIER: Well, it says, "Conditional use," which has inherent in it conditions, and I believe that it is not a rezoning, where you have a condition --

MR. PARDO: Do you have a problem with that?

MR. NAVARRO: No, I don't. I think I know where the confusion is. This site, since it's so small, doesn't trigger a conditional use site plan, and I think that's why everyone is used to seeing that, but this site is actually so small that it doesn't meet the threshold to require a conditional use site plan.

MR. PARDO: But when I saw conditional use, conditional use, by definition, the site plan can be a condition, as Mr. Collier said.

MR. NAVARRO: Yeah. So we don't have an issue with that. We would be supportive of that.

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MR. COLLIER: And you're doing it not necessarily -- you're doing it for compatibility purposes. You know where the entrances and exits are and the stacking, and all that relates to compatibility, because you're putting a larger building than would ordinarily be there, because of these TDRs.

And in fact, in the TDR section, it talks about consideration of the size and the compatibility with the surrounding area. So this is exactly appropriate conditions to this.

MR. NAVARRO: And to help Mr. Collier out, for the record, I'm going to say that we're also voluntarily proffering this condition.

MR. COLLIER: Well, that makes it even easier.

CHAIRMAN AIZENSTAT: So, Robert, your motion was to approve based on Staff's recommendation, what they proffered, to tie it to the site plan that's been presented?

MR. BEHAR: Yes, and the additional condition that they continue working with the Chief to make sure the conflict is not eliminated, but minimized, and there is an agreement for a minimum of three years --

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MR. PARDO: I couldn't hear you. I'm sorry, I could hear the original motion, before you started speaking --

MR. BEHAR: Can you read it --

MR. COLLIER: I think we need to start with the first item.

MR. BEHAR: The first item, the TDRs. I'm going to make a motion to approve the TDRs.

MR. WITHERS: Second.

MR. COLLIER: And I think you can tie it the site plan.

MR. BEHAR: To this site plan.

MR. COLLIER: To the site plan as presented, as proffered by the applicant.

MR. NAVARRO: We'd like to voluntarily proffer that.

MR. BEHAR: Perfect.

Condition to approve the TDRs to the site plan presented to us.

MR. WITHERS: I second.

CHAIRMAN AIZENSTAT: So we have a motion. We have a second. Any other discussion?

MR. PARDO: Just can you clarify exactly -- because the question now becomes the second part of the motion, the site plan.

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1 CHAIRMAN AIZENSTAT: We're looking at the
2 TDRs.

3 MR. PARDO: Only?

4 CHAIRMAN AIZENSTAT: Only, and we're tying
5 it to the site plan they're offering, the site
6 plan that was presented.

7 MR. PARDO: And the next motion?

8 CHAIRMAN AIZENSTAT: We haven't gotten
9 there yet.

10 MR. PARDO: But the subject will be the
11 site plan?

12 MR. NAVARRO: Remote parking. No, there's
13 no site plan on this, because of the size of
14 the property.

15 MR. PARDO: This is already covered here,
16 that they're -- basically it's a deferral.

17 CHAIRMAN AIZENSTAT: No.

18 MR. PARDO: They're going to work --

19 CHAIRMAN AIZENSTAT: No, I don't see it as
20 a deferral. Is this a deferral that we're
21 looking at, at the TDRs? No.

22 MR. PARDO: How are you going to make all
23 of the changes to the site plan without coming
24 before this Board again?

25 MR. NAVARRO; What are the changes -- what

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1 I understood --

2 MR. PARDO: At least I brought up --

3 MR. NAVARRO: Yes.

4 MR. PARDO: If you want, I'll read them
5 back to you.

6 MR. NAVARRO: No. No. It was to
7 incorporate the loading zone.

8 MS. KAWALERSKI: I mean, I've got a couple,
9 too.

10 MR. COLLIER: I think we need to be
11 specific.

12 MR. NAVARRO: I think, when the motion is
13 made --

14 (Simultaneous speaking.)

15 CHAIRMAN AIZENSTAT: Felix, if I may, right
16 now we have a motion the way it's been
17 presented and we have a second.

18 MR. PARDO: Right.

19 CHAIRMAN AIZENSTAT: And I understand you
20 want additional items to be presented with that
21 TDR. The question is --

22 MR. BEHAR: I will accept friendly
23 amendments.

24 CHAIRMAN AIZENSTAT: So what is it that you
25 would like for Robert to add?

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1 MR. PARDO: We discussed the loading zone.

2 MR. COLLIER: Okay. Well, let's talk about
3 the loading zone. What are we doing with the
4 loading zone? What are we adding?

5 MR. PARDO: Again, this is why, you know,
6 this is going to end up being a camel instead
7 of a horse. You know, you can't design this
8 for them. They have to get together with
9 Staff. They have to get together with the
10 Chief of Police. They have to get together
11 with a bunch of people, to come back and say,
12 this is what this is. That's why I thought
13 that it would be deferral for the site plan
14 component of it, not the other way around.

15 MR. NAVARRO: But there is no site plan
16 component. There's two requests. It's TDRs --

17 MR. PARDO: Not a problem.

18 MR. NAVARRO: -- and remote parking.

19 MR. PARDO: Counselor, not a problem. I
20 don't feel comfortable with the application.

21 MR. NAVARRO: I understand, but those are
22 the two requests.

23 MR. PARDO: You're not going to have my
24 vote.

25 MR. NAVARRO: I think we would commit to

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1 continue to add things and study them --

2 MR. PARDO: Not a problem.

3 MR. NAVARRO: -- but those are more
4 appropriate for the remote parking, perhaps.

5 CHAIRMAN AIZENSTAT: In order to move this
6 along, I want to reiterate, we have a motion
7 the way it has been stated by Robert. We have
8 a second. Let's go ahead and see, the way it's
9 presented, what vote we have.

