

**City of Coral Gables Blue Ribbon Committee Meeting**  
**August 26, 2021**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**Blue Ribbon Committee Members**

**Chairperson Felix Pardo**

**Board Member Aramis "Mitch" Alvarez**

**Board Member Robert Behar**

**Board Member Willy Bermello**

**Board Member Glenn Pratt**

**Board Member Javier Salman**

**City Staff**

**Assistant City Attorney, Gustavo Ceballos**

**City Clerk, Billy Urquia**

**City Architect, Juan Riesco**

**Planning and Zoning Director, Ramon Trias**

**Public Speaker(s)**

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Chairperson Pardo: Good afternoon. Welcome to the City of Coral Gables Blue-ribbon Committee meeting of August 26. Just to let you know, Mr. Clerk, Mr. Salman is running about 10 minutes late. He will get here, but we'd like to start the meeting on time, please.

City Clerk Urquia: I will make note of that, sir.

Chairperson Pardo: Okay. Will you call the roll, please?

City Clerk Urquia: Board Member Alvarez?

Board Member Alvarez: Here.

City Clerk Urquia: Board Member Behar?

Board Member Behar: Here.

City Clerk Urquia: Board Member Bermello?

Board Member Bermello: Present.

City Clerk Urquia: Board Member Pratt?

Board Member Pratt: Here.

City Clerk Urquia: Board Member Salman? He's going to be 10 minutes late. I apologize. Board Member Riesco?

City Architect Riesco: Here.

City Clerk Urquia: Chairman Pardo?

Chairperson Pardo: Here.

City Clerk Urquia: Sir, you have a quorum.

Chairperson Pardo: Thank you. So, we took a week off and we've received notes that Gus Ceballos, our Assistant City Attorney, has been gracious enough to provide to us on a preliminary

basis, his -- the changes that he's recorded because he uses the verbatim text to be able to add that information there. You see that in red. And at the last meeting, we had gone a pretty good clip, and we had pretty much gone through Table 2, and we'll pick up there. But I wanted to share something with the board first.

Board Member Behar: And before we start, Mr. Chair -- if I may -- give me a second. Because I want to bring out -- and something that I want to see -- bring it out to the board and see. We elected Mr. Pardo as the chairperson. This past Tuesday, Mr. Pardo appeared before the City Commission. And what sounded as not only to me, but other people, that you were representing this committee. With all due respect, I don't think that this committee has concluded our work, in order for you to go and represent the work that we're still doing. You and I -- you mentioned to me that you had gone only to -- because I came -- I was watching at the office, and I came -- and you mentioned that you were just getting the time extension. I'm perfectly fine with that, but what I don't think -- at this point, I want to at least from my opinion, my voice, is that we have not concluded. Therefore, we cannot be representing to Commission anything that is yet a work in progress. Just wanted to put that out there. I think that once we conclude our work, then it's a different story.

Chairperson Pardo: Okay. Let me answer that. I was requested by the Commission to provide an update -- which I did -- of the work of the board. In fact, Mr. Ceballos actually started on the timing, where we were, and what he thought we were doing on the timing of the work of the board. I also explained to them, there was a draft of Mr. Ceballos, except not this one, but the previous one that we were provided that said draft on it. And that was used by the Commission to see the work that had been accomplished at that point. They -- I explained to them also that these were the general agreement of this board. And then I also explained that we were at a crossroads because there was a specific issue that we needed direction from the Commission because at the end of the day, we are making a recommendation to the Commission. It's the Commission's right to address any and all changes to the Code. And then at that point, I said that at the last -- the previous meeting -- and hopefully, I did not misstate it -- but at the previous meeting, that there was a difference of opinion of the style of architecture that would be allowed if it would be -- for the

bonuses. In other words, if it would be all styles of architecture or if it would be Mediterranean. The Commission asked several questions. The -- what was supposed to be a brief meeting lasted two hours. And at their direction, they stated that the style of architecture that they wanted to be promoted for the bonuses would be Coral Gables Mediterranean style, and that's the direction of the Commission. Now, Mr. Ceballos, you being our City Attorney -- Assistant City Attorney and you were there, have I misstated anything that I just said?

Board Member Behar: Before you do that, Mr. Ceballos, Mr. Pardo, you went and you -- example of some buildings that you brought in as an example of -- and besides that, I may agree with you in some of those buildings but -- because we -- you know, the Plaza was brought in. And what we may have, our personal opinion, which we may agree on, we are not yet concluded our work to give those opinions based on behalf of the committee. If you do it on behalf of Felix Pardo, architect, it's a different story.

Chairperson Pardo: No. I was asked to attend because I was the Chair, and I was asked to attend and give a synopsis.

Board Member Behar: And Mr. Ceballos could now address was the example of work -- you know, building used in the presentation. And you know, that's what I gathered. That's why I left my office, and I came over.

Chairperson Pardo: Okay. Well...

Assistant City Attorney Ceballos: In regards to the comments from the Chair, I believe it's an accurate reflection of what occurred during the Commission meeting. Just for the purposes of everyone that maybe did not watch the Commission meeting, I reiterated no less than three different times at the very beginning of the item that everything that was being presented and every document that they had received was a draft, a very rough draft that has not -- it does not show an accurate reflection of the intent of this committee. So, at least to that end, I believe the Commission

had the right idea that what they were seeing was a very rough draft that still had a good amount of work left to be done. In regards to the comparison of the architecture, I don't think at any point was Mr. Pardo stepping out of bounds in his purview, I guess. But I'll defer to the board if they believe differently.

Chairperson Pardo: I was -- and the other thing is, I've been the Chairman for many boards over my career, and I always try to be very impartial. I try to be a good listener to people. I don't try to talk over people or make them feel that their opinion is not worthy. And hopefully, I haven't done that to you, Robert. And at the same time, I try to be very even-handed, because if you recall at the last meeting that we had two Thursdays ago, there was a big difference of opinion amongst us. So, one of the things about this is that the Commission, number one, wanted to understand the timing because they were extending both the life of this committee and also extending the life of the moratorium that is still in place. The second thing is that I wanted clear direction from the Commission as far as what they wanted to do, and I showed them examples of architecture, just a few photographs to try to hurry up, you know, their understanding of what we were talking about. And I gave them examples where they could choose, you could go this way, or you could go that way. I was not necessarily trying to do anything except have them give us direction, so we understand which way we were going, because at the last meeting, if you recall we had a lot of discussion, and then once we had the discussion, I requested that we continue -- go around and continue with the particular section of the Med bonuses, so we could continue the pace that we've been going. And the Commission was clear, and in fact, Mr. Ceballos provided -- he says, "Additionally, I am providing the latest working draft and the following guidance from the City Commission." And they issued guidance: Number one, discussion of 5-200 shall be limited to Mediterranean architecture only. Future discussions may be had on different architecture. Number two, further define the term "compatibility with the surrounding neighborhood" because they did not want it to be too subjective. Number three, expand on the applicable design standards as they would apply to Mediterranean bonuses; make it less objective. Again, that was another concern they had. And number four, the Commission would like to have a final draft for the September 14th meeting. It will then go to the Planning and Zoning Board and come back to the second

reading of the Commission on September 28th. So, I was there representing this board as the committee chairman because I was requested by the Commission to address the board. I did not show up there as Felix Pardo, architect, or anything like that. And furthermore, I want you to also understand that I also attended the Board of Architects meeting, not today, but of the previous week. I did not speak at that board meeting. In fact, Glenn was -- and the City Architect were there. and I said there simply watching the process in real time of a particular project that was coming for Med bonuses, because I wanted to be clear on how the discussion was going. And I only use that for my own edification, but I wasn't there representing the Board. I didn't ask to be addressed.

Board Member Behar: And Felix -- and I agree with you on 90 percent of what you said. Okay, the only thing I didn't agree on Tuesday is that you got into example -- because I don't think we're prepared to do that. And like I said before, I may agree on a one-to-one basis on some of that. But as a committee, I don't think we're ready to do that just yet.

Chairperson Pardo: Oh, know, and I get that.

Board Member Behar: Okay.

Chairperson Pardo: And Robert, this is -- you know, what I'm trying to do -- and I said fair -- I always try to be very fair, you know. And one of the things is, there are a lot of concerns. There are a lot of things that we haven't gotten to. We're trying to get it to the point. And the other thing is that when this final draft goes to the Commission, I'm sure they're going to ask, you know, that we're there. I'm going to ask every board member to be there. So, I was -- you know, this was not intended in any way to omit -- in fact, I was embarrassed because when the Mayor recognized Robert sitting in the back, I had not seen him in the back. And in fact, I turned around, and I said, "I'm sorry, Robert. I didn't see you there. If not, I would have recognized you immediately."

Board Member Behar: And you noticed that I did not come up to say anything to you.

Chairperson Pardo: No, no, no.

Board Member Behar: Okay. I was very...

Chairperson Pardo: And that's the whole point.

Board Member Behar: Okay.

Chairperson Pardo: And you know, so for me, you know, I...

Board Member Behar: Listen, just wanted to put out -- we put it -- just we know that...

Chairperson Pardo: That's fine.

Board Member Behar: Moving forward, we -- as a committee, we need to be...

Chairperson Pardo: Right.

Board Member Behar: All together.

Chairperson Pardo: Exactly. And I explained also to the Commission quite clearly too, that I said it's not easy to get seven architects to agree on everything.

Board Member Salman: Or anything.

Chairperson Pardo: And I said that to them, and they also chuckled. It's not easy to get anyone - - you know, when it's a committee. I said, if it were one person, this thing could have been done in a few days. But it's seven people, seven ideas, seven thoughts. We all, you know, respect each

other, and that's all we're trying to do. So, when I was asked to go there, it was a multi-purpose thing. And by the way, the Commissioners and the Mayor asked me personally, not as a committee member, but asked me personally several things that had nothing to do with this committee, about my opinion on certain designs and certain things. And that is their prerogative to do. And they could do it with anyone. So...

Board Member Bermello: Mr. Chair.

Chairperson Pardo: Yes.

Board Member Bermello: If we could, I think this point of the report has been established. You explained it. Mr. Behar has brought up, you know, good points. I suggest that we consider moving on. And if I may just make just quick points. Number one is, I want to thank staff for providing us with an updated redline. It was very helpful. And I'm sure you all appreciate having received it before today, as I certainly did. And since we're now at a certain point of having gone through it, there were a couple of items that I found that at least in my memory, in one case, I know we had taken a different tact, and this is not saying that staff did not do a good job in recording the minutes or transcribing, but I'd just like -- and I sent it last night -- I'd like to bring it up quickly. They're not big points. I don't think there's going to be a lot of discussion on them. But I recall very clearly that when issue of the historic designation came up, and there was the language of, you know, assessed value, and we had the Historic Preservation Officer of the City of Coral Gables stand before us and we said to him, "Who's going to say that a property is assessed as valuable or not?" You're going to have them -- every resident and neighbor. And it was decided at that moment that we would strike the word of assessed, and we would just keep it as designated historic properties. Now, if the City staff is short-handed, they're not properly funded to do their work, and therefore, not all properties that should be designated have been designated, that's really not our purview, and that really should not be our problem. I think then we can each talk to our fellow Commissioners and say that sufficient funds should be assigned. Maybe the community foundation can assign monies. But I think the wording here should be focused only on designated,



and I know that this entire committee agreed on that. But as I read the top of page 54, it certainly was not reflected like that, and it left the wording of assessed to be of historic value. Because remember, I said, "Assessed by who? Assessed by me?" And I think -- Glenn, I think I might have used, you know, comments about some of the things that you had to go through in other projects. So, I just want to bring that up because of the word "assessed" here. And this will create that. This -- with this, any property owner can designate himself or herself a historian expert, and show up and say, "I believe that this particular property has high assessed historic value." So, I think that's dangerous, and I recommend -- I think we had decided upon it, but it's back...

Board Member Pratt: No, we did.

Board Member Bermello: It's back here.

Chairperson Pardo: Right.

Board Member Bermello: It's on the redline.

Chairperson Pardo: And I think the example, Willy, was the San Sebastian Apartments that are not designated yet, but that -- and I think Robert said, but it's obvious that...

Board Member Pratt: Yeah.

Chairperson Pardo: It has value. So, I don't know if there's any wording...

Board Member Bermello: Yeah. The problem is that for every one that falls like that, I can -- there'll be 100 on the other side...

Chairperson Pardo: Yeah, I think we agreed.

Board Member Bermello: Where they have no value, and somebody will come up...

Chairperson Pardo: And I think we agreed to leave it as designated.

Board Member Bermello: And it becomes, you know, a free for all. I mean, every municipality of our size or larger with...

Chairperson Pardo: Yeah, I think...

Board Member Bermello: A Historic Preservation Office, that's really one of their number one goals, is assess the community housing stock and building stock and determine which are of historical architectural significance and get them designated. You know, and if they're of high significance, go to the Department of Interior or the state, et cetera, so...

Chairperson Pardo: And I think you are correct. What we did is we struck that out. We agreed to strike that out, which is not reflected in 54, so it should be Gables Commission -- adopted by the Coral Gables Commission.

Board Member Bermello: And it should read, "And buildings designated to be of historic value," is the way that that should -- so the word "designation" connotes a formal governmental, almost quasi-judicial registration of the properties.

Chairperson Pardo: Right.

Board Member Bermello: And I think staff and the City Attorney would know what that means. I don't think there will be an issue that would need -- I mean, do you agree, Mr. Ceballos? That limiting to properties that are designated to be of historic value -- I mean, designated is the term that is...

Assistant City Attorney Ceballos: Yeah, that's fine. What we can do is I'll just strike the entire last part of the sentence, so it would read, "Compatibility of designated historic landmarks and the historic City plan adopted by Coral Gables Commission." Done.

Chairperson Pardo: Correct.

Board Member Bermello: Perfect.

Chairperson Pardo: Again, that's what we had agreed to the first time.

Unidentified Speaker: Perfect.

Board Member Bermello: The other one, my memory fails me, so you'll forgive me. I know that I had touched on it, but we might not have voted on it. I just don't -- you know, sometimes we discuss, we agree, but we may not necessarily take a vote. And it was just above Table 2. And the concept was -- and the way that the paragraph starts to read was, "The Board of Architects shall review all applications for compliance," blah, blah, blah, blah, blah. It's all related to the Board of Architects. And then there's a sub little A and sub little B. And at that point, the comment was eliminate the prescription of a minimum of six or a minimum of eight.

Unidentified Speaker: Correct.

Board Member Bermello: Simply say strive to perfection; you know, always try to do the most you can. But it's subject to the purview of the Board of Architects because there will be some projects where doing five or six may be impossible. And the architects will see -- the board will see it. Other projects, you should do all 12. It's not an issue; it should be done all 12. They'll start to say five or six. Well, which five or six, you know? So that was my suggestion. Now, the board, I don't think we voted on it, and maybe we didn't vote because there wasn't support of it. But I -- whenever I looked at this -- to me, as an architect, it's kind of like the kind of things that I do with

my kids, you know. You can pick two or three of the toys, but you can't -- you know. And it's almost like, it's -- you know what I'm saying? I mean, we're all professionals. And if you say this criteria is good, this criteria below here are things that we should have on every project, when you try to strive to the first level of bonuses. Try to do all of them. And if you can't do one or two or three, when you go to the board, you say, we were not able to do this because of this. And this one, we were not able to do it because of that. I think the board will say, "You know, you're right, you know. Okay, so you're able to do 10 out of 12, okay." So, I think that's different than saying, "You know what, you only have to do half of them, or you only do three quarters of them."

Chairperson Pardo: Right.

Board Member Bermello: I think it's a mindset. You know, I'm sure that each of us in our offices with our staff when we give instruction or we set a mission or we set a series of guidelines, I know that each one of us tries in every area to go to the maximum and when we can't do something we say, "Well, this -- we tried our best, but this one we couldn't." And I mean, I don't have a problem with that. And just like the Commission said, give more definition or this is too subjective. I like subjectivity. I hate prescription on things that people don't know what the project is, what the program is, what the location is, and you got something that's telling you a lot of prescriptive stuff. I rely more on having very bright people that are well-intended sitting on a dais, looking at what you're doing. That's just my personal thing. I see Robert saying no, maybe he wants prescription. And...

Board Member Behar: I guess you were not in the Board of Architects today.

Board Member Bermello: No, and you know, I get it. Depending on the moment that you go and who's looking at it, but I think conceptually -- I mean, I think people that get nominated to professional boards and are giving of their time, I think their intent is to do good. Now, you may have a professional -- you know, a different opinion with someone on a particular issue. But I'm looking at this that everybody that's in good faith that sits on this dais on the Board of Architecture,

I mean, their heart is in the right place for this community. I'd rather give them as much latitude than to shackle and tie the architects to some prescriptive that is, number one, arbitrary and doesn't mean you're going to have good design, so that's my issue. When I see, well, if you do six of these, so much; or you can do eight of these, then it's in this district so much. That to me, you know, doesn't make any sense. So, that was the second. Now, you may not feel it's important, and you may want to leave it the way it is, and I'm fine.

