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1 MR. BEHAR: But that's why you have the transition
 2 in the City. That's where the transition is appropriate
 3 to have your transition between the high density and the
 4 lower density.
 5 MR. VELEZ: But we still have some tall buildings
 6 facing onto Valencia. We have several tall buildings
 7 facing--
 8 MS. ANDERSON: You have Laroc which is 13.
 9 MS. VELEZ: We have Laroc. You have Biltmore,too,
 10 which is 13.
 11 MS. ANDERSON: Yes. We're not up to 15 there.
 12 MR. TRIAS: If I can direct you to the Table that
 13 we have on Page 3, this Table has all of the small
 14 parcels listed, and it shows the number of floors and
 15 the building area, and the lot size. It doesn't give
 16 potential, but it gives you a sense of the parcels that
 17 we have.
 18 MR. COLLER: The only other thing I wanted to add
 19 is there is expressed criteria in this section when you
 20 want to evaluate a particular project, and one of the
 21 criteria is the extent to which the application is
 22 consistent with the Zoning Code and City Code, otherwise
 23 applicable to subject property or properties, including
 24 but not limited to density, bulk size, area and use, and
 25 the reasons why such departures are determined to be in

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1 MS. ANDERSON: No.
 2 CHAIRMAN AIZENSTAT: Call the roll, please.
 3 THE SECRETARY: Maria Velez?
 4 MS. VELEZ: Yes.
 5 THE SECRETARY: Rhonda Anderson?
 6 MS. ANDERSON: Yes.
 7 THE SECRETARY: Robert Behar?
 8 MR. BEHAR: Yes.
 9 THE SECRETARY: Julio Grabiel?
 10 MR. GRABIEL: Yes.
 11 THE SECRETARY: Maria Menendez?
 12 MS. MENENDEZ: Yes.
 13 THE SECRETARY: Eibi Aizenstat?
 14 CHAIRMAN AIZENSTAT: Yes.
 15 I do want to take a second and thank Mario very
 16 much. You were eloquent and you really explained it
 17 well. Thank you.
 18 MR. GARCIA-SERRA: Always happy to help.
 19 MS. ANDERSON: Thank you, Mario.
 20 MR. COLLER: So the next item--
 21 MR. BEHAR: Before they leave--
 22 CHAIRMAN AIZENSTAT: I just want to thank you all
 23 Boyscout Troop 419 for coming.
 24 (Thereupon, the Boyscout Troop exited the room.)
 25 CHAIRMAN AIZENSTAT: Go ahead. If you could read

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1 the public interest.
 2 So there is the opportunity, when you do get a
 3 receiving site, to consider essentially what appears to
 4 me to be a compatability issue.
 5 CHAIRMAN AIZENSTAT: Right. Well, we have a
 6 motion and a second.
 7 MR. COLLER: So are we deferring this to the
 8 next--
 9 MR. BEHAR: Continuing it, right?
 10 CHAIRMAN AIZENSTAT: We are continuing it. Well,
 11 your motion, Robert, was to continue it to the next
 12 meeting?
 13 MR. BEHAR: Continue it to the next meeting.
 14 MS. ANDERSON: And I second it.
 15 CHAIRMAN AIZENSTAT: And, Ramon, you went ahead
 16 and understood what the Board was asking of you to bring
 17 to the next meeting?
 18 MR. TRIAS: Yes. Yes. Basically, the way I see
 19 it is that you want a little more information that is
 20 maybe more mapped out or some more clarity.
 21 MR. BEHAR: Yes. Yes.
 22 CHAIRMAN AIZENSTAT: Just the clarity as to what
 23 would transpire within that area, the receiving sites.
 24 MR. TRIAS: We can provide that for you.
 25 CHAIRMAN AIZENSTAT: Any other discussion?