10 Call the roll, please.

11 THE SECRETARY: Chip Withers?

12 MR. WITHERS: Yes.

13 THE SECRETARY: Javier Salman?

14 MR. SALMAN: No.

15 THE SECRETARY: Felix Pardo?

16 MR. PARDO: No.

17 THE SECRETARY: Sue Kawalerski?

18 MS. KAWALERSKI: No.

19 THE SECRETARY: Julio Grabiell?

20 MR. GRABIEL: Yes.

21 THE SECRETARY: Robert Behar?

22 MR. BEHAR: Yes.

23 THE SECRETARY: Eibi Aizenstat?

24 CHAIRMAN AIZENSTAT: No.

25 MR. COLLIER: Okay.

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THE SECRETARY: Four to three.

THE COLLER: Okay. The motion fails, which means we need another motion. Right now we have no motion on the table for Item 1.

MR. BEHAR: Are we allowed to make a motion to defer and have the applicant come back or that's something that the applicant has to himself request?

MR. COLLER: No, you can -- a motion to defer is always in order, if that's the desire of the Board.

MR. NAVARRO: We also do not object to a deferral. If there are comments that this Board -- I know that, in concept, it seems that, you know, there's support for this. If we could get, you know, feedback, to come back. You know, defer with these conditions, or, you know, with some feedback, that will be very helpful.

MR. PARDO: Counsel, I have no doubt that if you take the deferral and you work with Staff, you're going to come back with something that's going to be approved unanimously.

MR. NAVARRO: I just would love to get, you know, what the topics are that you'd like us to

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focus on, to make sure that when I come back before the Board, I say, these were the items --

MR. BEHAR: Okay. So I'm going to help you. I will make a motion to defer and we're going to put the conditions that we want you to come back with.

MR. NAVARRO: That would be very helpful, and I would appreciate that.

MR. BEHAR: So there's a motion to defer with conditions that we're going to address now.

MR. SALMAN: I'll second it.

MR. BEHAR: Mr. Pardo, I'm going let you put the conditions.

CHAIRMAN AIZENSTAT: Well, wouldn't it -- let me ask you a question, instead of putting the conditions, there's been a lot of discussion that was said, the court reporter took minutes.

MR. NAVARRO: There's been a lot of discussion on things that may have been addressed and may not have been addressed, and I think -- obviously, we know what the Chief's concerns are and we've gone, and I had like a

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list of the things we've done.

If there could be maybe just a summary of what the concerns are, just to help the applicant out, and his team.

MS. KAWALERSKI: And I think I can help you on that. The drop off is a major concern, from a number of Board Members here.

MR. NAVARRO: Which I know the loading space that was mentioned.

MS. KAWALERSKI: And the loading zone is actually a separate issue, but the drop off, I think, needs to be addressed.

I think the loading zone has to be added on the north side.

MR. PARDO: Also, the receiver of the -- the receiver of the location for parking, of possibly taking it off the back street here, which Robert brought up, which I thought was a great idea.

MR. NAVARRO: Well, I think the Chief mentioned --

CHAIRMAN AIZENSTAT: The fire --

MR. NAVARRO: And the reason we picked this one over that street, because that is the main concern.

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MR. BEHAR: But a question. Chief, the 2020 Ponce project has a garage, has already "X" amount number of spaces in there. You are not going to be adding -- if, for example, they are able to secure spaces in the 2020 building -- 2020 Ponce building, would that not be --

CHIEF HUDAK: The entrance and exit to that garage is on Minorca. And the only way to go north from that garage is past the building and north on Salzedo, because you're not allowed to make a right-hand turn on Ponce, at Minorca. It is a school zone.

MR. BEHAR: It seems to me, by the process of elimination, the only garage that would be feasible is the garage they're looking to utilize.

CHIEF HUDAK: Again, we've used that garage during the construction of the garage next door, but we were talking across the street, coming into this building. The path to get to that garage, from a drop off, would be back out to Salzedo, south on Salzedo, and left on Alcazar or into the garage.

MR. BEHAR: Let me ask you a question. Let

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me put this hypothetical question. Let's say that, on that side, they do a garage and they park 56 spaces in that garage, because potentially -- I mean, can it be done? Maybe through the use of lifts or something -- mechanical system, it could be done. Will that not generate more traffic on Minorca?

CHIEF HUDAK: Depends on where the entrance is. If the entrance is on Salzedo, not necessarily, although it would slow us. Or if you went to the north end, where their loading dock is, and they came in from the alley and came in that way.

MR. BEHAR: Because, to me, putting parking there, it will be more detrimental. It will affect you more here, than if they use that garage.

CHIEF HUDAK: I'm not disagreeing with you on that. I mean, that is part of the issue, but the traffic -- I'm not worried about just Minorca. I've got to worry about how the cars and the fire trucks are getting to calls outside of Minorca.

