

**City of Coral Gables City Commission Meeting**  
**Agenda Item E-7**  
**October 11, 2016**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Jim Cason**  
**Commissioner Pat Keon**  
**Commissioner Vince Lago**  
**Vice Mayor Frank Quesada**  
**Commissioner Jeannett Slesnick**

**City Staff**

**City Manager, Cathy Swanson-Rivenbark**  
**Assistant City Manager, Peter Iglesias**  
**City Attorney, Craig E. Leen**  
**City Clerk, Walter J. Foeman**  
**Deputy City Clerk, Billy Urquia**  
**Planning and Zoning Director, Ramon Trias**  
**Historic Preservation Officer, Dona Spain**

**Public Speaker(s)**

**Zeke Guilford**  
**Robert Behar**

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Agenda Item E-7 [0:00:00 a.m.]

A Resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan conditional use review pursuant to Zoning Code Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-201, "Mixed Use District (MXD)", for the mixed use project referred to as "The Henry" on the property legally described as Lots 22-38, Block 2, Industrial Section (4015 - 4131 Laguna Street), Coral Gables, Florida; including required

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Agenda Item E-7 –Resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan conditional use review for the mixed use project referred to as "The Henry" on the property legally described as Lots 22-38, Block 2, Industrial Section (4015 - 4131 Laguna Street).

conditions and providing for an effective date. (09 14 16 PZB recommended approval; Vote 5-0).

Mayor Cason: Let's move on to E-6.

City Attorney Leen: Mr. Mayor, Item E-6 is a resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan conditional use review pursuant to Zoning Code Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-201, "Mixed Use District (MXD)", for the mixed use project referred to as "The Henry" on the property legally described as Lots 22-38, Block 2, Industrial Section (4015 - 4131 Laguna Street), Coral Gables, Florida; including required conditions and providing for an effective date. The Planning and Zoning Board recommended approval by a vote of 5-0 on September 14, 2016. I would also note this is a quasi-judicial item, which is why it's listed as a public hearing, so it's a public hearing as well. In addition, I've provided you some materials that have been provided to the applicant's counsel as well. The materials that you've been provided, based on a request from a Commissioner, is the appeal before -- the first thing in your packet is an order on appeal of decision of the Board of Architects. This is the first hearing that ever went to our new Board of Architects Special Master Don Sachman, involved 625 Almeria Avenue. He issued a decision in that case, which I thought might be interesting to the Commission. It also touches on some of the issues relating to this matter. The second document provided to you is a City Attorney's Office opinion, City Attorney Opinion 2016-008, CAO 2016-008. This is an opinion regarding the Coral Gables Mediterranean style design standards, which Mr. Sachman applied when he was issuing this appellate order. And the last thing is the Mediterranean style design handbook for the City of Coral Gables, which is available on our website. This was done by the Planning and Zoning Division in May of 2014, and it's something that was presented to the Commission. And this is something that applicants can look to in determining what is Mediterranean style. So, with that, I would turn it over to Mr. Trias.

City Manager Swanson-Rivenbark: And just for clarification, Mr. Mayor, this is not E-6. The City Attorney is speaking on E-7, which is a resolution.

Mayor Cason: Right.

City Attorney Leen: Oh, I'm sorry. The -- okay, my agenda has it as E-6. I'm sorry.

Mayor Cason: Alright, so we're talking about E-7.

Commissioner Lago: Yes.

City Attorney Leen: So, forgive me. So, this is item E-7.

Mayor Cason: Ramon.

Planning and Zoning Director Trias: Thank you, Mayor. May I have the PowerPoint, please?

City Manager Swanson-Rivenbark: And for those following, we also have that included online under Exhibit E, the Commission PowerPoint.

Planning and Zoning Director Trias: The PowerPoint is for The Henry. Thank you. Thank you very much. As the City Attorney explained, this is a mixed use site plan request. That is the only request in this case. The property's located along Laguna and Altara. It's an area that, as you know, has a lot of mixed use projects all around and it has developed very consistently along those lines. It is what I would describe as an infill property within a very well established historic grid. The land use and the zoning are industrial. In this case, of course, as you know, industrial usually means mixed use. That is the overlay that is applied to this area. The zoning is, again, industrial. And the property is within the grid area which provides for some waiver of traffic issues related to numbers and operations. Now, I do have an updated rendering here that

shows the paint scheme that is being proposed. It's a little bit different in terms of the colors and the way the aesthetics is designed, but that is the current design as proposed. And that is the way that the building fits within the existing and proposed project. There are some projects depicted here, such as Merrick Manor that are still not built, but that gives you a sense of the way that that whole district is being developed. There's a lot of emphasis, of course, in terms of the ground level activity and mixed use, and some of those features can be appreciated as one looks at the site plan, for example. The site plan has a paseo through the middle. It has an arcade all throughout the perimeter of the frontage along Laguna and Altara, and then there are retail uses on the ground level. The elevation, as you can see, has many of the features that are required by the Level 1 Mediterranean standards in the Zoning Code. And the review timeline, as you can see, it went to the Development Review Committee in February; the Board of Architects in May. There was the required neighborhood meeting in June. And in September, the Planning and Zoning Board reviewed this request. Staff has reviewed all of this and departments have reviewed this project, and have provided very useful and very helpful comments and recommendations, and I think that the project has improved through that process. Letters to property owners were sent within 1,500 feet, which is the requirement for this request. The public notification included the letters, as I said. The property was posted three times for DRC, Board of Architects and Planning and Zoning. It was posted on the website three times. There was one newspaper advertisement. The project, as you can see, it combines a lower level arcade with retail, residential units on top, and then a parking garage along the base, fairly typical of this type of mixed use project with a paseo down the middle. Now, that paseo does line up approximately with multiple other paseos in different projects, so there has been an overall attempt to coordinate the design and the site planning of several projects, which I think is working fairly successfully in terms of the overall district. As you can see, there's an alley also in the back which makes it much more efficient from many points of view. However, the driveway is along Laguna, the driveway to the parking garage. The site plan information, as you can see, there's a 3.5 FAR. And it's important to point out that the 0.5 is the bonus that one gets through the bonus process, and that is one of the issues that can be discussed. The building height is 120, which is what was approved some time ago by the Commission in this area. One

twenty is the maximum height allowed in the mixed use district. And there are 229 parking spaces. The setbacks are basically zero, which is what the Mediterranean bonus and the mixed use projects allow. And the open space proposed is over 6,000 square feet.

Commissioner Lago: And that open space includes arcades?

Planning and Zoning Director Trias: Yes. It's the old-fashioned way of looking at open space until we modify the Code and make it more clear.

Commissioner Lago: And just like you were mentioning before on the previous slide, because again, you have individuals who are listening at home and I want to make sure that we make this very, very clear. This is an as-of-right project. The only reason why it's coming to the City of Coral Gables Commission is because it's a mixed use project, correct?

Planning and Zoning Director Trias: Yes.

Commissioner Lago: They're not asking for additional FAR. They're not asking for additional height. They're not asking for anything additional. They're just -- it's coming before us, because every mixed use project has to come...

Planning and Zoning Director Trias: Yeah.

Commissioner Lago: For ratification by the Commission.

Planning and Zoning Director Trias: And that makes it not as of right. In other words, it has to be approved by the Commission. However, there are no requests for additional height or additional zoning.

Commissioner Lago: But the issue -- but I want to be clear on that, because Craig...

City Manager Swanson-Rivenbark: But...

Commissioner Lago: It comes before the Commission, because the Code requires it to come before the Commission.

Planning and Zoning Director Trias: Now, in addition...

City Manager Swanson-Rivenbark: I think you need to...

Planning and Zoning Director Trias: That's true.

City Manager Swanson-Rivenbark: Clarify on the issue of FAR.

Planning and Zoning Director Trias: Yes, yes. In addition, what I was going to say is that the Med bonus provides 0.5 FAR extra, so that's how you get to the 3.5 FAR, so that's not by right either.

City Attorney Leen: Well, the -- just to be very clear...

Commissioner Lago: Hold on...

City Attorney Leen: The -- all mixed use projects have to satisfy the Mediterranean design standards. They get the 0.5 extra FAR in doing so, but all mixed use projects must come before the Commission for conditional use review.

Commissioner Lago: And let me tell you why I'm bringing this up right now. And I don't want to be a stickler about this, and I don't want to get into a very long discussion back and forth. I want to end the discussion about, you know, the fear of certain projects that are going on in the

city and that things are being overbuilt and the Commission, you know, is just approving projects. This project, the only reason it's before us is because the Code requires mixed use development to be ratified by the Commission. They're not asking for anything additional. They're doing everything that the Code -- correct me, if I'm wrong.

Planning and Zoning Director Trias: Right.

Commissioner Lago: They're doing everything that the Code already allows, and this Code has been in place for how long?

Planning and Zoning Director Trias: Over ten years.

Commissioner Lago: Over ten years. Okay, so, you know, the Code allows them to do this. They're following the rules. They went for a Mediterranean bonus, which is in the Code, and they're subject to be granted the Mediterranean bonus.

Mayor Cason: And the elements for them to get the Mediterranean bonus were from your handbook that you presented several years ago, which gave, if I'm not mistaken, seven different elements that you draw from to get the Mediterranean bonus. Are they satisfied?

Planning and Zoning Director Trias: What happens is that there are two levels for the Mediterranean bonus. Level 1 provides 0.2 FAR and that has a checklist of different features, such as arcades -- and they're depicted here, many of the public space benefits that...

Commissioner Lago: And you're going to go into detail about that later, correct?

Planning and Zoning Director Trias: Yeah. We can go into...

Commissioner Lago: I just...

Planning and Zoning Director Trias: Yeah.

Commissioner Lago: Not to cut the Mayor off, but...

Vice Mayor Quesada: But you did anyways.

Commissioner Lago: But I did anyways.

Mayor Cason: I accept...

Commissioner Lago: I'm sorry.

Mayor Cason: Your apology.

Commissioner Lago: I'm sorry. And we'll get into that, but I just wanted to be very, very clear. And I'm using the word clear a lot. I want to be very, very clear that people understand that they're not coming here asking for anything else that's outside of the Code.

Planning and Zoning Director Trias: Right.

Commissioner Lago: Just want to be clear on that.

Planning and Zoning Director Trias: Everything being requested is within the Code requirements and...

Commissioner Lago: Now, whether it's Mediterranean is up for discussion and we'll discuss that now.



Planning and Zoning Director Trias: Plenty of opinions on...