Chairperson Pardo: No, I...

Board Member Bermello: For me, it was just a matter of conversation, dialogue between us here, and you know, so that...

Chairperson Pardo: Yeah, I don't disagree. One of the things that I still can't understand is why there is a difference between the residential uses and the mixed uses. They should -- you know, all uses should comply with these. And maybe the verbiage is...

Board Member Bermello: Yeah. I addressed the (INAUDIBLE) it shall substantially satisfy the 12 qualifications. And to me both are the same. If you're in a mixed-use district, I don't care; if you're in a residential district. You should do both, I don't care. I mean, it's like, is there better design requirements for mixed use than residential? You know, I mean, think of it. I mean, it's...

Chairperson Pardo: The requirements listed below shall be substantially complied with.

Board Member Bermello: You know, so you got to comply more in a mixed use than you do in residential? I don't think so. You got to comply -- I don't care if you do an office building in downtown, or mixed-use building downtown, or residential building in downtown. You want it to have every -- if these are elements of excellence, we should strive for all of them. And my point, Robert, is there are always cases where you have a hardship, where maybe the program just doesn't allow you. There's some restriction or some programmatic requirement that goes contrary to being

able to do something. For example, loggias or arcades, you know, personally, if I get a client that has a lot of ground-floor retail, I'm not going to recommend arcades. You know, I'm just going to say, your retail's going to die if we do the loggias. So, I would recommend not doing that. And I have no problem coming to this Board of Architects when it meets and say that's the reason we did not do a loggia. We prefer to have awnings that do not put in shade and in darkness and out of the view of the passerby, the retail. So, I mean, there's no problem in communicating that. And I think most architects that I've worked -- done retail projects would agree with you. Hey, it does impact the quality of the retail. I mean, the City of Coral Gables in the Museum Parking garage, had a heck of a time trying to -- I remember because we did that project, and it was black -- dark most of the time until they got the bicycle shop. Because very few businesses can survive behind those columns. So, there may be situations where a developer does not want to do the loggia and I get it. But I still think you strive for the concept. That was the whole idea. I hate to take up so much time. And if the board doesn't want to do anything, that's fine. I just wanted to have a discussion because I thought it was an important item that sets the tone that says, in the Gables we're not about minimums. We're about trying to do the best possible. I think it just sends a little bit of a different message.

Chairperson Pardo: The verbiage is going to be important. So, it'll be "The requirements listed below shall be substantially complied with," and verified by whom?

Board Member Bermello: I would say the Board of Architects. I mean, at the end of the day, we have different layers, right? We've agreed that in the process that there's going to be a conceptual design submission now. And then I would assume we go -- the applicant goes to the DRC, and then from the DRC, comes back to the Board of Architects. The Board of Architects gets three bites at the apple. I mean, that's, you know, pretty good. Now, some people might say that's pretty bad. But in terms of -- I'd rather have three bites at the apple and for somebody to give me a lot of freedom that I can do great design than for somebody to over-prescribe me and still force me to go through a process.

Chairperson Pardo: Okay.

Board Member Bermello: My creativity is totally taken away when somebody has to tell me, "Well, you know, your windows have to be three feet wide and five feet high, and they got to be, you know, 30 inches from," you know. I mean, you know, it's -- when somebody starts to prescribe that, and that's the only way, you know, I -- it's -- you know, I tend to...

Board Member Behar: Well, I mean, again, Willy, it's -- if you -- and I'm going to use the example of today, the prescription. To be -- to follow the spirit -- if I recall the correct terminology used today -- the spirit of Mediterranean, your windows are going to be prescribed to be that small. Is that what you want to do or not? I went through it today, you know. If you follow the spirit of the seven examples that we have, and we use -- let's use either the San Sebastian or the Biltmore. Those windows are what, three and a half by five feet or less? So that's what the prescription is telling you, or that's what the Board is telling you to do. And that's what I find to be a contradiction in what you're saying and what we're asking -- being told to do. And that's -- I don't know the balance where it is because -- look at the record, which I'm sure it is today, so it's not coming one-sided. And I think we had two members of, you know, the City Architect and Board of Architects member here, Glenn and Juan, where an opening that we had says, "Note, to be more in the spirit of Mediterranean, those windows should be smaller." So, I don't know. From what I'm gathering you saying it's a contradiction of what you want to do and then what the Board is asking you to do.

Board Member Bermello: Okay, so I'm referring only to the items that start on page 57 and go to page 58. In those items, I don't think that the width of the windows are mentioned. So -- they're not. So, I don't know what happened to you this morning at the Board of Architects, so I feel for you. But I'm referring to these. There are a total of 12 items. And right now, the way that this is worded is you can do 8 out of the 12 if you're in a mixed use; and you can do 6 out of the 12 if you -- just to start with. Just think of it.

Chairperson Pardo: Willy, I think -- Robert is talking about...

Board Member Bermello: I think he's talking about...

Chairperson Pardo: Another issue.

Board Member Bermello: I mean, he's talking about the issue of prescription. I mean, his concern -- maybe he does not want to be prescribed on the size of the mullion or the width of the height of a window, and I...

Board Member Behar: Because that's limiting you as the architect.

Board Member Bermello: May be in total -- but at the same time, if you're doing Mediterranean and you have, I don't know, a 30-foot-long span beam and NanaWalls -- I'll give an example, a personal example. My wife wanted that in the house. And I said, "No, no way, Jose, because it's not in keeping with the style of the house." We're going to have separations in columns because of that. And so, I -- but imagine someone that is going through Mediterranean and then has that or has punchout windows that are -- I don't know -- eight by eight, that you may do in a different kind of setting. So, I think if you're playing within the space of Mediterranean style ordinance, there's some vocabulary that you need to work with. Now, I know here that in the Code, in some cases, it gets down to the inches, and to me, that's a little bit tough at times, you know, that a mullion can't be -- it has to at least four inches deep, et cetera. If not, it's not -- you know, that -- see that to me goes a little bit overboard, but that's kind of -- that's in a -- those are in different sections. And so, I was just referring to these 12 that if you look at them, it's sending a message, number one, that we're more demanding in a mixed use than in a residential area. You know, I think that's wrong. We should be demanding in both. And number two, we should try to get as many as possible when they make sense. And if an architect comes to me and says, "We don't want to use a loggia because we're trying to create a very active retail environment at the base of the building." I would say 100 percent, I agree with you. Now, if that building is an office building



and you have a bank, that doesn't fly anymore because banks -- first, they have -- they don't have multiple entrances. They have one entrance, so you know, it's not activating the ground plane the same way. So, I think the board would have flexibility by saying substantially, and substantially is anything that makes sense, try to do it.

Chairperson Pardo: Willy...

Board Member Bermello: If it doesn't make sense or it's not appropriate, you don't try to do it.

Chairperson Pardo: Let me do two things. First of all, the Chair is recognizing Mr. Salman that got here a few minutes late, so he's in attendance, Mr. Clerk.

City Clerk Urquia: Yes, sir.

Chairperson Pardo: Okay. The second thing is, let me see if I could recap what Willy had mentioned before and other members had mentioned before, was to strike out the prescriptive 6 of 12 or 8 of 12 on page 5-7, which is right above the Table 2. And he had mentioned before about, you know, making sure that all of them are complied with, but there are going to be times where it may not be possible. So, the verbiage that I would suggest that we add -- if this is alright with the committee -- is the requirements listed below shall be substantially complied with and accepted by the Board of Architects. The Board of Architects will be able to see whether some of these things cannot be done physically.

Board Member Bermello: Right.

Chairperson Pardo: Because it doesn't apply to the thing. Okay, so that's what we were talking. And what Robert is talking about is a different -- specifically about the Coral Gables Mediterranean style...

Board Member Behar: And being so prescriptive.

Chairperson Pardo: Exactly.

Board Member Behar: That's -- you know, which is what you were referring to. You don't want to be...

Chairperson Pardo: Right.

Board Member Behar: That prescriptive.

Chairperson Pardo: Exactly.

Board Member Behar: And I brought it in at that point, but I think it plays to what he's saying.

Chairperson Pardo: And guys, I just -- the only thing I want to say right now is, Willy, when you touched on the historic, the only thing is that you also requested -- and some of the board members requested a simple definition under 5-4, where it talks about "C, compatibility with the view shed of historically designated buildings." He wanted a simple definition of what view shed was. So, I asked Warren Adams, our Historic Director, and he provided something that I think is simple and very useful, you know, so someone doesn't have to Google it, right, Glenn?

Board Member Bermello: Do you have that?

Chairperson Pardo: Doesn't have to Google the definition of view shed.

Board Member Pratt: Yes.

Chairperson Pardo: So, the definition that Warren Adams gave me was "a view shed is the environment that is visible in all directions from a location." In other words, a view shed is if you're on -- at the entrance of Miracle Mile on the east side, and you're looking at our historic City Hall at the end, that is the view shed. So, the view shed is the environment that is visible in all directions for that location.

Board Member Pratt: But what if you only have a single façade or something that is only one plane or one -- that is -- you know, we have multiple buildings around town that are only viewed or only visible from a front elevation.

Chairperson Pardo: Correct, correct. And that is correct. That's why the view shed is -- some of the buildings will be just like a straight on shot. Some of the buildings have multiple, you know, areas. For example, City Hall, you know, you have a pretty good -- because of Biltmore Way, because of Coral Way, how it splits up and also the view from -- down from Miracle Mile from Coral Way, that would be the view shed. The back area has a parking lot. That would not be considered the view shed. The view shed is what...

Board Member Pratt: I think that the rear elevation of this building from the parking lot is just as important or even more important in some ways than...

Chairperson Pardo: Right.

Board Member Pratt: Other side street elevations. The other question that I had was with respect to how do you calculate or what -- yeah, we have a definition of what a view shed is, but what -- who sets the -- or what's your thoughts on who sets the parameters of that?

Chairperson Pardo: No. On the one that it says, "compatibility with the view shed of historically designated buildings shall be considered in site planning, massing, and step backs by the Board of Architects." In other words, the -- if you have a historic building and you have a building right

next to it and it's going to cover that view shed and possibly marginalize the building, you know, stepping it back, setting it back, the site planning, et cetera, would be helpful. Not saying that you can't...

Board Member Pratt: But again, how do you see that as being different from assessed -- One of the other things that the Board does is they review the contextually of what the project is both with respect to the adjacency of other structures and the neighborhood...

Chairperson Pardo: Okay.

Board Member Pratt: And all of the things. So, it's really -- the view shed is really just a part of looking at the context of the project.

Chairperson Pardo: Correct. And the thing is with the historic buildings, for example, not one of the best moments, I think, when the Plaza was approved, 2901 Ponce. When you look at that building now, it's been -- you know, it could have probably been done differently. I'm not talking about not building something, you know, around it, but I think it could have been stepped back differently, it could have been treated a little bit differently.

Board Member Pratt: But how do you...

Unidentified Speaker: How do you quantify that; I think is what he's asking.

Board Member Pratt: Yeah, and how do you -- I mean, if you look at it from the standpoint that it is becoming essentially like an art piece or an art object, or say we use the idea of having a piece of art in a public plaza, how do you define what that view shed is for the piece of artwork if other people say that are within buildings that surround the Plaza that are also enjoying looking at the artwork, their view shed or...

Chairperson Pardo: Well, I think...

Board Member Pratt: It's...

Chairperson Pardo: I think what happened there with that particular example is that that building was -- the building around it was placed so close, and then you see the scale of what's behind it and the detailing. I mean, it's pretty bad. It's -- when you go out there and take a look at it, it's completely marginalized by the building, the way it was designed.

Board Member Pratt: Yeah, but again...

Chairperson Pardo: (INAUDIBLE) historic building.

Board Member Pratt: Okay, yes, but again -- I'm sorry, go ahead, Felix. Finish. I'm -- are you finished? No, but one of the other things too, though, that in terms of assessing the necessary space around an object or a historic structure like building, there was a lot of thought and care, and the Plaza project went through multiple, multiple reviews of not only the site planning and the size and massing of the buildings and the structures. But -- and I think that it's a series of trying to figure out what the correct and appropriate balance is between the project. If you say, "Okay, we want to make more space around the historic structure," where does that space translate to? Either it's going to translate to additional height or it's going to impact the adjacency of the single-family residents' home, the residential areas...

Chairperson Pardo: Well, going back to...

Board Member Pratt: Or it's going to go somewhere. And so, it's finding -- it's not a simple thing just saying...

Chairperson Pardo: No, no.

Board Member Pratt: Let's make more space around...

Chairperson Pardo: And it's not simple, and I think going back to Robert's comment before, making something like this prescriptive, you know, it shall be X amount of feet away or something like that, first of all, it depends on the building. It depends on -- again, going back to the view shed, it depends on what the orientation is, how it's been treated, how it's used. And that's why, you know, the definition doesn't have to be inserted.

Board Member Pratt: No, I don't mind the -- I don't mind it being inserted. I'm just wondering how do you quantify it.

Board Member Behar: How do you define that? How do you quantify? And I agree with -- you know, because when you look at that building, it is almost an object in the landscape. You know, what do you do? You know, what is the right distance to maintain? Because I believe that building has the right-of-way -- streets on both sides.

Chairperson Pardo: It has two streets.

Board Member Behar: So, they have kept it away. Is the backdrop of the Plaza too high? It may be, but what is good and what is not as good?

Chairperson Pardo: Right.

Board Member Behar: And that's -- how do you quantify? Which is, I think, your point, which I agree with Glenn.

Chairperson Pardo: And looking at it -- you know, and hindsight is 20/20. Looking at it, I think that the backdrop behind the building -- as you said, Robert -- the scale, it almost looks like it's in

front of maybe -- what's the name of this place? -- Sunset Place. It looks like Sunset Place is behind it there. If the back part would have been done in such a way where the scale would have been -- not reduce the size of the building behind it, but if it would have been articulated a little bit more, it probably would have been a lot more successful compared to what's there now. And in other words, the one level, when you look at the massing there, the one level is bigger than the building. So, what it's done to the building is it's minimized it. If they would have just put a solid wall, it would have been better than what they have there now because what it's done is, it's really, you know, just -- the only word I can think of is marginalized that building. On the sides, you have the rights-of-way. But then on the back, that's the backdrop for the building. It gets completely lost in the size of what's behind it, just the way it's detailed, not even the height of it. So again, the whole point is for the view shed to be considered, you know. But trying to apply something very prescriptively would be very difficult because you can't do that, and you don't want to do that because each building is different. Some have multiple sides, some have only one side, and some of them, the scales are completely different. So, whatever the committee wants to do, if they -- it was requested by the committee to have a definition, and I asked Mr. Adams for the definition, very simple. But if you don't want it in there, that's okay with me.

Board Member Pratt: No, I'm fine with leaving it in. And I think that -- but I just also think that it's something that typically the Board of Architects does take into account when they review the projects.

Chairperson Pardo: Right, okay.

Board Member Pratt: And -- but it doesn't hurt to have additional ammunition in there to give the Board of Architects to -- if they feel there's something inappropriate about the massing or the...

Chairperson Pardo: And it could be -- sometimes it's not even the massing. It's simply, you know, how busy is it behind it? How, you know...

Board Member Pratt: Yeah, just whatever the...

Chairperson Pardo: Can it be more articulated? Can it, you know...

Board Member Pratt: Whatever the particular situation may be.

Chairperson Pardo: Exactly.

Board Member Pratt: You know, I'm fine with leaving it in.

Board Member Alvarez: I have a question. How would all of this evaluation of the view shed and all that, how would this analysis of the view and relationship would become creditable for bonuses, or is that part of the consideration?

Chairperson Pardo: No, it's not. What it's doing is it's -- this particular part of the historic has been inserted here because it was silent except for designated areas. So, the site plan or the master plan of the City, which was adopted by the Commission has been added here. And then it simply says that the compatibility with the view shed of historic designated buildings...

Board Member Alvarez: But I think the function of that statement is really almost an -- you could apply it in a negative manner by saying, "This is assumed to be a mandatory condition for dealing with this type of property." If it is ignored or it's not taken appropriately consideration, then it becomes a negative. Then you may reject the project or demand modifications. But in any manner, does not become a positive. Oh, I have the best view shed. That will not become bonus credit.

Chairperson Pardo: When you all...

Board Member Alvarez: You have to have it. If you don't have it, you're not eligible for the competition.



Chairperson Pardo: Correct.

Board Member Alvarez: But that doesn't give you points in the competition.

