

CITY OF CORAL GABLES
LOCAL PLANNING AGENCY (LPA)/
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
HYBRID FORMAT
WEDNESDAY, MAY 8, 2024, COMMENCING AT 6:01 P.M.

Board Members Present at Commission Chamber:

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

City Staff and Consultants:

Jennifer Garcia, Planning Official
Arceli Redila, Zoning Administrator
Craig Collier, Special Counsel
Emilee Aguerrebere, Principal Planner
Jill Menendez, Administrative Assistant, Board Secretary

Also Participating:

Judy Carty, Board of Architects Chair
Maria Cristina Longo
Rafael Portuondo
Sheryl Gold, via Zoom

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

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

As Chair, I now officially call the City of Coral Gables Planning & Zoning Board Meeting of May 8, 2024 to order. The time is 6:01.

Jill, if you'd please call the roll.

THE SECRETARY: Robert Behar?

MR. BEHAR: Here.

THE SECRETARY: Julio Grabiell?

He requested to be excused.

CHAIRMAN AIZENSTAT: Yes. He's sick, I think.

THEREUPON:

(The following proceedings were held.)

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

Good evening. This Board is comprised of seven members. Four Members of the Board shall constitute a quorum, and the affirmative vote of four members shall be necessary for the adoption of any motion.

If only four Members of the Board are present, an applicant may request and be entitled to a continuance to the next regularly scheduled meeting of the Board. If a matter is continued, due to a lack of quorum, the Chairperson or -- the Chairperson or Secretary of the Board may set a Special Meeting to consider such matter.

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

THE SECRETARY: Yes.

CHAIRMAN AIZENSTAT: Please.

THE SECRETARY: Sue Kawalerski?

MS. KAWALERSKI: Here.

THE SECRETARY: Felix Pardo?

MR. PARDO: Here.

THE SECRETARY: Javier Salman?

MR. SALMAN: Here.

THE SECRETARY: Chip Withers?

MR. WITHERS: Here.

THE SECRETARY: Eibi Aizenstat?

CHAIRMAN AIZENSTAT: Here.

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

1 before the Board, the Board Member must state,
2 on the record, the existence of any ex parte
3 communication and the party who originated the
4 communication.

5 Also, if a Board Member conducted a site
6 visit specifically related to the case before
7 the Board, the Board Member must also disclose
8 such visit. In either case, the Board Member
9 must state, on the record, whether the ex parte
10 communication and/or site visit will affect the
11 Board Member's ability to impartially consider
12 the evidence to be presented regarding the
13 matter. The Board Member should also state
14 for -- his or her decision will not be based
15 on -- will be based on substantial and
16 competent evidence and testimony presented on
17 the record today.

18 Mr. City Attorney -- Mr. Attorney --
19 MR. COLLER: Yes.

20 CHAIRMAN AIZENSTAT: -- we don't have any
21 quasi-judicial items on today's agenda.

22 MR. COLLER: We do not have any
23 quasi-judicial items --

24 CHAIRMAN AIZENSTAT: Okay. So I'm not
25 going to ask anybody if they've had any --

1 phone participants to comment on tonight's
2 agenda item. I also ask you to be concise, for
3 the interest of time.

4 We have the approval of the minutes of
5 April 10, 2024. Is there a motion?

6 MR. BEHAR: Motion to approve.

7 MR. SALMAN: Second.

8 CHAIRMAN AIZENSTAT: We have a second.

9 Any discussion?

10 MS. KAWALERSKI: Just for a point of
11 clarification, on Page 177, I think Mr. Collier
12 stated, "As far as it being a straw hat," I
13 think you meant straw man, in reference to my
14 remark.

15 MR. COLLER: Since my memory is usually
16 about two weeks long, and this was more than
17 two weeks, I have to say I don't recall the
18 conversation.

19 MS. KAWALERSKI: I just wanted to clarify
20 it, but that's okay.

21 CHAIRMAN AIZENSTAT: Okay. Any other
22 comments? No?

23 Call the roll, please.

24 THE SECRETARY: Sue Kawalerski?

25 MS. KAWALERSKI: Yes.

1 MR. COLLER: -- because the first two items
2 are deferred. So it's only the Ordinance and a
3 little workshop we're having afterwards.

4 CHAIRMAN AIZENSTAT: Correct.

5 Swearing In, everyone who wishes to speak
6 this evening must complete the roster on the
7 podium. We ask that you print clearly, so the
8 official records of your name and address will
9 be correct.

10 Now, with the exception of attorneys, all
11 persons physically in the City Commission
12 Chambers, who will speak on agenda items before
13 us this evening, please rise to be sworn in.

14 (Thereupon, the participant was sworn.)

15 CHAIRMAN AIZENSTAT: Thank you, Jennifer.

16 Zoom platform participants, I would ask any
17 person wishing to speak on tonight's agenda
18 item, to please open your chat and send a
19 direct message to Jill Menendez, stating you
20 would like to speak before the Board and
21 include your full name. Jill will call you
22 when it's your turn. I ask you to be concise,
23 for the interest of time.

24 Phone platform participants, after Zoom
25 platform participants are done, I will ask

1 THE SECRETARY: Felix Pardo?

2 MR. PARDO: Yes.

3 THE SECRETARY javier Salman?

4 MR. SALMAN: Yes.

5 THE SECRETARY: Chip Withers?

6 MR. WITHERS: Yes.

7 THE SECRETARY: Robert Behar?

8 MR. BEHAR: Yes.

9 THE SECRETARY: Eibi Aizenstat?

10 CHAIRMAN AIZENSTAT: Yes.

11 The procedure we'll use tonight is, first
12 we'll have the indentification of agenda item
13 by Mr. Coller, then we'll have the presentation
14 by applicant or agent, then the presentation by
15 Staff. We'll then go ahead and open the public
16 comment, first in Chambers, then Zoom platform,
17 and then any phone line platform, if any, close
18 public comment, Board discussion, and a motion,
19 followed by a discussion, and second of motion,
20 if appropriate, Board's final comments and then
21 a vote.

22 The first item, which would be E-1 and E-2,
23 has been deferred. So if there's anybody here
24 for that item, I just want to let them know
25 that that has been deferred.

1 Also, what I'd like to go ahead and do, is
2 I'd like to move the agenda, for F-1 to go
3 first, which is a discussion item, and we have
4 a presentation on that, and then we'll go ahead
5 and take on Item E-3. If anybody on the Board
6 has an objection to that, please let me know.
7 No? Thank you.

8 Mr. Collier, would you read -- I guess, do
9 we need to read F-1 into the record?

10 MR. COLLIER: We really don't, because it's
11 not a title to an item, so it's not really
12 necessary to read it.

13 CHAIRMAN AIZENSTAT: Thank you.
14 Jennifer.

15 MR. COLLIER: It's pretty short, though.
16 I'd be happy to read it, if you'd like.

17 CHAIRMAN AIZENSTAT: Actually, why don't
18 you read it, just so we have it on the record.

19 MR. COLLIER: Sure.

20 F-1, Presentation and discussion of
21 enhanced Mediterranean Design requirements.

22 CHAIRMAN AIZENSTAT: Thank you.

23 MS. GARCIA: Jennifer Garcia, Planning
24 Official.

25 I have a quick PowerPoint. This was

1 those criteria, in our Zoning Code, to
2 hopefully come up with a better result.

3 So just a little bit of history, for those
4 who are not familiar, and just for the public,
5 so that they're more familiar, the
6 Mediterranean Bonus Ordinance was adopted back
7 in the mid '80s. It's been amended several
8 times. Some of those amendments were more
9 significant than others. It was most recently
10 amended a couple of years ago, actually, to
11 require Mediterranean style only, instead of
12 the "other styles," as well as provide an
13 optional conceptual review.

14 And part of that came from a committee, the
15 Blue Ribbon Committee, that several members
16 of -- I think, of the Board here, participated
17 in that, and the accomplishments and a lot of
18 the discussion that happened at the Committee
19 were already incorporated into the Med Bonus or
20 into the Zoning Code, the conceptual design by
21 the Board of Architects, the Mediterranean
22 style only being a requirement, but all of the
23 discussion also included the emphasis on the
24 ground floor, on the ground level, and how to
25 improve that experience for the pedestrian, how

1 included in your packet for today. The one
2 included in your packet, the wording was much
3 longer --

4 CHAIRMAN AIZENSTAT: Jennifer, if I may.

5 MS. GARCIA: Yes.

6 CHAIRMAN AIZENSTAT: And I do apologize.
7 Before you start --

8 MS. GARCIA: Yes.

9 CHAIRMAN AIZENSTAT: -- we all got a letter
10 from Holland & Knight regarding the first
11 agenda item, that was deferred, which is E-1
12 and E-2. I just want to make sure it's entered
13 into the record.

14 THE SECRETARY: Yes.

15 CHAIRMAN AIZENSTAT: Thank you.
16 Continue, please.

17 MS. GARCIA: Okay. So Staff has been
18 working with residents and with -- oh, good,
19 just in time -- Members of the Commission on
20 ways to improve the Mediterranean Bonus.
21 There's been some complaints about some
22 buildings receiving and being granted Med
23 Bonus, that may not meet the eye of your
24 average person as being Mediterranean style.
25 So the intent of this is really to strengthen

1 to improve the experience along the ground
2 level, and, you know, make that more of a
3 requirement of the Med Bonus.

4 So, in summary, this can be summarized in
5 five points. The first part of the proposed
6 changes is to strengthen the intent and purpose
7 of the Med Bonus, as well as requiring
8 conceptual review for any Mediterranean Bonus
9 application. You can find that in the strike
10 through and underline you have on your packet,
11 on Page 2; also removing repetitive criteria.

12 So, in the Zoning Code update, there were
13 several criteria that were found to be really
14 effective to make street facing buildings, and
15 those were copied and pasted into the
16 underlying Zoning. So, right now, they're
17 already required, as part of the underlying
18 Zoning. So those are being removed, because,
19 right now, they're just repetitive; as well as
20 relocating certain criteria to the more
21 appropriate parts of the Zoning Code. That
22 would include porte cocheres, driveways on
23 certain streets. So that's being relocated
24 from the Zoning -- I'm sorry, from the Med
25 Bonus, into the more appropriate parts of the

1 Zoning Code, that deal with those types of
2 provisions.

3 And, then, lastly -- not lastly, but
4 fourth, to incorporate provisions from our
5 Mediterranean Village PAD Architectural
6 Standards that made The Plaza. Those standards
7 are found in Appendix C of our Zoning Code, and
8 they have to do with more detail, a lot to do
9 with proportions and massing. And, then,
10 lastly, expand the precedence, for example,
11 buildings that architects can use as they're
12 developing their Mediterranean style buildings.

13 So, we met with the Board of Architects a
14 few times, and they wholeheartedly desired to
15 have a higher quality Mediterranean design, and
16 they proposed to have these improvements to
17 certain criteria, to effect -- to have a better
18 effective review of their design, because the
19 Med Bonus is granted by the Board of
20 Architects, it's not granted by this Board,
21 it's not granted by the City Commission, but
22 the Board of Architects. So it's really
23 important that the Board of Architects
24 understands the criteria and they can see
25 what's more effective in their review. So,

13

1 again, improving the criteria and the review is
2 going to give them teeth and improve their
3 review for a higher quality of design.