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1 the next item in.
 2 MR. COLLER: Agenda Item E-4, an Ordinance of the
 3 City Commission of Coral Gables, Florida providing for
 4 text amendments for the City of Coral Gables Official
 5 Zoning Code, Article 3, Development Review, Division 10,
 6 "Transfer of Developmental Rights," providing a
 7 procedure to transfer development rights in return for
 8 conveyance of open space to the City, providing for a
 9 repealer provision, providing for a severability clause,
 10 codification, and providing for an effective date.
 11 Agenda Item E-4, public hearing.
 12 MR. TRIAS: Mr. Chairman, this is also related to
 13 TDRs. This is the opposite. This is about the sending
 14 sites. So, as we had discussed before, the sending site
 15 is only one category right now, Historic buildings. So
 16 what this would do is create a second category which is
 17 Open Space. Meaning, that if there's a parcel that is
 18 going to become a City park, that parcel had the ability
 19 to be a sending site of TDRs to some receiving area
 20 somewhere else. That is the request. And if you have
 21 any questions, I'll be happy to address them.
 22 CHAIRMAN AIZENSTAT: Thank you.
 23 MS. ANDERSON: Is there a minimum size for the
 24 park?
 25 MR. TRIAS: The way that this is phrased is that

1 it has to be a public park. It has to be approved by
2 the City. So it's fairly general, in terms of the
3 dimensions, but it has to be reviewed and approved.
4 It's not just any open space.

5 MS. MENENDEZ: Is there like a criteria? I guess
6 it's along what you were asking. I mean, is there like
7 a criteria that would provide a little more detail as
8 far as what-- you know, is there like a radius-- the
9 same questions as before-- radius for the receiving site
10 within the park?

11 MR. TRIAS: No. The only criteria we have is that
12 the Parks and Recreation Advisory Board shall have the
13 authority to grant approval. In other words, it's
14 reviewed by the Board.

15 MR. BEHAR: But this could be city-wide?

16 MR. TRIAS: Yes.

17 MR. BEHAR: Because the idea is to create Infill
18 parks.

19 MS. MENENDEZ: No. I love the idea, but it's the
20 same kind of like issue I raised in the previous item.
21 You know, you're going to be-- originally the idea of
22 transferring these development rights would be within
23 the impacted area so that you'd benefit from the
24 transferred development rights, right?

25 MR. BEHAR: Yeah, but let's say that, for example,

1 in a residential area, they buy a lot and they want to
2 convert that to a little Infill neighborhood park, which
3 I think could be great. And you see some of the parks
4 that, you know, we have gotten lately, that TDR is to be
5 transferred to one of the two now pressing North Ponce
6 or the CBD, right? Is that--

7 MENENDEZ: For a bigger building.

8 MR. BEHAR: For a bigger building. But, again,
9 you have limitations.

10 MS. MENENDEZ: But then that impacts that area,
11 you see what I'm saying?

12 MR. BEHAR: But those areas allow to transfer TDRs
13 already. Let's say that the North Ponce Corridor and
14 CBD, you already have the right to bring TDRs to that
15 area, not just now. This will allow it, not just for
16 historic buildings, it could be from a site that-- you
17 know, a developer buys in a residential area and
18 converts that lot to a park, you can transfer that
19 right-- those TDRs to the receiving site. I personally
20 think-- in this one, I don't care. Personally, I don't
21 care because it will be beneficial to the area that is--

22 MS. MENENDEZ: The park is.

23 MR. BEHAR: The park is.

24 MS. MENENDEZ: But what happens to the receiving
25 area?

1 MR. BEHAR: You still have the right to do it
2 there. You are creating anymore impact.

3 MS. MENENDEZ: How about the impact of more
4 development?

5 MR. BEHAR: But, Maria, you already have the
6 right. Those areas already have the right.

7 MS. MENENDEZ: I understand that, but originally
8 the intent of the TDRs was to do it within an area. I
9 think there was a radius, and basically-- and the logic
10 behind it was you're just transferring the impact, but
11 it's within the same area. So this building can't
12 develop a certain height. They transfer those rights to
13 this building, but it's in a general area. So the
14 impact kind of balances out.

15 MR. BEHAR: I respectfully disagree with you
16 because that-- let's say, for example, in a CBD, I could
17 acquire TDR from a historic building and transfer it
18 there. I'm still going to make the same impact.