City Attorney Leen: May I add to that? If you take a look at the City Attorney opinion, what it talks about is the Level 1 bonus and the Level 2 bonus. And there's never been a dispute that Level 2 bonuses require the building to look Mediterranean, because it basically says that and it also refers to the seven comparator buildings directly, and it has to be in the style of those buildings. Level 1, there has been a debate over to what extent do those buildings that qualify for Level 1 Mediterranean and mixed use buildings, for example, to what extent do they have to look Mediterranean. And the City Attorney opinion, what it indicates is that based on the purpose section of the Zoning Code, which says that the purpose of the bonus, the purpose of the Mediterranean design standards is to have buildings that have basically a visual connection, a link to the comparator buildings and to the City's past. And it's -- and I don't want to -- take a look at the opinion if you get a chance. It uses the specific terms of the ordinance, but that's in general what it says. And based on that, there still needs to be a link. So, what can't happen is you can't have a building that checks the boxes and then has no link to the Mediterranean style design. Certainly, there's a broader set of designs that could be allowed under Level 1, but it still needs to tie to the comparator buildings, and that's what Don Sachman and the special master said in his order. It basically said he was -- the reason why he essentially approved with conditions the Almeria Townhomes was because of their visual linkage to the comparator buildings. And he required them -- and so when the presentation was made, they showed the visual linkage to those buildings, which -- what we don't want to have happen is really what's called legal formalism, where you check the boxes and you end up with a building that looks nothing like Mediterranean even though the purpose of the bonus program and the purpose of the Mediterranean style design program is to have visual linkage. And that's why you get the bonus, because it's Mediterranean style design. Now, I'm not opining in any way on whether this particular building qualifies or not. That's for the Commission to decide and for staff to recommend. But I'm just telling you that this has been an issue that's been debated in the past. It's come before the Commission several times. I issued an opinion requiring this linkage and

the opinion's not very long, so take a look at it. And I see Mr. Guilford's here as well, and I know that he has a presentation also.

Planning and Zoning Director Trias: So, that's one issue. And to address the issue Commissioner Lago was mentioning about the open space, this diagram shows that most of the open space is the arcades and the paseo. However, along Altara, there's some additional landscape that's provided and also along Laguna.

Commissioner Lago: With that being said, again, it doesn't apply to this building. I just want to make a point...

Planning and Zoning Director Trias: Yeah.

Commissioner Lago: That that's why I strived so hard before and I brought before you that change to the Code which will hopefully be implemented in the future with your support, why areas like this industrial are in such dire need and we can't depend on the Underline. I mean, again, I'm the biggest proponent of the Underline, you know. I'm doing everything in my power to represent this Commission to make sure that the Underline happens. But we need to be aware of the fact that open space is a big necessity in certain parts of our city, especially in the industrial area. So, we need to really take an aggressive look at how we conduct and how we approve buildings in the near future in reference to open space which, in my opinion, we need real open space, not just pavers or some type of permeable paver. We need to really look at grass, where someone can sit down on their bench and read a book under a tree, and that currently is not accessible. Even though you can look at Altara and there's four trees there, to me, that doesn't really offer a resident that opportunity.

Commissioner Slesnick: Mr. Trias, while we're on open space since it's come up; I read the Planning and Zoning minutes from September regarding this project. And one thing that you'd mentioned, I guess Ms. Menendez talked about the open space and how it clarifies under the

Code and you had said that this was one of the weaknesses of the Code, that part of the open space is just space without a building on top of it, like the pool deck.

Planning and Zoning Director Trias: Yes.

Commissioner Slesnick: So, is there a way that we can maybe strengthen the Code in the future for buildings so that we do have at least public open space when you're talking about open space?

Planning and Zoning Director Trias: Yeah, that is my intent for next -- for this year. And you, as a Commission, approved money to be able to revise and improve the Zoning Code, so I hope that we can do that.

Commissioner Lago: And if I could just address what Commissioner Slesnick just said, just to dovetail what you're saying -- and this is my opinion. To do this the right way, I think we need to offer an incentive to the developer, to the individual who's coming to our city in an effort to develop a project like this, which has been untouched for 40 or 50 years. There has to be an incentive to do it the right way, because currently what they're going to do is they're going to take advantage of the Code and build on every possible square foot, because that's what they can rent, lease or sell. So, there has to be something -- whether, you know, we give an additional floor or half floor or -- there has to be something, which again -- remember what we did for the Collection residence, even though that project was not nicely built?

Commissioner Slesnick: Eleven-foot ceilings.

Commissioner Lago: Okay, 11-foot ceilings, and instead of having 200 units, they wanted 100 units. So, that meant less congestion. That meant less cars. That meant -- and you know, a better project, in my opinion. Even though we did go seven or eight feet, I think -- correct me, if I'm wrong -- a few feet above what is allowed by the Code for that project, but it's a better

project for the City. It's a much better project. I think we need to be able to use -- tweak the Code so -- I don't want to be so restrained to building a project and checking the boxes like what the City Attorney said, because again I don't think that benefits anybody.

Commissioner Slesnick: Were the provisions put in -- it said provisions were going to be put in, conditions?

Planning and Zoning Director Trias: The conditions for approval, yes.

Commissioner Slesnick: Okay.

Planning and Zoning Director Trias: And they include...

Commissioner Slesnick: So, they passed all the conditions?

Planning and Zoning Director Trias: Yes, yes.

Commissioner Slesnick: Okay.

Planning and Zoning Director Trias: They include accessibility to the public and (INAUDIBLE)...

Mayor Cason: Where does this stand with the Board of Architects, this particular design? What, if any, is the controversy over the Mediterranean?

Planning and Zoning Director Trias: The question is whether or not it meets the Level 2 requirements sufficiently. I believe that the Level 1 requirements, which tend to be mostly architectural features, are met. But I think that the higher level, which the City Attorney was

discussing, which has the examples of the buildings listed in the Code, that's where the discussion and the disagreement may come up.

Mayor Cason: So, what did the Board of Architects do?

Planning and Zoning Director Trias: They approved it.

Mayor Cason: They approved it. What was the vote?

Planning and Zoning Director Trias: I don't recall, but the City architect is here. He may recall that.

Commissioner Lago: I think he said 5-0. Is that...

Mayor Cason: Was it five?

Commissioner Slesnick: Planning and Zoning.

Mayor Cason: Planning and Zoning approved it unanimously, but I just want (INAUDIBLE)...

Planning and Zoning Director Trias: Yeah, Planning and Zoning.

Commissioner Lago: Excuse me. I'm sorry. I apologize.

Commissioner Keon: Planning and...

City Attorney Leen: Mr. Mayor?

Commissioner Keon: Zoning approved it unanimously?

Commissioner Lago: Yes.

Commissioner Keon: Or 5-1?

Commissioner Lago: 5-0.

Planning and Zoning Director Trias: Yeah. Planning and Zoning approved it...

Commissioner Keon: It was 5-0.

Planning and Zoning Director Trias: Yeah. And the question was the Board of Architects vote. I don't know. Maybe the City architect remembers.

Mayor Cason: I recall in our discussion several years ago the reason you came up with a handbook was to try to take some of the subjectivity out of the process of declaring what's beautiful. I mean, the -- it's always a dilemma, you know...

Planning and Zoning Director Trias: When I started working here, I realized that there was not enough information about the Mediterranean issue, so we collected all these original drawings as examples and as precedents to be used by architects. So, I think we have all that information and it's up to you to decide whether that information was used properly and whether the standards were met. And I think that there's room for discussion and there are multiple opinions on that. But I think that the eight buildings are very clear in the Code, and the illustrations that we have are also very clear.

Mayor Cason: Okay. Do we have the applicant or is somebody going to make a presentation?

Commissioner Lago: He wants...

Planning and Zoning Director Trias: I could finish the presentation. But basically...

Commissioner Lago: Yes.

Mayor Cason: Why don't you finish? And then, Zeke, if you want to...

Planning and Zoning Director Trias: Finish real quickly. We -- staff reviewed for compliance with the comp plan and we believe that it complies; the request for mixed use complies. And then as it was mentioned, there's a recommendation of approval with conditions for the proposed site plan by the Planning and Zoning Board and by staff. We believe that the request is consistent with the Comprehensive Plan's goals, objectives and policies, and we recommend approval with conditions. The conditions include some of the typical conditions, such as the Art in Public Places, et cetera. But one of the conditions is to make sure that all of the public spaces are open to the public at the ground level to really emphasize that benefit. So, with that, I think I'll end my presentation and let the applicant explain.

Commissioner Keon: Can -- will they include in this discussion what are the ground floor public spaces as to what are the public spaces?

Planning and Zoning Director Trias: Yes.

Commissioner Keon: Throughout the entire development? I'd like to see that breakdown as to what's ground floor and what's overall.

Planning and Zoning Director Trias: Absolutely. The area -- they can show you in great detail.

Commissioner Keon: Thank you.

Planning and Zoning Director Trias: Thank you.

Vice Mayor Quesada: Let me ask you a question. When I looked at the drawings -- Good morning. How are you?

Zeke Guilford: Good morning.

Vice Mayor Quesada: When I looked at the drawings, what I've heard you just say right now, from what I've read, the open space -- the other buildings in the area around Merrick Park, there's another building that seems very similar to this one as far as the paseo walkthrough and I guess the overhang on the first floor. I wish I -- there's a jewelry store there. Santayana Jewelry is in there, and there's actually a small daycare school across the street, La Piazza, if you guys are familiar with the building right next to it, right across the street. Am I understanding it correctly -- either one of you can answer this question -- that the paseo and the access to open spaces is similar to that building?

Mr. Guilford: Yeah.

Vice Mayor Quesada: It doesn't have to be exact; it's similar.

Planning and Zoning Director Trias: It is similar, and it's lined up also. And also, Merrick Manor has a comparable -- when it's built, it will have a comparable paseo.

Vice Mayor Quesada: I know. I'm just trying to think of something that has been built and I've walked through plenty of times.

Planning and Zoning Director Trias: And they all line up very closely. So, from that point...

Vice Mayor Quesada: Yeah.



Planning and Zoning Director Trias: It's very successful. The paseos are successful.

Vice Mayor Quesada: Okay.

Mayor Cason: Zeke.

Commissioner Lago: Mr. Guilford, how are you, sir?

Mr. Guilford: I'm doing great, and yourself?

Commissioner Lago: Good to see you, my friend.

Mr. Guilford: Likewise, likewise.

Commissioner Lago: Thank you, Ramon.

Mr. Guilford: Good morning. Mr. Mayor and Commissioners, for the record, my name is Zeke Guilford, offices at 400 University Drive. It gives me great pleasure to be here today representing Terrace Mountain Investors, who my client is on their way here. You had a 10 o'clock and 10:30 certain, so I apologize for being a little late. I'm here today with Robert...

Vice Mayor Quesada: We apologize for being efficient today.

Mr. Guilford: I'm here with Robert Behar, the architect, who's going to walk you through the project. We're here today requesting approval of a mixed use development at the address of 4015 - 4131 Laguna Street, and he will kind of show you where this is. But it's basically right off Bird Road behind the 7-11, a couple blocks from the high school. What we're requesting today is -- our development consists of 122 residential units, 2,572 square feet of office, 10,000

square feet of retail, two floors of parking. This project complies with all the requirements of the mixed use development. And at this point, I'm going to turn it over to Robert to basically walk you through the plans. And then if you have any questions, I will be more than happy to answer them. This has been -- staff has recommended approval of this, and it did go to the Planning and Zoning Board, which unanimously recommended it to you as well. Robert.