4 So we are kind of towards the end of our
5 discussion and feedback. Again, we've been
6 meeting with the Board of Architects since last
7 October, the City Commission a couple of times,
8 for just their feedback and general update.
9 You have the packet from last time, the
10 introduction, and, also, these -- pretty much
11 the same changes that you have today, and here
12 we are, kind of at the tail end of that
13 discussion and feedback. Today's meeting is
14 not about giving a recommendation, but to get
15 your feedback, to incorporate into this
16 evolving document, to come back for your
17 recommendation for the adoption process.

18 So just to recap the current standard that
19 we have in our Code right now, so Med Bonus
20 grants height, as you know. So there's -- in
21 our chart of our Zoning Code, we have, as of
22 right, which is highlighted in green, and
23 there's two levels of bonus. There's Level 1
24 and Level 2. Level 1 usually grants one
25 story -- I think, always grants one story, not

14

1 (sic) depending on the Zoning or the Land Use,
2 but Level 2 grants one additional story above
3 that, or two stories, if you're a higher
4 intensity or density. And for the FAR, you
5 also get a .2 for Level 1 Med Bonus, and then
6 additional .3, for a total of .5 FAR, for the
7 multi-family, and as well as for the Mixed-Use
8 Districts.

9 So this is Table 1. Table 1 is -- this is
10 the current requirements, okay. Table 1,
11 you're required to comply with all of the
12 requirements, and that will give you, again,
13 one story or .2 FAR. Table 2 is more of the a
14 la carte. So if you are a multi-family zoning,
15 you fulfill six of the twelve requirements, and
16 if you're a mixed-use, you fulfill eight of the
17 twelve qualifications of the standards, and
18 that will give you an additional one story,
19 additional two stories or three, depending on
20 the intensity and density, as well as .3 FAR.
21 And, then, Table 3, right now, is different
22 options, that if you're meeting Level 1 or --
23 and Level 2, you can pick and choose these
24 optional developments.

25 So, currently, we have eight example

15

1 buildings or precedents that includes the
2 Biltmore, it includes the Douglas Entrance,
3 elementary school. I'm sure you're very
4 familiar with all of these buildings.

5 So, in summary, this is five points.
6 Again, to strengthen the intent and the purpose
7 and the review process, as well as removing
8 those repetitive criteria, relocating the
9 criteria that should be more appropriately part
10 of our Zoning Code, incorporating a lot of the
11 provisions from Appendix C, which is the
12 Mediterranean Village PAD Architectural
13 Standards, and then expanding the list of
14 precedence for example buildings.

15 And, then, just to illustrate what this
16 means, so during the Zoning Code update, a lot
17 of those provisions, again, like I said, were
18 moved from -- from the Med Bonus -- not moved;
19 copied from the Med Bonus, because they were
20 very good standards, that dealt with public
21 realm and how a building approaches the street,
22 and they're according to the underlying Zoning.
23 And, then, looking through the criteria we have
24 now in our Zoning Code, there are some things,
25 like porte cochere, other things, that should

16

1 be located in different parts of the Code.

2 And, then, this is some pages from the
3 Mediterranean Village Form Based Code, that
4 developed The Plaza. Even though The Plaza is
5 a very different form and massing, the
6 architecture has been claimed as very, very
7 good. So we're taking some of those
8 proportions, massing, vertical hierarchy,
9 fenestration or rhythm of columns, and we're
10 putting those ideas, those traditional
11 architecture ideas, rule of thumb, into this
12 new criteria.

13 So tonight we're going to discuss all of
14 these sections. So we're going to go through
15 the precedence first. That's more of a visual
16 preference -- sorry, a more visual
17 presentation, and then we'll go through the
18 prerequisites table, and then Bonus Level 1 and
19 Level 2.

20 So, currently, we have eight buildings.
21 Right now, we're proposing that the San
22 Sebastian Apartments be removed. I guess there
23 were some concerns that the architecture wasn't
24 as high quality as the other examples, and
25 they're replacing that with, I think, eleven or

17

1 ten other examples. So we're showing, the
2 Freedom Tower, if you're familiar with that, in
3 Downtown Miami. All of these are buildings
4 that were designed by refined architects. You
5 recognize names like Schultze & Weaver, Fink,
6 Phineas Paist.

7 So we're showing Freedom Tower, La Palma,
8 with regard -- La Palm, that's here in Coral
9 Gables, Miami Senior High, Miami Beach City
10 Hall, the U.S. Post and Courthouse in Downtown,
11 and The Breakers Hotel up in Palm Beach, and
12 also some local examples, that were not done by
13 more familiar founding architects, as well.
14 There's the three-story building on Ponce,
15 that's at 2312 Ponce de Leon. There's also
16 Comber Hall, which is part of the Church of the
17 Little Flower, the original 1920s structure,
18 and also the Hotel Plaza St. Michelle, which is
19 also the Zucca Restaurant. And there's also
20 some precedence that we're proposing, that are
21 outside of our local South Florida, which
22 includes the Santa Barbara City Hall, and the
23 Vineta Hotel in Palm Beach.

24 So we can go through these. If you look at
25 the strike through and underline that starts on

18

1 Page -- I'm sorry, the sentence that starts
2 "Prerequisites," and it starts on Page 5 of
3 your strike through and underline document that
4 you have, so the first one is, again,
5 repetitive. It was moved to Article II during
6 the Zoning Code update. The same with the
7 second one, which is about architectural relief
8 elements, and being replaced with language
9 about precedence, about how to use elements and
10 massing using precedence as example.

11 Let's see, architectural elements is also
12 being removed, because it's already -- I'm
13 sorry, this one's being moved to the end of the
14 Med Bonus, as you cannot count some of the
15 elements of a building beyond the maximum
16 height. So that, right now, is already
17 allowed. We're just moving it out of the Med
18 Bonus, because it's not really a criteria.
19 It's more of an allowed to do, if you're a
20 Mediterranean building, and replacing that with
21 building proportions, again, which is drafted
22 from the Mediterranean Village PAD. It's in
23 Appendix C.

24 We have also bicycle storage, because
25 that's already in our Zoning Code, and

19

1 replacing it with emphasis of architectural
2 elements, which, again, was drafted from the
3 Mediterranean Village PAD. We're removing
4 building facades, which is also already located
5 in Article II of our Zoning Code, and replacing
6 it with back of house utilities.

7 I'm not going to go through every single
8 one of these, but you can follow along, you can
9 see what the comments are -- the current
10 requirements, the comments, and the proposed.
11 I know there's people that need to leave.

12 So, basically, what this means, is that an
13 architect would have to follow the
14 prerequisites compliance. They would have --
15 what I just went through, and also the
16 architectural precedence, and that allows them
17 to enter into -- allows them to qualify for a
18 Med Bonus.

19 This first table that I just went through
20 is not giving a bonus for meeting these now
21 twelve requirements. They're just
22 prerequisites to be able to apply for a Med
23 Bonus. That's shown here in the gray.
24 (Unintelligible.)

25 So, the proposed Level 1, a lot of them are

20

1 staying, they're just adding different
2 language, again, mostly from the Mediterranean
3 Village PAD, some other elements that the Board
4 of Architects felt that we needed to have more
5 teeth in, as far as ground floor design, rear
6 access, sustainability, open space, that's
7 being replaced for some of the requirements
8 that here that are already in our Zoning Code.

9 And, then, once they fulfill what they
10 fulfill, again, six of the twelve for
11 multi-family and eight of the twelve for
12 mixed-use, then they're allowed to finally get
13 one level of Med Bonus, that's one extra floor
14 and .2 FAR. So, then, Level 2, which used to
15 be the Optional Table 3, now has four
16 requirements to meet, building lot coverage,
17 resources for the Mediterranean style, which I
18 think is an idea that the Board had, and design
19 elements and also Zoning District requirements.

20 So, once they fulfill, again, from the
21 bottom, the prerequisites, the first table I
22 showed, the architectural precedence, those
23 buildings that I showed, as well, it will meet
24 Level 1, as far as six of the twelve or eight
25 of the twelve, the checklist, and then they

21

1 meet these four, then they can meet the highest
2 Level 2 bonus.

3 That's it. So I have Judy Carty here, the
4 BOA Chair. I also have Ralph. I think he
5 needs to leave pretty soon. So I don't know if
6 you want to open it up for discussion or if you
7 all have any questions for Judy or if you want
8 some comments or --

9 CHAIRMAN AIZENSTAT: Well, if the Board is
10 okay, I'd like to hear from the people that are
11 here, from Judy and so forth, their comments.

12 Please, come up, Judy. Have you -- well,
13 we don't need to swear in.

14 MS. CARTY: Yeah. Thank you.

15 CHAIRMAN AIZENSTAT: Would you just state
16 your name --

17 MS. CARTY: Sure. Judy Carty, 920 Medina
18 Avenue.

19 So the Board went through this in pretty
20 extensive detail, and I think we got a hundred
21 percent support for what is being presented at
22 this time. So we're pretty comfortable with
23 it. We went back and forth on the examples,
24 and I don't know how you all feel about those,
25 but we felt it was okay to include examples

22

1 outside of Coral Gables, because I think there
2 is some good Mediterranean architecture that's
3 outside of this area. There was some
4 discussion on that, you know, whether it should
5 really be kept or not, but I think it's
6 valuable, and that was the consensus, at the
7 end of the day.

8 CHAIRMAN AIZENSTAT: Thank you.

9 MS. CARTY: And if you have any questions
10 on anything or concerns -- I mean, Robert is
11 very familiar with all of these requirements.
12 I don't know if you saw anything in there that
13 you are concerned with.

14 MR. BEHAR: No. No. I think you're right,
15 and I think it was a good idea to bring other
16 examples, not just limit it, because, you know,
17 we're -- in the City, we're limited to just a
18 few buildings --

19 MS. CARTY: Exactly.

20 MR. BEHAR: -- and this opens up to a
21 little bit more. So I think that was a very
22 good idea.

23 MS. CARTY: Yeah. I think it will help. I
24 mean, from us reviewing it, you know, everybody
25 used the same building, with the same, you

23

1 know --

2 MR. BEHAR: Especially when you do a
3 mixed-use project.

4 MS. CARTY: Exactly.

5 MR. BEHAR: You really need a little bit
6 more diversity.

7 MS. CARTY: Yeah.

8 MR. BEHAR: And I think this does. I
9 thought -- I think there was -- previous, a
10 while back, there was even a couple more
11 examples.

12 MS. CARTY: There were, and we paired it
13 down. So, I mean, I don't know that anybody
14 will be opposed to increasing it, if there are
15 additional suggestions.

16 MR. BEHAR: Because there was the National
17 Bank of Boston in Argentina, in Buenos Aires,
18 that was an example, that I thought would be a
19 really good example to have, as well --

20 MS. CARTY: Yeah. I mean, we didn't go
21 outside of the country, but that would be the
22 next.

23 MR. BEHAR: -- you know.

24 MS. GARCIA: Yeah. I think we discussed
25 limiting it to these particular ones, and then

24

1 maybe having a greater list within the best
2 practices manual, that's not really identified
3 in the Code itself, but in the materials.