So with the light synchronization at Le Jeune and Minorca, it backs up all of the way

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past Salzedo. The light from Alhambra, on Salzedo, backs up past Minorca. Again, so I mean, we're looking at, during rush hour times, which is when our biggest calls for service are, that's our crunch period. That's our gridlock here of getting out. Even though we've adjusted our roll calls to try and not be around here, we're still cutting off business, on top of all of the other boards that we have here all of the time.

MR. PARDO: Chief, I think what Robert was suggesting originally, the other parking garage -- and I know you want to get out of the school zone, but, also, when your officers are leaving, if they do, you know, a right, go up a little bit on Salzedo and then make a right there, out of the school zone -- so I would take a right and a right over a left and a left.

CHIEF HUDAK: No, I agree. I'm not even talking about my officers. If it's an emergency, we have to have a place where we can vacate. My issue is, all of the other regular traffic that we have now. Again, with deliveries and everything else, you can see it

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every day of what slows down.

In the morning, there's garbage pick ups, sanitation pick up trucks all of the way to LeJeune Road.

MR. PARDO: I see.

CHIEF HUDAK: It's a very narrow street.

MR. PARDO: Right, and the worse thing about this proposed garage as the receptor is that you have the Fire Department --

CHIEF HUDAK: Fire Department is in and out of there.

MR. PARDO: Exactly. It's not the same as a cruiser making a U-turn.

CHIEF HUDAK: Right. And, again, I understand the car count and everything else like that, but this is, also, you know -- it's a large building looking in. We're going to have to make security adjustments on this building, because then everybody else would be able to see into some of the issues that we have on this side of the building. So there's other security concerns that we can work out from the design and things like that -- or make recommendations, I should say.

MS. KAWALERSKI: Okay. I've got a couple

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more here. And just getting back to the drop off, you had that double lane in there, where there's almost like a curb cut there. If you could make the drop off a double lane. I know that takes away from your building, but make that a double lane. That will alleviate stacking.

MR. NAVARRO: We'll see how we can work that out.

MS. KAWALERSKI: That will alleviate stacking. We talked about the loading zone on the north side. The parking calculation, the 56, I think you need to increase it, especially for the retail customers, and when you have two bedrooms, there's no such things as 1.75 car.

And one of other thing, the bump outs, I'm requesting you take out the bump outs and here's why. I told you, this is becoming a habit in the City, putting bump outs in. That takes away the ability to ever have micromobility lanes in the City. It takes that ability away.

So for electric scooters, for bicycles, whatever, bump outs eliminate ever being able to build that kind of infrastructure here.

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MR. NAVARRO: Those bulb outs, I'm being told, are already there.

MR. PARDO: I like the bump outs.

MS. KAWALERSKI: I know you like the bump outs, but for people that choose to not get in a car, they want to do an electric scooter, a bicycle, roller blades, whatever, you need mobility lanes in the City, and bump outs will never allow you to build mobility lanes.

MR. NAVARRO: Those are existing bump outs. We are just proposing to landscape them, to match what's on this side. Like they're already there. You don't appreciate them, because they're not landscaped, but there are existing bulb outs.

MS. KAWALERSKI: All right. Don't put a tree there, because if we have the bump out, we'd have to take a tree out. And you know what it takes to take a tree out --

MR. NAVARRO: Yes, but I think the idea is to beautify the streetscape.

MS. KAWALERSKI: Do it on your property.

CHAIRMAN AIZENSTAT: Let's try to move this forward.

MR. NAVARRO: Okay. This was helpful, in

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terms of what to look at.

MS. KAWALERSKI: Yes. So, anyway, I talked about the parking calculation. I think you need to bump it up beyond 56.

CHAIRMAN AIZENSTAT: Thank you, Sue.

MS. KAWALERSKI: You're welcome.

CHAIRMAN AIZENSTAT: Are we good?

MR. NAVARRO: Yeah. We appreciate it. This was helpful.

CHAIRMAN AIZENSTAT: So if we are -- do we need to make a motion on deferring on the first item?

MR. SALMAN: He did.

MR. BEHAR: I did. On the application, both items.

MR. COLLIER: We can make a motion to defer on both items in one motion, since it's a motion for deferral.

MR. BEHAR: I'll make a motion to defer. I amend my motion for both items.

MR. PARDO: Second.

MR. SALMAN: I seconded it.

CHAIRMAN AIZENSTAT: Felix seconded it.

MR. BEHAR: He was here first.

MR. COLLIER: Well, can I say something

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about the amendments? They're really not amendments. The motion is to defer. You have expressed what you would like to see coming back. It will be up to the applicant to try to incorporate these or not be able to incorporate it, and then you'll make a decision on whether or not you can support the application.

CHAIRMAN AIZENSTAT: Correct.

MR. COLLIER: So this is just direction from the Board.

CHAIRMAN AIZENSTAT: The motion is just to defer.

We have a second from Felix to defer.

MR. PARDO: I'm sorry?

CHAIRMAN AIZENSTAT: We have a second from Felix to defer. Robert made the motion.

MR. COLLIER: This is both, on E-1 and E-2.

CHAIRMAN AIZENSTAT: That is correct.

Can we just do a voice --

MR. COLLIER: You can do a voice vote, if you'd like.

CHAIRMAN AIZENSTAT: Everybody in favor say aye.

(All Board Members voted aye.)

CHAIRMAN AIZENSTAT: Anybody against? No?

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Thank you.

MR. NAVARRO: Thank you so much. We'll be back.

MR. SALMAN: Jorge, can I have a personal request? Can we see some renderings taken from eye level, because all renderings are from about ten or twelve feet up in the air and that's not how you're going to see the building?