Robert Behar: Thank you, Zeke. Good morning. For the record, Robert Behar, 4533 Ponce de Leon Boulevard. Thank you for allowing us to present to you today. We have today before you; it's a 122-unit high-end rental building. We're not maximizing the density. We're not maximizing anything. But I'm going to show you the components that attribute to a good urban plan building. We'll start with the ground floor. This portion you see at the bottom is the arcade and the colonnade for Merrick Manor project that goes from Altara all the way to Le Jeune Road and backs up to the old -- to the Vialetto Restaurant. On our east side, we have the Gables One project. It was developed about 10, 12 years ago. And what we have tried to do is -- and I think Ramon alluded to this -- is that their paseo -- the paseo for Merrick Manor, we have successfully located our pedestrian/vehicular paseo that almost align from one project to the next. So, from Le Jeune to Salzedo, you could connect through the midblock all three paseos. We have incorporated the whole length of Altara, a loggia. We have set back on Altara -- I'm sorry, that's Laguna -- Altara, the building back to create an outdoor small plaza for the seating, because we intend to do a restaurant in that corner. Our client is looking to do a seating -- a restaurant in that corner. We have fronted the whole street with usable line habitable space, only for the fact that we have a small entrance to the garage on this side, but everything else is habitable space. You can see from the rendering where you have the arcade, you have the plaza area. And then what we've done is we articulated the massing of this project a little bit different than just a box. And you could see it where you have the elements that come out, go back in, to break up that volume, okay. In addition to responding to the Mediterranean components, we have tile elements not only of the upper areas, but the garages. We have tried to screen the garages, articulate it to the point where it's not visible. This project is something different that our client has accepted to do. We have carved out the top of the building on this side to incorporate our pool deck on top of the

roof. That gives us the massing of the building also a little bit different, so it's not just a big box. And I'll use the 2525 Ponce de Leon building as the example that it's a big block in -- yeah, it has a roof. But we're trying to break up the massing up here and on top of the garage, where we put -- also on top of the garage, we put an area that is for the residents, but allows us to break this massing up. I think the building -- every item on that Mediterranean list has been addressed. I think that the building speaks for itself. I think the -- all the components are there. I think that we find it to be a very attractive building. This is not a glass building. This is not a modern building. So -- and this building has all the components that, in my professional opinion, meets the intent of the Code.

Mayor Cason: Could you point out those elements?

Mr. Behar: Okay. The covered walkway, the tower elements, the plaza areas, those are just a few of them, and there's a whole list -- the fountain that goes inside the paseo and you could see more, you know, the paseo, the fountain, all the elements that are a part of that checklist that you do.

Mr. Guilford: You know what, actually, Mr. Mayor, under Section 5-604 of the Coral Gables Mediterranean style design standards, it provides that -- under 6(a), it provides that the Board of Architects shall be the responsible City review board on this article. The Board of Architects reviewed this. And when you go with Mediterranean design, you have to tell them how you meet the Mediterranean criteria. The board reviewed this. As the reviewing board and the board who grants those bonuses, they felt that this building met the Mediterranean design criteria.

Mr. Behar: Something a little bit different from what originally was proposed, now you see that the building has a color scheme and also incorporates the stone veneer, which is also part of the requirements. Before when we submitted it and go through the planning, we hadn't yet picked a palette color, you know, scheme that goes with the building. You see the building is more in that

beige and taupe color, which is what we normally see in the Gables. With that, I will conclude my presentation.

Commissioner Lago: When you say stone veneer, can you expound a little bit in reference to the type of material you've chosen and..?

Mr. Behar: We're looking to do either a keystone or a French limestone.

Commissioner Lago: But it's legitimate keystone and French..?

Mr. Behar: Yeah, yeah. We're not using...

Commissioner Lago: Because that's -- I've mentioned this before and I'll say it again. I mean, I think that in the past, 10 years ago, 15 years ago, you see a few buildings in the Gables that have this faux coquina stone, which is made out of concrete, which, again, in my opinion, is just horrible and it just leaves a bad taste in your mouth.

Mr. Behar: Commissioner, I will give you two examples of recent projects that we've done, the Gables Ponce I and II that is real coral keystone veneer.

Commissioner Lago: Now, I know there's a huge cost associated with that and when a developer makes that decision, I mean, to the tune of -- it could be millions of dollars.

Mr. Behar: Don't say millions of dollars. He's here right now.

Commissioner Lago: No, but the bottom -- it's true. But again, when you're trying to build a first-class project that's really going to leave, you know, an indelible mark in our area of the City of Coral Gables, I think you need to understand there needs to be an investment made. We're not going to skimp on quality here in the City. And I think in the past -- I'm not going to

mention the name of the buildings -- there's been some instances that are being used as examples where the quality is not up to par and I think it's evidently clear -- even if you do the first floor or first two floors in real stone, I think you can still notice it when you look up, because the quality's not there.

Mr. Behar: Commissioner, we have an opportunity to work with the developer, who has chosen to come to Coral Gables to do quality work. And to me, it's a welcome news, because typically it's a struggle to work, you know, because of that. Here we have a developer that says I want to do a quality -- and I'd love to have more clients like...

Commissioner Lago: And I agree with that 110 percent. But as you know, because you have some of the best clients here -- and so does Mr. Guilford. They're aware of the square foot costs that people are getting now in reference to the rent rates here and the for sale products that are coming in the City of Coral Gables. You're getting top dollar. You can't compare what the price points are here in the City versus other cities. And you agree with that, right? I mean...

Mr. Guilford: Absolutely.

Commissioner Lago: I think we have some of the highest rent rates in the...

Mr. Behar: Listen...

Commissioner Lago: County, excuse me.

Mr. Behar: The project that we did, you're absolutely correct. It is, by square footage, the highest in all of South Florida, which it has to do also with -- like you go back to the quality of the project.

Commissioner Lago: So, when you spend money, your ROI is evident. You're going to be returning your investment.

Mr. Guilford: Let me just -- Commissioner, to give you a little bit more comfort, actually, the developer is here, Frank Trabold, and he actually grew up in the City of Coral Gables. And for many years, I actually went to high school with him. Their development company does not sell their product. They keep them, so they want to do a first-rate project, because they keep it over the long term. This is not a build and flip to an insurance company or something. They maintain their own properties.

City Manager Swanson-Rivenbark: Mr...

Mayor Cason: What kind of retail do you expect you're going to have?

Mr. Guilford: Excuse me?

Mayor Cason: What kind of retail? And the units, are these going to be -- I'm sure it's -- I may have read it, but is it one, two, three bedrooms?

Mr. Behar: One, two and three, exactly. And the square footage range from 700 to like 1,300 square feet.

Mayor Cason: And that's an area that we don't have enough of smaller units in the Gables, I think for millennials and others who want to live and work here.

Mr. Behar: Exactly. I mean, you're absolutely correct. I mean, 700 for a one-bedroom is comfortable, and we go up to, you know, three bedrooms, 1,300 and change, maybe 1,400.

City Manager Swanson-Rivenbark: Commissioner Lago, if I can -- your comments regarding materials and the quality, first of all, we appreciate the intent of the developer. Ramon, how can we tag the permit process so that as we're doing the plans review, your materials concern is addressed?

Planning and Zoning Director Trias: Well, that is one of the conditions of approval. You could mention that today and then we can check it through the zoning review as the permit goes through.

Commissioner Lago: And I understand what the Manager's saying, but I want to change significantly the way that we address proposed projects in the city. And I don't want to scare developers or attorneys, but there has -- this has to be, besides the open space, the quality of the product. Now we're moving towards LEED buildings. These all have to be taken into account. You know, if you're going to come into the City of Coral Gables and you're going to reap the benefits of having an affluent community, highly-educated community that wants to live and work a stone's throw away from each other, I want the best product available. I don't want somebody -- like I think Mr. Behar or I think Mr. Guilford mentioned before, you're seeing a lot of projects being built and sold even before they're done to companies that are not local, which I don't have a problem with that. Again, it's --, because that's where live, in a capitalist society. That's okay; that's fine. But we need to make sure that these projects are built to a certain level where they age beautifully and they don't become a maintenance nightmare and then we're basically dealing with an out-of-state owner, which doesn't maintain the buildings the way they should be maintained.

Planning and Zoning Director Trias: And the short answer to that issue is that even though before there was this discussion about whether this was by right or not, the reality is that it's up to the Commission to approve this project and the Commission has the ability to place conditions, conditions that deal with the quality of the project or the open space and so on. So, because of that, I don't think you should think of this as a by-right project at all. I think you

should see it as an opportunity for you --, because that is what the Code says and that was the intent of the Code, an opportunity for you to make the project even better through design and through conditions.

City Attorney Leen: Yes, and I would like to add something to that. The -- and to clarify a little bit of what was said before, the -- all mixed use projects that come before the Commission must come before the Commission through this conditional review. So, you can't build a mixed use project in Coral Gables without coming to the Commission. So, in that respect, Commissioner Lago, that's correct. If you're going to build a mixed use project, it must come before the Commission. Now, the issue I spoke with Mr. Trias about is all mixed use projects have to, by Code, satisfy at least the Level 1 Mediterranean standards. What's at issue here, though -- and I just wanted to clarify with them -- is that they also must satisfy the Level 2 standards, because they're seeking the full development rights that you can have as a mixed use project, which is 3.5. So, my understanding is 0.2 of that is for the Level 1 component and that's -- every mixed use project has to comply with that. And then in addition, they get an additional 0.3, because of the Level 2. And so, if you look at the opinion -- let me just read what Level 1 and Level 2 are. To satisfy the Level 1 Bonus, in addition to other requirements, it is my opinion that the development must have a visual linkage with the style of architecture demonstrated by these buildings, and those are the eight comparator buildings. I think it was said before seven, but Mr. Trias is correct. It's eight buildings -- and support George Merrick's vision consistent with the established historic building fabric of the City. So, there needs to be that linkage for every mixed use project. In addition, to satisfy the Level 2 Bonus, in addition to the other requirements, along with visual linkage to these eight buildings and consistency with the established historic building fabric, it is my opinion that the development must also actually include design elements and architectural styles of the specific buildings listed and that such inclusion should be substantial in order to meet the purpose of the program described above. So, what I would suggest in terms of having competent, substantial evidence in the record is that the applicant show and the architect show the visual linkage to these eight comparator buildings in



the building. That has to be done in order to have substantial, competent evidence in the record to support an approval of the Commission.

Mayor Cason: And you're -- but we're saying that the Board of Architects, I guess, was unanimous or not, before us made that determination. Now what's the question, are we going to ratify or not ratify...

Mr. Guilford: Yeah. I guess, really...

Commissioner Keon: Well...

Mr. Guilford: Mr. Mayor, this is the purview of the Board of Architects. They reviewed it. Actually, what it says is MDX District shall satisfy eight of the twelve qualifications in Table 2. We showed that to the Board of Architects and they approved it. It is a -- it's under the board. No one has appealed the Board of Architects' decision, so I don't know why this is an issue at this point. This is a mixed use development that's coming before you. This is not an architectural review that's before you.

Mr. Behar: And for the record, the Board of Architects unanimously approved the project as a board in whole, in total, seven members.

Mayor Cason: Okay. That's what I wanted to find out, whether it was unanimous or not.

Mr. Behar: And they even complimented the building.

City Manager Swanson-Rivenbark: Mr. Mayor, I just need to step in. With City Attorney, is the -- is it not the purview of the Commission when they're considering the application of mixed use to consider all aspects of the building, including aesthetic?

City Attorney Leen: Yes.