Chairperson Pardo: No, no, no. It's not considered points; it's more like protection for those historic buildings. In your case, when you did the Douglas Entrance and you put the high-rises right next to it, you kept separation, but you were able to control because you owned both the historic building and the rest of the area, and you gave it enough of a view shed that it did not destroy that.

Board Member Alvarez: Yeah.

Chairperson Pardo: And unfortunately, in the case of the Plaza -- in my opinion, in the case of the Plaza, I think there that it could have been handled very differently, so that's the only point I was trying to make.

Board Member Alvarez: (INAUDIBLE).

Chairperson Pardo: Yeah. And those are two separate -- or at that time, they had already bought the property and they could have done something maybe a little different. So, we have -- Gus, is there anything you want to say as far as --? I think we've covered everything that was said by the Commission, correct?

Assistant City Attorney Ceballos: I believe so. For the purposes of just this meeting, I just need clarification. I think I'm making a small change to the subsection (a) and (b) and adding in the language that applications in residential uses and mixed-use districts shall substantially comply with all the qualifications in Table 2. And we will be adding a definition of view shed elsewhere

in the Zoning Code to reflect the additional language in the BOA -- in the Mediterranean standards section.

Chairperson Pardo: But that's it. Can the simple sentence be simply added after the -- where view shed is mentioned under (c) on page 5-4?

Assistant City Attorney Ceballos: The suggestion is to not add it to the definition section of the Code, but to...

Chairperson Pardo: Correct.

Assistant City Attorney Ceballos: Simply add the definition...

Chairperson Pardo: Because it's going to be rarely used and you want to...

Assistant City Attorney Ceballos: We can do that as well. That's fine.

Chairperson Pardo: Okay. I think let's keep it simple.

Assistant City Attorney Ceballos: Okay.

Board Member Behar: And Mr. Chair, just again, for clarification in, page 6 -- 5-6, under the MX3, that 20,000 square foot minimum side area...

Chairperson Pardo: Right.

Board Member Behar: Is stricken out, but we agreed that we're going to keep it there.

Chairperson Pardo: Right, that is correct.

Board Member Bermello: Mr. Behar is correct.

Assistant City Attorney Ceballos: So, MX3, 20,000 square foot, the one plus story, plus 13 feet, 14 stories to...

Board Member Behar: That stays. We...

Assistant City Attorney Ceballos: Stays?

Unidentified Speaker: That's correct.

Assistant City Attorney Ceballos: Sounds good.

Chairperson Pardo: Thank you. And we were in agreement to the language on 2(a)(b) on 5-7, committee members?

Board Member Bermello: Where are we?

Chairperson Pardo: On -- going back to 5-7, we were in agreement to the requirements listed below shall be substantially complied with and accepted by the Board of Architects.

Board Member Bermello: What page are you on?

Board Member Pratt: 5-7.

Chairperson Pardo: 5-7, right above Table 2, where we discussed the residential...

Board Member Behar: Oh, yeah.

Chairperson Pardo: And the mixed uses.

Board Member Bermello: So, are you putting the words like "substantially," is that what you're saying?

Chairperson Pardo: Right. The requirements listed below shall be substantially complied with and accepted by the Board of Architects.

Board Member Bermello: Perfect.

Board Member Behar: Good.

Chairperson Pardo: Now, on the height, two things. We've been discussing most of the components and we haven't really discussed the heights. So, I had -- I made an observation and I wanted to see what the committee members think. I just used as an example, MX1. On the example of height allowed under Section 2-200, the height allowed, if you have more than a 10,000 square foot lot is 45 feet. The assumption is it would be four stories. It doesn't clearly state four stories there.

Board Member Behar: Page?

Chairperson Pardo: I'm not in a page. I just wrote the notes. But if you look at 5-9, that's where the bonuses are reflected.

Board Member Alvarez: Alright.

Chairperson Pardo: Under 5-9.

Unidentified Speaker: Yep, go ahead.

Chairperson Pardo: Alright. So, I used MX1 as an example. And I went back to Section 2-200, which is the Zoning Code itself. So, it allows 45 feet. Once the first level of bonus is implemented -- well, I'm sorry, let me back up. With the 45 feet, assuming four stories, you're looking at a floor to floor of 11.25 feet, simply dividing four into 45 feet. So that's 11.25 feet. And when you add one story of bonus to 63 and a half feet, you are -- in feet -- it's one story, but in feet, you're adding 13.5 feet. When you go to the next level, you're adding the 77 feet, which is...

Board Member Pratt: An additional 13.5 feet.

Chairperson Pardo: Exactly. So, with that you're adding 27 feet. So, when you have 77 feet, you're actually adding 32 feet; 77 minus 45 is 32 feet or two floors.

Board Member Behar: But I don't think it says -- I don't know where you're getting the 45 because you're starting with -- I see 50 feet.

Chairperson Pardo: No, the zoning MX1 in the Code says 45 feet.

Board Member Behar: But it says here allowable maximum feet under MZ1, 10,000 square foot -- minimum square footage for the site, maximum height 50 feet. Under the same table you're looking at, I don't see -- maybe I'm going blind, I don't see 45 feet.

Chairperson Pardo: I know what it says there, but when you go to the zoning under 2-200...

Board Member Behar: I think it's intended to be the 50 feet, not 45 feet. And there was a reason at some point where the stories were eliminated.

Board Member Bermello: In which table are you looking at?

Board Member Behar: Under the 5.9 -- 5-9, I'm sorry. In the middle, it says residential use multifamily. When you go to mixed MX1, the lot size is 10,000. Here it says 50 feet, where Mr. Pardo is saying that in the zoning calls for...

Chairperson Pardo: 45 feet.

Board Member Behar: 45 feet. So, something then needs to be corrected.

Chairperson Pardo: Correct.

Board Member Behar: Okay, but I think -- I'm not sure...

Board Member Bermello: Okay, what page are you on?

Board Member Behar: 5-9.

Chairperson Pardo: 5-9.

Board Member Bermello: 5-9?

Board Member Alvarez: Let me ask you a candid question.

Chairperson Pardo: I have that on 5-10 of the chart.

Board Member Alvarez: I have a candid question.

Chairperson Pardo: 5-10.

Board Member Pratt: Yeah, I think -- well, we've got the old...

Board Member Alvarez: Any one of these tables...

Chairperson Pardo: Oh, you have the old?

Board Member Alvarez: If you relate to the point on the allowable maximum column, will you go, just for an example, the first line, MF2, 5,000 feet, allowable maximum 50 feet. When you get to 77 feet, you have already increased 50 percent over the initial. And on and on...

Board Member Pratt: If you use the comprehensive plan.

Board Member Alvarez: The percentage of increase is significant.

Chairperson Pardo: Correct.

Board Member Alvarez: Now the question is, how does this height relate to square footage or FAR or density. Because assuming -- and I don't know. This is just pure mathematic. Assuming you have a building that occupies a whole site, 10,000 square feet footprint, theoretically, and you increase that by 50 percent, or excuse me, at the MF4, you start at 150 and you end up at 190, you have increased significantly 40 percent. Are you allowing them to be 40 percent, which is 40 percent carries that level of increase in footprint?

Chairperson Pardo: Right, for the footprints, and that's the point.

Board Member Alvarez: And carries the level of FAR or density.

Chairperson Pardo: Right.

Board Member Alvarez: How does that relate? Or are you regulating the amount of square footage that goes with each additional foot granted on the bonus, or how do you read that?

Chairperson Pardo: Mr. Trias.

Board Member Bermello: What is the item we're discussing?

Chairperson Pardo: The item of discussion is height because we've been discussing the FAR, you know, how you get to the bonuses there. But we have not discussed the height in the tables.

Board Member Bermello: Okay.

Chairperson Pardo: Go ahead, Mr. Trias.

Board Member Alvarez: Just to completely clarification, I think if we start understanding that you're allowed a certain amount of increased density or square footage of construction, but as you go upward, it's a tool for design, but not necessarily to be perceived by the outside developer or the public at large, that this carries a multiplication of the total square footage added to the building. You still have to adhere to maximum you're allowed. And then maybe you might say, alright, by adding one story, I can embellish my building, and I can create a setback on third increase. If it's an instrument for design, that's good; but if it's taken verbatim without any reference or cross-reference to the issue of what I'm saying, the footprint doesn't carry the same footprint all the way. Meaning if you add two floors, don't take for granted that you're adding two full floors.

Board Member Bermello: But Mitch, I think the FAR that gives you the -- what you're talking about, and the density already set. The height may vary to give you the opportunity to do what you're saying. But just because you're going up higher doesn't mean that the FAR -- you're going to multiply it times 40 percent more. I mean, that's the way I see it.



Board Member Bermello: That's correct. I mean, you may decide...

Board Member Alvarez: That's the way I've always worked.

Board Member Bermello: For example...

Board Member Alvarez: I'm saying for the purpose of sending out a document, it should be in an appropriate wording, a clarification saying -- as a footnote maybe -- this does not imply a replica or footprint on building typical floor...

Unidentified Speaker: But it means...

Board Member Alvarez: It still adheres to the maximum permissible square footage, FAR, or density in terms of living unit. And this is just a tool for the designers. The public at large can interpret this and can hit you bad with a negative comment and opposition by not understanding what is the content really of this.

Chairperson Pardo: Mr. Trias.

Board Member Bermello: So, I mean -- if I could make a comment. I mean, I don't see the tie between the two. I mean, let's say, historically in high-rise buildings, you know, the trend was, you know, nine-foot clear ceilings under the slab, and you'd have architects all over doing, you know, nine foot eight, floor to floor, blah, blah, blah. As the market gets more sophisticated and people are willing to pay for more, you know, today the nine feet in some buildings is 12 feet. That's a three-foot increase. You got a 10-story building and a 30-foot increase without increasing density, just because you want quality. You walk into a space that -- I mean, we all see it -- that has 12-foot-high ceilings and say wow. It feels grand. So, I'll tell you one thing, I -- none of the people that I've heard that are upset about some of the things -- they're upset about massiveness. And height by itself doesn't create massiveness and encroachments upon the public realm. So, I

mean, I sit here today, that's kind of where I'm kind of coming from. I feel, first of all, the Gables is not the highest location. There are projects that are cramping up on our boundaries that are really high, on US 1, just to the south of us. That's high and that's next to us. You have buildings there, 40 stories high. I mean, we're typically working with buildings that are a third of that. So, I mean, I -- again, I don't -- again, I'm not one of those persons that thinks that height is bad. I can think that height in certain ways done well can be excellent, can be beautiful, can be iconic. So again, I'm more in terms of looking at the other stuff, not trying to cut the height, I mean, I have yet to hear someone saying buildings are too high in the Gables.

Board Member Pratt: And I think to that point, Willy, that we saw this in the Commission in a reversal of what they thought down in the industrial section when they had the height limitation of 100 feet and developers were trying to put as many floors as they could, and so you wind up with the floor-to-floor heights being minimal and windows going up just to the underside of the slab, and you don't get the massing or the...

Board Member Bermello: You don't get the...

Board Member Pratt: Feel of architecture. It's just like an extruded sandwich of windows.

Board Member Bermello: Right.

Board Member Pratt: And it doesn't have a very good feel to it at all. So, I think that the addition of the height provides the cushion to create the headers and to create the feel and the mass of the building. And I see the height as being a good thing.

Board Member Bermello: Me too. So, I mean, I would like to keep it there. I mean, it doesn't mean that everybody will take advantage of it. Some people...

Board Member Alvarez: I am...

Board Member Bermello: You know, some people will not want to spend the money in doing something well, but I mean, imagine that you're willing to spend the money in doing something correct and then you can't.

Board Member Alvarez: I'm all...

Board Member Bermello: You know, we deal with at the City of Miami, where we have some silly rules there too that Robert and I have to deal with all the time, where you know, you do a floor that's more than 14 feet and it counts like two floors, crazy stuff, you know. It's only allowed on the ground floor. If you do it above the ground floor, it penalizes you. So, if you have a ballroom on a second level for a hotel and it's a little higher than that, it counts as two floors. I mean, crazy. So, I would not tinker with the issue of the height personally. That's my thinking.

Chairperson Pardo: Well, I'd like to ask Mr. Trias, on 5-200, can you tell us what the height is on the example of the MX1?

Planning and Zoning Director Trias: I don't have a copy of what you're looking at so maybe if I could borrow one.

Chairperson Pardo: Yeah, we only have the Med bonus component.

Planning and Zoning Director Trias: So, this is the issue -- and you have many questions that I'm going to try to explain conceptually. The Code, as I understand it, since the 1960s, since a very long time, had this arbitrary 45 feet, unless the parcel was 20,000 square feet, and then you could do more than that. That was what the simple rule of the Code had, right? I mean, many of you have worked on those issues. What happens is that, in the Comp Plan, it actually said 50 feet, not 45, so that's why sometimes there's that issue.

Chairperson Pardo: Wait a minute. The Zoning Code says 50 or 45?

Planning and Zoning Director Trias: 45.

Board Member Pratt: 45.

Chairperson Pardo: 45, okay.

Planning and Zoning Director Trias: The Zoning Code says 45, so that's...

Chairperson Pardo: So, I just wanted to make sure I wasn't crazy, okay.

Planning and Zoning Director Trias: Yeah, no, no. You have raised a very, very good point. The fact that there's some inconsistencies.

Board Member Salman: Yeah, there's numeric inconsistencies, mathematical inconsistencies.

Planning and Zoning Director Trias: And what happens is, what I would warn you about is that if you make any recommendations that require adjusting the Comp Plan, then we're talking about a very long timeframe because it would have to go to the State and so on, so it would be much -- it will take much longer. Generally, the Comp Plan issues have to do with height. And changes on height have to be looked at closely to make sure that they're consistent and FAR. There's a question of why do buildings look big and massive. Simple, it's parking. Parking does not count towards FAR. Therefore, because it is not counted towards the FAR, it's in addition, so that's what happens.

Chairperson Pardo: But Mr. Trias...

Planning and Zoning Director Trias: Yeah, I mean, you know...

Chairperson Pardo: I'm glad you brought up this point.

Planning and Zoning Director Trias: Yeah.

Chairperson Pardo: Okay, so unless I've -- you know, over the years, I got this wrong, the Comprehensive Land Use Plan, I always refer to it as the ceiling.

Planning and Zoning Director Trias: Yes.

Chairperson Pardo: Because if the zoning says two stories, it's two stories. And the Comp Plan could say 100 stories, but the zoning says two stories, and it's two stories. I just want to make sure I got that right.

Planning and Zoning Director Trias: You're completely correct.

Chairperson Pardo: Okay.

Planning and Zoning Director Trias: But...

Chairperson Pardo: Go ahead.

Planning and Zoning Director Trias: Keep in mind...

Chairperson Pardo: Go ahead, go ahead.

Planning and Zoning Director Trias: That in addition, the Comp Plan has all this language that says according to whatever the Zoning Code may say. So, what happens is that then the Zoning Code has all these bonuses, so they're authorized indirectly.

Chairperson Pardo: Without a doubt.

Planning and Zoning Director Trias: Yeah.

Chairperson Pardo: Because they're bonuses. And I have no issue with that. And look, let me be clear, in my opinion, there is a discrepancy in this particular table because the table says allowable maximum feet. Now...

Planning and Zoning Director Trias: That's the Comp Plan. That's what the Comp Plan -- it's consistent with what the Comp Plan says.

Chairperson Pardo: But it doesn't say Comp Plan.

Planning and Zoning Director Trias: What I'm saying is that it is consistent with what the Comp Plan says.

Chairperson Pardo: No, no. Okay, what I'm saying is it's very misleading because when you look at the table and the language that exists there -- and I want all the committee members to please look at this -- is that when you look at...

Planning and Zoning Director Trias: I mean, for example, just to make a very easy illustration.

Chairperson Pardo: Well, if you don't mind for one second. When you look at Table 1 up above on page 5-4, okay, 5-4, you will see that it says clearly that the required -- "application shall be and satisfy the requirements of Articles 2 and Articles 3." One is the zoning, Article 2, and the Uses, Article 3.

Planning and Zoning Director Trias: Yes, yes.

Chairperson Pardo: You go to the zoning first, and you see there clearly that it says -- for MX1 in this example -- and I'm glad I wasn't wrong -- MX1, 45 feet. But when you now go to the table on height under 5-9, it says "allowable maximum height," you have to go to the zoning. You don't go to the top part. That should say 45 feet. But when you add the heights that are allowed there to those feet, you're going to see it gives you different feet. I'm not saying...

Planning and Zoning Director Trias: Right, right.

Chairperson Pardo: You know, take away the height, but this is extremely misleading. That's why for me the math didn't work because when I did the math, it's allowable for Section 2 -- 45 feet. So, if you do four stories, you divide it by four, right? It gives you 11.25 floor plate to floor plate. So, you do a post-tension slab, you still get a pretty decent height inside the living area and you're good to go. But...