19 MS. MENENDEZ: But it's in the same area.

20 MR. BEHAR: No, because I could bring it from a
21 historic building that is-- or the North Ponce that is--
22 I could bring a historic building that is in the CBD,
23 and transfer it to North Ponce. You're still going to
24 create that impact.

25 MS. MENENDEZ: And I understand that the rules

1 have changed, but the original intent of the TDRs
2 originally when it was first introduced in the early
3 2000's by the City and developers and stuff, was to do
4 it in the general area to kind of like address the
5 impact of development. Now it's changed. So the
6 question becomes, okay, so you're going to take a park
7 here and going to allow the TDRs from that park that
8 might be in a residential area to go all the way to
9 Downtown, and allow that building to grow bigger.

10 MR. BEHAR: Whatever development rights I could
11 get FAR.

12 MS. MENENDEZ: Okay.

13 MR. BEHAR: But Downtown already has the ability
14 to bring TDRs from historic buildings.

15 MS. MENENDEZ: I understand, but we're just adding
16 to that.

17 MR. BEHAR: We're adding, but what we're doing, I
18 think, we're trying to create a benefit.

19 MS. MENENDEZ: I understand, a public good.

20 MR. BEHAR: Money to buy parks and put them in
21 place.

22 MS. MENENDEZ: I understand. Which that's the
23 positive of it.

24 MR. BEHAR: Right.

25 MS. VELEZ: So at this point-- right now what we

1 have is a limitation that the sending site is within the
2 boundaries of the CBD and designated commercial, and is
3 located north of Navarre, east of LeJeune, west of
4 Douglas, and south of Southwest 8th Street, is zoned
5 Commercial or MF2. This would allow-- what happens if
6 someone says, "Okay, I'll buy in a residential
7 neighborhood this house. I really don't want to knock
8 it down and build another one. I'll sell it to the City
9 and transfer developmental rights?" This would allow
10 that to happen.

11 So what Maria is saying is that we would give more
12 people the ability to sell developmental rights. This
13 would be another option, because then that could
14 create-- a developer could create a park in a
15 residential neighborhood, and that particular parcel,
16 which under our present definition would not be eligible
17 as a sending site, becomes a sending site.

18 MR. BEHAR: Correct.

19 MS. VELEZ: So we're expanding--

20 MR. BEHAR: The sending sites.

21 MS. MENENDEZ: We're creating the sending sites.
22 Not only that, but anywhere in the City, instead of
23 saying, "Okay. The area is going to benefit because
24 those TDRs are just being transferred to another
25 property--"

1 CHAIRMAN AIZENSTAT: Maria, what you were saying
2 before, if I understood you correctly, is that a
3 developer can go in, buy a property-- a residential
4 property, make a deal with the City to sell it to a park
5 just so that it can have the TDRs?

6 MS. VELEZ: Oh, yes.

7 CHAIRMAN AIZENSTAT: But it would be up to the
8 City, at that point, to transfer the TDRs, Ramon, not
9 the developer, or am I wrong?

10 MR. TRIAS: And also to review it and accept it.
11 If the Park's Advisory Board believes that that is not
12 an appropriate park, then it wouldn't happen. It has to
13 be-- there's a review process.

14 CHAIRMAN AIZENSTAT: So in other words, just a
15 developer couldn't go in and say, "I want to buy this
16 property, and I then want to turn it-- I'm going to give
17 it to the City or sell it to the City just so I can have
18 those TDRs.

19 MR. BEHAR: You don't sell it to the City. You
20 would donate it to the City, right?

21 MR. TRIAS: Right.

22 MS. VELEZ: Some have been sold.

23 MR. TRIAS: But there would be a review process.
24 It's not an automatic right to do that.

25 MS. MENENDEZ: Let me ask you something. I'm sure

1 MR. BEHAR: But--

2 MS. MENENDEZ: "--That's impacting that area."

3 MR. BEHAR: I hear you.

4 MS. MENENDEZ: You understand the logic? It's the
5 same thing that I kind of like mentioned earlier.

6 MR. BEHAR: But for us to create open area parks
7 in any neighborhood--

8 MS. VELEZ: Right. That's another--

9 MR. BEHAR: This is a tool--

10 MS. MENENDEZ: That's the benefit of that. I
11 understand.

12 MR. BEHAR: --In order to achieve that.

13 CHAIRMAN AIZENSTAT: Before we continue on this
14 subject, let me just ask, is there anybody here from the
15 public that has signed up or wants to speak on this
16 item?

