

## **City of Coral Gables City Commission Meeting**

**Agenda Item E-2**

**January 22, 2008**

**City Commission Chambers**

**405 Biltmore Way, Coral Gables, FL**

### **City Commission**

**Mayor Slesnick Donald D. Slesnick, II**

**Vice Mayor William H. Kerdyk, Jr.**

**Commissioner Maria Anderson**

**Commissioner Rafael “Ralph” Cabrera, Jr.**

**Commissioner Wayne “Chip” Withers**

### **City Staff**

**City Manager, David Brown**

**City Attorney, Elizabeth Hernandez**

**City Clerk, Walter J. Foeman**

**City Clerk Staff, Billy Urquia**

**Javier Betancourt, Coral Gables Planner**

### **Public Speaker(s)**

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E-2 [Start: 10:25:48 a.m.]

**Ordinance on First Reading.** An Ordinance of the City of Coral Gables, Florida, providing for text amendments to the Zoning Code, Article 3, Division 13, entitled “Concurrency Review”, providing for updates to concurrency review provisions and procedures, including the addition of public school concurrency review procedures necessary to meet State of Florida mandated public school concurrency requirements; providing for severability, repealer, codification, and an effective date. (PZB Vote: 5-0)

Mr. Betancourt: Good morning Mr. Mayor, Vice Mayor, Commissioners, and belated Happy New Year to all. For the record, Javier Betancourt with the City’s Planning Department. Before you is proposed amendment to Article 3, Division 13 of the Zoning Code, the item entitled “Concurrency Review”, Planning Department recommends approval of the proposed ordinance provided as Exhibit “A”, which includes the proposed text amendment in a clean format and also strike through/underline format. Item was recommended for approval by a unanimous vote of the Planning and Zoning Board at its January 9<sup>th</sup> meeting, and is related to the various public school concurrency items approved on First Reading by this City Commission on December 11<sup>th</sup>. The primary purpose of the amendment is to include new regulations for public school concurrency pursuant to new State mandated requirements. Working with the Building and Zoning Department to amend these regulations, staff found that a more thorough rewrite of the Concurrency Review Section was desired in order to provide for a more efficient and effective concurrency review process in general. In your staff report, you’ll see a summary of those changes, and then obviously in Exhibit “A” you see the detail.

The Building and Zoning Department staff has reviewed the proposed amendment and have expressed support for the changes, that is the department that is in charge of operating the concurrency management system. That concludes my presentation; if you have any questions I'd be happy to field them.

Mayor Slesnick: Any questions of Javier?

Commissioner Withers: I have a question Javier. How does the Board of Architects play into the whole mitigation issue; do they have the opportunity to either appeal to the Commission or go back to the Board of Architects?

Mr. Betancourt: I'm not sure if someone is here on behalf of the Building and Zoning Department to discuss the exact process, but I don't believe that the Board of Architects has a role to play in the mitigation issue, in terms of the school concurrency, specifically.

Commissioner Withers: Just in the – I'm looking at the spreadsheet. If you follow down – if the concurrency is not satisfied, they can modify the application or agree to mitigation, then it goes back to the final Board of Architects approval. So the concurrency issues are resolved before it gets to the Board of Architects?

Mr. Betancourt: I think they resolve more or less at that time; I don't know that it's done by the Board of Architects; it's really more of a staff oriented process at that point. If there is an issue with respect to public school concurrency for instance, we'd bring in the School Board at that time, we would sit down; the staff would sit down with the School Board and try to come up with the appropriate mitigation, if that's agreed to then we can move forward.

Commissioner Withers: OK, so my question is, it cannot proceed forward to the Board of Architects without concurrency approval?

Mr. Betancourt: It can proceed forward; it can't receive a final Board of Architects approval, so you could go through the preliminary Board review. In order to get a final approval we are asking that those agreements be in place and that the concurrency be satisfied prior to our final Board of Architects approval.

Commissioner Withers: OK, because just from experience sometimes when items are brought to us for appeal, we asked how the Board of Architects have voted, how the Board of Architects feel about this, what is the Board of Architects recommendation on this; and if they take their appeal directly to the Commission and it hasn't gone to the Board of Architects...

Mr. Betancourt: It would have gone to the Board of Architects for preliminary Board of Architects review, at which point you would at least have that information. What we consider the final Board of Architects approval essentially is a site plan approval; we don't want them to receive that approval until they've shown that they meet concurrency.

Mayor Slesnick: Any other questions; anybody here to comment, its open for public comment? This is First Reading; we'll come back to it at a future meeting for Second Reading.

City Manager Brown: Mr. Mayor between First and Second, we'll have the mitigation process clarification highlighted in the second memo for the Board of Architects.

Vice Mayor Kerdyk: For the Board of Architects.

Mayor Slesnick: And I would like, David, before Second Reading if we could have an explanatory memo of how the process works, there seems to be some lack of detail.

City Manager Brown: OK.

Mayor Slesnick: Mr. Clerk.

Mr. Clerk: I need a mover and seconder, Mr. Mayor.

Commissioner Withers: I'll second it.

Mayor Slesnick: Who moved it?

Vice Mayor Kerdyk: I'll move it, did you move it?

Commissioner Anderson: I don't remember, doesn't matter.

**Mayor Slesnick: Mrs. Anderson moves it and Mr. Withers seconds it, although I thought we had done that – Anderson and Withers, got it. Mr. Clerk.**

**Commissioner Anderson: Yes**

**Commissioner Cabrera: Yes**

**Vice Mayor Kerdyk: Yes**

**Commissioner Withers: Yes**

**Mayor Slesnick: Yes**

**(Vote 5-0)**

[End: 10:31:01 a.m.]