City Manager Swanson-Rivenbark: And so on the issue of the Mediterranean design, just for my understanding, where a 0.5 FAR would be granted as a part of that mixed use, you're asking that they present the checklist that they presented to the Board of Architects?

City Attorney Leen: Yes.

Commissioner Keon: I -- yeah. I have a lot of questions about that also after reading the memo from the City Attorney -- or the opinion from the City Attorney and looking at the -- particularly, the design elements that were the guidelines for -- that are in our Code as to how they actually meet those...

City Attorney Leen: Yes, yes.

Commissioner Keon: Bonuses. So, is it appropriate? Can I continue to ask? Okay, you know, and what I'm looking at here is your elevations in the plan that you have provided for us. You know, it's not -- you know, I found this difficult when I sat on the Planning and Zoning Board. I find it difficult when I sit as a Commissioner. Because I find the Mediterranean -- the ordinance on Mediterranean architecture, you know, I think it was very well intentioned, but I think it's a very difficult ordinance for people to build given, you know, the size and the heights and everything else that we allow. You know, the Biltmore is Mediterranean, because it is the lower levels or -- you know, so that the base is not that high and it allows for a tower and a spire that, you know, is distinctly different from the bottom and the massing. But you know, all of these buildings were built in a time when we weren't building high-rises and the, you know, product, the engineering that goes into building buildings today allows us to build, you know, different buildings. A lot of the buildings that we see, and we so admire that are lower buildings were built the way they were, because that's what they could build at the time. They couldn't build, you know, 150-story buildings or -- I mean, 150-foot buildings and 120-foot -- and now, I mean,

you see skyscrapers, I mean, two and three hundred feet. But you know, within the City of Coral Gables, you know, 150 is about the tallest, you know, buildings that we allow depending on the district. I think your project is beautiful. I think it's a beautiful project. And -- but it's hard for me to see how you meet the Mediterranean bonuses. Personally, I think you should be able to build this building without worrying about that, because of the elements that you have in it. But -- which is -- I think it's a real problem with our Code that I, you know, really would like to see addressed and our Code cleaned up or fixed so that people can actually build, you know, to the Code. I -- you know, where it says, you know -- I mean, yes, it does -- there's no blank walls, because there's windows and there's some terraces and those sorts of things. There, you know -- the façades do include vertical breaks.

Vice Mayor Quesada: So, Commissioner...

Commissioner Keon: You know, but what is it about this that -- I mean, it's like what is Mediterranean about this?

Mr. Behar: Can I...

Vice Mayor Quesada: Well...

Commissioner Keon: You can help me, yeah.

Mayor Cason: Vice Mayor.

Vice Mayor Quesada: Yeah, just give me a second. Commissioner Keon, just a few things. Number one, it's sort of the -- why we hire -- I don't want to say hire. That's not the right word - - why we have these volunteers in the Board of Architects. Well, let me finish, let me finish. I see you shaking your head already.

Commissioner Keon: I am.

Vice Mayor Quesada: Hear me out.

Commissioner Keon: I am.

Vice Mayor Quesada: That's the point of having them. They're the experts. They're the people that have worked in our community. They're the architects. They're the professionals that we rely on, so obviously, they give us that feedback. I understand and I agree, any time anything comes before us, of course we can look at all of it. It's common sense. If we want to make a change, we make a change. Hell, we do it all the time, especially when there's an appeal for certain specific issues. With that, you talk about how we need to, I guess, you were alluding to cleaning up the Code or making it...

Commissioner Keon: Well, it's...

Vice Mayor Quesada: A little bit clearer.

Commissioner Keon: To make the Code...

Vice Mayor Quesada: If you recall...

Commissioner Keon: Buildable.

Vice Mayor Quesada: So, if you recall -- and we -- I think we have, over the last five years, little by little, we've been doing it. I had asked the City Attorney to circulate this document for today's meeting and he gave it to us...

Commissioner Keon: Yes.

Vice Mayor Quesada: In this manila folder, and I think they emailed it to us last night as well...

Commissioner Keon: I -- it's on -- I read it online.

Vice Mayor Quesada: If you haven't had a chance to look at it. It's funny; I still have the bound version of this that Ramon gave us two years ago.

Commissioner Keon: Yeah.

Vice Mayor Quesada: And it's one of the few things I keep on my desk, because if any time a project comes through, it's a nice cheat sheet for us to consider when we're looking at this. But it's funny, you know, Mr. Behar used the word today articulation. I didn't -- I'll be honest with you. I didn't know what that word meant in the architectural sense until he pointed it out.

Commissioner Keon: Yeah.

Vice Mayor Quesada: I had always called that massing, but that's probably not the right word to do it, but sort of the depth in the building that you see and the...

Commissioner Keon: It's the movement in the front.

Vice Mayor Quesada: Exactly, so it doesn't look like a flat wall and I know that conversation's come up. And you look at that and you look at some of the different elements here -- and I'm not an architect, but obviously we've looked at these different kind of projects, and I can see where some of them obviously had been met, you know. And I'll point you to the bottom of page 2 of this document, where it says Level 1 and the 12 types of qualifications are as follows.

Commissioner Keon: Right.

Vice Mayor Quesada: And again, I use this a lot, because it's a nice cheat sheet for me as a non-architect engineer, had no involvement in the construction industry, to help me understand what is being looked at and why something like this can make it. You know, there was a building a few years ago that was controversial that got the bonus and which was the 2990 Ponce, the Ponce Catalonia building, which I happen to like that building, but you could see it was their take on what these requirements in our Code ask for. Obviously, it was a modern twist on it, but remember, Mediterranean is not really Mediterranean. It's really -- it should be -- we should really change the name to the Coral Gables style, because when you look at the Level 2 analysis, it gives -- what is it, eight or nine different buildings that they should try to model after of the elements that they're looking for. So, when you see -- for example, when you look at their walkway on the bottom floor, the fact that it's got a covered overhang that is analogous to the Biltmore areas where it's got the covered overhang.

Commissioner Keon: Right, right.

Vice Mayor Quesada: Because I remember when I first got elected, we were -- the Ponce Cat building had already been approved. The only thing that was left was approving the Art in Public Places, which is -- I don't know, Mr. Mayor, if you recall.

Mayor Cason: Right.

Vice Mayor Quesada: So, we actually didn't vote on the project. We just voted on the Art in Public Places.

Mayor Cason: The art.

Vice Mayor Quesada: And I remember we had a long conversation about that, which led to Ramon creating a cheat sheet for us. So, it's kind of tough, because I feel like we have this

conversation all the time and I feel like I've been having it for the last five years any time that a project comes in where people are scrutinizing the Mediterranean aspects of it. So, I would just ask you to, you know, relook at this again.

Commissioner Keon: I did last night.

Vice Mayor Quesada: Okay.

Commissioner Keon: And in accordance with...

Vice Mayor Quesada: Well, then forget everything I just said.

Commissioner Keon: Yeah, I -- pardon me?

Vice Mayor Quesada: No, I was just kidding.

Mayor Cason: Go ahead.

Vice Mayor Quesada: I joke.

Commissioner Keon: Well, no, I mean, I did. I looked at the one online that we got and looked at these pictures. And I -- you know, the only, you know, building that I have seen built recently that really -- where the style is Mediterranean is the Allen Morris building on Alhambra is very obviously and very evidently Mediterranean. Also, the office building that Agave built on...

Commissioner Slesnick: 396.

Commissioner Keon: Alhambra is -- you know, the elements on the building that are the wrought iron, the doors and the different decorative elements that were added, you know, give it

that Mediterranean Revival style. And I think what's really important to know when we're talking about Mediterranean; we're talking about the style, the Mediterranean Revival style -- Is Dona still here? No? Dona.

Planning and Zoning Director Trias: If I could...

Commissioner Keon: Could you come up for a minute? When we talk about Mediterranean style, are we talking about the Mediterranean Revival that the architects that came with Merrick to build the City -- the elements that they talked about and used? That it's not Mediterranean in that it's -- you know, it's not those countries along the Mediterranean. I mean, it's not necessarily Italian. It's not necessarily Spain. It's not, you know, necessarily, you know, Greek. It's not necessarily any of those. It's not -- you know, and I think there is some -- I think that's what people think of in Mediterranean instead of, you know when you read Arva Parks' book and you look at what is Mediterranean in this city, you know, it is the Biltmore and Fink Studio, and those sorts of things. And so how do you translate some of those elements into a larger, more contemporary building than what, you know, we often see. And I -- that, to me, sometimes is missing in what we're seeing as Mediterranean.

Historic Preservation Officer Spain: That's a conversation...

Commissioner Keon: I mean, it's lovely...

Historic Preservation Officer Spain: That I've been involved...

Commissioner Keon: But it's not...

Historic Preservation Officer Spain: With for 20 years.

Commissioner Keon: I don't -- pardon me?



Historic Preservation Officer Spain: That's a conversation that I've been involved with for 20 years.

Commissioner Keon: Okay, so...

Historic Preservation Officer Spain: Because the Mediterranean Revival or Mediterranean as Arva says --, because she doesn't like the word "revival" -- those were buildings that were done in the 1920s. And really, after the 1920s, they stopped doing those in the City. But when you talk to someone and talk about the Mediterranean architecture of the City, in their mind, those are the 1920s buildings like the Biltmore or like H. George Fink Studio, like the San Sebastian Apartment building. Those are why they're used as precedents for people to look at. Through the years, it's those elements that we've been trying to get into the taller buildings. It's very difficult to translate. If you take the tower off of the Biltmore Hotel, it's basically a box.

Commissioner Keon: Yeah.

Historic Preservation Officer Spain: And so...

Mr. Behar: Then it's a ten-story box...

Historic Preservation Officer Spain: Right.

Mr. Behar: Because that -- it is...

Historic Preservation Officer Spain: That's exactly right.

Mr. Behar: And with little punch openings.

Historic Preservation Officer Spain: And so...

Mr. Behar: So, the articulation was very minimal.

Historic Preservation Officer Spain: That's right.

Commissioner Keon: So...

Historic Preservation Officer Spain: But the articulation really, if you look at it, isn't there. You can pick the elements, but in the past, we've talked about having -- activating the bottom floor, having the loggias and having those things that respond to the public in the public space in the downtown area. So, I'm probably not the right person to be up here, because I think that some of the elements in the buildings that are not typically barrel tile and all that have actually worked really well downtown. And some of the other buildings where they've attempted to do Mediterranean style by slapping on faux whatever...

Commissioner Lago: Precast.

Historic Preservation Officer Spain: And putting -- they're...

Commissioner Keon: They're putting...

Historic Preservation Officer Spain: Less successful, but yet those...

Commissioner Keon: You know, a red barrel tile roof.

Historic Preservation Officer Spain: Are the ones that get the benefits.

Mr. Behar: And just because you put a barrel tile roof doesn't mean it's a quality building.

Commissioner Lago: By the way, I think the last project that came before the City six months ago received Mediterranean bonus and did not have a barrel tile roof, which was...

Vice Mayor Quesada: (INAUDIBLE).

Commissioner Lago: Gables Station. Yeah, that project did not have a barrel tile roof.

Mr. Behar: One single sloped roof.

Commissioner Lago: Yeah.

Commissioner Keon: Yeah, it's a sloped roof. So, but -- you know, so I have a real problem, not with your project. I have a real problem...