MR. NAVARRO: Definitely, we'll have that.

MR. SALMAN: It is something that will help us understand it a little bit better.

MR. NAVARRO: Yeah. No, definitely, we can put that together.

MR. SALMAN: Okay. Thank you.

MR. BEHAR: Can we take a five-minute break?

CHAIRMAN AIZENSTAT: Of course. We're going to take a five-minute bathroom break.

(Short recess taken.)

CHAIRMAN AIZENSTAT: If we could have everybody back, because I'm noticing it's 8:43. It's close to nine o'clock.

I'd like to call us back in session. Mr. Coller.

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MR. COLLIER: Item E-3, an Ordinance of the City Commission of Coral Gables, Florida, approving the vacation of a public right-of-way pursuant to Zoning Code Article 14, "Process," Section 14-211, "Abandonment and Vacations" and City Code Chapter 62, Article 8 "Vacation, abandonment and closure of streets, easements and alleys by private owners and the city; application process," providing for the vacation of the remaining portion of Kenmare Street lying east of Harlano Street, Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date.

Item E-3, public hearing.

CHAIRMAN AIZENSTAT: Thank you.

MR. DIAZ: Good evening. My name is Hermes Diaz. I am the Public Works Director. If you give us a minute, we're going to put up a very, very brief presentation. There you go.

So we are here for the vacation of Kenmare Street. So where is Kenmare Street? The text is not here. I'm sorry, Jennifer.

MR. WITHERS: I see where it is.

MR. DIAZ: Jennifer, the text disappeared.

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1958 by City Ordinance 1075. So we're mirroring what was already done across the street. The red square being what we're doing, the blue was done in 1958.

This is a larger image of the area in question. 1925, the Coconut Grove Terrace Subdivision became contained within the Coral Gables Country Club Part 6 subdivision, which is recorded in Plat Book 20, Page 1 of the records of Miami-Dade County. This eventually condemned Kenmare Street to become a dead end road.

If you look at Parcel C, on the top, on Cadima, that is an actual parcel that is owned by the City and it's a de facto exit out of the neighborhood. This plat, in essence, made Kenmare Street irrelevant to the street network of the City.

And I've got nothing else.

The City is looking to abandon our interest in the section of Kenmare Street through the purpose of vacating it, and, you know, we're here to get your opinion on it.

CHAIRMAN AIZENSTAT: What happens to the land?

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Oh, there you go. It's a user problem. I'm sorry about that.

All right. So Kenmare Street is located east of Harlano, south of Cadima and west of Riviera Drive. It lies between the properties of 510 Cadima Avenue, 3600 Riviera, 3615 Harlano Street and 3615 Riviera Drive. This section of Kenmare Street no longer serves a public purpose. In fact, I don't think that it ever actually did, and you see a picture at the bottom. It basically looks like a driveway.

It's a dead end, which is approximately about 148 feet east of Harlano Street. This is not part of the City's street network. And you're looking at an area of approximately 7400 square feet.

To the right, if you look at the area in question, it's located within the Coconut Grove Terrace Subdivision, which was platted in 1921. So it actually predates the formation of the City of Coral Gables. It is recorded in Plat Book 6, Page 107, of the records of Miami-Dade County.

The street that is in the blue square, the west side of Harlano was actually vacated in

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MR. DIAZ: I'm sorry?

CHAIRMAN AIZENSTAT: What happens to the land?

MR. DIAZ: It reverts to the abutting property owners. Exactly who gets what will have to be sorted out.

MR. BEHAR: And that was my question, because there is a property that's toward -- I wish I could bring it up. Are they going to get their share of that vacation of the alley?

MR. DIAZ: There's a question on whether the property to the north -- the property to the north will get a portion -- or the property to the east. I don't believe that they will be potentially entitled to anything.

Let's go back to the -- there you go. That is the original plat. I think that's better.

MR. BEHAR: You have not determined who's getting what --

MR. DIAZ: We don't make that determination. Through a process, we're abandoning the City's interest in the right-of-way. The property owners will have to sort out --

MR. BEHAR: Who gets what.

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1 CHAIRMAN AIZENSTAT: What's the process?
2 How is that done?
3 MR. DIAZ: Potentially through legal means
4 or --

5 CHAIRMAN AIZENSTAT: I mean, do they
6 apply --

7 MR. COLLER: It would be, by operation of
8 law, the abutting owners get it.

9 MR. BEHAR: Typically they get half of the
10 vacation.

11 MR. COLLER: Right, but if there's a
12 dispute between the two of them, they'll have
13 to sort it out potentially in some sort of an
14 action. The City's responsibility is -- I've
15 explained this before.

16 The City doesn't have fee simple ownership
17 in this. We are stewards of the right-of-way.
18 If we don't need it, then we vacate it, and
19 then it's up to the parties, hopefully, to work
20 out that issue, but if they can't agree on it,
21 then somebody will have to go to court
22 potentially.

23 MS. KAWALERSKI: So it's not only their
24 burden to figure out who gets what, but is that
25 added to the property taxes?

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1 MR. DIAZ: Eventually, yes. At some point,
2 that will get added to the property taxes,
3 correct.

4 MS. KAWALERSKI: Okay. So if they want it,
5 they're going to have to pay more in property
6 taxes.

7 MR. DIAZ: The moment that it gets vacated,
8 it will get added, at some point or another.

9 MR. BEHAR: No matter what, yes.

10 MR. COLLER: Yeah. It gets added, whether
11 you want it or not, because it was dedicated
12 through a plat dedicated to the City. When the
13 City vacates the property, it goes back to the
14 subsequent owners that were at the property.