4 MR. BEHAR: But the good thing is, you have
5 these, but you could also bring some of the
6 example to the Board, and they'll be evaluated
7 based on -- but I thought it was very good.

8 MS. CARTY: Yeah. Yeah.

9 MR. BEHAR: I think that Staff has done a
10 great job and you.

11 MS. CARTY: Staff has done a great job. I
12 mean, we just reviewed it.

13 MR. SALMAN: I'm curious, did you -- I
14 don't see Vizcaya in there, and I think that's
15 a beautiful Mediterranean --

16 MS. CARTY: Yeah, that's an interesting
17 one. That's true.

18 MR. SALMAN: I've been to the Santa Barbara
19 City Hall, and it's fabulous.

20 MS. CARTY: Yeah.

21 MR. SALMAN: It's a little more Baroque in
22 its concept and a little more arts and crafts
23 in its detail, but it is generally on point
24 with regards to style.

25 MS. CARTY: But, yeah, Vizcaya is a good

25

1 one. You know, that never came up.

2 MR. SALMAN: It's one of those obvious
3 ones.

4 MS. CARTY: Yeah, one of those obvious that
5 we overlooked.

6 MR. SALMAN: So I thought maybe there was
7 some reason, but --

8 MS. CARTY: No. No.

9 MR. SALMAN: Okay. That's my two cents.

10 CHAIRMAN AIZENSTAT: Do we --

11 MR. WITHERS: Can I ask one more question?

12 CHAIRMAN AIZENSTAT: Yes.

13 MR. WITHERS: So the conceptual review is
14 now mandatory? Is that what the deal is --

15 MS. GARCIA: As proposed, yes. Right now
16 it's optional. I think Judy can expand on the
17 success of that, really.

18 MR. WITHERS: So, in the process --

19 MR. BEHAR: I think it's mandatory.

20 MS. GARCIA: I'm sorry?

21 MR. BEHAR: Isn't it mandatory?

22 MS. GARCIA: The way it's proposed right
23 now --

24 MR. WITHERS: We want to make it mandatory
25 now.

26

1 MS. GARCIA: Yes. Yes. It's not
2 mandatory.

3 CHAIRMAN AIZENSTAT: Wasn't it mandatory
4 before?

5 MR. SALMAN: No.

6 MR. WITHERS: No.

7 MS. GARCIA: Uh-uh, optional.

8 MS. CARTY: It's a brand new concept, no
9 pun intended.

10 MR. SALMAN: Because that came out of
11 the --

12 MS. GARCIA: Blue Ribbon.

13 MR. SALMAN: -- the Blue Ribbon Committee.

14 MS. GARCIA: Right.

15 MR. WITHERS: So someone -- can someone be
16 denied a bonus if they meet the criteria
17 legally?

18 MS. CARTY: Can they be denied a bonus --

19 MR. BEHAR: Yes.

20 MS. CARTY: -- if they meet the criteria?

21 MR. WITHERS: So if you're supposed to say,
22 okay, I like -- don't use bike racks, because I
23 know you moved them into the -- out of it --

24 MS. GARCIA: Well, they're currently in our
25 Code, anyway.

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1 MR. WITHERS: Yeah. Okay. You have to
2 paint the windows pink, and you get this, and
3 the people say, we're painting the windows pink
4 to meet this criteria, can you deny them the
5 bonus?

6 MS. CARTY: Well, I would respond saying, I
7 don't think the criteria is as specific as
8 paint the building pink.

9 MR. WITHERS: Well, I know. Okay. That's
10 a bad example.

11 MS. CARTY: No. No. No, No, but it's
12 important, right, because like previously --

13 MR. WITHERS: What are the criteria?

14 MS. CARTY: Like bicycle racks was a very
15 definitive criteria, right, but there's a
16 series of criteria that is a design review
17 criteria.

18 MR. WITHERS: Got it. Okay.

19 MS. CARTY: So you wouldn't definitively be
20 able to say, well, hey, I matched it, unless
21 you copied a building exactly. Then, you know,
22 you might be able to say, hey, you have the
23 Biltmore and here I'm doing an exact replica of
24 the Biltmore, but, then, that wouldn't be
25 allowed, because, in the Zoning Code, it has to

28

1 be an original --
 2 MR. WITHERS: So let's say they do an exact
 3 replica of the Biltmore, one of the examples of
 4 the Biltmore and they do an archway exactly how
 5 they're supposed to do it, can they be denied a
 6 Mediterranean Bonus?

7 MS. CARTY: Well, they could, because you
 8 have to do an original building in the City of
 9 Coral Gables. It's a different Zoning
 10 criteria.

11 MR. WITHERS: I'm sorry, you have to do,
 12 what?

13 MS. CARTY: You have to do an original
 14 building.

15 CHAIRMAN AIZENSTAT: You can't copy.

16 MS. CARTY: You cannot exactly copy --

17 MS. GARCIA: Yeah. When you comply, you
 18 have to sign an affidavit saying it's an
 19 original --

20 MS. CARTY: The short answer to you is,
 21 yes, I think you could be denied.

22 MR. BEHAR: Yes.

23 MR. WITHERS: So the Board of Architects --
 24 and that original review, is that when that
 25 subjectivity, because that's what it is to me,

29

1 I don't know if you would call it subjectivity,
 2 is that when that subjectivity takes place?

3 MS. CARTY: Yeah. I mean --

4 MR. WITHERS: So the reason I ask that --
 5 let me finish real quick -- so when it gets to
 6 us eventually, to approve this Mediterranean
 7 Bonus, we might not ever see it, because the
 8 architectural board feels that it has met their
 9 subjectivity test? Is that a fair thing --

10 MS. CARTY: Yeah, that's true. But, you
 11 know, that happens now.

12 MR. WITHERS: I get it. I get it.

13 MS. CARTY: Yeah, but it would still
 14 happen.

15 CHAIRMAN AIZENSTAT: Chip, can I ask
 16 something real quick?

17 MR. WITHERS: Yeah.

18 CHAIRMAN AIZENSTAT: So, then, doesn't it
 19 become arbitrary, meaning --

20 MS. CARTY: No, because I think good design
 21 is something that you need to be trained for.
 22 Everybody says, you know, oh, it's so
 23 subjective and arbitrary. I do not think that
 24 design is either subjective or arbitrary,
 25 because you can have a very diverse group of

30

1 architects, and at the end of the day,
 2 proportion and massing and appropriateness, all
 3 of those are sort of fundamental core
 4 architectural tenets, that I think either work
 5 or don't.

6 CHAIRMAN AIZENSTAT: So, I assume, on the
 7 architectural plans, to meet the bonus, you
 8 have to give examples, and on those examples, I
 9 assume, within the plan, you put up -- if
 10 you've got to meet six examples, you put up the
 11 six examples that you are meeting to qualify
 12 for Mediterranean Bonus.

13 MS. CARTY: Yes.

14 CHAIRMAN AIZENSTAT: So if the architect on
 15 the project follows those steps, and then the
 16 Board of Architects says, we don't agree with
 17 you, so the plan is -- it's arbitrary?

18 MS. CARTY: No, but remember -- but we're
 19 mixing conceptual review with specific building
 20 precedence, right, because the precedence are a
 21 high level sort of imagery precedent of scale
 22 and details and things like that. Nobody is
 23 going to take those buildings exactly or copy
 24 exactly any of the details.

25 CHAIRMAN AIZENSTAT: But they're going to

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1 give examples.

2 MS. CARTY: They give examples for the
 3 general direction that they were intending, and
 4 let me tell you, people give examples, like --
 5 you know, if the example is white, they'll come
 6 in with a building that's black and they'll
 7 say, "Oh, we used this as an example. It's
 8 total --"

9 CHAIRMAN AIZENSTAT: And please understand,
 10 I'm not coming in from an architect
 11 perspective. I'm coming from a layman's
 12 perspective --

13 MS. CARTY: I understand.

14 CHAIRMAN AIZENSTAT: -- that would be
 15 looking at or another Board that would be
 16 looking at if it's Mediterranean.

17 You know, for me, I've always felt, the
 18 buck stops with the Board of Architects. It's
 19 really up to the Board of Architects, the
 20 professionals, the right people, to determine
 21 if a project qualifies for the Mediterranean
 22 Bonus. Once it comes to the Planning and
 23 Zoning Board, there's other criteria that has
 24 to be met, and so forth, to get that bonus,
 25 but, for me, when a project comes in here with

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1 a Mediterranean Bonus request, I'm taking into
2 consideration that it has already gone through
3 the Board of Architects and the Board of
4 Architects has gone ahead and said, yes, you
5 meet it. Those are the professionals.

6 MS. GARCIA: Yeah, and just to clarify, the
7 Board of Architects is the exclusive in
8 granting the bonus. It's not this Board, and
9 it's not the Commission.

10 CHAIRMAN AIZENSTAT: Correct. I understand
11 that. And, please, I'm not trying to take
12 anything away. We have some great architects
13 on this Board. I really mean that. But I do
14 feel that it is the Board of Architects'
15 decision to grant that. My only concern is, in
16 a way, I feel, if -- I feel, if an architect
17 goes ahead and gives the examples to what he's
18 applying on the plan, so he lists six example
19 that he details on the plan, and then the Board
20 of Architects says, "No, you don't meet it," to
21 me, that kind of becomes arbitrary.

22 MR. WITHERS: Let me take it a step
23 further. Let's say you approve it, and it
24 comes to our Board. Do we have the ability to
25 not approve it?

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1 happy, because I really think that's, for so
2 many years, been a hit on this -- this
3 Ordinance.

4 MS. CARTY: Yeah.

5 MR. WITHERS: Okay. So saying that, if the
6 Board of Architects, which are all trained
7 individuals, they say the criteria
8 aesthetically matches or meets the building
9 somewhere in the world and they're happy with
10 it, and it comes to us to actually put the
11 stamp on it, can we then say, no, we don't
12 approve the Mediterranean?

13 MS. GARCIA: No. It's not on your --

14 MR. WITHERS: Okay. So why is it coming to
15 us after that?

16 MS. GARCIA: Because it's part of the
17 process. So, usually, these buildings require
18 a Conditional Use process, and that starts at
19 DRC, Board of Architects preliminary approval,
20 which a part of that is the Med Bonus, because
21 no one is going to develop a building without
22 getting the Med Bonus and maximizing their
23 development potential.

24 It comes to you guys as a Conditional Use
25 request. It goes to them as a design request.

35

1 MS. CARTY: I don't know.

2 MR. BEHAR: No, we don't. We don't look at
3 architecture.

4 MS. GARCIA: Right.

5 MR. WITHERS: No. No. But the award --
6 because I think -- listen, I think it's
7 phenomenal that you're putting the criteria of
8 aesthetics into this Ordinance, whereas before
9 it was more just elements of Mediterranean
10 architecture that you could get bonuses for. I
11 see that's one of the big shifts, and maybe I'm
12 misreading it.