Mr. Behar: Thank you.

Commissioner Keon: Of the, you know, application of these things to the project. But I also understand that, you know, if you provide, you know, a great project, to give you some bonus or give you some extra, I don't have a problem with. But what I have is a problem with trying to squeeze that extra into an ordinance that I think is too difficult to try and do it to.

Vice Mayor Quesada: But you know something...

Commissioner Lago: But that goes back to what I said in the beginning when I started this conversation and I said we're going to have to come to a point where we're going to have to review this, the entire process, because, okay, if you're looking from the ground floor -- this is really quick and I'll make it very brief. If you're looking from the ground floor and you're looking up at a building, I will bet anybody here that they can't tell me how tall the building is.

They just can't; it's impossible. So, why not put yourself in a position where you're able to, you know, work with the developer and say, okay, let's get a small, little public park adjacent to your property, or let's work on some really nice design features, or let's work on making your building even more beautiful for a bonus of an additional floor or additional half floor, or maybe like what we did in the Collection Residence, a higher ceiling, so it's more appealing for rental or for sale. I think we've gotten to the point where we're caught in this box where we're just trying to ram everything into a box so you can make your project as profitable as possible and meet the minimum requirements. They're doing their job. They're doing their job as per what the Code says, and I think that -- that's why I was very happy to see - and I think I brought it up in the last Commission meeting -- that we're putting together a panel, a review panel of experts for Mediterranean residential projects, correct?

Commissioner Keon: No. We're doing one for...

Planning and Zoning Director Trias: For the single family.

City Manager Swanson-Rivenbark: For single family homes.

Commissioner Lago: Single family homes, excuse me.

Commissioner Keon: Single family homes. But it's not necessarily Mediterranean. It's the things that were left out...

Mr. Behar: But the scale is different...

Commissioner Lago: The scale is different.

Mr. Behar: Because the Mediterranean was -- you know, in principle, it's intended to be low scale. You know, when you put a roof on a building of above six, seven floors, it's not appropriate, you know.

Commissioner Lago: Yeah.

Mr. Behar: What's more important is the roof line, to have diversity in that element, not just straight across.

Commissioner Lago: Or the massing breakout, which I think is essential.

Mr. Behar: Absolutely.

Commissioner Keon: But it's the articulation of the building, and it's -- and it is. It's -- you know, if you take that building and put a big spire on top and now it looks pretty Mediterranean.

Mr. Behar: And if I...

Commissioner Keon: But you can't -- but you don't want it.

Mr. Behar: No, and if I put a cupola in the top, does that mean it's going to make -- no, absolutely not.

Commissioner Keon: I mean, there...

Mr. Behar: That's absurd.

Commissioner Keon: Is another building on...

Commissioner Lago: Does that -- does the Code allow that? Like let's just -- for example, if you did put a cupola on it right now, isn't there a limitation on the...

Commissioner Keon: Okay.

Mr. Behar: No.

Commissioner Keon: No.

Mr. Guilford: Well, there is a limitation on the height.

Mr. Behar: Commissioner...

Commissioner Keon: But they're architectural details...

Mr. Guilford: But it's over the roof.

Commissioner Lago: I know it's...

City Manager Swanson-Rivenbark: Excuse me, Mr. Mayor. It's going to be really hard to transcribe this spirited discussion.

Commissioner Keon: Okay, but what I'm -- okay, on Alhambra...

Commissioner Lago: Yeah.

Commissioner Keon: Across the street from the Agave project is another building that looks like a square box, and they stuck a cupola on top. Now, you ask me, is that an attractive building? Is that a pretty building? No, it's not.

Mr. Guilford: You know, Commissioners...

Commissioner Lago: I was mentioning that before at the beginning of my conversation.

Mr. Guilford: Commissioner, there's...

Commissioner Keon: No, it's not, so that's why...

Mr. Guilford: There's been a debate over the years. Do you want to reward quality architecture, or by slapping on a barrel tile roof and punch windows, does that make it Mediterranean? And I think what we have is we have the elements. We went through Table 2. Robert's more than happy to go through Table 2 and tell you how we meet the eight of the twelve criteria. But I think this is -- what we have is a quality product that has the arcades, has the articulation, has the everything that you want.

Commissioner Lago: And I'm sorry to interrupt you, but I would rather have real finishes that are visible than removing the finishes then basically say, okay, fine, the building's -- let's say the building right now we agree doesn't meet Mediterranean. Okay, then what they'll do is they'll remove the finishes. They'll just put fake coquina on it, a precast, and they'll save a few million bucks and you end up with a building that, in my opinion, doesn't really look that good.

Commissioner Keon: Okay, but that's not the answer. That isn't the answer to trying to build and trying to replicate the Mediterranean elements in contemporary buildings. And you know, that is -- I mean, it's -- to me, it is a contemporary building. It does -- it's a well-designed building because it -- there is articulation, because there are walkways around the bottom floor, because there is a paseo, because it, you know, you have midblock openings that doesn't make it a huge thing. I think it's a great building. You know, whether it meets Mediterranean, I have a real problem with that because of the way that our Mediterranean ordinance is written. Now, if

on your, you know, balconies, you know, instead of having, you know, a very contemporary looking sort of metal -- you know, whatever the design of the balcony is, you know, if you then replicated some of the types of designs that you see in the Biltmore, that you see in, you know, different buildings that are part of those standards or in this cheat sheet -- I'm going to ask you to look at this. They're decorative. I mean, they're decorative, they swirl, they move.

Mr. Behar: But do we want to be -- do we want to do duplicating, replicating something that was done in the '20s? I think the elements are what's important. You know, the element of the towers, the element of the step back, those are the, to me, what's important. You know, and I go back...

Commissioner Keon: And I agree with you, Robert. And we sat on the Planning and Zoning Board together and we had this discussion numerous times. But yet, you know, the handbook that has been distributed by the City that people are expected to follow have -- they do have all of these...

Mr. Behar: Maybe fundamentally that's the problem, that we're trying to do something...

Commissioner Keon: We have all of the...

Mr. Behar: That is really not...

Commissioner Keon: You can't do.

Mr. Behar: Applicable.

Commissioner Keon: You can't do.

Mr. Behar: And just because they...



City Attorney Leen: Just remember, a little more formality, a little more formality. Direct the comments through the Chair at this point.

Mr. Behar: I'm sorry.

Commissioner Keon: Okay.

City Attorney Leen: Just...

Mayor Cason: Alright, let me ask Ramon. Ramon's been eager to...

Commissioner Keon: Having a conversation too.

Mayor Cason: Say something. And then...

Planning and Zoning Director Trias: Thank you, Mayor. First of all, the Vice Mayor is right about the name. It's called Coral Gables Mediterranean. That's what the Code says specifically. Now, why does it say that? It says that, because it lists eight precedents that are all within the City and they're all Mediterranean, and that is what core of the Coral Gables Mediterranean means. Now, the issue is this: there are two levels. Level 1, I think Mr. Behar is correct. Level 1 is -- he has complied with all the different elements very well. And in fact, he always does a very good job with the design at -- in every project that I know. Level 2, however, requires the use, as the City Attorney has said, of elements from those eight buildings. It's an aesthetic review, that Level 2, and that is where we can have some disagreement on what it is.

Mayor Cason: So we're talking about 0.3 FAR.

Planning and Zoning Director Trias: Yes.

Mayor Cason: The 0.2 was given because of the mixed use.

Mr. Guilford: You know what...

Mr. Behar: Mr. Mayor.

Mr. Guilford: I'm sorry, Mr. Mayor. I'm going to have Robert just go through the points that we meet in Table 2, so that you can -- the Board of Architects has already reviewed Table 2, said we met those criteria. But I think for the record, and as the City Attorney has stated, we're going to go through and...

Mayor Cason: Yeah, if you'll do that, please.

Mr. Guilford: Tell you how we meet those.

Mr. Behar: Thank you, thank you. On Table 2, you got to meet eight out of the twelve. Number 1, arcade/loggia. Clearly, we put the arcade and loggia all along the street frontage.

City Attorney Leen: You know what, actually, because this is -- there seems to be some dispute, I think we should put Mr. Behar under oath for this part of it, just because if there is a dispute here, you will want this as competent, substantial evidence.

Mayor Cason: City Clerk.

City Clerk Foeman: Would you raise your right hand, please? Do you solemnly swear or affirm that the testimony you will provide will be the truth and nothing but the truth?

Mr. Behar: I do.

City Clerk Foeman: Thank you.

City Attorney Leen: Could you start over with that part?

Mr. Behar: Sure, no problem. The Level 2 table calls -- the intent is to meet eight out of the twelve items to qualify. Number one is the arcade or loggia. We clearly incorporate completely in the front of the building the arcade and the loggia. Number -- item number two, rooflines. In our attempt, the roof goes up and down in order to achieve the roofline. Number three, the building setback. We go on the building, on the façade, on Laguna, we go up to the 45 feet and then we step it back 10 feet. We do the same on Altara. We step it back even further. Number four, building towers. We incorporate building towers on the base, and we incorporate building towers on the actual -- above the base of the building.

Vice Mayor Quesada: Driveways.

Mr. Behar: Driveway. We minimized the driveways to, one -- driveway into the entrance, because -- and the reason we put it there, because Public Works does not allow to have the majority of the parking spaces accessible from the alley. It has to be served from the street, so that's the driveway. In addition to that, lighting of landscaping. We are providing the landscaping and the lighting, which is a submittal for that, to comply with the lighting required for the open spaces. Materials on exterior of building. Like I started saying before, we do have -- incorporate the stone veneer on the base. And mind you, the ordinance only requires to go up to 60 inches, 5 feet. We're doing it the whole two stories. Or actually, in this case, it's almost three stories, okay. Overhead doors. There's no overhead doors, because you go into the garage and there's no overhead door, only on the...

Vice Mayor Quesada: I was meaning to ask, what is an overhead door?

Mr. Behar: It's...

Commissioner Keon: Garage door.

Commissioner Lago: Garage door.

Mr. Behar: That only happens in two locations, which is the loading and the trash area. On the alley --, so we put those services on the back side. The paver treatment, you can see that we have -- we have not finalized the selection of the actual material, but there's a graphic intent to show a difference between the border and the actual fill material on the pavers. Pedestrian amenities. Not only we have the arcade, we have the paseos. We have the fountain. We have a small portion of the building stepped back that creates like a small plaza. Again, number 11, the pedestrian paseos through the alleys, through -- you know, that connects the building. Underground parking. We don't have an underground parking. We don't need to go underground parking. This building -- what's nice about this is this base is typically smaller. We only going ground and two levels of parking, so the base is -- so the proportion of it is lower than the typical. So, what's nice about this is you have proportion on the building, a small base, and then you got the seven stories above that of residential. So, going through the twelve items, we meet the intent of all 12 items, clearly. You know, just, again, because we don't incorporate a tile roof doesn't mean that the roofline is not -- we have seen projects that have come recently without a tile roof.

Commissioner Keon: Right. But I have a question here. It says you are also seeking Level 2 bonuses.

Mr. Behar: That is Level 2.