15 MR. DIAZ: Yeah. The reason this location
16 is a little bit different than most, is because
17 the vacation is in between two plats. So
18 that's why -- you know, how that gets sorted
19 out, that might be a little unique. But
20 generally speaking, if it's combined with the
21 plat, that's an easy answer, it's split in the
22 middle.

23 This particular case, you have two abutting
24 plats, so there's some question as to who gets
25 what, but the property owners will have to sort

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1 that out.

2 MR. SALMAN: Through the Chair --

3 CHAIRMAN AIZENSTAT: Yes.

4 MR. SALMAN: -- do you want to do the
5 public, before --

6 CHAIRMAN AIZENSTAT: I do. I didn't know
7 if anybody -- while he's up here --

8 MR. DIAZ: I'm done. I have nothing else.

9 MR. PARDO: Mr. Chairman, can you have
10 Planning bring up the last exhibit in their
11 package, which is what I just passed to you,
12 which I printed out?

13 CHAIRMAN AIZENSTAT: Can you bring that up?

14 MR. DIAZ: I don't actually have that in my
15 presentation.

16 MR. PARDO: That's Page 15 of the packet
17 that we got.

18 CHAIRMAN AIZENSTAT: Jill, how many
19 speakers do we have on this item?

20 THE SECRETARY: We have three, including an
21 attorney here.

22 CHAIRMAN AIZENSTAT: What I would like to
23 ask right now, while they're looking this up,
24 it's 8:51. Is there a motion to extend this
25 past nine o'clock?

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1 MR. BEHAR: I'll make a motion to extend to
2 9:15.

3 MR. PARDO: I second that.

4 CHAIRMAN AIZENSTAT: Everybody in favor?
5 (All Board Members voted aye.)

6 CHAIRMAN AIZENSTAT: Anybody against?
7 Continue, please.

8 MR. PARDO: If you can't find it, I've got
9 it on my computer, if that will help.

10 MS. GARCIA: The last page, you said?

11 MR. PARDO: I'm sorry?

12 MS. GARCIA: The last page, you said?

13 MR. PARDO: Yes, the last page, which is
14 this. I printed it right out of the packet.
15 You got it?

16 MS. GARCIA: Yes.

17 MR. BEHAR: So the property to the east is
18 3616 Riviera Drive, correct?

19 MR. DIAZ: Yes, correct.

20 MR. PARDO: Mr. Coller, I've got a question
21 for you.

22 MR. COLLER: Are you going to be able to
23 get that exhibit up?

24 MS. GARCIA: Well, it's not the first page
25 I thought it was. It's before all of the FPL

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1 letters and everything, correct?

2 Felix, just a question for you, what's the
3 reason that you want to have that up there?
4 Speak into the microphone, for the court
5 reporter.

6 MR. PARDO: The reason is because it
7 shows -- there it is. That's it.

8 CHAIRMAN AIZENSTAT: Okay.

9 MR. PARDO: Mr. Collier, I've got a question
10 for you.

11 CHAIRMAN AIZENSTAT: If you could speak
12 into microphone, please.

13 MR. PARDO: Yes. I'm sorry.

14 Mr. Collier, I have a question for you.
15 Normally, the way I was taught, not by
16 architects, but the way I was taught by
17 surveyors and civil engineers that did this for
18 a living, it always was, if you have two owners
19 on either side of a right-of-way --

20 MR. COLLIER: Each gets half.

21 MR. PARDO: Half and half, period, end of
22 story. And, in fact, I'm actually working on
23 one now in another JUA.

24 MR. COLLIER: That's typically the
25 situation.

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1 MR. WITHERS: Right, but it gets tricky
2 sometimes, when the person on the other side
3 says, "I don't want it." So the big question
4 here is, I know the City wants to vacate it,
5 but if -- you would think, that if half will go
6 to one and the other half to the other
7 neighbor, what happens if one of the neighbors
8 says, I don't want it?

9 MR. COLLIER: Well, they might not have that
10 option.

11 MR. PARDO: Because?

12 MR. COLLIER: Because as I explained, that
13 right-of-way, the City is only the steward of
14 it. They don't own the right-of-way. The
15 right-of-way is owned by, ultimately, the
16 property owners that dedicated that
17 right-of-way for that plat or between the
18 plats.

19 So what would happen would be, once the
20 City vacates it, it's almost like it
21 automatically goes to each side of the street.

22 MR. DIAZ: If I may, the one --

23 MR. PARDO: The corner lot.

24 MR. DIAZ: Right. Well, the one thing
25 about this specific plat is that, the entirety

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1 of that Kenmare Street was dedicated solely by
2 the plat that is inside and to the south.

3 MR. PARDO: Correct, and you can see that
4 they --

5 MR. DIAZ: The plat that is on the
6 outside --

7 MR. PARDO: Right, facing Riviera.

8 MR. DIAZ: -- dedicated nothing for the
9 creation of Kenmare Street. The question of
10 where it goes will have to be sorted out, but
11 that's the fly in the ointment, so to speak
12 here, right.