17 MS. MENENDEZ: It's a good thing the kids left.

18 CHAIRMAN AIZENSTAT: We don't have any speakers
19 that have signed up? No. Okay.

20 Ramon, do you want to say something?

21 MR. TRIAS: Mr. Chairman, if I could assist, the
22 issue is that TDRs have been used so rarely, so rarely
23 that that original idea may have been great, but it
24 wasn't enough to make it into a viable process. So that
25 is the reason why we are making some changes.

1 there's a Comprehensive Park Development Plan that the
2 City has, because, you know--

3 MR. TRIAS: Yes.

4 MS. MENENDEZ: And so is the idea to look at that
5 Comprehensive Plan and basically they've identified
6 areas that they want to put parks in, and maybe one can
7 say it's in accordance to that plan or is it-- because I
8 think that's what-- I don't want to be critical, but
9 what's lacking here might be a little bit more detail of
10 what the plan is for the City, right?

11 MR. TRIAS: Yes.

12 MS. MENENDEZ: We want to come in, and we want to
13 identify-- we've identified areas that need parks,
14 whether it's neighborhood or bigger parks, and so is
15 that the plan? And, if so, it would help us understand
16 that that if we had it here to read.

17 MR. TRIAS: The way that the Parks Department
18 operates, they do have a map that is part of the
19 Comprehensive Plan that has areas that have-- that lack
20 open spaces, for example, and those are the priorities.
21 We could have that in the text, but that may make it too
22 difficult to operate. So that's why the idea of having
23 it reviewed by the Board-- by the Parks Advisory Board
24 was, in my view, sufficient. Now, you may have more
25 criteria, but the more criteria you have, the less

1 flexibility there is.
 2 MS. MENENDEZ: Okay. I understand.
 3 CHAIRMAN AIZENSTAT: There was also the-- for the
 4 Parks and Recreation, there was the partnership that was
 5 private and public. I think Bill Kurdike (phonetic) was
 6 spearheading that. Is that still going?
 7 MR. TRIAS: I'm not familiar with the details. I
 8 really can't answer that, but I believe so, yes.
 9 CHAIRMAN AIZENSTAT: It'd be good to get some
 10 input from them, because I know that they have put a lot
 11 of time and effort in acquiring parks for the City.
 12 MR. BEHAR: I'm looking at the map on Google. I
 13 believe off of Ponce de Leon and San Sebastian, there's
 14 a little Infill park, okay. That was a house that was
 15 taken down, and it was created as a little urban infill
 16 park. And I think what this would do is do-- you know,
 17 get more of that into the City, and create more park
 18 areas. What I like about it, personally, is that we're
 19 not limiting it just to an area. I would love my
 20 neighbor across the street to say, "Get rid of the
 21 house, and we'll make it a park." So those are what I
 22 think this-- the intent that I understand that this
 23 wants to do.
 24 Now, what I-- and Maria brought something up, is
 25 that the TDRs-- if you have-- if there's a house on the

1 says that the sending site is identified as a future
 2 City park, that could be expanded, that Number 3, with
 3 some criteria if you think that's appropriate.
 4 MS. MENENDEZ: Does this eventually go to the
 5 Commission?
 6 MS. VELEZ: Oh, yes. It says-- I like that. The
 7 next paragraph says that the approval to transfer or
 8 send shall be via resolution. The Planning and Zoning
 9 Board and City Commission may recommend conditions of
 10 approval necessary to ensure compliance.
 11 MS. MENENDEZ: Okay.
 12 MR. TRIAS: Yeah. I think that's enough criteria
 13 to have a viable process. If we have more, I think it's
 14 going to make it more difficult.
 15 MS. MENENDEZ: Okay. I make the motion to approve
 16 it.
 17 MR. BEHAR: I second it.
 18 CHAIRMAN AIZENSTAT: Motion, second. Any further
 19 discussion?
 20 MS. ANDERSON: I had asked a question as to
 21 whether or not there could be a minimum park size so
 22 that we just don't end up with a little strip or corner.
 23 Could that criteria be added to this?
 24 MR. TRIAS: Right. We don't have criteria, in
 25 terms of dimensions. We have criteria, in terms of the