Commissioner Keon: Okay, but Level 2 -- I'm reading the ordinance. In addition to the requirements of Level 1, to qualify for Level 2 -- for two levels of bonuses, the Board of

Architects must determine that the application satisfies the Coral Gables Mediterranean architectural design provisions of the Zoning Code, which require the inclusion of design elements and architectural style from the following buildings: The Fink Building, the Colonnade, Douglas Entrance, Coral Gables Elementary School, Granada Shops, San Sebastian Apartments, Coral Gables City Hall and the Biltmore Hotel. So, it's like -- so that's what I'm asking. Those are decorative -- are they -- Mr. Trias, are those decorative elements that we're talking about or is it the fact that there is articulation on the building? Or are they --, because everything you have in here as our handbook are decorative elements. They're not the fact that there is articulation and whatever they are. It's clearly shown -- spelled out here that there are all kinds of, you know -- they're fanciful and design elements from a particular era and certain styles. So, you know, it's -- Is that the intent? Is the intent that it articulates or is the intent these particular design elements that are on these buildings?

Planning and Zoning Director Trias: The answer is yes. That is what the Code says. And for whatever reason, many architects don't read that last section of the Code that says you must follow the architectural elements of these eight buildings.

Commissioner Keon: Okay. Are those architectural elements included in this building?

Planning and Zoning Director Trias: I don't believe they're sufficiently included. No, I don't.

Commissioner Keon: Okay.

Mayor Cason: But the Board of Architects...

Commissioner Keon: So that's what I'm saying to you.

Mayor Cason: The Board of Architects unanimously disagreed. Is that...

Planning and Zoning Director Trias: The Board of Architects unanimously approved it, yes, so they disagree with that opinion.

Commissioner Keon: But you know what, Mr. Trias is the City employee who is our expert in -- with regard to the Code, as well as our City Attorney, who interprets it. And you know, it wasn't -- I didn't think so much of it until reading his opinion. And I mean, I don't know if you are -- I mean, I don't know how you feel about, you know, commenting on your opinion that you did based on the opinion that you wrote and looking at the building on those things. I mean, I don't know that you would be...

Mayor Cason: Mr. Behar, you want to answer...

Commissioner Keon: You would do that.

Mr. Behar: I do.

Commissioner Keon: But I'm telling you, the people that are your experts in this field that you hire to give you an opinion on these things have said to you, no, you don't see them. And yet, you know, I have to tell you, I think it's a great building. I think it's a beautiful building. I think it should be given -- I would approve your building, because it's a great building, but I don't see where it meets these particular elements.

Vice Mayor Quesada: So, Commissioner...

Mayor Cason: Mr. Behar, let me ask -- you can answer that, and then I'll ask the Vice Mayor.

Mr. Behar: Mr. Mayor, we have a Planning director that is a great planning director. The expert that we have, as a resident of the City of Coral Gables, my experts are the Board of Architects, seven practicing architects, registered architects for that matter, okay, that have given an opinion

that you do meet the intent. We're using examples on that document you have that are not really, you know -- if you take those elements -- if you take the Biltmore -- and I think Dona alluded -- answered the question. You take that roof massing off it and you have a blank façade with punch openings. Does that mean that it's -- and if you do that and you extrapolate -- that's what you get on that 355 Alhambra building you were talking about, which is a building that has little windows, and just because it's a cupola on top, it is Mediterranean.

Commissioner Keon: That was approved...

Mr. Behar: So, the biggest problem...

Commissioner Keon: By the Board of Architects and awarded bonuses by the Board of Architects. So, you know, I agree with you and I have respect for the Board of Architects, but I - - we have seen many, many examples that have gone through the Board of Architects that you wonder how they got there.

Mayor Cason: Alright, so Vice Mayor.

Vice Mayor Quesada: So, Commissioner, I think your point is well taken. I clearly understand it. I don't think the City Attorney, unless he wants to speak about it, has to speak about it because I think...

Commissioner Keon: I don't know that he's in a position to comment on...

Vice Mayor Quesada: His opinion is...

Commissioner Keon: That, right. It's...

Vice Mayor Quesada: His opinion's clear. I don't necessarily disagree with what you're saying at all. The biggest problem -- and Dona brought this up. Because I remember when we were putting this together two or three years ago -- I'm not trying to put you on the spot.

Commissioner Keon: I am. I want her to tell me.

Vice Mayor Quesada: But when we were putting this together, I remember thinking to myself -- and I think Ramon said this in May of 2014 when we discussed this -- a lot of our architecture is very similar to that of what you see in Milan, believe it or not, some of the smaller buildings, from what sticks out at me. I'm probably wrong about that, but that's what jumped out at me when I was looking at it. And the problem with the buildings that we have for the Level 2, for the ornate aspect that you're talking about, that aesthetic, they're small buildings. So, I remember at that time -- and Dona said -- this is why I mentioned Dona's name, because she hit the nail on the head, at least my opinion. There aren't any tall buildings, six, eight, ten, twelve, sixteen-story buildings that are that design that we're looking for. They're not. So, what have I done in the past, the way I've been guiding myself? And Exhibit A, which is a document that you have open in front of you right now, if you go to page CP-8.0. No, the one in the binder. That's their Exhibit A. The bottom right-hand corner in the blue squares...

Commissioner Keon: Yeah.

Vice Mayor Quesada: Is where they have their page numbers. It's CP-8.0. I will zoom in on my screen so you can see where it is. What I've noticed and the way I've looked at it in the past, that larger buildings, what they've tried to do -- and I think this is what the Board of Architects has focused on -- is the main entrance, sort of the main entrance that -- this is not going to work at all.

Commissioner Keon: Here, the main entrance of The Henry.



Vice Mayor Quesada: If the camera can zoom in on that.

Commissioner Keon: Right, right.

Vice Mayor Quesada: It's CP-8.0. So, what typically the larger buildings have tried to do in the past, because there is no comparable large building that they can base off of, they try to do it at the main entrance. Okay, so you mentioned the building. So, this is their take on it. This is obviously -- in my opinion, this is what probably the Board of Architects is looking at saying this is their spin on the ornate aspect of reaching some of that Level 2 ornate requirements. You mentioned the building. What really makes the Allen Morris project on Alhambra spectacular, the one you love?

Commissioner Keon: The spires.

Vice Mayor Quesada: It's the entrance. The spires are great, but that entrance, when you pull up, you see the stained glass windows. It's got a nice over -- it's a nice entrance for a tall building, because if you really look at the top of the building, other than the spires, there's not much articulation on there.

Commissioner Keon: But there's like towers and -- I mean, there's towers and there's movement whatever, but that...

Vice Mayor Quesada: And I agree with you. It's spectacular, but what I have -- I'm just telling you how I have tried to do it in the past is...

Commissioner Keon: Right. No, I'm...

Vice Mayor Quesada: I've looked at the main entrance aspect of it; because that's somewhere that I've seen architects have focused on to try to hit some of that Level 2 aspect of it, because it's so tough...

Commissioner Keon: And I agree.

Vice Mayor Quesada: To meet that. And I agree with you, but what I think is that we have written an ordinance and we have design guidelines and whatever for Mediterranean bonuses that in large buildings can't be met or are very difficult to meet.

Historic Preservation Officer Spain: It's very difficult to meet them...

Commissioner Keon: Now how would...

Historic Preservation Officer Spain: Successfully.

Commissioner Keon: Right. You are also an architect?

Historic Preservation Officer Spain: I'm not a registered architect. I have a degree in architecture, a master's degree also.

Commissioner Keon: You have a degree in architecture and you're our Historic Preservation Officer...

Historic Preservation Officer Spain: I am.

Commissioner Keon: And I'm sure you were involved in the development somehow.

Historic Preservation Officer Spain: I've seen it.

Commissioner Keon: In these things.

Historic Preservation Officer Spain: Yes.

Commissioner Keon: So, do you see these elements in these buildings?

Historic Preservation Officer Spain: Well, I don't really know this building, since I haven't been involved in reviewing this project.

Commissioner Keon: Okay, but maybe between first and second reading, will you take a look at...

City Attorney Leen: No. There's no second reading.

Mayor Cason: There's no -- it's a resolution.

Commissioner Keon: Oh, there's no second reading?

City Attorney Leen: Correct. It's a resolution. But can I add something here?

Historic Preservation Officer Spain: I could tell you that this discussion took place when those regulations went into effect, and staff was very clear that we wanted good design. We just -- we wanted this city to be made up of good design. In my view, as a Mediterranean ordinance doesn't necessarily create an atmosphere for good design...

Commissioner Keon: I don't think it does either.

Historic Preservation Officer Spain: The way it's written. And I'm just saying that as a resident, as a preservation officer, you know, a long-time person working with it.

Mayor Cason: Craig, do you have anything else you want to say?

City Attorney Leen: So, first, Mr. Mayor, in answer to what you said before, the Commission can defer. You can defer to the Board of Architects. They have made a decision. You're not bound to it, though. You're not -- you made that point, Mr. Mayor. It's true, but you're not bound to their decision either, because you have to grant your own approval here. And as part of that, you're determining whether basically the standards for a mixed use building are met for you to grant your conditional use approval. Part of that is also whether it satisfied the Mediterranean design standards. Another thing you can do, if you want the Board of Architects to take a look at this again, they've only granted preliminary approval at this point. It would go back for final approval. You could instruct them, if you wish, to take another look at these particular documents and look at this again. The City Manager has the administrative authority to appeal, if she wishes, in any matter. The Code gives her that authority, so it is possible in this situation that it could go back to the Board of Architects. And if for some reason the Board of Architects doesn't look at it again, it's possible, either staff can appeal through the City Manager or an aggrieved party can appeal, or the applicant can appeal. So -- then it can come to you as an appeal, which is another way that you could look at this. I'm not saying in any way that anyone has to do that, but if you're concerned -- if you want to give the Board of Architects another chance to look at this, you can. Remember, the decision of the special master in the Almeria case just came out. It was just released, so this is something that the Board of Architects has not had an opportunity to look at.

Commissioner Keon: Well, I haven't seen that. So, can I ask you, what percentage of your open space is on the ground floor?

Mr. Behar: Commissioner, I cannot give you an exact number...

Commissioner Keon: Okay.

Mr. Behar: But I will venture to say that we're probably exceeding by 20 percent of the required open space because this whole portion here and a continuous arcade, even in this, which is...

Commissioner Keon: Right.

Mr. Behar: Considered open space, you can see that it's at least 20, 25 percent exceeding the minimum requirement.

Commissioner Keon: Okay. I would like to -- I would like for us to discuss -- and you know, this issue of open space, because I think open space should only be publicly accessible space and it should be on the ground floor. I don't think somebody's pool deck is -- not considered open space. So, I mean, I would like them to -- I'd like...

Mr. Behar: But we're not...

Commissioner Keon: Our Planning -- no, I understand. And it certainly is not your project. I want to -- I have the utmost respect for you...

Mr. Behar: Thank you.

Commissioner Keon: Mr. Behar. I think you design beautiful buildings. There's not a building that you've designed that I have seen that I wouldn't think is a beautiful building.

Mr. Behar: Thank you.