13 MR. COLLIER: Ordinarily, the right-of-way
14 is dedicated by plat.

15 MR. DIAZ: Correct.

16 MR. COLLIER: Then the property goes back to
17 the dedicator or the successor in interest of
18 the dedicator.

19 MR. WITHERS: This really doesn't affect
20 us. I mean, we just have to vote on the
21 vacation.

22 CHAIRMAN AIZENSTAT: Correct.

23 What I'd like to do at this time is open it
24 up for public comment.

25 MR. WITHERS: I move that we --

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1 MR. COLLIER: Well, we need to get the
2 public comment.

3 MR. WITHERS: I'm sorry.

4 CHAIRMAN AIZENSTAT: Yeah, I'd like to move
5 it for public comment first, because there's
6 people that have been waiting and then we'll go
7 ahead and have our discussion.

8 Could you call the first individual, please?

9 THE SECRETARY: I'm sorry, I didn't catch
10 your name. So if you could please go to the
11 podium.

12 MS. MAYER: Hi, my name is Jaimie Mayer.
13 I'm an attorney at law. I'm at One Biscayne
14 Tower.

15 If I may, you might have seen I was a
16 little excited. I can answer all of your
17 questions. It is a basic premise of property
18 law that the reversionary interests are
19 reserved solely for the dedicators of streets
20 of public right-of-ways.

21 Essentially, if you didn't grant it for
22 public use, it's not yours to claim. And so
23 the 1921 plat that you see, dedicated the
24 entirety of Harlano Street. There is only one
25 property that is subject to that reversionary

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1 interest, that has a right to that reversionary
2 interest, because it was part of the original
3 1921 plat.

4 So if I may address the questions first,
5 Mr. Pardo, I believe you spoke about the center
6 line presumption. It's a presumption. It
7 happens more often than not, because when we
8 see dedications to streets, public
9 right-of-ways, the properties that abut that,
10 let's say, street, were both belonging to that
11 original plat.

12 Here, because one property is belonging to
13 the plat that dedicated Kenmare Street in 1921,
14 we actually don't, in fact, follow the center
15 line presumption.

16 MR. PARDO: Was the exhibit of 1921 up
17 there?

18 MS. MAYER: It was originally. This is not
19 my computer.

20 MR. PARDO: Because I only saw the one that
21 said 1925.

22 MS. MAYER: I believe it was 1921.

23 MR. COLLIER: But can I just caution the
24 Board about this? The Board should not make a
25 decision on who owns what. That's not the

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1 purview -- this Board has one decision to make,
2 do you -- and you don't really make a decision,
3 you make a recommendation. Your recommendation
4 to the City Commission is, do we recommend that
5 you vacate the right-of-way? Where that
6 right-of-way goes is a second question, not to
7 be decided by this Board.

8 MR. BEHAR: Then I make a motion --

9 MS. MAYER: If I may, just quickly, there
10 was a second question that was initially
11 presented. And Mr. Collier, thank you for, you
12 know, explaining that. Maybe I answered them
13 out of turn.

14 There was a question asked, how is this
15 allocated? Does it involve litigation? What
16 happens to the street after the City vacates
17 it? And it is within the Commission's purview
18 to decide. It's not an obligation of the City
19 itself, but it is within the City's power to
20 decide how that property is allocated, and you
21 can actually save citizens of this City time
22 and expense that's associated with litigation,
23 and I'm sure we're all aware of how expensive
24 litigation can be.

25 And so although it is not a requirement of

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1 this Board, it is feasible to suggest if, you
2 know, support the vacation and it passes to the
3 Commission, you can suggest in favor of
4 allocation, yes.

5 MR. BEHAR: Yes, but it's not a duty to do
6 that. So I'll not even entertain that motion.

7 CHAIRMAN AIZENSTAT: Robert, let the
8 speaker finish, because we would like to give
9 everybody else a chance to speak. If not,
10 they're all going to have to come back.

11 MS. MAYER: And I am not here to tell you
12 to do anything you're not comfortable with, but
13 I am here to represent my client, my client's
14 interest and make a fair and full record, and
15 there were two questions that were presented.
16 It seemed nobody was really sure how to answer
17 them, and I'm capable and able to answer them
18 for you, and I just figured it would be
19 beneficial to have that background.

20 MR. BEHAR: Thank you.

21 CHAIRMAN AIZENSTAT: Thank you.

22 MS. MAYER: Absolutely.

23 So if I may, if I have a little bit more
24 time, I do want to respect the Board. I
25 appreciate you giving me the opportunity to

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1 speak. I'd like to say a couple of more
2 things, but I can also reserve my time.

3 CHAIRMAN AIZENSTAT: If it's brief.

4 MS. MAYER: Absolutely. I can be brief.

5 So I have a memo that was actually provided
6 to the Assistant City Attorney. If you'd like,
7 it speaks not only to Florida Statute Section
8 177.085, as well as Florida Statute Section
9 336.12, which states not only the reversionary
10 interest are reserved only to those who
11 dedicated or the successors of the original
12 dedicatory, but it also says that an abandoned
13 roadway reverts to the abutting estates in the
14 same proportion that the estates were reduced
15 in order to create the roadway.

16 Meaning, I heard conversations what, what
17 about the properties to the north of Cadima?
18 They did not dedicate anything to Kenmare
19 Street, and, therefore, by law, by statute, as
20 well as case law, they're not entitled to
21 anything.

22 CHAIRMAN AIZENSTAT: We'll enter that into
23 the record, please, if you will.

24 MS. MAYER: Thank you very much. I
25 appreciate the Board's time, and I'll reserve

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time, if there is any, but thank you again.