13 MS. CARTY: No. I think that's true.
14 There's more direction to --

15 MR. WITHERS: There's more thought into the
16 aesthetics, as opposed to just the criteria,
17 which I salute you guys for that, because we
18 have buildings that have Mediterranean Bonuses
19 based on elements of Mediterranean
20 architecture, without the aesthetics of the
21 Mediterranean architecture. I don't know if
22 that makes sense.

23 MS. CARTY: The Blue Ribbon Committee was,
24 I think, strong on doing just that.

25 MR. WITHERS: Okay. And that makes me very

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1 So, once they're granted that, they get
2 preliminary approval, then they come to you
3 guys, for a different criteria, in our Zoning
4 Code review.

5 CHAIRMAN AIZENSTAT: Chip, if I may, so
6 does that mean if they come to us and they
7 request, hypothetically, two additional floors,
8 because of the Mediterranean Bonus -- let's
9 say, as of right, they can build "X" amount of
10 feet. Let's just call it, as an example, 60
11 feet. And they now get two additional floors,
12 because they've met their bonus. So, just out
13 of an example, they can now go to 80 feet.
14 I've seen discussion on this Board, where the
15 Board -- the Planning and Zoning Board has not
16 agreed to give the additional floor height or
17 the additional floor or density, but from what
18 I'm listing to you say, the way I'm
19 interpreting it is, we don't have the right to
20 look at the Mediterranean Bonus.

21 Then, if that's the case, then they would
22 be entitled to those additional two stories.
23 I'm trying to think outside of the box.

24 MR. WITHERS: That's right. That's my
25 point.

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1 MS. GARCIA: Yeah. I mean, then you've
2 answered that.

3 CHAIRMAN AIZENSTAT: You make a great
4 point.

5 MR. COLLER: But Mr. Chairman, because it
6 is a Conditional Use, there's a consideration
7 of compatibility. So there's other criteria
8 that relate to a building, besides merely the
9 design; it's the impact of the building to the
10 environment, and you look at, for example,
11 maybe a street is constrained and it's not wide
12 enough and people already can't get out of the
13 street, and they're testifying as to what their
14 current experiences are. That's something that
15 the Board can consider in looking at, for
16 example, the traffic impacts.

17 MR. WITHERS: But that's not a
18 Mediterranean element.

19 MR. COLLER: Exactly. The question was, do
20 they get it as of a matter of right, because
21 they've already met the criteria, as determined
22 by the Board of Architects? And I said,
23 because it's a Conditional Use, there's other
24 criteria that this Board judges a project on,
25 and it's not solely the design.

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1 subject to lay testimony.

2 MR. WITHERS: So one last question -- well,
3 I have more, but I have one -- so, right now,
4 the Board of Architects is appointed by the
5 City Manager?

6 MS. GARCIA: Yes.

7 MR. WITHERS: A hundred percent, right?

8 MS. GARCIA: Yeah. And then one is
9 presented by the Board as a whole.

10 MR. WITHERS: So, I mean, I'm just
11 thinking, if you roll it back a couple of
12 levels, that give an incredible amount -- this
13 Ordinance allowing architects to do -- and I'm
14 not saying I'm against it, I'm just pointing
15 out some of the notes I've made, it gives the
16 City Manager an incredible amount of power to
17 appoint the direction of the City, as far as
18 development goes, I think, because he or she is
19 appointing individuals on that Board, that are
20 going to be making decisions about the
21 landscape and the future of the City.

22 MS. GARCIA: Right. But all of those
23 appointments go to the City Commission. So all
24 of those appointments go to the City Commission
25 for their final approval.

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1 MR. WITHERS: Okay. So how is that
2 defensible, if I'm using a concurrency issue
3 like traffic to deny --

4 MR. COLLER: Well, I think it's defensible
5 if you have testimony that -- first of all,
6 traffic is always very difficult, because case
7 law says that the -- for somebody to say, well,
8 this is a big impact and there's going to be a
9 lot of traffic, well, that's probably not going
10 to be sufficient enough, but if -- first of
11 all, if you have a competing traffic analysis,
12 that one traffic expert says it's going to be
13 "X" generation and another traffic expert says
14 it's going to be "Y" generation, then that's
15 substantial competent evidence.

16 In addition, besides that, a case that I
17 had, not with the City, but the people were --
18 it dealt with, I think, a child care that they
19 were expanding and putting on a private street,
20 and the testimony from the residents was that,
21 I can't get out of my house now. So their
22 observations aren't, well, this is going to
23 cause a lot of traffic. They're arguing, well,
24 this is the situation I have now, because I
25 observe this. This is an observation. It's

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1 MR. WITHERS: I mean, I understand, but --

2 MS. CARTY: I understand what you're
3 saying, but I will tell you, prior to the Blue
4 Ribbon Committee --

5 MR. WITHERS: Sorry?

6 MS. CARTY: Prior to the Blue Ribbon
7 Committee, there was a lot more flexibility in
8 awarding Med Bonus.

9 MR. WITHERS: Okay.

10 MS. CARTY: Okay. And after that Committee
11 and the latest change that happened in 2022,
12 where it was very specifically, the
13 Mediterranean Bonus had to be Coral Gables
14 Mediterranean in appearance, things have
15 changed, and we do not approve unless that
16 happens. So it is the Code --

17 MR. WITHERS: Okay.

18 MS. CARTY: -- right, that is ruling, not
19 really us, as architects, and I can say that
20 definitively, because I saw things change after
21 that.

22 But back to the conceptual review, though,
23 to a point that was being made here, the
24 conceptual review is great, because I think one
25 of the complaints is that a project has to be

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1 so cooked, when it comes to us, that it's very
2 expensive to make changes, and really unfair to
3 developers, right, and so I think it's great,
4 that that's been a been a very helpful addition
5 to the process, to get us on the right track.

6 However, I don't know if conceptual reviews
7 are noticed to the public. So, for instance,
8 anybody who has a comment on putting an entry,
9 you know, on the left side of the building or
10 the right side of the building, because of the
11 environment, that we, as the Board of
12 Architects, may or may not know, is not
13 something -- feedback that we would get in that
14 meeting, right. The public comes and talks to
15 us if they have an issue with design, but
16 because the conceptual design is not noticed to
17 the public, sometimes it cooks itself more
18 through us than we would maybe want, until we
19 hear from, you know, people who live on that
20 street, as an example.

21 MS. KAWALERSKI: You know, we have an item
22 on the agenda coming up regarding hangtags
23 basically, notification. Isn't part of that
24 Resolution being brought by the Commissioner,
25 that the residents have to be noticed upon

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1 conceptual review?

2 MS. GARCIA: No. That's a separate
3 conversation. So she's thinking about doing
4 mail notice for whenever the Board of
5 Architects is considering to do -- I'm sorry,
6 whenever there's a Med Bonus request, to
7 consider mailing notice within a certain amount
8 of feet of the property, because since the Med
9 Bonus is being granted by the Board of
10 Architects, to really get height and
11 significant square footage, that since that
12 decision is being made and determined by them,
13 that they should -- the community should
14 receive mailed notice, but not for conceptual
15 design.

16 The conceptual design, there's no
17 determination made. They're just getting
18 feedback from the Board at that point.

19 MS. KAWALERSKI: Maybe I misread the
20 proposed Resolution. I thought it was, at the
21 conceptual design process, the neighborhood has
22 to be notified.

23 MR. PARDO: No.

24 MS. KAWALERSKI: No?

25 MR. PARDO: Uh-uh.

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1 MS. KAWALERSKI: Well, maybe that's
2 something we should consider when this comes
3 up.

4 MR. WITHERS: Yeah.

5 MS. CARTY: Yeah, I think that is a
6 consideration that should be considered by you
7 all.

8 MS. KAWALERSKI: And Judy, when you approve
9 Med Bonus, you consider the compatibility of
10 the neighborhood, correct?

11 MS. CARTY: We do. We do, and we have more
12 so, but I think that the compatibility of the
13 neighborhood is something that comes, then, to
14 you all, right, as the next step.

15 MS. KAWALERSKI: I think the Blue Ribbon
16 Committee brought that up, when you --

17 MR. SALMAN: No.

18 (Simultaneous speaking.)

19 MR. COLLER: We need everybody to speak
20 into the mic. He doesn't have a mic.

21 MR. PARDO: I have no mic.

22 MR. COLLER: That's terrible. We're going
23 to fix that.

24 MS. KAWALERSKI: One question I have, how
25 did bicycle storage get to be a criteria?

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1 MS. CARTY: I think we took that out,
2 right? Or did we? Yeah, we took it out.
3 That's one of these modifications. I never
4 understood that, either, but, you know --

5 MS. KAWALERSKI: Okay. Thank you.

6 MR. COLLER: Does this work?

7 MR. PARDO: We can just share.

8 So to answer Chip's question specifically,
9 the charge of the Board of Architects is
10 exactly what the charge of the Board of
11 Architects is, which is the style, the
12 proportions, the quality of the design.

13 Thank you. Is this on?

14 So the relief to any party is not the
15 Planning Board. The relief to any party of any
16 decision of the Board of Architects is the City
17 Commission. They can appeal straight to the
18 City Commission. Any response, any awarding of
19 bonuses, any approval, any denial, is approved
20 -- is directly appealed to the City Commission.
21 Always has been.

22 MS. GARCIA: Are you referring to the Med
23 Bonus or the Board of Architects appeals?

24 MR. PARDO: No. What I'm saying is, the
25 style of the architecture, the awarding of the

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1 bonuses, is based upon the style of the
 2 architecture.
 3 MS. GARCIA: Yes.
 4 MR. PARDO: In other words, all of that is
 5 appealable to the Commission.
 6 MS. GARCIA: Well, after the Special Master
 7 process.
 8 MR. PARDO: I'm sorry?
 9 MS. GARCIA: After the Special Master
 10 process, right. Because to appeal the Board of
 11 Architects, you go to the Special Master, which
 12 then goes --
 13 MR. PARDO: The buck stops at the
 14 Commission.
 15 MS. GARCIA: Yes. Yes. Right. Right.
 16 MR. PARDO: So there is a Special Master
 17 now, which didn't exist before, but the whole
 18 point is that, the charge of the Board of
 19 Architects is exactly that. As far as the
 20 selection of the architects that sit on the
 21 Board -- and, Judy, you do a wonderful job, and
 22 I've told you that before --
 23 MS. CARTY: Thank you.
 24 MR. PARDO: -- and the key is that, those
 25 qualified architects, back in the day, were

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1 more pure, when it comes to analyzing
 2 architecture, because with all due respect to
 3 the landscape architect or the lawyer, et
 4 cetera, they're not architects.
 5 So I just wanted to put that on the record
 6 for now, and I do have comments, but I'd
 7 like --
 8 CHAIRMAN AIZENSTAT: I just wanted to ask
 9 you a question, if I may. My understanding is,
 10 when a big project comes into play, it's the
 11 full panel of the Board of Architects that's
 12 reviewing it, not sub panels and so forth.
 13 MR. PARDO: Oh, no.
 14 CHAIRMAN AIZENSTAT: Which then adds to
 15 what you're saying --
 16 MR. PARDO: And Mr. Chairman, that always
 17 existed.
 18 CHAIRMAN AIZENSTAT: Okay.
 19 MR. PARDO: The first time I sat on the
 20 Board of Architects must have been around 1982
 21 or something, and, at that time, we would have
 22 what was called the full Board, and it was the
 23 entire Board.
 24 MS. CARTY: Yeah, it's the entire Board.
 25 MR. PARDO: And the City Architect was