1 site, that house has to be taken down and be converted
 2 to a park.
 3 CHAIRMAN AIZENSTAT: Flat.
 4 MR. BEHAR: Flat. That, I don't know if that's
 5 clearly stated.
 6 MR. TRIAS: Right.
 7 MR. BEHAR: Here, you know, I would-- if that was
 8 the case, then, yes, then I could get a park anywhere in
 9 the City, and that's why I personally am in favor of
 10 this amendment, because, yeah, it would be nice to get
 11 parks throughout the whole City.
 12 MS. VELEZ: More green. And the Parks and
 13 Recreation--
 14 MR. BEHAR: Look at the little one that opened up
 15 on Riviera just north of Blue Road. It was a corner lot
 16 that we saw years ago, which was a whole issue. They
 17 converted it to a park. You go by there today, and it's
 18 used all of the time. They even did a little kid play
 19 area. It's very nice. So that's what would promote
 20 developers to acquire, you know, sites to convert to
 21 parks.
 22 MS. MENENDEZ: Maybe what's missing here is a
 23 little criteria to kind of like prevent the kind of
 24 things we heard from Mari, you know.
 25 MR. TRIAS: Yeah. If I could, Number 3, which

1 process. So ideally if the process works, something
 2 that makes no sense would not be accepted.
 3 Now, if we have more criteria, the only thing I'm
 4 saying is that it makes the process less flexible and
 5 more cumbersome. I trust our Boards. I think they do a
 6 great job, and I think we have a very good review
 7 process that guarantees quality. I think that's a
 8 preferable approach than trying to micromanage through
 9 criteria in the Zoning Code. The Zoning Code is very
 10 inflexible, so we have to be careful when we put things
 11 in the Zoning Code.
 12 MR. BEHAR: I tend to agree. As it is, our
 13 process is very intense, very tedious, and sometimes
 14 gets very cumbersome. I rather keep it, you know, more
 15 simplified. I like the idea that it comes here, and
 16 then goes to Commission for approval.
 17 MS. VELEZ: First it goes to Parks and Recreation,
 18 then it comes to us.
 19 MR. BEHAR: As it is already--
 20 MS. VELEZ: That's good.
 21 CHAIRMAN AIZENSTAT: We have a motion, a second.
 22 Any other discussion? Call the roll, please.
 23 THE SECRETARY: Rhonda Anderson?
 24 MS. ANDERSON: Yes.
 25 THE SECRETARY: Robert Behar?

1 MR. BEHAR: Yes.
 2 THE SECRETARY: Julio Grabiell?
 3 MR. GRABIEL: Yes.
 4 THE SECRETARY: Maria Menendez?
 5 MS. MENENDEZ: Yes.
 6 THE SECRETARY: Maria Velez?
 7 MS. VELEZ: Yes.
 8 THE SECRETARY: Eibi Aizenstat?
 9 CHAIRMAN AIZENSTAT: Yes.
 10 The next item, please, Craig.
 11 MR. COLLER: Mr. Chairman, there are four related
 12 items, so I would suggest that I'm going to read them
 13 all in. We can have one--
 14 MR. BEHAR: Which item is this?
 15 MR. COLLER: This is Item E-6, E-7--
 16 MR. TRIAS: Mr. Attorney--
 17 MR. BEHAR: Before you start, the next item is a
 18 project that I'm involved with. I will have to recuse
 19 myself.
 20 MR. COLLER: Okay.
 21 CHAIRMAN AIZENSTAT: Please note, for the record,
 22 that Mr. Behar has recused himself for this project at
 23 approximately 7:18.
 24 MR. BEHAR: I hope you guys don't stay too late.
 25 CHAIRMAN AIZENSTAT: Thank you.