Planning and Zoning Director Trias: In some areas...

Chairperson Pardo: When you add the Med bonus...

Planning and Zoning Director Trias: In some areas, there's a minimum 15 foot for the first -- for the ground floor also in addition.

Chairperson Pardo: No, no, and I get that, and I understand. And the other thing is it doesn't say, you know, four floors. It says 45 feet.

Planning and Zoning Director Trias: That is correct.

Chairperson Pardo: Right. So, they could have three floors of 15 feet...

Planning and Zoning Director Trias: Yes.

Chairperson Pardo: Or any combination thereof. So, the point I'm trying to make is that when you look at the bonus, in reality, the bonus is not that amount, it's actually 18.5 feet for the first floor of height -- additional height that you get.

Planning and Zoning Director Trias: And why is that? Why is that? Well, because it allows for the parking to fit in, because the parking is not being counted with the FAR. That is the logic of it.

Chairperson Pardo: I understand the reasoning.

Planning and Zoning Director Trias: Yeah.

Chairperson Pardo: But the -- but what I'm saying -- I'm trying to say in a nice way that this is a mistake. This should be corrected. You either change here where it says allowable maximum feet per the Comprehensive Land Use Plan -- but in reality, the Comprehensive Land Use Plan is a different level for something different, which it does come into play when you talk about height. When you talk about -- when you're allowed already maximum height to 190 feet, and you're allowed to the amount of maximum floors...

Unidentified Speaker: Right.

Chairperson Pardo: Then what you clearly state in the Code is that you cannot exceed the Comprehensive Land Use Plan.

Planning and Zoning Director Trias: Yeah, and what happens it that it's very misleading because the land use says 150, but then it also says -- however, follow whatever the Zoning Code bonuses say. So even though the map says 150, if you do Level 2, you can do up to 190.5. However,



however, you can only do 16 stories because of the additional regulation. Extremely complicated, extremely misleading, absolutely, but that's the Code we have.

Chairperson Pardo: But it's funny what Mitch said. Because he observes -- he said, "Look, you're getting three," if you look -- "if you touch all the bells and whistles, you're getting 3.5 of FAR."

Planning and Zoning Director Trias: Maximum, yes.

Chairperson Pardo: Maximum.

Planning and Zoning Director Trias: With Med bonus Level 2.

Chairperson Pardo: So, the question is, do you really need the height to be able to...

Planning and Zoning Director Trias: You need it for the parking, which doesn't count towards that 3.5. That is the reason.

Board Member Salman: But it does count towards your overall height.

Planning and Zoning Director Trias: It counts towards the height, but not towards the FAR.

Chairperson Pardo: That's correct. But then there have been already -- there's been already two, three, four times that there's been relief on parking.

Planning and Zoning Director Trias: Well...

Chairperson Pardo: Eventually, we'll have no parking, but that's a different story.

Planning and Zoning Director Trias: There is another section of the Code that allows, and it has a criteria and a process to do shared parking, if you're referring to that as relief. I think that was one of the recent projects.

Chairperson Pardo: Correct. And that -- so, anyway, the point -- I think Mitch made the point already on the high-rise component, which is the 190 feet. In feet -- not stories -- but in feet, you're increasing 40 percent of the allowable height. That's a lot.

Planning and Zoning Director Trias: Except that stories also are part of the deal in that case.

Board Member Alvarez: Let me just mention this. Let's imagine this for a moment outside. I'm not a design architect. I'm just a person that I know, a friend of mine whose name is irrelevant. And he said, "Well, you're allowing bonuses. You're creating bigger and bigger buildings." And he comes in with a negative perception of what a bonus is. It is an incentive, an ultimate reason to create a better project and a better design. However, he's perceiving it as some way, let's say, of favoring increased development. He's an enemy of development. He wants to use every possible argument or statement or Code line to oppose that. The result is not helping the cause, which is promoting better architecture. He's creating additional difficulty for everybody dealing with it, from the architect, to the staff, to the board, to the political body of the City. So, whatever we present as bonuses, they should be very transparent and very easily understandable, so we avoid as much as possible the negativity which is an initial perception that these whole thing started, and we've seen it in here. People don't care, they're not that sensitive. There's a few that are, but most of them, they just don't want any more bulk. Bulk is fat and height. Beautiful design, as for you, Mr. Architect, but I really hate to see one more monster going up. That's the summary. So, whatever we add in terms of height is very touchy, and it must be transparently clarified that this is an incentive to reduce either footprint or spaces in the typical floor, things like that, which is very difficult for the simple reason in commercial design, the smaller footprint carries a penalty in efficiency because all the exiting and transportation vertical circulation is fixed. And every foot you take away, it criminalizes the equation of money and development cost to significant amount.

I lived through an experiment comparing a building I was doing comparatively at the same time with 15,000 square foot commercial lease office and another one by the side that 10,000. The cost on the -- let's say the rentability of the square footage was significant. So, everybody's going to try to squeeze every square foot on every footprint from development. Now on residential, it's a different -- you're dealing with another quality level and you're selling to people that are humanly habitable for the residents, et cetera. But in commercial, this is mandatory. So, bonuses have to be very, very properly worded to be sellable. And at the same time, don't avoid creating negative reaction right from the start.

Chairperson Pardo: And you're right about -- you know, and Mr. Bermello said the same thing, you know. No issue with height. It depends on how you do the height and -- so if you could just...

Board Member Bermello: Yes.

Planning and Zoning Director Trias: Sure.

Chairperson Pardo: Listen to the rest of the -- this equation. So, I took 45 feet, divided it by 4, 11.25. If I take the 11.25 and then I multiply it times not one, but two floors, I get a total of 67.5 feet. That's 10 feet less than what's allowed now, which is 77 feet, nine and a half feet. That's an additional floor. Recently, an applicant came in with an application and said, "No, I want 77 feet." The zoning was an MX1, where you could only go six floors, but he came in with seven floors. Now, it's not six floors, now it's seven floors. Now, the Mayor is -- says, "You know, I don't have a problem with height," but the Mayor also -- unless I misunderstood him -- would like to be able to have green space for parks. So, you know, that's one of the things. If you give someone height -- and by the way, Mr. Bermello also brought up the point, what happens if you have residential and you decrease the density because the units are bigger, and we want to go higher. Well, and then maybe you have a park there. You know, maybe you have green space, which is usable. And I've listened to all sorts of residents. Not everyone's enamored with all hardscape. Some people want to have parks for their children to play or walk their dogs or whatever. So, the point I'm

trying to make is that part of this bonus, which is innocuous, the way that it's just gone through the system, is that I don't think anyone's ever brought up this mistake because it's a mistake of only five feet. And the point is, you are correct technically that the ceiling is five more feet, but those people that came in with that other application, they're now trying to use the Comprehensive Land Use Plan as their maximum for the amount of floors and all that. So, all of a sudden, now, it's not one story and two stories; now they're asking for three stories of bonuses. And I checked every single page of this Code, and nowhere did I ever see that you're allowed to have three more floors.

Planning and Zoning Director Trias: Yeah. And in that particular case, what they're using is the PAD process, which is separate from the bonus program, to say that the Commission has the ability to waive some of the zoning requirements, such as the number of stories. That's the argument from the applicant. I'm not saying it's right or wrong. That's just what they're saying.

Chairperson Pardo: But you know...

Planning and Zoning Director Trias: So, the point I'm making -- and I hope -- I mean, Mr. Pardo, you know this very well. There's so many different things. There are so many moving parts here. And the request of the seven stories actually has nothing to do with the Med bonus. It has to do with the PAD.

Chairperson Pardo: Well, I wanted to bring the height issue to this committee because I think it's extremely, extremely important for people to understand, because at the end of the day, you're going to be talking about mass, bulk -- as Mitch calls it and is correct. And then on top of that, going back to Mr. Bermello's comment about the setbacks.

Planning and Zoning Director Trias: Yeah.

Chairperson Pardo: You know, I'm sorry, I'm not one for a lot of regulation, and I think it's great to be able to have tremendous imagination. But you know, some of the things that we see on US 1, you know, I just see bulk. I don't see a lot of imagination.

Planning and Zoning Director Trias: But again, it's simple. The Biltmore is a very nice building. I think everybody would agree it's beautiful. What is the difference between the Biltmore and any building that you have to design today? Well, the Biltmore doesn't have a parking garage into it. The moment you put in the parking garage into the Biltmore, all of a sudden, it's a bulky building. All of a sudden, it's not as elegant. That's really the reality of it. So, we need to deal with the parking. We need to deal with the real issues of development from an aesthetic point of view.

Chairperson Pardo: You know, and I...

Board Member Bermello: I will say...

Chairperson Pardo: I respectfully...

Board Member Bermello: If I may say, Mr. Chair. You know, really Gables Station, which is project you're talking about -- and this is not a criticism to any of our City boards. I mean, we have, you know, the same architect up here before our board in the City of Miami, and we turned them down, and Mr. Behar was there. And it was the same massiveness concept that we got in -- particularly, in Gables Station. And because the building was not broken into -- you know, there's a point where it's not a mega structure that goes for miles. And -- because that does impact the scale of the neighborhood, and that may be fine in certain parts of Miami, but the Gables has its own -- and I know that the City Commission wants us to define "neighborhood compatibility." But you know, definitely building spacing, the massing, the height of the building, the openings, the breaks, all of that starts to define the (INAUDIBLE). And you know, we all love Regions Bank done by Mitch's firm. And I don't think anybody is opposed to the height of that building. I love it. A lot of people love it. It's articulation, it's wonderful setback from the road. And you

know, you can look at the building and you can say is the height a problem; it isn't. Actually, it could have gone three more stories. There will be no issue. It was still -- it's done so sensitively. So, height by itself, I think is the way the entire massing is resolved. If you're doing a full City block, you have a tremendous responsibility to not create a wall effect. And I know that's tough with clients. They want economy, but I think there's where, you know, we have boards that need to -- I just think the issue of bulk is a little different than just the issue of height, you know. And I realize what you're saying, Mr. Trias, that the parking in many cases becomes an issue, but that's what makes our life enjoyable that we get to work and try to resolve those to minimize those situations. I just think, Mr. Chairman, that the issue of height by itself is far from the issue here.

Chairperson Pardo: Oh, no, no.

Board Member Bermello: Because I just pointed to Mitch's project which has height. It could have even been taller and still, it would be...

Board Member Salman: Yeah, but the parking on that is behind the building.

Board Member Bermello: The parking is behind it, and it's also done, you know -- not only behind it, but it's done in a sensitive way that it does not make the building look on steroids.

Board Member Behar: But Willy, that building is very unique. Look at the -- contextually, you have an open space in front of it.

Board Member Bermello: Yes.

Board Member Behar: That is -- I don't know where else in the City of Coral Gables, you will have that much space.

Board Member Salman: He's doing one right now.

Board Member Behar: Huh?

Board Member Salman: In front of Kerdyk Park.

Planning and Zoning Director Trias: Yeah, and that's a very good example of how to integrate parking into a good building, right? Mr. Bermello's office did that very well.

Board Member Behar: You know, so you -- that building is -- it is -- I mean, it is one of my favorite buildings not only in the Gables, but in Miami, the articulation and everything. But that has a very unique -- you don't (INAUDIBLE) the parking. The parking is in the back. So those are special circumstances that doesn't come around every day.

Board Member Bermello: Now, my only point is, as we look at heights and -- because I agree totally with Glenn. When you have the additional height, it allows you to do additional quality. It allows you. It doesn't mean that you're going to do it. It doesn't mean that the execution's going to be there. But my point, Robert, was more that the height itself -- and that was -- and we're using, I guess, Regions Bank as an example -- doesn't mean that something is wrong.

Board Member Behar: It's not a problem.

Board Member Bermello: You know, there's nothing wrong...

Board Member Behar: I agree with you.

Board Member Bermello: With that height. And so, I -- it's just, Mr. Chair, I just think that that -  
- and when I talk to people around town, really, it's more bulk...

Chairperson Pardo: Oh, no, no.

Board Member Bermello: Than height. And by the way, you take a couple of floors out of Gables Station, and I still feel the same way. It's not going to help it. It doesn't help it at all one bit.

Chairperson Pardo: Exactly.

Board Member Bermello: And so that's what people -- you know, they react to it.

Planning and Zoning Director Trias: So, what I would warn you is that you are asking for flexibility, which makes sense. And ultimately, the architect is the one who does a good job or not a good job. I mean, we all agree on that. The moment we leave this room, and we go into a different type of setting, people immediately try to have very strict guidelines that you can check very easily. That's what most non-architects would like to have. They are wrong. The process we have is much better, much better. But to explain that seems very difficult. So, I would encourage you to continue on that path. Because having deadlines, like when I was in private practice and I had to work in Palm Beach County -- and (INAUDIBLE) to tell you -- about the places that have Mediterranean architect guidelines applied to McDonald's and buildings like that, okay, very effectively. Check, check, check, check, and then you end up with the nice built-out roof -- right? -- and the -- that is not Coral Gables, and that is what intuitively most people who are not architects believe is a good thing. I've been -- I've had a chance to work on that years ago. I'm glad I don't do that anymore.

Chairperson Pardo: Well, one of the things, the next thing would be the setbacks or lack of setback, or the encroachment that we were talking about. So...

Board Member Alvarez: Very sensitive.

Chairperson Pardo: And that's very, very sensitive. And I think, you know, one of the issues I think that we all have dealt with is that now we have setbacks, and we have step backs. And I



have seen that step backs have been ignored sometimes. And again, one thing is that you have flexibility in certain things, but you have certain buildings that when you are directly across from residential, low buildings and there are no step backs there on a street, I mean, that's unconscionable. And I think that my issue with Table 3 is that when you read Table 3, it is basic -- in my opinion, and maybe I'm getting it wrong, it's almost like this is the Wild Wild West. It gets to the point where it's all about building step back reductions, which are already discussed in other parts of the Code. It talks about encroachments, the loggias, the arcades again. And I just truly can't understand reading through it, you know, how this could be an advantage.

Board Member Alvarez: I think we are inadvertently, as we all feel this thing strongly, inadvertently trying to modify behavior and Code regulations to make it better. I think we're out of our task. Our task is formulate, in the most sensible way -- as he was saying a moment ago -- the guidelines for people that simply can read bonuses that they can demand that they're entitled to, or they can aspire to be entitled. And inadvertently, every one of us has confronted situations in design that you said, "Gee, if I could convince the guy who wrote the Code, I'm sure he would agree because I'm presenting a better quality." And we get carried away. We need to create some document that is really related to the bonuses because we're not going to be able to formulate modifications seriously taken to existing Code regulations. We can suggest improvement through the bonus system, so...

Planning and Zoning Director Trias: And also, if we could define the problem, if we could know what problem you're trying to fix, we can probably be more effective, and let's try to think in those terms. What is wrong today with the buildings, and let's find some regulations and make it better. That would be my advice.

Chairperson Pardo: And I think that, you know, we're getting there, and there is -- first of all, Willy was very eloquently talking about the setback and step backs. You want to pick it up there where you left off the last time on that?

Board Member Bermello: Well, a lot of Table 3 -- and that I think that's -- I think some of us are in agreement to kind of get rid of it -- is introducing an incentive for, I think, what's brought us here, which is encroachment into the public realm, and basically, a violation of setbacks and encroachments, you know, willy-nilly, which kind of gives the owner, the private sector, that it's okay to encroach, and to not have setbacks, and to do kind of all the things that we're kind of reacting to. So, when I saw Mr. Chairman that you routed to us Table 3 basically, you know, being totally struck out, I'm all in favor of that. I mean, I don't see how not providing a protection of public realm can be interpreted as a public benefit under any definition.

Chairperson Pardo: Yeah.

Board Member Bermello: You know, when the original bonus ordinance started in New York City, okay, if you go back to that, and the first book that I think most architects read about that when that happened in the early 1970s, it was to create open space, to make sure that between buildings there would be best pocket parks, plazas, and not necessarily all in line. It wasn't prescriptive. It wasn't like everybody go back 100 feet. It was -- there was a going back and forth so in between buildings you'd create plazas just by the nature or composition of how organically the City grows. But it was all intended for the public realm. Here, we're kind of saying it's okay to forget about the public realm.

Planning and Zoning Director Trias: Let me give you a specific example. Mr. Behar's partner is working right now on a Publix on US 1. And that Publix is actually creating a much wider sidewalk on US 1, and they're using Table 3 to be able to comply with the requirements that they don't have to meet certain setbacks, but they do have to provide open space under Table 3. So, all I'm saying is the requirements are fairly subtle, and I don't think that the issue is no public space whatsoever. On the contrary, what it is, is you can have less public space here and more here. Why am I saying that? Well, because the success of that design has to do with the architect -- Mr. Font is working on it -- and the review, the Board of Architects. That is the highest level that we can aspire to in terms of regulation, the fact that you have professionals being able to evaluate whether or not it

makes sense to set back here and not set back over there. That is it. And I think the issue is really, we have a Code that is -- if implemented properly -- I haven't seen a better one. It's complicated, misleading, yes, yes, yes. But if you do a good job, frankly, you have every tool you want. Most of you have used them very effectively. So, let's just think about that before we make any changes. And the other thing is that the constant critique of buildings and the constant misunderstanding of how some buildings were actually -- because many of you -- for example, the Plaza has been spoken of critically many times, but several of you actually were in the Board of Architects and attended -- how many meetings did we have on that?