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1 recommended by the City Architect, and the City
 2 Architect came up with a list and actually took
 3 it to the Planning and Zoning Director, back
 4 then. And, then, every once in a while, they
 5 would go to the City Manager -- back then, it
 6 was Jack Eads -- and then they would say, you
 7 know, this is the person. They meet the
 8 qualifications. And then there was a process.
 9 So just to be clear, at a certain point, it
 10 then became under the control of the City
 11 Manager. And, then, all of those people, then,
 12 would be recommended by the City Manager, and,
 13 obviously, at the end, again, the buck stops
 14 with the Commission. It would be approved by
 15 the Commission. I just wanted to clarify the
 16 process, so there's no misunderstanding,
 17 because this is the Planning Board, this is not
 18 the Board of Architects.
 19 So the Board of Architects has a lot of
 20 power, and, also, people have said, well, the
 21 Board of Architects is only architects. That's
 22 exactly right. In other places, say, Miami
 23 Beach, they have a Design Review Board, that
 24 has a lawyer, it has a landscape architect,
 25 whatever. I think that our process is much

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1 included to observe and listen, but he would
 2 not vote on those particular projects.
 3 CHAIRMAN AIZENSTAT: So, then, a project
 4 gets approved on a majority basis of the full
 5 panel?
 6 MS. CARTY: Yeah, on a majority basis.
 7 There's a motion, a second, and then the vote
 8 has to be majority.
 9 MR. PARDO: That's correct.
 10 And, then, the qualifications of the
 11 architects, they have to have a certain amount
 12 of experience, you know, years of experience --
 13 MS. CARTY: Well, it's 10 years as a
 14 registered architect, with their office or home
 15 in the City of Coral Gables.
 16 MR. PARDO: Exactly. So you want to be
 17 involved --
 18 MS. CARTY: There's not many people, and we
 19 have to beg everybody, because we give up a
 20 huge amount of time.
 21 MR. PARDO: Right.
 22 CHAIRMAN AIZENSTAT: I think there was also
 23 discussion about bringing people that were not
 24 necessarily residents or had their
 25 businesses --

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1 MS. CARTY: Well, I think that's a horrible
2 idea.

3 MR. PARDO: That is one of the worse ideas.
4 I agree. And the reason --

5 CHAIRMAN AIZENSTAT: I don't want to go on
6 that, but there was discussion on that, right?

7 MR. PARDO: Yes. There's always been
8 discussion about that.

9 CHAIRMAN AIZENSTAT: Okay. I just didn't
10 know if that got implemented.

11 MR. PARDO: Right. No, it did not get
12 implement, but I would like to let you know
13 that the reason that's it's either the
14 residence or your practice, is because if you
15 have your practice here, you're touched by
16 Coral Gables. If you have your home here,
17 you're touched by Coral Gables. You
18 understand. You're there. If you live in any
19 other part of Dade County, let's say, Miami
20 Beach, it's not the same. And that's why it's
21 been clear and consistent, as far as the
22 qualifications for the architect.

23 CHAIRMAN AIZENSTAT: But let me look at it
24 from another side. You just showed me eight
25 pictures or ten pictures of properties that the

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1 question.

2 MS. CARTY: Yeah. I would almost even make
3 it that you had to live there. And, I mean,
4 right now, you know, a majority of us live in
5 the North Gables, right, and that's kind of the
6 core, right.

7 MS. GARCIA: So we had a person that wanted
8 to speak. I kept the goal, and I was
9 wondering --

10 CHAIRMAN AIZENSTAT: What I'd like to do
11 is, then, Judy, if you don't mind, we'll call
12 up the next individual, since we're on a time
13 constraint with him.

14 MS. CARTY: Yeah.

15 MR. PORTUONDO: I agree with everything
16 Judy said.

17 CHAIRMAN AIZENSTAT: Before you say that,
18 can you state your name and address for the
19 record, please?

20 MR. PORTUONDO: Rafael Portuondo,
21 Portuondo-Perotti Architects.

22 So, before starting, there's a couple of
23 people that I want to thank and congratulate.
24 Felix, you've done a great job. Phillip Villa
25 Victoria (phonetic), which is no longer with

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1 Board of Architects feel is Mediterranean,
2 which are great examples. And some of those
3 are very good architects, but those architects
4 aren't from the City of Coral Gables.

5 So I guess what you're saying is, somebody
6 like that would add no value to the aspect of
7 the design and the quality of life within the
8 City?

9 MS. CARTY: No. But remember --

10 CHAIRMAN AIZENSTAT: And I may be going on
11 a tangent --

12 MS. CARTY: No. No. But 90 percent of
13 what we do is not big buildings, right. It's
14 neighborhoods. It's houses. It's additions.

15 CHAIRMAN AIZENSTAT: I understand.

16 MS. CARTY: It's new. And to me, even --

17 CHAIRMAN AIZENSTAT: The houses, I agree.
18 I'm saying, when it's a --

19 MS. CARTY: You need to walk the
20 neighborhood with your dog, you know, for you
21 to really understand the scale of what is
22 valuable to us as residents. So, I mean, for
23 me, to make it outside, would be a really big
24 mistake.

25 CHAIRMAN AIZENSTAT: I'm just asking the

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1 us, has been a big part of this whole, you
2 know, restructuring of the Code and
3 Mediterranean Bonus. I've been working with
4 Rhonda. I think she's done a fabulous job, in
5 terms of putting this forward.

6 A couple of things that I think are
7 critical, which is why I think that context,
8 historical precedent, historical details,
9 proportion analyses, proportion drawings -- not
10 all architects were classically trained. So
11 the reason why you see all of these beautiful
12 buildings in the 1920s and 1930s is, the
13 majority of those architects went to Beaux-Arts
14 Schools and they were taught classical
15 architecture.

16 One of the biggest problems that I see,
17 which is why this has worked out to be a great
18 solution to that, is that I, for the longest
19 time, felt that the developer was designing the
20 buildings and the architects had to figure out
21 how to get the developer's project approved.

22 By doing this, the architect is responsible
23 to tell the developer, "If you want to get the
24 project approved, we've got to do these
25 things." It's also going to force the

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1 architect -- when you look at proportion
2 drawings, you're looking at proportioning a
3 cornice, proportioning a balcony. And it's
4 huge tool for the Board of Architects, because
5 what's going to happen is -- and you see this
6 all of the time -- you see a ten-foot balcony
7 with a twelve-inch bracket, right, and that is
8 a dead giveaway, because if they're showing a
9 historic balcony, like the Biltmore, and their
10 job, as architects, is to prove to the Board of
11 Architects that what they're saying is true,
12 and if they can't make the argument, they're
13 not going to get approved.

14 And so what's happening is that, it's going
15 to force the architects to step up their game,
16 in order to do a classical building. And
17 classical buildings means a lot of different
18 things, like -- and this is going to sound odd,
19 but there's Art Deco buildings in Coral Gables,
20 there's Venetian buildings in Coral Gables.
21 There are Japanese buildings in Coral Gables.
22 And so classism has a lot of -- there's
23 Neoclassical buildings.

24 We did a building on Sunset, for the
25 Bacardis, where Fiola's is, and the owner

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1 Mediterranean building, a Santa Barbara style
2 building, which is cleaner lines and stuff.
3 And I think that by holding to a higher
4 standard, those things will happen easier.

5 There's a moment in time where architects,
6 as a whole, have to look at themselves and say,
7 we need to pick up our game, in order to get
8 these things approved. And I think that the
9 switch, in the pre-review, whatever you want to
10 call it, I don't think that's necessarily --
11 something you address to the neighbors and
12 stuff, at this point, for the first review,
13 because it's hard enough to get something
14 going -- I think that the first review should
15 be, am I on the right track? Are we doing
16 something that in the future could get
17 approved?

18 Everyone's going to complain about
19 something, and I think that there's time for
20 the neighbors to get involved. I'd rather be
21 told, by the Board of Architects, listen, fix
22 this, do this, you know, study the proportions
23 of the base, study the proportions of the
24 shaft, study the proportions at the top, look
25 at the column spacing, and look at it as an

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1 wanted something more Parisian, right. So we
2 had to go through all of the Mediterranean
3 Bonuses and all of those types of things.

4 But I think that the most important thing
5 that you can get out of this is that, a lot of
6 people have spent a lot of time -- and I've
7 been in the audience, where Judy is looking at
8 a building and going -- the difficulty with the
9 contemporary buildings is that the floor to
10 floor is like ten feet, and there's not enough
11 space between the top of the sliding doors and
12 the balcony to do any sort of bracket, any sort
13 of architectural feature that's proportionally
14 correct.

15 It's going to force the architects to say
16 to themselves, well, that's not going to work,
17 because I can't pitch something that doesn't
18 work. They're going to have to go back to the
19 developer, back to themselves, and they're
20 going to have to figure out a way of doing it
21 right, and I think that if we hold us
22 architects to a higher level, we're going to
23 get the 1920 buildings, we're going to get a
24 beautiful Art Deco building, we're going to get
25 a beautiful Neoclassical building, a beautiful

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1 aesthetic.

2 And, then, as it goes further down the
3 road, and it's meaningful for the neighbors to
4 get involved -- I think there's a point in time
5 where, if it's going to be shutdown, it's going
6 to go shutdown, and so I think we have to give,
7 at least, the developers, the architects, a
8 chance to get something going, before the world
9 comes to town, right. And so that's just my
10 personal opinion.

11 But in looking at this whole thing as a
12 directive, we present a lot to the ARCOM Board
13 in Palm Beach, and the Miami Beach Board, and I
14 think that the Coral Gables Board is probably
15 the best one. The difficulty that they have is
16 that not all of the projects that are
17 Mediterranean, are classically inspired, and I
18 think that if you start to get architects that
19 are more developer oriented, sometimes I feel
20 that they're defending the client, and I think
21 the switch is, the architect inspires the
22 client. And I think that that's where it's
23 going to start to shift, and I think that this
24 program is set to make that shift, and I think
25 that's an important shift.