Commissioner Keon: You are a very good and a very talented architect, so it isn't you. But I think it is -- you're attempting to, you know, try and make a well-designed building fit this ordinance because it's the only thing that we have in the City that, you know, was believed to have -- to create good design. I don't think it does. I think there's other things that create good design besides the Mediterranean ordinance, and I think there's other things we should look at that create beautiful buildings. Whether they're Mediterranean or not, they create beautiful buildings and it is the articulation and it is the issue of massing, and it is all of those other things that we don't call for except in the Mediterranean design. So -- and also, you know, I -- I mean, I'm willing to do it, but I really would like that we would as the Board of Architects to go back and tell us, of these guidelines, what they see, of these elements, what they see, in the final design. And if they can't, then, you know, we have a real need to change this ordinance or we need to take some action to allow good buildings without being shoe boxed into this.

Mr. Behar: May I address that? You're correct. And I followed this document where it's a Code document that clearly tells me what I have to do, and I did that. I followed this document 100 percent.

Commissioner Keon: Right.

Mr. Behar: You know, and yes, that's a guideline. This is the Code that you follow, and those elements -- nowhere here tells you that you have to put --, because what I'm getting the sense is that the only difference between those buildings and this building is tile roof on the roof element.

Commissioner Keon: No, it is -- it's decorative ironwork. I mean, and there are some other things that you don't see much today. But you know, those were, in those days and in that era and the time that we see so much Mediterranean architecture, those were skills that workmen and laborers had, was ironwork and decorative ironwork, and particularly in the areas that we saw it, because of the materials that were available to them and the skills they learned at the time. They're not readily available, I mean, anymore. You see -- in Portugal and Brazil, you see these

beautiful tiled sidewalks and streets with all kinds of patterns in them because they had more materials to make the tiles available to them and the artisans that could create it. So, you know, whether -- we don't have them anymore. It's kind of tough to do that, too.

Mr. Behar: And what is, to me, my opinion, more important, what Commissioner Lago alluded to and said the materials, the finishes have to be there, not using fake, precast material because just to comply -- you know, I'd rather see the true stone veneers, the good articulation on the pavement and also it reminds me or addresses the Mediterranean style.

Mayor Cason: And let me -- Commissioner Slesnick had a question.

Commissioner Slesnick: Mr. Behar, I like your building and you always build quality buildings. You're being compared in a Mediterranean style to like the Biltmore or Allen Morris' building, and no one can doubt that Allen Morris built a spectacular building. It also cost him like five years, I think, before he even broke even on the expenses that he had for that building. So, it's -- there's a lot of -- I mean, that is true Mediterranean, and on the Biltmore and the 396 Alhambra building has a lot of detail. Just like residential houses in Coral Gables went from the 1920's when you had a lot of extra frou-frous around the columns and the swirls and the balconies and the little Juliet balconies and so forth, we went into the 1930's and it was more Art Moderne, Art Deco. And I think, especially the ground floor, which you see from the street is the parking garage, is really more Art Moderne than 1920's Mediterranean. It just seems very flat to me, but I do like the style. But I just -- it's -- to me, it's not Mediterranean Revival. We're not supposed to say revival, but it's not Mediterranean compared to like the 1930's style. And then we went into ranch houses and then we went into the 1980's with the Mediterranean -- faux Mediterranean, which was really awful. So, I like your building. I just think that the ground floor really could have used some more touches and some more elements that people would see from the street.

Mr. Behar: Commissioner Slesnick, the ground floor --, because I mean...

Commissioner Slesnick: Or the ground floor where the arches and arcades, I can see. I just don't see a lot of architectural details when you're looking on the first three floors of the building. It's just very flat. And I appreciate the stone and so forth and the color.

Mr. Behar: But may I come up to show the rendering? When you look at -- and we used 396 Alhambra as an example. When you look at this column, there's multiple layers of articulation. 396, it's just a flat column that has the coins. So, the -- you know, the ground floor, I mean, it's there's any portion of this building, I think it's very successful in how we have addressed the ground floor that you could feel it, you can sense the arcade. These arcades are 12-foot deep. Most arcades that you see in the Gables are only six to eight feet. And Ramon could, you know, respond to that. Normally, the...

Commissioner Slesnick: I think it's the second and third floor, the parking garage windows. It's very linear and very -- a straight, curved 90-degree angles in all the millwork and so forth around the windows. That's all. I'm just saying...

Mr. Behar: You know, in the ideal world, we had deeper lots in City of Coral Gables, so you could put a habitable space on the garage. That would be in the -- you know, unfortunately, our lots are plotted 100 feet, so Commissioner Lago could tell you, they're very difficult to get a parking structure to work, you know.

Commissioner Lago: The radius, the turning radius.

Mr. Behar: You know, and the depth. So, you're limited of what you could do. You know, we have done projects where we take from -- for example, the Merrick Manor project that we're doing across the street from this. Since it goes from Le Jeune to Laguna, we have more depth, so we were able to incorporate a liner portion to conceal the garage on one side. But you have 220 feet that you are able to work in a good garage layout and a liner unit. Unfortunately, most of the



lots throughout the whole city, we have this condition. So, instead of being able to see into the garage, what we try to attempt -- and you're right, there's a lot of vertical elements there that -- to conceal the cars as much as possible. And the idea is to conceal it completely. The 396, their garage -- not 396, the Allen Morris, which is a great building, they put glass in front of the garage. When you look behind that glass, it's parking. It's still the same condition, you know. Instead of putting glass, I put some articulation of precast elements, stone elements to do that. But at the end of the day, that building -- and if you take those top roof off, you're going to see the massing of the building is not much different than these vertical elements that you see here, because we analyzed this. And as a matter of fact, one of the projects that I had about two years ago, I did for Mr. Trias a mockup of what the Biltmore would look like if it was sixteen stories. And to his surprise, it was a blank wall.

Commissioner Keon: Exactly.

Mr. Behar: You know, he laughs, because he still has the document in his office, you know.

Commissioner Slesnick: I just like the City-built museum parking garage. I find it attractive, because it has a covered arcade going into it, a two-story over by the cinema, and it just looks a lot more attractive from ground level when I'm at the museum across the street looking at the Coral Gables parking garage. That's all. I'm just saying it has more -- it has some vibe to it or whatever, which I find attractive. And this is fine, but it just looks very sleek and late 1930ish rather than 1920ish, that's all.

Mayor Cason: Alright, look, I...

Commissioner Keon: I think it's beautiful. I think it's beautiful, but I think it's very hard, it's very difficult to build today and to be able to build out a building and attempt to use this guidebook. I think it's very, very difficult. So, that's what I would ask you -- I mean, I'm ready to support this project, but I would ask on final review from the Board of Architects, who you

tell me are our experts, to be able to identify what elements in these design guidelines, which is the administrative and applicable interpretation of the Code.

Mayor Cason: Let me ask you, at that point, Ramon...

Commissioner Keon: That you will do that.

Mayor Cason: If we follow that suggestion, how many of the elements in this document, which is the only document that I know of that developer have to decide, you know, what they're going to put in to get the bonus, is it one, is it all, is it a majority? Or do they have to show one element?

Planning and Zoning Director Trias: They have to show an overall aesthetic composition that is consistent with the style, and that's really an aesthetic issue.

City Attorney Leen: There's a legal component. They need to include design elements and architectural styles, because it's from the Zoning Code itself...

Commissioner Keon: It's the Code.

City Attorney Leen: For the eight comparator buildings, and that inclusion should be substantial, but it's ultimately up to the discretion of the Board of Architects and/or the Commission, depending on the procedural posture.

Commissioner Keon: But I think the...

Planning and Zoning Director Trias: Let me give you...

Commissioner Keon: The Board of Architects also realizes that they can't do it.

Planning and Zoning Director Trias: But let me give you an example.

Mayor Cason: But they're the ones that have to -- at least for the planning and zoning, they're the ones that have to attempt to do it, and they did it unanimously. Now, my question is, if we take your suggestion and go back to them, say we approve it now before -- Is there going to be a second reading?

Commissioner Lago: No.

Commissioner Keon: No, there's not a second reading. It's going to go through anyway, but it's going to tell us whether or not you really can use this...

Commissioner Lago: You can't.

Commissioner Keon: Whether you can use this, and if we...

Commissioner Lago: Can I -- Commissioner, may I say one...

Commissioner Keon: And if we need to deal with this, this whole issue so we don't keep asking architects to try and shoebox good development into the only thing that we have of development standards. Mr. Behar...

Mr. Behar: I agree with you 100 percent, you know.

Commissioner Keon: That's why.

Mr. Behar: That document, you know, it was great for the 1920s and it served -- but I think there's more that could be done to make it -- to get better buildings.

Mayor Cason: Okay, going forward, that's certainly something that I think we've all agreed that we need to take a look at this and see if it gets some more guidance and not only to the planning - not only to the Board of Architects, but to developers as to what is it that they have to comply with. You wanted to say something else.

Commissioner Lago: Ramon, you wanted to say something or no? When did you come up with this?

Planning and Zoning Director Trias: That was about...

Commissioner Lago: Why -- who asked you to come up with this?

Planning and Zoning Director Trias: The Commission.

Commissioner Keon: Yeah.

Commissioner Lago: Okay.

Planning and Zoning Director Trias: A couple years ago.

Commissioner Lago: So, we sat down and we went over this several time, but let me just make my point and be very brief, okay. And my opinion is my opinion, maybe not the rest of the Commission. I think that we're unfairly holding up this project and I'll tell you why. I put my trust in the Board of Architecture, okay. The board is named by the City Manager and we've been implicitly clear that they need to make sure that we hold up our standards. They unanimously voted in support of this project, okay. We have put monies in the budget this year to aid your office in helping us to potentially rewrite this Code, so it's not so ambiguous.

Commissioner Keon: No, the only thing we're talking about is the residential elements, not the whole Code.

Planning and Zoning Director Trias: No, no.

City Manager Swanson-Rivenbark: No, no, no, no. But in addition to the single-family residential study going on, we did place \$250,000 into the Planning and Zoning review of the Zoning Code.

Commissioner Lago: So, this is why -- I'm almost done with my point. The money's there, okay. I agree with all your points. I also agree a lot -- also a lot with Mr. Behar's points. There's 12 points there that have been all unanimously met by the developer, by the applicant. And again, they're not asking for an additional FAR, any density, any intensity. It's an as-of-right project.

Mayor Cason: Well, they're asking for 0.3 is what it's all about.

Commissioner Keon: Yes, they are.

Mayor Cason: 0.3 FAR.

Commissioner Lago: They're not going above FAR. They're not.

City Attorney Leen: No, they -- they're going to the full amount that you can for a mixed use project...

Commissioner Lago: Again...

City Attorney Leen: But you have to satisfy...

Commissioner Lago: But if they...

City Attorney Leen: Level 2 to get the 0.3.