Board Member Pratt: No, I mean...

Planning and Zoning Director Trias: I don't even know.

Board Member Pratt: No, I don't re -- we -- but I know it was multiple times.

Planning and Zoning Director Trias: Multiple. So, what I'm thinking is, let's accept the good things we have. I mean, there are some things that are good and some things that are bad, perhaps. So, the things that are bad, let's try to fix them. But I can tell you, you can spend the next three weeks or however long you want to do, finetuning the wordsmith in here -- and that's a good thing and it's going to be better, but it's not going to fix the problem. Because the issue is implementation. The issue is that at some point you have to say no, and that has to be done by the Board or by staff, depending on the project, and that's what the Code needs to encourage.

Chairperson Pardo: Mr. Trias, let me tell you something, that the Vice Mayor made a point when I addressed the Commission Tuesday. He said point blank -- because we were talking about the - - he was talking about the style and all that. And he said, "Well, the Plaza has all these details," and I said, "Yeah, they spent a lot of money, but could it have been better? Absolutely.

Planning and Zoning Director Trias: Yes.

Chairperson Pardo: And with all due respect, they came, you know, four or five times before the Board, and I get it. But the thing is, that project was even going to be larger originally than what it is.

Planning and Zoning Director Trias: Yeah, but that had nothing to do with the bonus problem.

Chairperson Pardo: No, no, no.

Planning and Zoning Director Trias: It had to do with other issues.

Chairperson Pardo: No, no, no.

Planning and Zoning Director Trias: Yeah.

Chairperson Pardo: They wrote their own code.

Planning and Zoning Director Trias: Yeah.

Chairperson Pardo: They wrote their own code and I've read it. And in there, they -- it's a great, prescriptive, you know, form-based code. That's what it is. It's a form-based code.

Planning and Zoning Director Trias: Yes.

Chairperson Pardo: And they identify the streets and the widths of the rights-of-way and all that. But the size, how it was massed, et cetera, and in my opinion, you know -- and I respect the Board of Architects, I respect all the boards that have to do with development in the City, but could it have been better? I think it could have been substantially better. And the point is -- and look, this is not taking a shot at the developer, but the point is taking a shot at directly across the circle, you

have Mitch's Regions Bank building, completely different scale, of course. But still could the largest components of that development been broken up into multiple buildings? It is possible that it could have been done. And the other thing is, how far along was it by the time it got to the BOA? You know, could...

Planning and Zoning Director Trias: Well, I'm glad you asked that question. Because in that process, actually, there were additional -- I mean, we actually had a special meeting -- remember that, Glenn?

Board Member Pratt: Correct. We had three special meetings, as I recall...

Planning and Zoning Director Trias: Yeah.

Board Member Pratt: And not only that, but they broke the project into smaller increments so that it was easier to review the elements. It obviously -- it's a large amount of information to try and understand and process in a review. So -- but -- and I heard you say four or five, but no, we -- the Board of Architects, in addition, we reviewed that -- they made several preliminary presentations for review even before coming through with the final preliminary that was presented for preliminary approval, design approval. So, it -- as a process...

Planning and Zoning Director Trias: It was a conceptual -- the same thing you're suggesting, that's what they did.

Board Member Pratt: Yes.

Planning and Zoning Director Trias: Yes.

Board Member Pratt: Yes, correct.

Chairperson Pardo: So, I think, going back to Table 3, that there has to be a much better way to rewrite this. And I know you're using it now in a positive light with one of Robert's projects, but when you read it, it just -- it's like there's absolutely no limit.

Board Member Pratt: Mr. Chairman.

Chairperson Pardo: Yes.

Board Member Pratt: You know, the thing that I would want to make sure that there's a clear understanding -- and in the time that I've participated in the Board of Architects, I don't -- aside from Robert's Publix, I'm trying to think -- this as a section of the Code is -- and the section of the Mediterranean tables is very, very rarely used. I -- Mr. Trias, I...

Planning and Zoning Director Trias: I agree, and it's used most of the time for good purposes. I mean, it's used because it does make sense to have -- from an aesthetic point of view, review by the Board of Architects.

Board Member Pratt: (INAUDIBLE) for the encroachments, I'm -- the only other project I can think of, or recall was the -- and I don't know what the status of it is, whether it's moving forward, but the hotel that was being proposed down in the Village of Merrick Park, that they were requesting...

Planning and Zoning Director Trias: Yeah.

Board Member Pratt: The encroachment for the front entry.

Planning and Zoning Director Trias: But that -- the encroachment is different from what I'm saying. I mean, there's no encroachment in anything that Robert's partner is working on. It's simply the waiver of the setbacks.

Board Member Pratt: But the point I'm trying to make is that it's -- in my experience on the Board, it's something that is very, very limited.

Planning and Zoning Director Trias: Very, very.

Board Member Pratt: In terms...

Chairperson Pardo: I think also that -- this gives a very wrong impression to the developer, gives a very wrong impression to the designer. And in the case of the Publix project, it has to get approval by the Commission anyway, so the Commission has the ability...

Planning and Zoning Director Trias: I don't think that one has to for that. And what happens is that that most of the time, you're right. Most of the time, you're right. I don't want to point specifically to a project. I was just using that as an example. But I think that at the end of the day, the beauty of the Code is that it requires approval by the Board of Architects, and then most of the time the large projects require approval by Commission. Now, how many times do you have to go to Commission for your project? I remember sitting next to you right there.

Board Member Bermello: Many.

Planning and Zoning Director Trias: Okay, and so that is the process.

Board Member Bermello: But it had nothing to do with the design.

Planning and Zoning Director Trias: No, no.

Board Member Bermello: It's (INAUDIBLE).

Board Member Pratt: But in the addition, you came to the Board of Architects a number of times to...

Board Member Bermello: Yes, we -- absolutely. And...

Planning and Zoning Director Trias: And that is...

Board Member Pratt: There's multiple levels that...

Planning and Zoning Director Trias: Where the...

Board Member Bermello: And again, I have absolutely no issues. I'll tell you, every time we went through the Board of Architects, I think the project became better, so I have no like misgivings at all. You know, I look at the Aloft on Le Jeune Road that is -- Robert, is the project you're working the Publix there on Le Jeune?

Planning and Zoning Director Trias: No, no.

Board Member Behar: No, no, no.

Board Member Bermello: Oh.

Board Member Behar: It's on US 1.

Board Member Bermello: Well, as I look at the Aloft, with zero lot line on Le Jeune Road, which has very small sidewalk on a very fast moving arterial...

Planning and Zoning Director Trias: Absolutely.



Board Member Bermello: I say to myself, "My God, what thinking came into this." Now I...

Planning and Zoning Director Trias: I can tell you exactly...

Board Member Bermello: Now that particular client...

Planning and Zoning Director Trias: Yeah.

Board Member Bermello: Happened to be my client on another project.

Planning and Zoning Director Trias: Yeah.

Board Member Bermello: And I know their thinking. They will go to a Code like this, and they would instruct their attorney and say, "If I can get this, I'm going to get it." I want to squeeze every square inch. And if you're a Robert Behar or a Glenn Pratt, or you know -- and you don't you're your client, you know, that's not a good thing to do here because of X, Y, and Z, you get what we got there in the Aloft, you know. And you know, and you look at that and people say, "How did that happen," you know.

Planning and Zoning Director Trias: I'll be happy to explain it to you but not on the public record.

Board Member Bermello: I'm sorry?

Planning and Zoning Director Trias: I'm not going to tell you in the public record in a public meeting some of the issues, but I could -- we could discuss them further. All of these projects, all these projects that you don't like -- or not you, but anyone -- the fault is not with the Code. That is not where the problem is, okay, and that is my recommendation as a professional of many years doing this. The Code could be better.

Board Member Bermello: And I -- Mr. Trias, I agree with you. And that's why really my comments here...

Planning and Zoning Director Trias: Yeah.

Board Member Bermello: Have been very limited to areas that are, you know, very surgical, because I agree. I mean, the Code doesn't determine a lot of the stuff...

Planning and Zoning Director Trias: No.

Board Member Bermello: That we see. You're totally correct.

Board Member Behar: Willy, you believe that Table 3 should be eliminated?

Board Member Bermello: Robert, there's...

Board Member Behar: I personally don't think that we should eliminate all of it.

Board Member Bermello: So...

Board Member Behar: I mean, I have a more problem when a minimum square footage allowable for ground story open space, 400 square feet, when you are so prescriptive. But I think there's 00 there are some good valid areas in this table that don't need to be taken out.

Board Member Bermello: So, let me put it like this. I think if in the Code we have the ability -- if you want to have a loggia encroaching into your setback and it's going to be right up -- you know, actually, in some cases could be, over the sidewalk as the Museum Garage, right?

Board Member Behar: Well, that's a different...

Board Member Bermello: No, but that's encroaching into the -- and there was no way to do it.

Planning and Zoning Director Trias: That's encroaching five feet into the right-of-way.

Board Member Bermello: Other than by encroaching into the roadway...

Chairperson Pardo: Exactly.

Board Member Bermello: And also encroaching into -- but those projects go to the Commission. They go to the Planning and -- and they get approved...

Chairperson Pardo: Yes.

Board Member Bermello: And they get reviewed and they get approved.

Chairperson Pardo: And on that...

Planning and Zoning Director Trias: Or they're not or denied.

Board Member Bermello: Or denied.

Planning and Zoning Director Trias: Yeah.

Board Member Bermello: The project can also -- could have been denied. I -- my -- Robert, my thinking was that when you put -- I mean, you're talking about bonuses. Bonuses should be for something good. And you're saying one of the things I'm doing is I'm going to have a reduction in setbacks. I'm going to have an encroachment on the public right-of-way. It's like, wait, I'm missing something.

Chairperson Pardo: And the other thing about your building...

Board Member Bermello: Usually, the bonus should be, I'm providing a public open space. I am increasing the setback. I am -- I don't know. It's -- if someone were to say, where's the public benefit? I would have a hard time...

Chairperson Pardo: Well...

Board Member Bermello: I think it's an accommodation to the developer, and I have no issue with that because there may be times where you may want to have a relaxation on a setback in one area because you're doing something else somewhere else, and then you have that give and take.

Board Member Pratt: And I think that's the intent of what it's trying to produce. It's giving flexibility for those types of situations.

Chairperson Pardo: Well, keep in mind also that in your building, which is very nice, the parking garage across from Books & Books, it encroaches (INAUDIBLE). But it's the one building, and it activates the street level because it has both a theater and it has storefront.

Board Member Bermello: And it has also a little through connection to the other side.

Chairperson Pardo: And also, where's it located? It's located in the heart of the CBD, across from Books & Books. It's just like -- the CBD there is like a normal CBD anywhere in the country. You could take this, and you could apply it in mixed use. You could apply it anywhere across from residential, et cetera, where it would be inappropriate.

Planning and Zoning Director Trias: And that's what I need to say now.

Chairperson Pardo: And that's why I think this, in my opinion, is a mistake. It has elements there, but it depends on where the elements are. If you're doing the Publix on US 1, on US 1, you're okay. But this can be applied everywhere, anywhere, at any time.

Planning and Zoning Director Trias: But that's what I'm saying. The issue is the application, the board review, the staff review...

Chairperson Pardo: Mr. Trias.

Planning and Zoning Director Trias: (INAUDIBLE) times.

Chairperson Pardo: But Mr. Trias, once you have it here, the developer thinks it is his matter of right.

Planning and Zoning Director Trias: True.

Chairperson Pardo: And depending on where it is. It's definitely not right. It's very wrong. So, in the case of Willy's parking garage, that's the only area, the parking garage, where it encroaches. It's not from one side of Aragon to the other. It's only there -- in fact, then you cross the street and then you have Mitchy's building, which is the Colonnade.

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

Chairperson Pardo: And the Colonnade only has the front entrance that goes out. It's very clear.

Planning and Zoning Director Trias: Table 3 is not about encroachments necessarily. It's about setbacks, reductions, and you get a little open space. Encroachments, I don't know of any project that encroaches, except the parking garage -- right? -- I mean, that I think of. Maybe...

Chairperson Pardo: Well, you -- on the Plaza, you have encroachments there also in the (INAUDIBLE).

Planning and Zoning Director Trias: On the upper stories, yeah.

Chairperson Pardo: That's correct.

Planning and Zoning Director Trias: But not at the...

Chairperson Pardo: But it's still an encroachment.

Planning and Zoning Director Trias: -- ground level, yeah.

Chairperson Pardo: It's still an encroachment. And...

Board Member Bermello: And by the way, there's some encroachments that I've -- for example, the -- not the Plaza or this Plaza, the plaza of the old folks' home there on Anastasia. I believe that the canopy encroaches into...

Planning and Zoning Director Trias: Sure, balconies...

Board Member Bermello: Which makes sense, and you take those to the City Commission, and you get them approved. You know, you do a nice...

Planning and Zoning Director Trias: Balconies, awnings, great idea.

Chairperson Pardo: And the Giralda building...

Planning and Zoning Director Trias: Pedestrian amenity.

Chairperson Pardo: And the Giralda building and the Hyatt both have porte cocheres. They encroach, but you know what, it's only one little section and it's on probably the widest commercial avenue in the entire City.

Planning and Zoning Director Trias: And they're very well designed.

Chairperson Pardo: And they have -- they're innocuous here. The point is that this is a blank everywhere anywhere type of thing. That's why I'm opposed to it.

Unidentified Speaker: Okay.

Chairperson Pardo: And I understand Robert's point that there are certain elements in there that are good elements that could be rewritten and put somewhere else, but not as a blanket statement like that. This is almost encouraging people. And this has nothing to do with the bonus.

Planning and Zoning Director Trias: Yeah, what happens is that -- what I would tell you is that from my point of view, from the point of view of any staff reviewer, the less of this -- the more you take out, the better.

Unidentified Speaker: Yeah.

Planning and Zoning Director Trias: Like I -- listen, I would love it, you know. 25-foot setbacks, 5-foot setbacks, we're done. That is not Coral Gables, and that is not what we have. So, I'm just saying, don't throw out things that may be better written in a different way. Certainly, the Code could be much better.

Board Member Behar: I think we should give it one -- and I'm not saying, you know, one good look and...

Board Member Salman: One good read through.

Board Member Behar: Huh?

Board Member Salman: One good read through.

Chairperson Pardo: Mr. Ceballos, let me ask you this. Is it possible for us to simply rewrite, you know, some suggestions, send them to you so you could send them to the rest of the board members, or could we send them to the board members, just like on this particular table, this section?

Assistant City Attorney Ceballos: So, the issue with communications outside of the Sunshine, you as an individual board member can make edits to the Code and then distribute it to all the board members. What we cannot have is the board members then receiving that, making modifications, edits, comments.

Chairperson Pardo: No, no, no.

Assistant City Attorney Ceballos: And then sending it back to you.

Chairperson Pardo: No, right.

Assistant City Attorney Ceballos: So, in theory, every single board member here could draft up some notes and send it to me if you prefer, and I will distribute it to all the Board members before the next meeting -- assuming we have a next meeting -- which I believe I think we're going to probably need. And then discuss those changes at the next meeting.

Chairperson Pardo: Alright.



Board Member Salman: Through the Chair.

Chairperson Pardo: I'm sorry, yes.