CHAIRMAN AIZENSTAT: Thank you.

THE SECRETARY: Cathy Swanson.

CHAIRMAN AIZENSTAT: Welcome back,
Ms. Swanson.

MS. SWANSON: So I am not here, because I want any of the property. Two owners want -- both of them want the property, and that's where the argument is coming. So I'm going to make some comments. My name is Cathy Swanson, and I live at 3616 Harlano Street, with my husband, Bill Rivenbark.

I received a mailed notice and attended the neighborhood meeting at the public library December 13th, 2023, and the Public Works Community Meeting on October 28, 2024. I also received the mailed notice for today. And I'm here.

In the 1950s, the west side of Kenmare Street was vacated and distributed to the abutting property owners as noted in their legal descriptions. The northern half of the right-of-way went to 520 Cadima and 570 University, and the southern half of the west side went to 3616 Harlano, our property.

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As clarification, I bought the property in 1984, thirty years after the west side of Kenmare Street had been formally abandoned and distributed to the abutting properties. Two separate plats each received half. My parents, coincidentally, owned 520 Cadima for thirty-five years, until my mom passed away. We have a great new owner, but we both have benefitted from the vacated Kenmare Street.

We support the City's intention to vacate the eastern portion of Kenmare Street at Harlano, and we hope the City will distribute this surplus right-of-way to each of the abutting property owners, in similar fashion, in keeping with past practice, and consistent with the land patterns of this small neighborhood.

Thank you for the opportunity to speak.

CHAIRMAN AIZENSTAT: Thank you.

Next.

THE SECRETARY: Hillary Rodriguez.

MS. RODRIGUEZ: Good evening. Can you hear me?

I'm Hillary Rodriguez, and I live at 510 Cadima Avenue with my husband and my three

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children. We have lived there since 2002.

So we've heard most of the background, but we actually filed an original application for the vacation of Kenmare Street in October of 2022. So some of the letters, the waiver of objection, were sent to me. And when -- the City has now issued its own application or applied its own application.

When we met with the City Attorney's Office, they told us exactly as some of the Board Members have mentioned tonight, that it's always a 50/50 split, and that that's done by a Resolution of the City Commission. So these discussions about that there won't be action taken or there won't be a recommendation or even a City Resolution of the division of the property, came as a surprise to us, because we had been talking with the Staff for many, many months, Mr. Rodas included, in trying to gather all of the details of how this process would work. So we were very surprised by that.

As other speakers and members mentioned, there was originally the 1958 vacation of the west side of Kenmare Street and that was between the two plats, twelve and a half feet

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on one plat and twelve and a half feet on the other plat, and contrary to -- you know, we've been discussing or getting into what Counsel mentioned earlier today -- or earlier this evening, excuse me, the City of Coral Gables actually got an opinion of Counsel, from Holland and Knight, and I just want to read this, for the record.

And it's from an e-mail from March 8th of 2023, after your application was filed, and it's from the Law Firm of Holland and Knight, the City Attorney's Office, and it reads, "Based on past practice and Florida Law, relevant statute and case law summarized below, the short answer is that each of the abutting property owners take title, half of the vacated right-of-way, up to the center line which abuts their property, regardless of which plats the property owners and the right-of-way are located in. This would be consistent with what the City of Coral Gables did under Ordinance Number 1075, which vacated the west side of Kenmare Street in 1958, just three years after the enactment of the relevant Florida Statute."

I'm sorry, did you have a question for me?

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CHAIRMAN AIZENSTAT: No. No. We'll enter that into the record.

MS. RODRIGUEZ: So that was actually an opinion from the Law Firm of Holland and Knight, given to the City, and then I just had a few final points.

We wanted to ask the Board, that regardless of what it decides, right now Kenmare Street is being used as a very long driveway, and we believe that that is not only unsafe, but it's not really setting a good example for other property owners within the City of Coral Gables, where one person is using City land as their personal driveway, and this was never intended to be a driveway, which leads to an unsafe condition, because going in and out of the driveway, you can't see pedestrians, other cars or anyone that might be on the sidewalk.

So regardless of what the Board decides, we would like someone at the City to take a closer look at what the right place for a driveway, within the legal bounds of existing property lines, would be and should be, for -- as Ms. Swanson said, for this small neighborhood and what makes sense.

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CHAIRMAN AIZENSTAT: Thank you.

MS. RODRIGUEZ: Thank you.

CHAIRMAN AIZENSTAT: Thank you very much. Any other speakers?

THE SECRETARY: No more speakers.

CHAIRMAN AIZENSTAT: Any on Zoom?

THE SECRETARY: No.

CHAIRMAN AIZENSTAT: On the phone platform?

THE SECRETARY: No.

CHAIRMAN AIZENSTAT: At this point, I'll go ahead and close it for --

MR. WITHERS: I move that we --

MS. MAYER: I mean no disrespect, but if I may, there were just some points that were --

CHAIRMAN AIZENSTAT: You want to put it on the record?

MS. MAYER: I would like to, if you'd be gracious to give me an opportunity.

CHAIRMAN AIZENSTAT: Okay. If it reaches 9:15, we stop automatically.

MS. MAYER: You can make a buzzer sound and I will stop.

CHAIRMAN AIZENSTAT: Or we may end up --

MR. SALMAN: Then I'll move to defer, if you don't extend time.

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MR. BEHAR: Yeah, we're not going to extend any more time. I think we take it back. You close the public hearing and come back to us.