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1 So my daughter has her reveal tonight,
 2 so --
 3 CHAIRMAN AIZENSTAT: Thank you for taking
 4 the time.
 5 MR. PORTUONDO: But congratulations to you
 6 all. Judy, you're awesome, and so I think
 7 we're on the right track here.
 8 CHAIRMAN AIZENSTAT: Thank you for taking
 9 the time to come.
 10 MR. WITHERS: Good luck.
 11 CHAIRMAN AIZENSTAT: Do we have anybody
 12 else that would like to speak tonight?
 13 MS. GARCIA: I don't think so.
 14 CHAIRMAN AIZENSTAT: Would you like to
 15 speak?
 16 MS. LONGO: I just want to tell you that --
 17 CHAIRMAN AIZENSTAT: Would you state your
 18 name and address for the record, please?
 19 MS. LONGO: Maria Cristina Longo, and live
 20 at 16 Phoenetia Avenue.
 21 And throughout the years, I have been
 22 involved, because I have invested, with my
 23 family, in the urban core, which is the
 24 challenging part, because you have all of these
 25 big buildings, and -- so I just want to tell

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1 rejected -- I'm sorry I'm confused -- they
 2 redesigned with a traditional architecture,
 3 and, then, neighbors, including me, again,
 4 because I own the property near it, I
 5 participated and collaborated with the
 6 developer, and the collaboration resulted in a
 7 fantastic building. The first luxury condo
 8 building that is -- I think it's beautiful,
 9 that will be built in our Ponce de Leon, which
 10 I'm calling it the Luxury District, because it
 11 will be our first luxury condo. We don't have
 12 any, and this is the first one, and it came out
 13 of the collaboration. So the sooner that we
 14 know, the better, as a resident.
 15 So thank you anyways for your work, and I
 16 know that you take a lot of hours to be here,
 17 and thank you for everything that you do.
 18 CHAIRMAN AIZENSTAT: Thank you.
 19 Jill, do we have anybody on Zoom?
 20 THE SECRETARY: No one's indicated that
 21 they want to speak, so --
 22 CHAIRMAN AIZENSTAT: Okay. So let's --
 23 Javier.
 24 MR. SALMAN: I like the proposed changes.
 25 I was part of the Blue Ribbon Committee. I'm

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1 you that I think this is fantastic, and that it
 2 was done the right way.
 3 I think that the fact that Board of
 4 Architects participated and gave feedback -- I
 5 went to those workshops only as a listener. I
 6 didn't -- you know, whenever I could, I
 7 probably said something, but I was there to
 8 listen, and I'm telling you that they were very
 9 excited about this opportunity, because they
 10 are the ultimate group of people, that When
 11 something passes and people are upset, they
 12 say, "How did the Board of Architects pass
 13 that?"
 14 So they -- I think that this is fantastic.
 15 I think that, as a resident, many times,
 16 unfortunately, the projects that are proposed,
 17 are not compatible, and the design and review
 18 standards that the Board of Architects has to
 19 follow in the Code, compatibility includes
 20 height, massing, and volume. And I think, as a
 21 resident, if I know from the beginning -- look,
 22 I just want to tell you about something
 23 exceptional that just happened.
 24 The Allen Morris project that you
 25 rejected -- no, the Board of Architects

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1 glad something came out of it that was
 2 positive, and I thank the Board of Architects
 3 for their efforts on this.
 4 With regards to notification at the
 5 conceptual level, I'm of two minds on that.
 6 One is that, you do want to get some sort of
 7 information and comments from the people who
 8 live immediately around, because some things
 9 are not necessarily obvious, like traffic flows
 10 in the morning and coordinating orientation so
 11 that one doesn't have the front door meeting
 12 exactly the other front door, unless that's
 13 some sort of a design element that you want to
 14 project in the project, and those kinds of
 15 things don't necessarily come up until after
 16 that design has developed, and is really in the
 17 preliminary review stage.
 18 So that I would think that notification, if
 19 it were to be done -- I don't think it should
 20 be done, because you're at the squeeze level,
 21 and if you've been classically trained, it's
 22 the point of the design where you're submitting
 23 just a little massing study, sketch, of the
 24 project, that you want to get reviewed and
 25 approved, so that you know that you're heading

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1 in the right direction. It's too early for
2 really any kind of public comment. And the
3 Board of Architects is not a place for public
4 comment with regards to the design, and I don't
5 think that that's allowed during the Board of
6 Architects, but information that could be
7 gathered there, usually you want to really help
8 a developer, at the conceptual stage, saying,
9 hey maybe you want to start meeting with some
10 of your neighbors, because this is going to
11 happen for large projects. Nobody's going to
12 go for conceptual review on a bathroom addition
13 on the side of their house. That's not what
14 this is intended for.

15 This is for projects that are going to be
16 for multi-story, multi-use kinds of projects,
17 and I think that the issue here is one of
18 public notice, not necessarily public comment,
19 especially at the Board of Architects level,
20 where it's not necessarily the place for that.
21 But, certainly, the developer should be
22 communicating with the immediate neighbors with
23 regards to the development of a project that
24 will impact them.

25 So that's what I think needs to happen with

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1 regards to notification; not necessarily as a
2 requirement for conceptual review, but that
3 perhaps the conceptual review is followed up
4 with some sort of a public information, before
5 it goes into preliminary, so that you force a
6 meeting with at least the immediate neighbors
7 within, let's say, 200 feet, and that has to be
8 recorded before you to go to preliminary. That
9 would probably be the more ideal way to glean
10 that information and get that input into the
11 project, and that way, we don't get situations
12 where they say, "Well, I never knew about it."
13 "Well, yeah, you did," and so -- and it's
14 important. We live in a polite society, not
15 necessarily on a national level, but certainly
16 as we have written a Code in the City of Coral
17 Gables, it's all about being polite and being
18 aware of your neighbors and how you're going to
19 impact them and how they're going to impact
20 you, and that's what the rules here are all
21 about.

22 So I applauded the need for a conceptual
23 review. I think that some sort of a public
24 requirement for communication with the
25 immediate neighbors, in a short radius, should

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1 occur, before they go back in for preliminary,
2 so that the immediate people, who need to know
3 about it, start knowing about it early enough.
4 And it's not a big requirement. Most of the
5 big developments are now going through public
6 meetings early in the design process anyway.
7 This will codify that for these size projects,
8 and perhaps, from a notification point, that's
9 what we should be doing, not necessarily tied
10 to a public meeting for public notification to
11 the conceptual review, but making sure that a
12 public meeting is held prior to submittal for
13 preliminary review for these types of projects.

14 MS. GARCIA: So, ideally, the process would
15 be, conceptual review with a --

16 MR. SALMAN: Is the Board of Architects and
17 everybody -- and we're all just architects
18 playing -- and we can share -- and, really,
19 outside comments are going to be distracting to
20 the creation of the architecture at that stage.

21 MS. GARCIA: Right. So, ideally, it could
22 be conceptual design, and then the DRC, the
23 Development Review Committee.

24 MR. SALMAN: Correct.

25 MS. GARCIA: That requires notification.

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1 MR. SALMAN: Exactly.

2 MS. GARCIA: And, then, at that point, they
3 have their -- for a large property, they have
4 their neighborhood meeting.

5 MR. SALMAN: But isn't the DRC occurring
6 after preliminary review or is it prior?

7 MS. GARCIA: Before.

8 MR. SALMAN: It's always before?

9 MS. GARCIA: Yes.

10 MR. SALMAN: Okay. Well, then, that
11 answers that question. So that just needs to
12 make sure that that happens. That's it.

13 CHAIRMAN AIZENSTAT: I think it does.

14 MS. GARCIA: It happens now, yes.

15 CHAIRMAN AIZENSTAT: Well, it's part of the
16 process.

17 MR. SALMAN: Good.

18 CHAIRMAN AIZENSTAT: Thank you.

19 Chip, did you want to --

20 MR. WITHERS: Yeah. I just had a question
21 about how this ties into a Planned Area
22 Development. Can I have an architectural
23 criteria element that gives me a bonus on one
24 part of the PAD, that will allow me to add
25 additional density or FAR on another part of a

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1 PAD?
 2 MS. GARCIA: I mean, it's all a Site Plan.
 3 So if they're using the FAR from one side of
 4 it, to another side, as long as they're within
 5 that capped height, they can do that. You can
 6 move the FAR amongst your Site Plan.
 7 MR. WITHERS: Right. So they could? I
 8 could --
 9 MS. GARCIA: And this wouldn't change what
 10 you can do now.
 11 MR. WITHERS: I'm sorry?
 12 MS. GARCIA: What's proposed today is not
 13 going --
 14 MR. WITHERS: It's not going to change. So
 15 that's still in play.
 16 MS. GARCIA: Right.
 17 MR. WITHERS: So if I want to go higher on
 18 one part of the PAD and I want to add FAR, if I
 19 have that element somewhere else on that Site
 20 Plan, I can --
 21 MS. GARCIA: You can do that, as long as
 22 you're within your capped FAR height, yes.
 23 MR. WITHERS: That's it.
 24 CHAIRMAN AIZENSTAT: Thank you, Sue.
 25 MS. KAWALERSKI: I have no comments, but I

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1 do like the added examples, and the San
 2 Sebastian being eliminated. I think that's a
 3 good idea. That was not exactly a stellar
 4 example, but the rest of them are. Thank you.
 5 CHAIRMAN AIZENSTAT: Felix.
 6 MR. PARDO: Well, these are my notes. I
 7 was fortunate enough to Chair, with these two
 8 gentlemen, on the Blue Ribbon Committee, and
 9 many of these have been incorporated into this.
 10 I have a bigger question, if I may. I
 11 think that, representing the Board, I actually
 12 came before the Planning Board, and some of the
 13 Board Members, present company excluded, were
 14 not kind of -- you know, they were kind of
 15 dismissive on the word compatibility,
 16 especially with neighborhoods.
 17 What I see with PADs that Chip mentioned is
 18 the eradication of components of the
 19 single-family home neighborhoods, the
 20 encroachment into those areas, and these PADs
 21 become basically a way to eliminate components
 22 of affordable housing in this City. That, for
 23 me, is very worrisome.
 24 When the bonuses were first talked about,
 25 we were doing a building, and most of the

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1 commercial buildings at that time were
 2 brutalistic architecture, very brutal, and
 3 people were kind of getting sick and tired of
 4 that, because it evolved going to glass boxes,
 5 and some of them still stand, and the glass is
 6 now discolored, disfigured, and they're not --
 7 they're not anything that you would really want
 8 to say, this is our best.
 9 I watched part of -- a recording of part of
 10 the hearing yesterday, with my friend, Richard
 11 Heisenbottle, who is a preservationist, that
 12 his reputation is absolutely remarkable, and
 13 one thing is that, when you're at a scale, the
 14 smaller scale -- and this has been addressed at
 15 this level and at other levels, but when you
 16 have large buildings, large massing, it becomes
 17 very difficult to be able to put that
 18 gingerbread on there.
 19 Now, you mentioned, and you're Staff, so I
 20 guess you would be considered the substantial
 21 and competent evidence, and some of this
 22 massing, some of the bigger buildings, like The
 23 Plaza, you refer to it as it's got good
 24 architecture. I think maybe what you meant to
 25 say was, it had good architectural elements in

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1 it, you know, good detailing.
 2 MS. GARCIA: Right.
 3 MR. PARDO: But the massing is just so
 4 enormous, so out of scale, it dwarfs
 5 everything, and I could take, on one side, my
 6 hat off to the developer, for putting in a lot
 7 of money into these details, but when you see
 8 the massing, it's -- you can't compare it to
 9 the massing of other large buildings, that have
 10 that kind of detailing. So the use of the
 11 bonus was instituted, in the first place, to be
 12 able to offset that cost of making something
 13 that was going to cost more.
 14 So when there was a Sunshine Meeting,
 15 and -- I spoke at that meeting about the
 16 problem with bonuses for Mediterranean, when
 17 they didn't exist. Then, I gave, as the
 18 example, the Shoma Building that received
 19 Mediterranean bonuses. It was not a bona fide
 20 Mediterranean building.
 21 So the Blue Ribbon Committee was created.
 22 We labored for a long time. The style was the
 23 only component that was implemented. And then
 24 the Committee was unceremoniously disbanded,
 25 specifically, by one of the previous