Board Member Salman: If I may. Mr. Trias brings up an excellent point in that, you know, the City is blessed to have been from its initial conception, the wisdom to have professionals helping, guiding professionals that serve the City in the form of public or private architecture to promote and reinforce the architectural principle by which the City was founded. Having said that, my problem with Table 3 is the legislation of reasonableness. And I think that when you start to legislate through this Code, and every section begins with reduction, encroachment, encroachment, you know, it's all about creating a certain amount of freedom to be able to take from here and put there, to give the Board of Architects a little bit more freedom, which I think that they already have. And I think that the legislation of this is actually superfluous to perhaps -- somewhere else in the Code, we had a section that allowed the Board of Architects a little bit latitude with regards to that within reason, where we were trading one for another, where we had that ability to do that. And I think we struck it out. The importance here is that when we have those kinds of trades, when we have to have an encroachment into a right-of-way to satisfy the needs, the physical geometric need of being able to get two cars to back out and not hit each other and have to take five feet out of an alleyway, 10 feet in the air, 20 feet in the air, that makes sense. But it goes in the Commission. We have processes for that where those reasonable arguments can be made, and they have to go to the board and have to be approved before they go to the Commission. Just like when you go for a variance, the first request is that it be improved by the Board of Architects before it even gets there. So, the Board of Architects has a lot of power and a lot of ability to make positive recommendations even on issues which are not technically within the Code for a recommendation to the appropriate legislative body to approve. And by creating this tit for tat, 45 percent here or 80 feet of that encroachment and getting into that needless legislation, which is my objection and why I immediately accepted "Okay, let's remove Table 3," yeah, there's some good ideas. Robert, let me finish. But you are setting yourself up for failure when you go try -- because

you're never going to include everything you want, every possible option that you need, and you take away from the reasonableness and the professional integrity of the boards that are -- and the architects that are presenting before those boards to have the ability to make those kind of adjustments to have then positive recommendation or approval by the legislative body in charge. So, therefore, I think it's okay. There are some ideas here. I would like to give it a good read and I would like to start the next meeting with that and see -- so that we don't -- because we all read it and we already knew it. And when we came to it, it was suggested, "I want to strike it all." Nobody said -- I said, "Yep, let's strike it." That was my reason for striking it. So, I agree with Robert, let's give it a read. There may be some sections in here that we want to glean and keep. But I have a general objection to it in its totality just the way it is.

Board Member Behar: The way it is.

Board Member Salman: Correct.

Board Member Behar: And we're going to -- I'm going to agree with you. You mentioned encroachment. How many projects really benefit from the encroachment that...

Board Member Salman: Very little.

Board Member Behar: Okay. So, there are some good points and there's some that I think that -- but to -- for me to say, "Just strike it out," without really going through it...

Board Member Salman: And I agree, let's read it. Let's read it and go through it line by line, and say, "Hey, you know what, I don't like this, I don't like this. Hey, this is good. Let's keep this."

Board Member Behar: And at the end of the day, we may take it off completely.

Board Member Salman: Yeah, but we did remove it cavalierly. And I think that that's probably part of your objection because we all know what the Code says, and so we were all tacitly in agreement without even having talked. So, because this is also a public forum, I think that to be transparent about why we're taking it out is just as important as any additions or changes we make.

Chairperson Pardo: Okay.

Board Member Salman: So, my suggestion is through the board, through the Chair, is that we start our next meeting by careful review of Table 3 and its -- the reasons for its inclusion.

Board Member Bermello: Mr. Chair, if I can just add. I think the first meeting that I -- we attended and I had seen this section, I had struck it out myself after reviewing it and reading it. And just for the record, the reason for that then and still now is that I think that bonuses should be given -- or should be considered only in those situations where you have a public benefit that is being provided, where you have a hardship, where you have a condition of your site or your program or your -- whatever is a hardship. I think the project needs to take a different route, and the route is one that goes for a waiver or variance, depending on the municipality. So, I'm all for reviewing it one more time, and I'm also all for if one of you want to do a new rewrite or an edited version. I'm kind of petered out on this section because, conceptually, I just have a tough time giving out a concept that you're going to reduce setbacks, you're going to allow encroachments, and then you get a bonus as a result of that. That's some -- just conceptually, I'm having a philosophical problem, but I'm more than open to consider it next meeting again and to review some different wording. I do have a question. Where it talks about the 25 percent residential density bonus -- since I've never used this -- is this in addition to all the others? Is this another .25 in addition to the .2 and the .3?

Board Member Behar: Yeah.

Chairperson Pardo: Yeah. First of all, I'd like to recognize the City Manager that is leaving. Goodbye, City Manager. Mr. Trias.

Planning and Zoning Director Trias: (INAUDIBLE). The issue with Table 3 is that it deals with too many different things. Table 3, the first section is the one that I was speaking of, which allows for waivers of setbacks if you provide open space. That has been used and I think that's a very good thing. Then the second one talks about encroachments, which is really bizarre, and I don't think it has been used that much. And if that -- in the ways that you have said, in very small increments and so on. And then it talks about residential density. Parking except -- I mean, a lot of stuff seems to have been thrown into this at the very last minute, for whatever reason. I don't know, I wasn't here.

Chairperson Pardo: Right.

Planning and Zoning Director Trias: I think it's not well written in terms of language for a Zoning Code. And I think that the residential density, for example, makes no sense to include here, right? We already deal with it in the other places. So, I would -- what I would encourage you to do is to consider keeping some of that flexibility for the setbacks, right? I mean, I'm sure you've used it.

Board Member Behar: And that's the only one that to me, after going through and reading it -- encroachment, strike it out.

Planning and Zoning Director Trias: Yes, yes.

Board Member Behar: I agree, concur with everybody here.

Board Member Bermello: My only problem with that is that I look at Gables Station and the ability to not provide setbacks is one of the reasons that that project, that Aloft and others generate...

Board Member Behar: Willy.

Board Member Bermello: The animosity that puts us here. And I realize, listen, that you may need a waiver in a setback in an area for a particular need, okay. And I don't even think you have to -- you should, you know -- I mean, if -- there should be sufficient that if you're providing enough public good, there's -- in other words, if you have a problem in the setback, it's a hardship. And I think the route to getting that resolved is called a variance. It's called a variance. If -- and I agree that there may be a setback that it may be -- I don't know -- on an alley. Let's say a rear setback in an alley and the conditions are such that it's not adding any quality to the alley, and that reducing that setback that might be five feet, let's say provide no setback on the alley does not create a problem for any neighbors. You know, I get that, but usually the problem with what I've seen is not the alleyways. It's on the front facing on major arterials, Robert, and that's why the (INAUDIBLE).

Board Member Behar: Willy, I agree.

Planning and Zoning Director Trias: I don't think Gables Station waived the setbacks though.

Board Member Behar: No, they do provide the setback. I walked it the other day because I was like, you know...

Planning and Zoning Director Trias: Yeah.

Board Member Behar: I walked it, but the problem with the Gables Station is they did provide a 10-foot setback on US 1. The massiveness...

Planning and Zoning Director Trias: Yeah.

Board Member Behar: Of that pedestal...

Board Member Bermello: Yeah, it's...

Planning and Zoning Director Trias: Exactly, that's the point.

Board Member Salman: It's the parking pedestal that's killing -- right.

Board Member Behar: They did go back, but it's very...

Planning and Zoning Director Trias: Yes, the problem is the parking, by the way.

Board Member Salman: It's what creates that mass that hangs over the street.

Chairperson Pardo: Right, and that...

Board Member Behar: It feels like it's over the highway.

Chairperson Pardo: Robert hit it on the head. Because the thing is that the step back...

Planning and Zoning Director Trias: No, no.

Chairperson Pardo: Is not sufficient...

Planning and Zoning Director Trias: Good point, good point.

Chairperson Pardo: To break the mass.

Chairperson Pardo: So, the issue is the Code has a distinction between setback and step back, right. Step back happens upstairs...

Chairperson Pardo: Forty-five feet, right.

Chairperson Pardo: The Board of Architects probably could look at the step backs more closely because that -- I think that's what everybody's objecting to in those projects, right?

Board Member Behar: That podium is going to be 80 feet.

Chairperson Pardo: Yeah.

Board Member Behar: You know, and...

Chairperson Pardo: Completely out of scale.

Board Member Behar: The scale of that is totally out of scale, and that's what -- I walked it. I crossed the street last week and said, "Can't be." It can't be -- and they are providing a setback. Unfortunately, the massiveness of that podium...

Board Member Bermello: Yeah, it's...

Board Member Behar: Takes it away.

Planning and Zoning Director Trias: And I hate to say this, but Aloft actually provides a setback also, a small one, but it's like -- that is really not the issue. The issue is that it's just big and massive, which is the step back question.

Chairperson Pardo: I just wanted to see if it would be possible -- because you know, we're already at 6 o'clock. And I just wanted to get to the end. And with respect to Robert's wishes, we're all going to take a look at it. I know the way I feel. I feel the same way as I did before. As far as that entire Table 3, I'd throw it out the window.

Board Member Bermello: No, me too, but I'm willing to look at it again. And there may be areas that...

Chairperson Pardo: With all due respect...

Board Member Bermello: May make sense keeping so I...

Chairperson Pardo: I think we should all take a look. And if there are key elements, they could be brought in and maybe put into another part of this chapter, which, I think...

Board Member Behar: And that may be the answer.

Chairperson Pardo: That's where it should be.

Board Member Behar: And that may be the answer.

Chairperson Pardo: And that's the whole point. So, at this time, I'd like to recognize the City Manager. He's already been cleared through security. He is an engineer and...

City Manager Iglesias: Yes, yes, structural engineer, by the way.

Chairperson Pardo: Welcome, Mr. Manager.

City Manager Iglesias: No, I apologize. I apologize to all of you. I just had a call. I've been involved today in the -- with Code Compliance and the County in dealing with some changes for the 40-year recertification. I just got a call from Code Compliance, which I had to take. I think everything went fairly well. We're looking at getting some, I think, stronger Chapter 8 of the Florida -- of Dade County, which handles that, and I think we're looking at maybe going to a 30-year process, going to a more stringent process, looking at making sure that the recertification



whether it's an architectural engineer, are certified to do it. If you're doing a 30-story building, you better be -- you better have experience on a 30-story building. We're also looking at making sure that the Building Official is aware of what's going on, because you can provide that recertification from -- to the homeowner's association and they can hold that thing for years, like just happened to us on one of the buildings, the one on 730 Coral Way. Nothing like that, because it was really the fact that it had no maintenance, no maintenance for 34 years. So, I apologize for taking that...

Chairperson Pardo: That's fine.

City Manager Iglesias: Call, but we're trying to work something out because we have another meeting tomorrow to try to get this pushed along and get to the County Commission. I just wanted to thank -- I haven't had a chance to come by and I wanted to thank the Committee for helping us with this. I think our Board of Architects does a fabulous job. We're the only city that has a Board of Architects, and it's so important really for the branding of the City. And as an engineer, there's nothing better than working on an outstanding building, there's nothing better. And so, I just wanted to thank all of you really for putting the effort. We want to -- and looking at our Mediterranean bonus. I know there's been talk about looking at bonuses for good architecture, and it's something that I actually talked to Elizabeth Plater-Zyberk when we first started doing the actual Zoning Code, talking about maybe going back and looking at that. Also looking at the Mile and some of the areas in the downtown district where the storefronts are kind of poor and looking at better standards for that because I think the Mile and Ponce and so forth, I think need better upgrades there. So -- but it's so difficult to do. You know, what is outstanding architecture and what gets this. And so, you know, the fact that you're all doing this and -- concerning Mediterranean architecture is great because if we start adding too much, then we'll have mission creep and we'll never get this done, and we just have another zoning in progress to the next September 28th meeting. So -- but it's something that we can consider later, I think, because you know, should we look at outstanding architecture. And having been involved in the City of Miami and a number of those buildings, and actually I was involved in a new one that may be 105 stories

that was designed -- that was a competition that was won by Foster architects. You know, it's just outstanding work. But I just wanted to thank all of you for the job that you're doing. It's much appreciated. And I want our City Architect to know that we appreciate him very much. We appreciate the Board of Architects very much. That's what separates us from other cities, that we've got outstanding architecture. We've got, you know, a good Zoning Code that actually provides for just really fantastic structures here, and the fact -- when people complain, I say, "Go across the street and have your house valued at half less," right? And that's pretty much it. So, thank you all very, very much for this. Thank you.

Board Member Bermello: Thank you, Mr. Manager.

Chairperson Pardo: Thank you for your kind words.

Board Member Bermello: Thank you.

Unidentified Speaker: Thank you, Mr. Manager.

Chairperson Pardo: Okay, so right now we've been able to conclude with the third one, so why don't -- since we have the comments, the one last thing -- Does anyone --? You know, it's pretty simple the way -- we didn't change the format or anything. On Section 5-202, are there any objections with the redlining in there? On Section 5-202, on page 5-12.

Board Member Bermello: Five dash?

Chairperson Pardo: And it goes to 5-13 also.

Board Member Bermello: What page are you on?

Chairperson Pardo: 5-12, 5-13. It's the Section 5-202. Because if we could get this one out of the way, we've gone through the whole -- you know, the whole gamut, and then we could go back and study Table 3, and see if there are any comments. Come back, fine-tune when Mr. Ceballos sends us the new redline with today's comments, and then maybe at the next meeting, we basically can wrap it up. Willy, I know you're going to be having surgery.

Board Member Bermello: On the 14th.

Chairperson Pardo: On the 14th. So, you won't be here for the 15th meeting.

Board Member Pratt: Yeah, I'm having surgery for next Thursday, so I won't be here.

Chairperson Pardo: Are you the donor for Willy or --?

Board Member Bermello: They're taking one tendon from one place and then the other. I've got no donors, internal donors.

Chairperson Pardo: No, what I was saying is, if we could get it to the comments, you know, and get those through to Gus on the Table 13 (sic), and Gus can clean up the...

Board Member Bermello: Table 3, you mean.

Board Member Pratt: Table 3, yeah.

Chairperson Pardo: In Table -- sorry, Table 3, and then Gus can clean up the last version, I think maybe he could email it to us. We'd still have a quorum, but then both, Glenn, you, and Willy can, I guess, send in any comments.

Board Member Pratt: Okay.

Board Member Bermello: Yeah. Do you see us going beyond next Thursday?

Chairperson Pardo: No. I'm trying to wrap it up next Thursday.

Board Member Bermello: So, I mean, I'll be here next Thursday. I mean, I...

Chairperson Pardo: I'm hoping to wrap it up on Thursday, if we can get -- I know we had a little bit of an issue with the verbatim record last time. I think Gus just got it a few days ago.

City Clerk Urquia: I mean, we'll try to get it to him a little bit sooner, but it's a lot of typing.

Chairperson Pardo: I know, I know.

Assistant City Attorney Ceballos: At least for the purposes of today's meeting, I don't need the transcript. There were very few minor changes which I was able to do on the fly.

Chairperson Pardo: Okay.

Assistant City Attorney Ceballos: So, I don't need the transcript.

Chairperson Pardo: That's great, that's great. And then the only thing would be the comments as, you know, was suggested by Robert, you know, that we just take one last look at that Table 3. And then if not, then we could then try to come up and basically hash out the last final point.

Board Member Behar: And to make it easier, I would concentrate, I think, on number one, building setbacks reduction.

Chairperson Pardo: To leave it in or take it out?

Board Member Behar: No, leave it in, but modify that.

Chairperson Pardo: Modify, okay.

Board Member Behar: You know because every case may be different. I -- the encroachment, as far as I'm concerned, we could take that out completely.

Board Member Pratt: Yeah, I agree.

Board Member Behar: Okay.

Chairperson Pardo: You guys agree?

Board Member Bermello: Yeah, because if you have an encroachment...

Chairperson Pardo: Juan, you good with that?

Board Member Bermello: You're going to go up to the City Commission, let's face it, right?

Board Member Behar: But...

Board Member Salman: Yeah.

Board Member Behar: Willy...

Planning and Zoning Director Trias: I don't think it's ever been used in my time, so I think it should be taken out.

Chairperson Pardo: Okay.

Board Member Behar: Yeah, the -- number three...

Chairperson Pardo: That's already in the Code. This is the part that I don't understand.

Board Member Bermello: Let me ask you, Robert. Let me ask you, how many buildings have you had to do where you did not respect the setbacks?

Board Member Behar: Willy, I don't think this is -- if you incorporate -- and in some building it may be appropriate to put in an arcade. That means that you're going to go to zero setback and bring the arcade...

Chairperson Pardo: Yeah.

Board Member Bermello: To the property line.

Board Member Bermello: I get it. I get it with an arcade, and I said -- I mean, arcades, we have them there already.

Planning and Zoning Director Trias: Or a wider sidewalk also.

Board Member Pratt: No, but the arcades still have to comply with setbacks...

Board Member Behar: Right.

Board Member Pratt: Regardless. So, this is strictly an allowance for...

Chairperson Pardo: But the arcade...

Board Member Pratt: Making better architecture and...

Board Member Bermello: I think the issue is that an arcade, just because the Code says in a certain area will be the wrong thing to do.

Board Member Behar: But Willy...

Board Member Bermello: And it should not be read as a license to do it wherever you so desire. You have the ability to do an arcade and go into your setback.

Board Member Behar: So, if I want to reduce a setback and I don't use an arcade, I got to go for a variance. I'm going to go through the Board of Architects; there's no hardship for the variance, it gets denied.

Planning and Zoning Director Trias: But that's where the Code could be enhanced.

Board Member Behar: Well, that's -- either we make it -- we -- but the way it is today, this is the only mechanism.

Planning and Zoning Director Trias: I don't think so because it does talk about courtyards. It does talk about adjacent to the...