CHAIRMAN AIZENSTAT: Everybody agree with that?

We're going to go ahead and close the public --

MS. MAYER: I will make one comment and I'll sit down, if I may. The Holland and Knight recommendation that was provided to the City, we're aware of it. It's incorrect. It happens Holland and Knight is an incredibly respected firm, but it's incorrect.

CHAIRMAN AIZENSTAT: Noted.

MS. MAYER: Thank you.

CHAIRMAN AIZENSTAT: Thank you.

Is there a motion?

MR. WITHERS: I move that we recommend the vacation of the street that a thousand people want to live on, I guess.

MS. KAWALERSKI: I'll second.

CHAIRMAN AIZENSTAT: As per Staff recommendation.

MR. WITHERS: As per Staff recommendation.

CHAIRMAN AIZENSTAT: We have a first. We have a second.

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Any discussion? No?

Call the roll, please.

THE SECRETARY: Javier Salman?

MR. SALMAN: Yes.

THE SECRETARY: Chip Withers?

MR. WITHERS: Yes.

THE SECRETARY: Robert Behar?

MR. BEHAR: Yes.

THE SECRETARY: Julio Grabiell?

MR. GRABIEL: Yes.

THE SECRETARY: Sue Kawalerski? Sue?

MS. KAWALERSKI: Yes.

THE SECRETARY: Felix Pardo?

MR. PARDO: Yes.

THE SECRETARY: Eibi Aizenstat?

CHAIRMAN AIZENSTAT: Yes. Please make sure that we enter everything that was said here and given into the record.

MR. COLLIER: Mr. Chairman, we have one item that --

MR. BEHAR: I will make a motion to defer that item to the next meeting.

MR. PARDO: A hundred percent.

MS. KAWALERSKI: If I could add to that.

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1 You know, we have asked for an explanation of
2 the Live Local Act and have not received it.
3 So this item is like dealing with a pimple on
4 an elephant. I think we need to know what the
5 elephant is about. I think we need a Special
6 Meeting, to explain to this Board what it
7 entails, because it's gone through iterations
8 over the past several years, and I'm not even
9 sure where we're at. So taking this item in
10 isolation, away from the bigger subject matter,
11 is not a good idea, in my opinion.

12 MR. COLLIER: Well, maybe you can use this
13 item as a vehicle to have -- I thought --
14 Jennifer, didn't we have an explanation for
15 Live Local? I thought we had some --

16 MS. GARCIA: Yeah. So the majority of the
17 PowerPoint for the item is about Live Local,
18 explaining how it is and how it's going to be
19 addressed in Coral Gables. I think there's
20 really only one slide that talks about what
21 you're actually voting on.

22 MR. COLLIER: So I think we can you use this
23 item as a vehicular to have a whole explanation
24 on Live Local. So we're going to do exactly
25 what you're asking for.

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1 Holidays, I want to thank the Staff and
2 everybody that puts all of our meetings
3 together and the entire Staff that actually
4 works very hard, and I don't think they get all
5 of the credit that they should.

6 MR. BEHAR: I agree with you.

7 CHAIRMAN AIZENSTAT: But just, you know, on
8 behalf of the Board, I want to thank the City
9 Staff for everything they do.

10 MR. BEHAR: And I compliment Staff for the
11 great job they always do.

12 MR. WITHERS: I think they can improve on
13 the food.

14 MR. BEHAR: And the water.

15 MS. KAWALERSKI: And coffee.

16 CHAIRMAN AIZENSTAT: Is there motion to
17 adjourn?

18 MR. BEHAR: I make a motion to adjourn.

19 CHAIRMAN AIZENSTAT: Second?

20 MR. SALMAN: Second.

21 CHAIRMAN AIZENSTAT: Everybody in favor say
22 aye.

23 (All Board Members voted aye.)

24 (Thereupon, the meeting was concluded at 9:15
25 p.m.)

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1 MR. BEHAR: It's 9:11. There's a motion to
2 defer. You're going to bring it back and give
3 us an explanation on the Live Local.

4 MS. KAWALERSKI: Right, because that's
5 going to take a long time, right?

6 MR. PARDO: Mr. Chairman --

7 MR. BEHAR: Yes, sir.

8 MR. PARDO: -- I have said on the record
9 before Staff, and I have met with Staff and the
10 City Attorney and an Assistant City Manager,
11 that we should use, as a template, for
12 discussion, the City of Miami Beach Live Local
13 Ordinance and I have been ignored and I want to
14 put that on the record.

15 CHAIRMAN AIZENSTAT: Okay. Let's go ahead
16 and ask Staff, if we could look at that.

17 MR. BEHAR: We have a second. Do we have a
18 second?

19 MR. SALMAN: Second.

20 MS. KAWALERSKI: Second.

21 CHAIRMAN AIZENSTAT: Everybody in favor of
22 deferral?

23 (All Board Members voted aye.)

24 CHAIRMAN AIZENSTAT: Before we adjourn,
25 because it's the end of the year and Happy

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C E R T I F I C A T E

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3 STATE OF FLORIDA:

4 SS.

5 COUNTY OF MIAMI-DADE:

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9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
10 Public for the State of Florida at Large, do hereby
11 certify that I was authorized to and did
12 stenographically report the foregoing proceedings and
13 that the transcript is a true and complete record of my
14 stenographic notes.

15
16 DATED this 26th day of December, 2024.

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21 -----NIEVES SANCHEZ-----
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