Commissioner Lago: All they're asking for is the Mediterranean bonus, which is within their right if they meet certain provisions in the Code, which the BOA unanimously supported and said that they did that. I'm not an architect, so I have to trust -- like when you go see an attorney or you go see a doctor, when you go see my father, and my father tells me, as a physician, says this is what's going on, you have to have faith in that person to give you the correct guidance and prescription to remedy your situation. Now, getting back to the point, I want to see, in the next year, I want to put a real comprehensive plan to address these issues and meet a timeline, so that we can have -- I don't know if it's going to take six months or if it's going to take you a year. I don't want to hurt you, Ramon. I need you to tell me how long it's going to take you and that you have the necessary resources. If it's employees, if it's additional monies --, because Commissioner -- Vice Mayor Quesada brought up a very good point. Commissioner Slesnick brought up a good point. The Mayor, Keon, everybody's brought up a good point. And that is there are certain buildings in this city that have received Mediterranean bonus that should have not received Mediterranean bonus. That was way before anybody was on this Commission. For example, the building that the Vice Mayor brought up, which is, again, in my opinion, is a glass building -- I think it's a beautiful, modern, contemporary style building, but it does not, you know, fit into the guidelines of what I would see in reference to the Biltmore, Allen Morris' building, 396 Alhambra, the building on -- I apologize, on Ponce and Miracle Mile, the corner, which is...

Commissioner Keon: Coral Gables Elementary.

Commissioner Lago: Coral Gables Elementary, which is clearly delineated in this design handbook. I just want to move forward and really address this, so that we never have to have a

developer come up here and say, well, I'm -- you know, I'm being targeted, because I meet all 12 points, but you know, for some reason, I haven't met the design handbook requirements for Mediterranean. It should be really simple. If the staff wants the buildings to be more in line with the design of, let's say, the Biltmore or 396 Alhambra or Allen Morris' building, then we should put that into the Code and it shouldn't be so ambiguous.

Commissioner Keon: It's in the Code.

Commissioner Lago: You know what I mean, in reference to the 12 points that the BOA unanimously stated that they met, that the applicant met. So, you know, I think we need to move on from that and make sure -- I'm asking you, Ramon, whatever you need to meet the requirement and the timeline to really give us something comprehensive that rewrites the Code and really gives a guideline to all applicants in the city, I'm willing to give it to you because, by the way, it's not only in commercial. I also have a bone to pick in reference to residential, because there's certain -- we're going into a timeframe, which, again -- and some people disagree with me. We're going into an area where, especially of my neighborhood, you're seeing a lot of really contemporary homes being built, which, to me, do not fit into the context of certain neighborhoods.

Mayor Cason: Alright, we...

Commissioner Lago: And I've said that -- by the way, I've said that to many members of the Board of Architecture and I've said it to you on several occasions. I've said it our City architecture and I've mentioned it to all developers.

Mr. Behar: Commissioner, (INAUDIBLE) -- to that point, I -- in the past -- you know I care about Coral Gables. I live in the Gables.

Commissioner Lago: Of course.

Mr. Behar: I've been here for 25, 28 years.

Commissioner Lago: That's why we're having such a spirited discussion. We all care about the Gables.

Mr. Behar: I'm willing to offer my help to put together --, because I think you should also in that incorporate some architects, you know, and not just staff, to also be able to expand that horizon a little. I'm willing to offer my help to whatever is necessary.

Commissioner Keon: Well, we have put together -- Ramon has put together a group of some architects to look at -- that do primarily residential buildings to look at the residential issues. And I would suggest that you do the same thing with the larger commercial buildings, is that you work with the architects of the city that they can tell you -- you know, we have a City opinion -- a City Attorney opinion that says in order to receive this 1 and 2, that the development has to have a visual linkage with the style of architecture demonstrated by these buildings that support Merrick's vision, consistent with the established historic building's fabric of our city. And the Level 2 is additional, along with the visual is to these eight buildings and consistency with the established historic building fabric. I'm going to tell you I don't see it. I'm not going to hold up this project for it, but I think that if you're going to rely on the Board of Architects, I'm going to ask you, please, ask them on -- when they come back for final reading -- when they come back for final approval, what are they, according to what we have here and this is what we use. This is in our ordinance. This is the City Attorney opinion. And you know what, if they can't do it -- and because they can't do it, they say, okay, then you know, we need to look at that...

Commissioner Lago: But let me...

Commissioner Keon: Because it's not a good thing.



Commissioner Lago: But let me ask you a question, Mayor, if I may.

Commissioner Keon: And it's not going to change the approval or anything else.

Commissioner Lago: No, but I -- that's fine. I'll make...

Mayor Cason: Commissioner Lago.

Commissioner Keon: We have an ordinance that should have been...

Commissioner Lago: That's fine.

Commissioner Keon: Taken care of a long time ago.

Commissioner Lago: That's why I told Ramon that -- what do you need from me -- from us to really give you the guidance, through the Manager, to help you never have this discussion ever again. But I want to be clear, I don't want to single out -- I'll do what you want. I've always been more than willing to move forward in aiding my fellow colleagues, but I feel that if we move in that direction, I don't want to single you out after the BOA has already approved that you've met the 12 points on the Code in reference to making this building, you know, Mediterranean in its context. I just have a feeling that we're singling this project out when we didn't do that in the past, even though we weren't on this dais. That wasn't done with the building...

Commissioner Keon: We weren't here.

Commissioner Lago: I understand that. But again, you got to be fair also where fair is due, correct? I mean, I don't want to take -- you know, put somebody through the wringer, because the City of Coral Gables, in the past, never dealt with this issue and now we've got to handle it.

Mayor Cason: Ramon, final remarks before we have a resolution.

Planning and Zoning Director Trias: Just one final...

Commissioner Lago: By the way, Ramon, this is very similar -- we've had a million discussions. Very similar to the Aloft Hotel on Le Jeune, right or wrong? How many times have we had the discussion? And I've had residents come to me asking me how did we approve that project. Nobody on this Commission approved that project and we had to go back in the annals of history to figure out that there was a land use change in 2008 and that's why it was approved. Why am I bringing that up? Because we, as a Commission, get blamed for that project when in that particular project, the fact is that people need to understand the full context of the approvals on that project. And I don't want that to happen here.

Commissioner Keon: But on the other token, it gives us an opportunity to correct these things.

Mayor Cason: That's what we're...

Commissioner Lago: That's what I'm doing with Ramon.

Commissioner Keon: So it's not...

Mayor Cason: That's what we're doing with Ramon.

Commissioner Keon: That's the only (INAUDIBLE).

Planning and Zoning Director Trias: What I would say is this, this is the only city in Florida where one can have this high-level discussion at a Commission, so I'm very happy about that and I think it's a very good thing. The other thing is that we already have the enhanced

requirements in the Code, which is the section that deals with Mediterranean Village. If you remember, we included a variety of design guidelines that talked about proportion, that talked about some of the things that are beyond the details that Commissioner Keon was talking about. So, we already have some of that. So, I think that if we build on that and we continue that discussion, we can end up with a very, very good Code within a year.

Commissioner Keon: Okay.

Mayor Cason: Alright.

Commissioner Keon: But are we agreeing to ask the Board of Architects to please, when they give their final approval, for informational purposes only...

Planning and Zoning Director Trias: What I would say about my discussions with the Board of Architects is that I've always encouraged to have design guidelines, and they've always been opposed to it and --, because they prefer to have freedom. Well, at some point, you know, we need to have a reasonable balance, and I believe that some guidelines are going to be needed and that's what's going to happen, I think, with the Code rewrite.

Commissioner Keon: But we need to ask them are these the guidelines.

Planning and Zoning Director Trias: We will ask them, yes.

Commissioner Lago: But by the way -- and if I could just add on to what Commissioner Keon stated, until we have revamped the Code, I would like for all projects to be held to this same level. If that's what we're going to do for one project, we're going to do it for everybody.

Mayor Cason: Alright, we have before us...

Commissioner Lago: Is that fine or no?

Commissioner Keon: Oh, no.

Mayor Cason: Yeah. Alright, we have before us the resolution. We need a motion...

Commissioner Lago: I make a motion.

Commissioner Keon: I'll second it.

Mayor Cason: What is your motion?

Commissioner Keon: It's approval.

Commissioner Lago: To approve it and...

Commissioner Keon: With conditions.

Commissioner Lago: With the conditions which -- I think the condition that Commissioner Keon stated was that it would go back to the BOA, and that is just for a cursory review in reference to -- in reference -- well, obviously, it needs final BOA approval, but I'm saying in reference that this would -- this -- these 12 points that we need to have reviewed and they need to basically come back and tell us what has been met, but that it will not hold up the approval of the project.

Mayor Cason: Do we have a second?

Commissioner Keon: I'll second it, but I think that there are some approvals that should be read into the record.

City Attorney Leen: Yes, the -- I would recommend that you include in your motion the proffered conditions, all the conditions that are in the...

Mayor Cason: Certainly.

City Attorney Leen: Resolution.

Commissioner Lago: So moved, always.

Mayor Cason: Alright, City Clerk.

Vice Mayor Quesada: Yes.

Commissioner Slesnick: Yes.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Mayor Cason: Yes.

(Vote: 5-0)

Mr. Guilford: Thank you very much.

Vice Mayor Quesada: One last item and I didn't make it a condition at all, just a note. On the visual renderings that you have here, you've got shaded trees, and then you've got two palm trees in the front. But your submission on pages L4 -- if you could write that down -- TD-1, you basically said you guys are putting palm trees everywhere. And we've discussed in years past that we want a lot of shade, because a lot of people walk around there.

Mr. Behar: And for the record, I will proffer this. The only two palm trees are at the entrance and those will be like...

Vice Mayor Quesada: I said that.

Mr. Behar: Canary Island palms. Those are very nice. And the rest will be shade trees.

Vice Mayor Quesada: Yeah, just because we have a lot of pedestrian traffic around there (INAUDIBLE) as possible.

Mr. Behar: Absolutely.

Commissioner Lago: If I could just get one request also for...

Commissioner Slesnick: Thank you for bringing that up.

Commissioner Lago: The developer. I know you've been through a lot today and I apologize. Just one request, just indulge me, okay. If it can be done, it can be done; if it can't -- try to find some green space, if possible, just somewhere where someone can walk a dog, where someone can sit down and not have to be, you know, sitting on concrete for once. You know, just see -- I think it'll be an added element to your project that will be looked upon in a favorable light, especially in this area. Please just think about it. It's going to become -- by the way, this Commission is in full support of that and eventually -- it may not happen in the next month, but when we finalize everything with our staff, it will become -- open space will be completely redefined the way it is today. Even though you are in compliance with the Code today, in the future, all new buildings will have -- will be held to a much higher standard. Thank you.

City Attorney Leen: Mr. Mayor...

Mayor Cason: Thank you, all.

City Attorney Leen: Mr. Mayor, based on...

Commissioner Lago: Good work, Robert. Thank you.

City Attorney Leen: Based on the discussion today, what I'm going to ask staff to do is to either at DRC or towards the beginning of a project, to provide everyone with a copy of this if they're seeking the Mediterranean bonus.

Mayor Cason: Yes.

City Attorney Leen: And so that they know that these are the regulations, so no one will be taken by surprise.

Commissioner Lago: But Robert -- but the -- excuse me, but Craig, but the issue there is you can give somebody a copy of that -- and I agree with you. But if they meet those 12 requirements, it's still going to keep coming back to us.

City Attorney Leen: Understand.

Commissioner Lago: You know...

Commissioner Keon: But they're not going to.

Commissioner Lago: I know, but I'm saying it meets -- we need to give -- like I mentioned to Ramon before, whatever his team needs to get this done, you know, please, don't be shy in coming to the Manager or coming to the Commission and let's really revamp this whole way of doing this, please.