Chairperson Pardo: That's correct. That's already in the Code.

Planning and Zoning Director Trias: Yeah, and what I'm saying is that maybe we can be more specific and say, "in any public space that is adequate and approve by the Board of Architects." For example...

Chairperson Pardo: I'm going to look (INAUDIBLE)...

Board Member Behar: Everything else, I don't have a problem with.

Board Member Bermello: Maybe do a little bit of rewriting there.

Chairperson Pardo: Right.

Board Member Bermello: When -- is that -- are you going to work on that for the next -- next Thursday?

Chairperson Pardo: So, everybody's good with taking out 3 and 4?

Board Member Pratt: The only thing about 4 is that if you're -- if you do -- I think what happens is there -- or what I've seen from experience is that the unit sizes become so large that you can't really make the economics work.

Board Member Bermello: Which is number 4?

Board Member Pratt: Number 4 is the increase in density.

Board Member Behar: That may -- let's look it. May not want to remove that.

Board Member Bermello: But this is the issue. This is not -- density is different than FAR.

Board Member Pratt: No, no. It's -- the FAR still remains the same, but what happens is that if you keep the density the same and you're -- but you're increasing the size...

Chairperson Pardo: But it's the density across...



Board Member Bermello: That's good, this is bad.

Chairperson Pardo: The board is 125 units per...

Board Member Behar: Not everywhere.

Board Member Bermello: Yeah, this is increasing the number of units per acre, which in fact would be a violation of the Comp Plan.

Planning and Zoning Director Trias: That is an excellent point.

Board Member Bermello: Because the Comp Plan regulates exactly this. The Comp Plan doesn't regulate FAR, as far as I know. And so, what this is doing is increasing the number of dwelling units per acre. Listen, when Elizabeth Plater-Zyberk was doing her review -- and Ramon knows this -- she agreed with me that there's no business of FAR in residential districts. It's a misnomer. It's a misapplication.

Unidentified Speaker: Yeah.

Board Member Bermello: But it stayed. It's one of those things -- it's like an unwanted guest that stays later. Well, it stayed. But when you talk about density here, you're talking about dwelling units per acre, and I think that's not what we want to do. That's just going to introduce smaller and more little units, not bigger units.

Planning and Zoning Director Trias: In addition, what happens is that...

Board Member Bermello: The wording that I was trying to introduce that I'd like to...

Chairperson Pardo: Is the opposite.

Board Member Bermello: Discuss later talks about bigger units and less units.

Chairperson Pardo: And height.

Board Member Bermello: And less height and more setback. I mean, as I talked to residents, they all talked -- we want more greenery. We want less height, and we don't want these overcrowded places that attract -- I mean, traffic is usually -- at every election time, the Gables were blessed with very little problems. The only one problem always is through-traffic through the Gables. And you get that with density; let's face it. You get it with density. So, I -- the one item that I'm recommending that we haven't discussed is, one that addresses that by having less density, bigger units, not as high and with more frontage in the Gables. That's what people are looking for. This year, this 25 percent is talking about dwelling units per acre. So, if you have 50 dwelling units per acre, you're adding 25 percent to that. That's the way I read it.

Planning and Zoning Director Trias: Yeah, and what happens most of the time, in most projects, it's not relevant because in the downtown, there's no density limit...

Unidentified Speaker: Yeah.

Planning and Zoning Director Trias: For example.

Board Member Bermello: It's a crazy thing that stays there that it's not -- I mean, some people -- then I think, you know, a resident could -- may equate FAR and density, but they're not the same. And that's why I struck this whole thing out. But I -- listen, I agree. I'm willing to look at the setback, Robert. And you know, I realize there's a little bit of horse trading, that if you do certain thing that are of more -- sometimes a setback really doesn't add a lot. I get it. I think with -- you know, I used the example of a setback on an alleyway, you know. Other than moving traffics or

getting trash in and out, you know, it's better to have setbacks on frontage, on the front of a building. But even -- but I could sense that if the courtyard is a courtyard enjoyed by the public, then my premise, Ramon, is that bonuses should be in exchange for a public benefit.

Planning and Zoning Director Trias: Yes, yes.

Chairperson Pardo: Right.

Board Member Bermello: It's not in exchange for having a larger private pool or for having a...

Planning and Zoning Director Trias: Maybe...

Board Member Bermello: Private garden, right?

Planning and Zoning Director Trias: Maybe that should be language that is included, that specific language.

Board Member Bermello: When I struck this out was because I was failing to see, you know -- sure, if you provide a public courtyard; sure, if you provide through-block connections for the public. Those are benefits.

Planning and Zoning Director Trias: But that's done already I think very well by the Board of Architects.

Board Member Bermello: I'm just not seeing why necessarily do you have to reduce the setbacks. What if you do both? In other words, what if I provide the courtyard? What if I provide the through-block connection?

Chairperson Pardo: Yeah.

Board Member Bermello: And then I get the bonus. What we're saying is, in order for me to do this, I'm going to give up the setbacks, and that's where I had some philosophical issue, although I could sense that there could be a project where maybe the setback that's required does not do any good for anyone. And I keep using the alleyway as an example. So that was kind of like...

Planning and Zoning Director Trias: Yeah.

Board Member Behar: Let's analyze it and let's, you know, look at it. And next week, we'll finalize this. I think we're almost over.

Chairperson Pardo: Well, that's what I'm trying to get. So, we're okay with 502 (sic)?

Board Member Bermello: 502?

Chairperson Pardo: Which is standing by itself, page 5-12 and 5-13 is the last...

Board Member Bermello: So, I just have a comment or question.

Chairperson Pardo: Okay.

Board Member Bermello: In item one, where it says, "include design elements of the Coral Gables Mediterranean architectural style or characterized by, but not limited to," now, I love the "but not limited to the following buildings." And I just wanted to make sure we're all -- that the way I'm looking at it is the way that the board is looking at it. Does that mean that --? I'm an architect and I really don't like any of these examples. What I have in mind is something that maybe is more tied into a Mizner building done in Palm Beach that I really like. And I come into the Board of Architects, and I say, "This is what I have in mind." This is what I have in mind and that building is not listed here.

Planning and Zoning Director Trias: I think that the added...

Board Member Bermello: Is that -- was that the intent?

Chairperson Pardo: That was the intent.

Board Member Bermello: Or what does the "but not limited to" mean?

Chairperson Pardo: That was my intent.

Board Member Bermello: That was your intent?

Planning and Zoning Director Trias: I think...

Board Member Bermello: Robert, you were going to -- were you going --?

Board Member Behar: No. I like -- I agree with you. I would like "but not limited to," so you know -- and these are great examples, but just not let us limit ourselves just to these seven examples.

Board Member Bermello: Well, the "but not limited to" does that. To me, it opens the door, but I just wanted to understand the intent because I know that Ramon is going to be on the other side when they're looking at projects, and I'm going to remind him. "Remember that we had that discussion and Jose was there on the board?" And the "but not limited to" means that I can in fact...

Planning and Zoning Director Trias: We had a very productive discussion on that, right? But one thing that -- I've had this discussion with Mr. Behar before -- is that if you look at the Biltmore,

there are some areas that have a lot of glass, a lot of glass. We've had this discussion years ago, and that would have been able to -- you would have been able to use that as an example when the board were saying that the contrast between the massing of the windows and so on, for example. One last thing, I think that this last paragraph that talks about the document Coral Gables Mediterranean architectural style is a good idea. I think that we also did a best practices manual - - staff did -- which collected all of the original drawings, basically just the information. Those are things that we can certainly use for reference. In the 1920s, that's the way the Biltmore and all those great buildings were done. Okay, I have the books. I have the books. They had books that had style very clearly defined. My favorite one is the one that talks about lesser known -- lesser known, not masterpieces -- lesser-known architecture of Spain, a wonderful book from 1924. I have it in my office. And what happens is that if we have references like that that can help all of us, designers and reviewers, we can get better architecture because that's the way they did it in the 20s. That's the way that all the people that worked with Merrick did it. And what I'm saying -- I've been saying this for years. I spent several chapters in my Ph.D. dissertation talking about it, and apparently, I'm the only one who cares about those things. But the technique is well known, well documented, and we should encourage that.

Chairperson Pardo: It's just...

Board Member Bermello: So, that's the intent of the "but not limited to"?

Planning and Zoning Director Trias: Hmm?

Board Member Bermello: That's the intent of the "but not..."

Planning and Zoning Director Trias: Yes.

Board Member Bermello: Limited to"?

Planning and Zoning Director Trias: Yes, yes.

Board Member Bermello: Okay.

Board Member Salman: If you want to be original, you have to find an obscure source.

Planning and Zoning Director Trias: There you go.

Board Member Salman: I think that's what Mr. Trias is actually going to tell us.

Chairperson Pardo: So, are we pretty much good with that so we can polish this off? You could change (INAUDIBLE)...

Board Member Bermello: Yeah, I don't have any issues at all with what you have here, as long as the "but not limited to" is that. You know, I'll give you a quick -- we've talked about the Museum parking garage, and you know, if I had to do it over one area that I think does not work well -- not because of the architectural, but because of the functional -- are the stairwells. If you are -- I don't know -- an elderly or a woman going into that garage and you're going down the stairs, they smell. They're ugly. They're dark. They're not conducive to people going up and down, even waiting for an elevator. And the problem is that the architecture, you know, it's Mediterranean. What would you want there? A lot of glass. You know, that's what -- if we were doing anywhere in the United States car parking garages, which is kind of a misnomer with Mediterranean style, you'd want to have a lot of glass into your vertical circulation course. You want to make people feel safe.

Planning and Zoning Director Trias: Yeah.

Board Member Bermello: At night they're lit up, et cetera, et cetera, and we did not do that. So, for me, that's a little failure there. But I wonder, taking that project through putting it under this kind of rigorous definition, how would you accomplish that unless you have a lot of little, small

windows creating kind of a greenhouse effect. But then you'd probably have a hard time finding anywhere -- I don't care, Salamanca, anywhere -- to find anything that you could say, "Look, I have an example." So, you know, there may be some areas, Mr. Chair, that, you know, flex -- I get it. I'm all for the flexibility on the Board of Architects to say, you know, within the context of the entire garage in these two areas, it's okay to depart because the public benefit here is providing visibility, safety for the users, and light in an area that -- the only place you spend time in a garage really is when you're waiting for the elevator, right?

Board Member Pratt: Well, I'll give you an example. Actually, because the Board of Architects just approved it, the building that is being proposed and is going to be constructed, the new garage facility for the Public Safety Building. That has a completely open glass garage and really follows the example that you were just recommending. And that's thanks to the City Manager also, so...

Board Member Bermello: As long as that would not fail -- or I guess what I'm bringing up, I would not want an architect to fail on that because it may not meet, you know, the rigorous definition, Mr. Chair, of...

Chairperson Pardo: No, no.

Board Member Bermello: You know...

Chairperson Pardo: And that's...

Board Member Bermello: You know, so...

Chairperson Pardo: The intent has never been to do a replication.

Board Member Bermello: Okay.



Chairperson Pardo: That has never been the intent.

Board Member Behar: And you mentioned that in the parking garage you wanted more glass, which I agree. Wouldn't you not want the same thing today in a residential building, that you're spending -- especially after the last year and a half -- that you're spending more time. Don't you want to be able to have for the benefit of those residents, those users, more glass?

Board Member Bermello: Absolutely.

Planning and Zoning Director Trias: But the point I'm making is, if you look at the Biltmore, there are areas of the Biltmore that have a lot more glass. So even that example that is listed here would help your case. Now, the last thing, if you don't mind, if you're finished with the discussion, I would like to have a clear idea of your expectation of the process of adoption. And my concern was that in the discussion that Mr. Pardo had with the Commission that was mentioned earlier today, there seemed to be a rush to do first reading on September 14<sup>th</sup>, then going to the Planning and Zoning in between first and second reading, et cetera. If that is your recommendation as a board, please make it. Otherwise, I would advise you to perhaps take a more gradual process, going to Planning and Zoning first, and then going to Commission.

Chairperson Pardo: No. The reason that the -- the Commission actually, they discussed that specifically. And the reason that they went back on that -- Mr. Ceballos, if you could correct me if I'm wrong -- is that they thought that they wanted to take a look at it the first shot to make sure they're in agreement.

Planning and Zoning Director Trias: Then what I would advise...

Chairperson Pardo: In other words, why go to Planning and Zoning, if they're not in agreement and then come back.

Planning and Zoning Director Trias: What I would recommend...

Board Member Behar: That's what I took from the goal.

Board Member Bermello: So, if they're in agreement, do they plan to send it to Planning and Zoning?

Board Member Behar: Yes.

Chairperson Pardo: Yes, but...

Board Member Bermello: After they -- so they're going to give it a green light?

Board Member Behar: Correct.

Planning and Zoning Director Trias: Mr. Chairman, I wouldn't be here talking about this if it wasn't a critical issue in the sense that we have deadlines for noticing. I don't know how we're going to notice this in terms of the community as a whole. It would be advisable -- and that is my recommendation to you and to the City Manager and to anyone -- to follow a more typical process, if you don't mind. I think that would give us a much better outcome. And like I said, you make the recommendation you think is appropriate, but I...

Board Member Behar: I'm going to speak...

Planning and Zoning Director Trias: Wanted to raise the issue.

Board Member Behar: As a Planning and Zoning board member. I would prefer that it went to Commission...

Chairperson Pardo: Absolutely.

Board Member Behar: Before it came to us, because if there's a change in the Commission, it's going to have to come back. So, I think that the Commissioners should have the blessing before it goes to committee.

Board Member Bermello: That makes sense.

Chairperson Pardo: They could strike out...

Planning and Zoning Director Trias: I...

Chairperson Pardo: A sentence and they could add things, and why waste the Planning Board's time?

Board Member Behar: And have a special meeting just for that. I mean, so...

Planning and Zoning Director Trias: September 14th is two weeks away. I mean, we don't have a document yet. I'm just saying, you know, we...

Board Member Bermello: We're getting close.

Chairperson Pardo: Mr. Trias, I think -- and I said it to the Commission. And by the way, I complimented both our Assistant City Attorney and our City Clerk for spending the amount of time that they have here, you know, before this committee.

Board Member Bermello: Actually, you recommended a raise for both of them, didn't you?

Chairperson Pardo: I didn't quite go that way; the Manager wouldn't have that.

Board Member Behar: We could make a resolution.

Chairperson Pardo: Yeah. So, the point is, I think it doesn't look like much to maybe some people, but we've covered a lot of ground. And I don't want to take the foot off the pedal. I want to get it right. And I think because we've been able to get this meeting under our belt today, I feel confident that once Mr. Ceballos sends us the final things and we could take a look at it, we're going to wrap it up next week. So, we wrap it up next week.

Planning and Zoning Director Trias: My...

Unidentified Speaker: Mr. Trias, is your concern...

Unidentified Speaker: (INAUDIBLE) proper notification so that this happens correctly.

Unidentified Speaker: What was specifically your concern?

Planning and Zoning Director Trias: Well, I'm concerned about notice. And the main issue is that this is not a project that we're going to notice within 1,500 feet. This is a change of the Zoning Code...

Unidentified Speaker: The Code, right.

Planning and Zoning Director Trias: Which affects the whole city, affects every architect, affect every neighbor that is interested in these issues. We need to be able to communicate all this in a reasonable way. I would think that we would have to prepare a staff report that deals with the technical issues of the review and so on. That may take a little bit of -- a few days. We can do whatever you want. I mean, I don't have any issue with doing what you are suggesting. All I'm

saying is that it is more likely that we will do a better job if we take a little bit more time. That's all.

Chairperson Pardo: And the other thing, Mr. Trias, that I want to be very clear about is that there are a lot of people on hold in this community right now, businesspeople because of the moratorium. And I think we have discussed this among the committee members, also with public, although there's no public here today. And by the way, Mr. Clerk, is there anyone on Zoom today?

City Clerk Urquia: There are members of the public on Zoom, yes.

Chairperson Pardo: And would they like to speak?

City Clerk Urquia: I can ask. I can send a message through Zoom to see if that's their wish.

Chairperson Pardo: Okay.

Planning and Zoning Director Trias: Like I said, I just wanted to raise the issue. If you are not interested in that...

Chairperson Pardo: I appreciate your concern.

Planning and Zoning Director Trias: (INAUDIBLE). Thank you. Thank you very much.

Chairperson Pardo: Thank you.

Board Member Bermello: Mr. Chair, may I have a --? Before we -- are we going to open the meeting for public comments?

Chairperson Pardo: Well, I...

Board Member Behar: I don't think today is necessary.

Chairperson Pardo: I don't know how many people there...

Board Member Pratt: Yeah, I...

Board Member Behar: I don't think it's necessary.

Chairperson Pardo: Yeah. Mr. Manager?

Board Member Pratt: I don't think it's necessary.