1 property legally described as Lots 5 to 12, Block 12,
 2 Douglas Section (100, 114 and 126 Calabria Avenue and
 3 912 and 918 East Ponce de Leon Boulevard), Coral Gables,
 4 Florida, and providing for severability repealer and an
 5 effective date.
 6 Item E-8, an Ordinance of the City Commission of
 7 Coral Gables, Florida granting approval of a proposed
 8 Planned Area Development (PAD) approval referred to as,
 9 "Regency on the Park" pursuant to Zoning Code Article 3,
 10 "Development Review" Division 5, "Planned Area
 11 Development (PAD)" for the construction of a project
 12 consisting of a mix of uses including office, live/work,
 13 and residential, on the property legally described as
 14 Lots 5 through 12, Block 12, Douglas Section (100, 114
 15 and 126 Calabria Avenue and 912 and 918 East Ponce de
 16 Leon Boulevard), Coral Gables, Florida, including
 17 required conditions, providing for severability,
 18 repealer and effective date.
 19 Item E-9, a Resolution of the City Commission of
 20 Coral Gables, Florida requesting Mixed-Use Site Plan
 21 Review pursuant to Zoning Code Article 4, "Zoning
 22 Districts," Division 2, "Overlay and Special Purpose
 23 Districts," Section 4-201, "Mixed Use District (MXD),"
 24 for the proposed project referred to as "Regency on the
 25 Park" on the property legally described as Lots 5 to 12,

1 (Thereupon, Mr. Behar excused himself from the
 2 meeting.)
 3 MR. COLLER: The agenda Item E-6, an Ordinance of
 4 the City Commission of Coral Gables, Florida requesting
 5 an amendment to the Future Land Use Map of the City of
 6 Coral Gables Comprehensive Plan pursuant to Zoning Code
 7 Article 3, "Development Review," Division 15,
 8 "Comprehensive Plan Text and Map Amendments," and Small
 9 Scale amendment procedures, (Section 163.3187 Florida
 10 Statutes), from "Multi-Family Medium Density" Land Use
 11 to "Mixed-Use" Land Use and extending the "North Ponce
 12 de Leon Boulevard Mixed-Use Overlay District" for the
 13 property legally described as Lots 5 to 12, Block 12,
 14 Douglas Section (100, 114 and 126 Calabria Avenue and
 15 912 and 918 East Ponce de Leon Boulevard), Coral Gables,
 16 Florida; providing for a repealer provision, providing
 17 for a severability clause, and providing for an
 18 effective date?
 19 Item E-7, an Ordinance of the City Commission of
 20 Coral Gables, Florida requesting a change of zoning
 21 pursuant to the Zoning Code Article 3, "Development
 22 Review," Division 14, "Zoning Code Text and Map
 23 Amendments," from Multi-Family 2 District (MF2) to
 24 Commercial District" (C) and extending the "North Ponce
 25 de Leon Boulevard Mixed-Use Overlay District," for the

1 Block 12, Douglas Section (100, 114 and 126 Calabria
 2 Avenue and 912 and 918 East Ponce de Leon Boulevard),
 3 Coral Gables, Florida, including required conditions,
 4 providing for a repealer provision, providing for
 5 severability clause, and providing for an effective
 6 date.
 7 Items E-6, E-7, E-8, E-9, public hearing.
 8 CHAIRMAN AIZENSTAT: Thank you.
 9 MR. COLLER: I'm ready for a rest.
 10 MR. TRIAS: Mr. Chairman, as Craig has so ably
 11 read, this is a very complicated request, but the actual
 12 project is rather simple. It's a Mixed-Use Infill
 13 Project. So the way I understand it, I had a variety of
 14 recommendations on the Staff Report, and there were some
 15 missing items, and so on. I believe the applicant has
 16 revised the request slightly, and also has provided some
 17 of the missing information that was missing when I
 18 prepared the report. So I prefer that they make a
 19 presentation first, explain whatever changes they're
 20 proposing, and then I'll be happy to proceed with my
 21 power point.
 22 CHAIRMAN AIZENSTAT: Thank you very much. Is the
 23 applicant ready?
 24 MR. NAVARRO: Sorry.
 25 CHAIRMAN AIZENSTAT: That's okay.