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1 (unintelligible).
 2 Now, the compatibility with the
 3 neighborhood, the preservation of the vision
 4 components of historic buildings has been
 5 ignored. After this whole thing with the Blue
 6 Ribbon Committee, and there was more
 7 implementation of these elements for Med Bonus
 8 and Med design, it's fallen off the wayside
 9 again. It's only been two years. My notes are
 10 dated 10/1/21. It's just -- you know, I think
 11 that we should really look into ourselves and
 12 say, you know, these bonuses, which are
 13 discretionary, maybe they should just be
 14 eliminated and the Board of Architects simply
 15 provide good design thought for the approvals.
 16 I just think that these bonuses, we're not
 17 getting the rate of return that was originally
 18 implemented back in the '80s, and it's just
 19 gotten to the point where, I think, that it's a
 20 mistake to, you know, continue thinking that
 21 this is going to solve all of these problems.
 22 And a lot of it has to do with the height of
 23 the buildings, a lot of it has to do with the
 24 detailing, and a lot of it has to do with
 25 putting that last unit, that last square foot,

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1 with the neighbors before going in, and we
 2 heard -- and their concerns made us change the
 3 project significantly, okay.
 4 But we went to the Board, and we got some
 5 feedback, which I thought was very positive,
 6 before having to go through the formal
 7 submittal. I think we all have learned that it
 8 is going to be advantageous to get the
 9 neighborhood involved, the immediate neighbors,
 10 before going too far into the process.
 11 The Plaza, I agree with you, Felix. A
 12 very well detailed building, very expensive
 13 building, but it's a very massive project, and
 14 when you look at each of those buildings,
 15 there's -- it's very massive.
 16 And I want to address one of the speakers
 17 on the Allen Morris. It was the Chairman and
 18 myself who denied that project the very first
 19 time, on two occasions, and I denied it -- and
 20 Mr. Morris has never forgiven me for denying
 21 the project, because it was not compatible. It
 22 was 190 feet, and we said that's not compatible
 23 there, and we sent it back. And I won't
 24 forget, because there was the attorney, who
 25 spoke for three hours that night, and it was

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1 that last everything we could stick in there
 2 for a rate of return.
 3 So, me, personally, if the bonuses, which
 4 are discretionary, evaporate tomorrow, I won't
 5 miss it.
 6 CHAIRMAN AIZENSTAT: Thank you.
 7 Robert.
 8 MR. BEHAR: Once again, I want to commend
 9 Staff for the great job, including the Board of
 10 Architects, for all of the effort that they've
 11 put in to make this, and I was part of that
 12 Blue Ribbon Panel, which we -- a lot was
 13 accomplished there.
 14 When it comes to the notification at the
 15 conceptual, I kind of agree somewhat with what
 16 Javier said and what Portuondo also said. I
 17 don't think that it should be -- I think the
 18 architect should come to the Board and get the
 19 initial feedback.
 20 I'm going to tell you what we just did --
 21 and I was at the Board last week.
 22 Unfortunately, Judy wasn't there. But before
 23 we went to that Board for conceptual, we met
 24 with the neighborhood, six, seven times. So
 25 took it upon ourselves before -- to interact

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1 right before -- you know, ten to 9:00, and he
 2 says, well, make a decision. Absolutely not.
 3 So we sent it back. And I'm glad they came
 4 back with a much more toned down building, as
 5 far as the massing of it.
 6 I wasn't here the last time they came, but
 7 I understand it was like substantially less
 8 than the original. So, you know, the Chairman
 9 and myself were -- I don't know, Chip, were you
 10 on the Board at that time? Yes.
 11 MR. PARDO: I spoke from the public to this
 12 Board.
 13 CHAIRMAN AIZENSTAT: You did. You did.
 14 MR. PARDO: And I let them have it.
 15 MR. BEHAR: You know, I just want to clear
 16 that, that we had to do with sending that
 17 project back.
 18 CHAIRMAN AIZENSTAT: Thank you.
 19 As far as the Board of Architects, with the
 20 conceptual meeting, I agree with the rest of
 21 the comments, as far as, it is a meeting that
 22 is to present an idea to get feedback. I don't
 23 think -- to me, it's a technical meeting, in
 24 reality, and I don't think that by having the
 25 public at that meeting to give input is

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1 constructive.

2 From what I'm seeing now, projects that are
3 coming, are starting to get ahead, by meeting
4 with the neighbors early, which is a good
5 thing. In the past, I had not seen that. I
6 had seen more, you know, we've done our two
7 meetings that were required, we had eight
8 people show up, and we've done it. But now I
9 think the developers and the representatives of
10 the developers are saying that they need to
11 interact with the public.

12 The public is within the DRC review? They
13 are notified?

14 MS. GARCIA: Uh-huh.

15 CHAIRMAN AIZENSTAT: So the process is
16 already there, and I'm good with that, and that
17 process is actually before the Board of
18 Architects. So there is notification.

19 Regarding the Mediterranean Bonuses, you
20 know, respectfully, I disagree with my
21 colleague, Felix. Everybody is entitled to
22 their points, and he brings up good reasons,
23 but I disagree. I think the elements that are
24 there or that are available bring an added
25 benefit to the City and to the design. And I'm

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1 not talking as an architect. I'm talking as a
2 lay person. And it is up to the P&Z Board and
3 the Commission whether they agree to grant
4 those bonuses and so forth, if I'm not
5 mistaken. And, actually, Mr. Portuondo,
6 Rafael, is the one who actually made a good
7 point on the conceptual and on the bonuses and
8 so forth and how to do that.

9 A concern that I have would be, if somebody
10 decides to -- for the Mediterranean bonuses, if
11 somebody decides to bring a blueprint of the
12 Biltmore, lay it down in front of the architect
13 and say, "You've got to design it like this,"
14 that, to me, is an issue, because all of the
15 buildings will start to kind of look the same,
16 and I wouldn't like to see that. I would like
17 for the architects to have individual style.
18 You know, I would like the fact that you have
19 to implement and meet certain criteria, whether
20 it's six or it's eight, but I think -- you
21 know, there's different architects that have
22 different styles, and I feel very comfortable
23 with the Board of Architects making a decision
24 as to whether they should grant the
25 Mediterranean bonuses or not. I mean, that's

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1 the place to do it. I don't think it's up to
2 the Planning and Zoning Board to tell them it
3 does or it doesn't. That's just my way of
4 looking at it.

5 You've gotten the feedback. Is there
6 something more that you need from us, that
7 you're looking for from us?

8 MS. GARCIA: No, I don't think so. So I
9 think, from here on out, we're going to take
10 this feedback input where we can, and come back
11 to you at the next meeting for a recommendation
12 from this Board before going to the Commission.

13 MR. PARDO: Mr. Chairman, can I just say
14 one little thing?

15 CHAIRMAN AIZENSTAT: Please.

16 MR. PARDO: It has nothing to do with --
17 it's actually out of our purview.

18 Judy, I know that I get a lot -- I meet a
19 lot of people asking me, "How could the Board
20 of Architects have approved this," and now I'm
21 talking about single-family homes, that look
22 like they're out of West Kendall or something,
23 or Doral. I'm sorry, but just the detailing of
24 a typical 1950s home has more purity to it than
25 some of the -- pardon me -- junk that has gone

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1 up recently.

2 MR. WITHERS: The square boxes with the
3 flat roofs.

4 MR. PARDO: Square boxes with the overflows
5 coffers coming out of them like --

6 MS. CARTY: I couldn't agree with you more.
7 I mean, I think a lot got through during COVID.

8 MR. PARDO: Okay. I got it.

9 MS. CARTY: You know, that's one
10 explanation. Another is, the Special Master
11 has approved a series of things that we had
12 rejected four or five times, in the more --

13 MR. PARDO: I never thought of COVID.

14 MS. CARTY: I don't know. Honestly, it
15 makes the rest of us -- you know --

16 MR. PARDO: You wince, too?

17 MS. CARTY: Yes, horribly so, and, you
18 know, you drive -- it's hard to drive through
19 the City. You think, my God, did we really
20 approve that? No, it's not possible. But
21 stuff does get by us, I don't know, but we feel
22 the same way. I know all of us feel the same
23 way.

24 We do our best. That's all I can tell you.
25 We do our best.

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1 CHAIRMAN AIZENSTAT: Judy, on behalf of the
2 Planning and Zoning Board, you know, I want to
3 thank you for all of your dedication and your
4 work, and please relay that to all of the
5 architects on the Board, because it doesn't go
6 unnoticed.

7 MS. CARTY: Thank you.

8 CHAIRMAN AIZENSTAT: We do appreciate it.
9 Thank you.

10 MS. CARTY: Thank you.

11 CHAIRMAN AIZENSTAT: Are we good with this
12 item?

13 MS. GARCIA: I think so.

14 CHAIRMAN AIZENSTAT: Okay. Should we go
15 ahead and read --

16 MR. COLLIER: Yes.

17 Going back to the only item on the agenda
18 that requires an action from the Board. Item
19 E-3, an Ordinance of the City Commission
20 providing for text amendments to the City of
21 Coral Gables Official Zoning Code Article 15,
22 "Notices," Section 15-102, "Notice," to require
23 door hangers as an additional notification for
24 required public information meetings for
25 multi-family and mixed-use projects, providing

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1 for repealer provision, severability clause,
2 codification, and providing for an effective
3 date.

4 Item E-3, public hearing.

5 MS. GARCIA: Jennifer Garcia, Planning
6 Official.

7 So, as you're aware, before you go to the
8 Planning and Zoning Board, and sometimes,
9 before you go to the Board of Architects,
10 depending on the size of the property, you are
11 required to have a neighborhood meeting.

12 Now, neighborhood meetings is usually
13 notified by mail, to invite them to a
14 neighborhood meeting sponsored and hosted by a
15 developer or, you know, an applicant, right.
16 This proposed text amendment is to increase the
17 ways -- types of notification, by adding in a
18 requirement that, in addition to the mailed
19 notice, you would now be required to have a
20 door hanger, within a certain amount of feet, a
21 thousand feet or 200 feet, depending on the
22 property.

23 We discussed this yesterday at the City
24 Commission Meeting. There was some feedback I
25 got from the Commission and from Chief Hudak,

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1 maybe having the requirement also after -- I
2 think, 48 hours after the meeting is held, that
3 they would be required to go back and see if
4 there's any door hangers that are still laying
5 there on the door, and removing those, so that
6 it's not notifying that a person is not present
7 in the house.

8 MR. PARDO: Like newspapers. I picked them
9 up --

10 CHAIRMAN AIZENSTAT: I mean, it kind of
11 sounds like someone that's campaigning and puts
12 all of those door hangers on the door.