City Manager Iglesias: If I may say, it would be, I think, appropriate that if we're going to take this to the September 14th meeting, that the entire board come to that September...

Chairperson Pardo: Oh, absolutely.

City Manager Iglesias: 14th meeting so we can hear the Chair's comments and...

Chairperson Pardo: Yeah.

City Manager Iglesias: All your comments.

Chairperson Pardo: I actually expressed that to the Board at the very beginning, that at the day of the presentation not only are they invited, you know, they're welcomed.

City Manager Iglesias: And if you feel confident in the document that you're preparing then we can have a special Planning and Zoning -- P&Z meeting after the first Commission meeting. We just have to -- Ramon has an issue because he's got notice -- we have notice...

Chairperson Pardo: Yes.

City Manager Iglesias: Requirements...

Chairperson Pardo: Right.

City Manager Iglesias: That we have to work with. And the second meeting is September 28th, so it's only 14 days from that. But depending on what -- on how it goes on the 14th, we really would -- we really have an issue creating a P&Z meeting between the 14th and the 28th because one is the notice requirement for the -- if we were to do it -- it's 14 days, correct, Ramon?

Planning and Zoning Director Trias: Yeah. And the issue is that (INAUDIBLE).

City Manager Iglesias: Right. Our process requirements have to be on the money here.

Board Member Behar: We might not make it.

City Manager Iglesias: And as our City Attorney...

Unidentified Speaker: Then we may not make it.

City Manager Iglesias: If you feel that -- so I think it's going to be difficult because when will we have to notice the meeting, two weeks before, correct? So that would be...

City Clerk Urquia: Ten days.

City Manager Iglesias: So, it'll be...

Board Member Behar: It doesn't look like you're going to have the time to make it.

City Manager Iglesias: Well, that's what I'm saying. If we notice it, let's say, on the 21st, then we would have to notice it two weeks before that, which would be on the 7th, approximately. So, it doesn't look like -- it doesn't look good for the second reading on the 28th.

Board Member Behar: The 28th.

City Manager Iglesias: With an intermediate -- so...

Chairperson Pardo: Mr. Manager.

City Manager Iglesias: And the reason I'm talking to you about now is because it's something I would like to discuss with the Mayor and the Commissioners because maybe the 28th might be better. I believe the first meeting in October is the 12<sup>th</sup> -- correct, Ramon? -- October 12th?

(COMMENTS MADE OFF THE RECORD)

Chairperson Pardo: Mr. Manager...

City Manager Iglesias: No, no, no. I'm talking about...

Board Member Behar: For Commission, Commission.

City Manager Iglesias: The first Commission meeting is the 12th, I think.



City Clerk Urquia: No, it's the 14th.

City Manager Iglesias: The Planning and Zoning is right after that. I believe it's the...

City Clerk Urquia: City Commission meeting is the -- oh, you mean for October?

Board Member Behar: October.

City Manager Iglesias: For October. I think it's the 12th, right?

City Clerk Urquia: October 12th is the City Commission meeting.

City Manager Iglesias: And P&Z is the 13th, so P&Z for...

City Clerk Urquia: The 13th.

City Manager Iglesias: October is over. So, unless we decide to go to the second meeting in October and have another zoning in progress until then -- which I'm really not keen on doing, and I don't think anybody...

Board Member Behar: But Peter.

City Manager Iglesias: Any of you are too.

Board Member Behar: If we got -- if we have a special meeting in September 21st for P&Z...

City Manager Iglesias: We would have to notice it on the 7th before the Commission meeting, and that -- and those documents would have to be available at that time.

Board Member Behar: And so, the earliest you could do, the week of the 28th for P&Z, and then two weeks after that...

City Manager Iglesias: Well, the week of the 28th, the Commission meeting is on the 28th, Tuesday, the 28th.

Board Member Behar: But this will not be able to go to Commission on the 28th; it would have to be October 12th.

City Manager Iglesias: And that's what I want to talk about. That's...

(MULTIPLE PARTIES SPEAKING IN UNISON)

City Clerk Urquia: So, Peter, what you're suggesting is...

City Manager Iglesias: Because I can discuss that with the electeds because their expect -- the ZIP, the zoning in progress, is to the 28th.

City Clerk Urquia: So, Peter, what you're suggesting is the meeting of the 14<sup>th</sup>, perhaps, set the Planning and Zoning Board meeting for the week of the 27th. It'll give you enough time, and then you can bring it in the first meeting in October.

City Manager Iglesias: That would be...

Board Member Behar: That's what I was saying.

City Clerk Urquia: Correct.

Board Member Behar: That's what I was trying to...

Planning and Zoning Director Trias: Yeah, yeah.

City Manager Iglesias: So, I think that what I -- since we do -- since you all are going to present on that and the whole board, and I appreciate that -- the whole committee, excuse me -- present on the 14th, I can relay to the Commission that there is a notice issue as far as the 28th. So maybe on the 14th, we can extend it to the 12th, and we have time to go to the meeting of the 14th, go to P&Z, and then hopefully finish it on the October 12th meeting. Does that sound good to you all?

Board Member Bermello: Sounds like a plan.

Chairperson Pardo: Yeah. The whole -- logistically, you know, that works. I mean, and right now, we don't know how the Commission is going to react to the document...

Board Member Behar: But if we have to give...

Chairperson Pardo: To begin with.

Board Member Behar: Notices, we have no choice.

City Manager Iglesias: And also, it would allow you a little more time because you could work until -- you have until the 14th really, you know. Actually, let me not -- Billy's going to faint on me if I tell them it will be up to the 14th. You have until the Thursday.

City Clerk Urquia: You have 'til the 7th.

City Manager Iglesias: Thursday, give them two more days.

City Clerk Urquia: Alright, 'til the 9th then.

City Manager Iglesias: Give them two more days, until the 9th. I'll give you as much time as possible, you know. So that -- because if it has to be ready for the 21st, everything has to be ready by the 7th, it doesn't give the Commission time to really look at it, which this is what they wanted to do.

Board Member Behar: But I think you know, from what I've seen tonight, we're going to be completed by the second, next week, so that gives, you know, Billy plenty of time.

City Manager Iglesias: But if anything happens on the 14th -- I guess we could set it up, but if anything happens -- any changes happen on the 14th, that's a problem with notice for the P&Z. You see what I'm saying? So, if the Commission decides to change anything or work with you all on that 14th, it doesn't allow for those changes.

Unidentified Speaker: (INAUDIBLE) can't control that.

City Manager Iglesias: You think it's going to be 100 percent?

Unidentified Speaker: We can't control (INAUDIBLE).

City Manager Iglesias: Oh, you can't control that.

City Clerk Urquia: Mr. Chair, before you...

Unidentified Speaker: You're planning for a contingency that may or may not happen.

Unidentified Speaker: That's right.

City Clerk Urquia: Mr. Chair, you do have a member of the public wishing to speak.

Chairperson Pardo: How many?

Board Member Bermello: Before we do that and before we -- can I make a simple request? We made a couple of changes today to this final redline. Is there any way that we could instruct the City Attorney to make those modifications to the redline?

Chairperson Pardo: Oh, he said he was going to do it on the fly, yeah.

Board Member Bermello: I'm sorry?

Chairperson Pardo: He was going to do it on the fly.

Assistant City Attorney Ceballos: They're already done. I can send it to all the board members.

Board Member Bermello: Is he also going to do Table 3?

Chairperson Pardo: Right.

Unidentified Speaker: He's already made the changes, he said.

Board Member Bermello: Okay.

Assistant City Attorney Ceballos: But the changes that have been suggested today have already been modified in the document.

Board Member Bermello: And you're going to send those back out?

Assistant City Attorney Ceballos: I can send that literally at the end of the meeting to all the board members.

Unidentified Speaker: Perfect.

Board Member Bermello: There was a wording on an additional item that I had sent out. Is there any way that we can put it for discussion for the next meeting?

Chairperson Pardo: Which one is that?

Board Member Bermello: It was on what I recall the reverse bonus, which is to provide an incentive for larger front setbacks, lesser density, and lesser height, about what it does is gives you an allowance for large units in exchange for doing all of that.

Chairperson Pardo: I thought we were going to do that in another...

Board Member Behar: Section or...

Chairperson Pardo: Yeah. It's -- Willy, I think it's another section to do that.

Board Member Bermello: Would be where?

Chairperson Pardo: I think it's -- because this way...

Board Member Bermello: This will be for -- you're doing Mediterranean bonuses...

Chairperson Pardo: Right.

Board Member Bermello: And you, in exchange for wider setbacks, not going as high, and not putting as -- number of units, you're decreasing density, but you're being allowed to put bigger units, still respecting all the setbacks and all -- and actually doing less height and doing larger setbacks. Right now, the Code penalizes larger units in exchange for smaller units. That's the truth right now.

Chairperson Pardo: And that was one of the things I was going to read in the record at the last meeting, and I was not able to.

Board Member Bermello: Right now, the Code pushes you to the highest number of smallest units possible.

Chairperson Pardo: Can you put something together and send it to the City Attorney?

Board Member Bermello: Yeah. I just -- well, I...

Chairperson Pardo: And then he could distribute to all the members, so we could discuss it at the next meeting?

Board Member Bermello: Yeah, I'm going to have it here.

Unidentified Speaker: Perfect.

Chairperson Pardo: Thank you.

Board Member Bermello: It actually was in what I sent out last night. But I'll give it to Gus and maybe he can send it out to all of you.

Chairperson Pardo: Okay.

Board Member Bermello: Now, the idea was to put that in the section right after H.

Chairperson Pardo: Okay.

Board Member Bermello: Because it fits right in. I mean, I don't think it needs to be -- this is all Mediterranean. It has nothing to do with any other style.

Chairperson Pardo: Okay.

Board Member Bermello: It's within the style of Mediterranean. I mean, everything here that we were talking in Table 3, in reality, none of it added to the public realm.

Chairperson Pardo: Right.

Board Member Bermello: That's why I struck it out entirely.

Chairperson Pardo: Right.

Board Member Bermello: And the reason that we're facing what we're facing is because the buildings are too large, high traffic, low setbacks, and you know, I think we need to do something that starts changing the direction of where we want the community to go.

Chairperson Pardo: Is the -- do you have it already in a format of a --?

Board Member Bermello: Yeah, I have it in a format -- the only thing I realize that I made a mistake and I -- in a typo, but I'll give it to Gus before I leave...

Chairperson Pardo: Okay.



Board Member Bermello: And I'll resend it tonight to everybody.

Chairperson Pardo: Alright.

Board Member Bermello: I mean, if we send out a message at the end of the day that we did very little, there's going to be some people that think that we did very little.

Board Member Alvarez: Okay.

Board Member Bermello: And I think we need to send -- in my opinion -- a strong message. And so, that's just what I put out. There's going to be people sitting in there and they're going to say, "What did you guys do? What's the message?" And I think part of the message is, number one, we have to protect the public realm.

Chairperson Pardo: Right.

Board Member Bermello: This issue of massive bulk without open space, just can't be had. And I realize that what Mr. Trias says is correct. The Code is not the only reason those things happened, okay. But I think if we throughout here -- just like if we sprinkle messages of what is the mission, what is the intent, you know, everybody will start getting it, and that's part of adding that into the Code.

Chairperson Pardo: Okay.

Board Member Bermello: You know, I'll distribute it.

Chairperson Pardo: Thank you. And Mr. Clerk?

City Clerk Urquia: Yes, sir. Ms. Maria Cruz is on Zoom, and she would like to...

City Manager Iglesias: Mr. Chair, can I --?

Chairperson Pardo: Is she the only speaker?

City Clerk Urquia: Yes, sir.

Chairperson Pardo: Alright. Yes, Mr. Manager.

City Manager Iglesias: Well, I will let Maria Cruz speak, if you wish. And then I would like to kind of finalize our discussion...

Chairperson Pardo: Okay.

City Manager Iglesias: Concerning how we move forward. Thank you.

Chairperson Pardo: Okay, can you put Ms. Cruz through?

City Clerk Urquia: Yes. Ms. Cruz?

Board Member Pratt: Can it be really short?

Maria Cruz: I'm here. Good afternoon. I would like to say, in retrospect, I did not think this was going to be a worthwhile setup, but I'm really impressed. And I am sure that most of our residents will agree that we see that you all have heard us, that you have taken into account what we, the residents, would like to see happen. And we are very, very grateful of all of you giving your time and your treasure and your minds and allowing this City to become a little better. So, thank you. Thank you very much.

Chairperson Pardo: Thank you, Ms. Cruz. Mr. Manager, you...

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

Board Member Behar: With that, I make a motion to adjourn.

Chairperson Pardo: Wait, the Manager wanted to...

City Clerk Urquia: No, wait. The Manager wanted to make some comments.

Board Member Behar: (INAUDIBLE).

Unidentified Speaker: (INAUDIBLE).

City Manager Iglesias: As far as process is concerned, we could set up a P&Z meeting and then cancel it. Or we could look at going to the Commission meeting, the entire board, looking at what the Commission -- the Commission comments, and coming back and then going to the P&Z again, but that would be -- that would not make the Commission meeting of September 28th. It would make the Commission -- we could make the Commission meeting of October 12. So, if that's what the committee chooses and needs, and then certainly, I can certainly discuss that with the Commission and see if we can -- we could extend the zoning in progress until that October 12 meeting. And it's -- as long as the committee feels that -- I just want -- I want you to feel that we have not put any kind of impediment for you to get it right. That's all. And so, what -- how do we proceed, or how do you feel comfortable in what you've done? And by the way, excellent discussions I was hearing here today. And I'm glad that the residents were able to watch on Zoom. So, we have two options: one is to set up the meeting, and depending on how it goes on the 14th, go with it, or cancel it; or do we go with -- do we go on the 14th, set up the P&Z meeting between the first and second reading, and the second reading would be October 12?

Board Member Behar: Peter, I would -- if I may, I would recommend doing that and sending the notices immediately to the P&Z members to make sure that we could meet. I mean, I'm available; personally, I'm available.

City Manager Iglesias: You mean to meet when?

Chairperson Pardo: For a special meeting.

Board Member Behar: As a special meeting.

City Manager Iglesias: No, no, no. It's going to be a special meeting either way. We don't make...

Board Member Behar: But the day that we need to...

City Manager Iglesias: We don't make the October -- I believe that the October P&Z meeting is the 13th. It's after the Commission meeting.

Board Member Behar: No, no, but in September.

City Manager Iglesias: So, we would need a special meeting no matter what.

Board Member Behar: In September. September, what day are we talking about the special meeting for the P&Z?

City Manager Iglesias: Well, are we look --? But yes, it's going to be a special meeting anyway because we don't make the October meeting. The October Commission meeting, I believe, is the 12th? Yes, Juan?

City Architect Riesco: What he's saying is that (INAUDIBLE).

City Manager Iglesias: No, no, I understand that. Yes, yes, assuming that the quorum works. But the option is setting the meeting ahead of time, ahead of the 14th. Is that the wish of the --?

Board Member Behar: Yes. I mean, I think it's -- right?

(COMMENT MADE OFF THE RECORD)

Board Member Behar: I think so. I think that -- and if we could cancel it, perfect.

City Manager Iglesias: And then we could cancel it.

Board Member Behar: If we don't...

City Manager Iglesias: So, I'm going to instruct Ramon to set up that meeting in between -- after the Commission meeting, and then if we have to cancel, we will cancel. If everything goes well on September 14th, we have the meeting, the P&Z meeting before the 28th, and then it goes to second reading on the 28th. If that's what the committee wishes, then we will work on that. Is that correct?

Board Member Bermello: That makes sense.

Board Member Behar: I'm in favor of that.

Board Member Bermello: I mean, the worst case, if the Commission kicks it down the road...

City Manager Iglesias: Mr. Chair, is that --?

Board Member Bermello: Then we can -- we basically postpone that.

Board Member Behar: Do we need to make a motion to adhere to those dates?

City Manager Iglesias: It would be good if you did because I would like to get consensus on it if possible.

Board Member Bermello: I so move.

Unidentified Speaker: And I'll second.

City Clerk Urquia: I'm sorry. Who seconded?

Chairperson Pardo: Clerk?

City Clerk Urquia: Okay. All in favor?

The Board Members (Collectively): Aye.

City Manager Iglesias: Fantastic, fantastic. Then Ramon, please set up the meeting prior to the 27th, provide notice as required. And then again, we go on the 14th; the entire board presents. We go to P&Z before the 28th, and we go second reading -- with proper notice -- and we go second reading on the 28th of September.

Chairperson Pardo: Okay. Thank you, Mr. Manager.

City Manager Iglesias: Much appreciated. Thank you all.

Board Member Bermello: Motion to adjourn.

Board Member Behar: Second.

Chairperson Pardo: Alright.

The Board Members (Collectively): Aye.