13 MR. PARDO: But it's only for notification,
14 so --

15 CHAIRMAN AIZENSTAT: Correct.

16 MS. GARCIA: Yes. It's only for
17 neighborhood meetings, it's not public
18 hearings.

19 CHAIRMAN AIZENSTAT: Chip.

20 MR. WITHERS: I mean, I don't like it, but,
21 you know, if that gets the message across. But
22 I'm more concerned when a developer will just
23 blast an entire building, without putting a
24 name on it, and just says, resident, and most
25 people throw that out anyway. I think that's

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1 totally ineffective.

2 MS. GARCIA: Yeah.

3 MR. WITHERS: I would rather see names put
4 on it, and, you know, addresses, but if that --
5 I just think -- I don't know. I mean, it's
6 just -- I don't think it's going to work, but
7 hopefully it does. I mean, when I see a door
8 hanger, I either think it's someone that wants
9 to trim my trees or deliver me pizza, so --

10 CHAIRMAN AIZENSTAT: I agree. I agree.

11 MR. WITHERS: -- you know.

12 MR. PARDO: I just got a door hanger today
13 from the City, from Parks and Recreation --

14 MS. GARCIA: Parks and Rec?

15 MR. COLLIER: Could you speak into the mic?

16 MR. PARDO: I'm sorry, yes.

17 I just got a door hanger today from the
18 City, because they're closing off Riviera,
19 between the Youth Center and the Library, for
20 the literacy event, the festival, on Saturday.
21 So they're letting people know. And you
22 definitely will get it and open it -- or,
23 rather, read it, because it's hanging there.

24 But like Chip said, you know, I'm not one
25 for the door hangers. I think, you know, when

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1 we travel, we stop our newspaper. We stop our
2 mail. It's almost like -- you know, and I
3 could see where Ed Hudak is coming from, you
4 know, where, hey, someone is telling everybody,
5 you're not there, and especially if it's there
6 for a while. And then going back, well, I
7 never saw it, that kind of thing.

8 I think maybe doing a better job -- like
9 the day that Chip got the stack of returned
10 letters, you know, of notifications, I think
11 maybe doing a much better job with that, I
12 don't know how, but there's got to be a way of
13 doing it.

14 CHAIRMAN AIZENSTAT: Does a developer, when
15 they send out their notices, do they have to
16 give something to the City that it's certified
17 that it went out?

18 MS. GARCIA: Not certified mail.

19 CHAIRMAN AIZENSTAT: No. No. I don't mean
20 certified mail, But do they have to attest to
21 the fact --

22 MS. GARCIA: Yeah. They sign an affidavit
23 saying they mailed out this many, within this
24 radius.

25 CHAIRMAN AIZENSTAT: And, then, that

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1 affidavit that they sign, they give you the
2 list, I assume, of the people?

3 MS. GARCIA: Correct. Yes.

4 CHAIRMAN AIZENSTAT: Does somebody in the
5 Staff, in the City, actually look that it's got
6 the names of all the individuals, such as
7 what --

8 MS. GARCIA: Well, usually, we'll have
9 people complain, saying they didn't get notice.
10 We'll look at what's on there, and maybe they
11 just bought the property within the last few
12 months, and this was generated before they
13 bought the property. There's typos many times
14 with the County. It's difficult to --

15 CHAIRMAN AIZENSTAT: So you take it off the
16 tax roll -- not you, but developers take that
17 information off the tax rolls?

18 MR. BEHAR: No. There are companies that
19 do that specifically.

20 CHAIRMAN AIZENSTAT: But where do they get
21 the information?

22 MS. GARCIA: From the County, from the
23 Property Appraiser website.

24 CHAIRMAN AIZENSTAT: Sue.

25 MS. KAWALERSKI: Any way we can make sure

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1 that residents find out about what's going on,
2 I'm all for it. I think, that stack of letters
3 that was returned, was abominable, for that one
4 project, and nobody had a solution for it. I
5 mean, this was how many months ago, that we
6 held up that stack? Has there been resolution
7 to that? Not that we've heard. Okay.

8 So that method is going to continue to
9 produce those kinds of results, which are, it's
10 not getting to the residents. We have to find
11 a better method of communicating with the
12 residents, right, okay.

13 CHAIRMAN AIZENSTAT: Sue.

14 MS. KAWALERSKI: And so far we have --
15 excuse me, so far we have not addressed that.
16 This is a way to address this. I don't care if
17 it's the Good Year blimp in the sky saying
18 there's a new project going up. Whatever it
19 takes, it is incumbent upon the City to notify
20 the residents about what is going to impact
21 their neighborhoods and their lives. It's
22 incumbent and you've got to figure it out. If
23 it's door hangers, it's door hangers.

24 And as far as the police or the developer
25 is going back to collect the tags -- we have

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1 neighborhood ambassadors that we pay, that go
2 in and out of my street, and all they're doing
3 is riding up and down, why don't we have them
4 do the job of collecting those after two days?
5 It doesn't have to be the police. It doesn't
6 have to be the developer. Put the neighborhood
7 ambassadors to work, okay. That's Thing Number
8 One.

9 Thing Number Two, I don't know about you,
10 but the main form of communication that I'm
11 finding is WhatsApp. Why doesn't the City
12 develop some kind of WhatsApp for
13 neighborhoods? And developers can, through the
14 WhatsApp app, target the neighborhood where the
15 development is going in. That's a way of
16 easily getting to neighbors.

17 But something has to be developed, to
18 notify residents, because I can't tell you how
19 many people call me and say, "I heard, but I
20 never received. I heard, but I never received.
21 What's going on?" So we're not doing a very
22 good job. This is the Number One issue in
23 Coral Gables, is development. If we're not
24 telling the residents what is happening, we're
25 failing the residents.

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1 So I'm suggesting one thing, our award
2 winning IT Department should be looking into
3 WhatsApp as a form of communication, targeted
4 to specific neighborhoods, okay. You can do
5 it. This is the 21st Century.

6 So, up until that time, if hang tags are
7 another way to ensure that somebody is going to
8 get notified, I am all for it. And like I
9 said, it doesn't have to lie on a doorknob
10 forever. Get those neighborhood ambassadors to
11 take them off after two days, okay.

12 CHAIRMAN AIZENSTAT: Sue, what I was going
13 to ask you, do you recall that stack of
14 envelopes, or Chip, were they missing the
15 apartment numbers? Is that why there was a
16 whole stack?

17 MR. WITHERS: Yeah. And names. I mean --

18 CHAIRMAN AIZENSTAT: Even if it just says
19 resident, but I think, if I recall, it was
20 missing the apartment numbers. It was just the
21 address of the building, but no units. So if
22 that's the case --

23 MS. GARCIA: Yes. So if there's a property
24 that has multiple rental units, there's no
25 property appraisal list that we can get to

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1 notify each individual units. It goes to the
2 property.

3 CHAIRMAN AIZENSTAT: So maybe that's
4 something that I would like to look at more so,
5 the way it's distributed, because if you've got
6 an apartment building that has forty units, and
7 they're all being sent to the address, but no
8 apartment number, there's a problem there.

9 MR. PARDO: And I think a lot of them were
10 P.O. Boxes or a corporation or something.

11 CHAIRMAN AIZENSTAT: But then that's up
12 to --

13 MS. GARCIA: That would be the owner, at
14 that point.

15 CHAIRMAN AIZENSTAT: -- the owner --

16 MR. BEHAR: And then you also have the
17 issue, if you have an apartment building, you
18 have security, you may not be able to go to
19 every door and put a hanger, you know. It
20 really -- I agree, that we find a better way to
21 notify the owners, but I don't think the door
22 hangers are the correct way, and to make the
23 ambassadors, you know, go back and clean that
24 up or the developer, that's -- I don't agree
25 with the door hangers.

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1 MS. KAWALERSKI: Well, like I said, Robert,
2 until we find the hundred percent solution for
3 being able to notify every resident that should
4 be notified, this is a method. At least, if
5 it's interim, it's interim, and if it works,
6 that's fantastic, but unless somebody comes up
7 with a hundred percent proof solution, we need
8 to do something.

9 MR. BEHAR: Well, we have -- and you were
10 saying about the WhatsApp app or something. We
11 have -- in our neighborhood, we have a chat
12 that -- you know, in Santa Maria and Pinta
13 Court, and we communicate -- I don't do it,
14 because I hate to get the phone ringing every
15 two minutes, you know, somebody that -- my wife
16 does. She stays on it. But there's something
17 that maybe could be done, to that effect, that
18 could be beneficial to the neighborhood.

19 MS. KAWALERSKI: Well, there's Nextdoor,
20 and there's WhatsApp, but WhatsApp seems to be
21 the most popular way to communicate these days.
22 I don't know why, but it is, okay. So between
23 Nextdoor -- and every Neighborhood has a
24 Nextdoor group. The Riviera neighborhood has a
25 Nextdoor group, okay. You've got to reach out

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1 to those methods of new communication, but
2 before we get to that point, we have to do
3 something right now, because projects are in
4 the pipeline. How are we going to notify
5 people, because our current system isn't
6 working?

7 And so, as a temporary measure, I am all
8 for door hangers. Let's try it.

9 MR. WITHERS: Can I ask a question? How
10 big are the signs that we post on the property?
11 I mean, are they still those little tiny three
12 by five-inch --

13 MS. GARCIA: Yeah.

14 MR. WITHERS: I mean, how effective are
15 those?

16 MS. GARCIA: It depends on the property.
17 So, I mean, if you have an entire block that's
18 vacant and you post it, you can't see it very
19 well, right. But if you're just an infill
20 building, you're walking by, obviously you can
21 see it pretty well, It just depends on the size
22 of the property.

23 MR. WITHERS: I mean, I'm not a developer,
24 but I'm working on something up in Hobe Sound,
25 and I have to put up -- it's like a two foot by

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1 two foot sign, you know.

2 CHAIRMAN AIZENSTAT: I mean, the only thing
3 that I see a problem with doing huge signs is,
4 there is a Signage Code that the City has. You
5 know, we require realtors to have signs "X"
6 size. We require other businesses or
7 whatever --

8 MR. WITHERS: Yeah, I get it.

9 CHAIRMAN AIZENSTAT: -- you know, and you
10 have to be the same across the board for me, if
11 you're going to --

12 MR. WITHERS: Well, I would be thinking of
13 like, ten days out from a meeting or a week out
14 from a meeting, not for a month or two months,
15 you know, just a notification. That would be
16 my only --

17 MR. PARDO: Do developers have to --

18 CHAIRMAN AIZENSTAT: Can you speak into
19 the --

20 MR. PARDO: Sure. Do Developers have to
21 comply with the same size as --

22 MS. GARCIA: Yeah. It says it in the
23 Zoning Code. I believe it's 40 inches. It's
24 pretty much a half of a letter size of a page.

25 MR. PARDO: I go by a development every --

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1 I think it's a bad idea. I just think that
2 it's just adding costs and complexity to a
3 process which is pretty well-established as to
4 notification. I think that, more importantly,
5 any of the notification that goes out should
6 refer back to some sort of a listing on a
7 website that defines what the project is, so
8 everybody knows what it is and it's posted
9 early enough with regard to process.

10 Every time we have a project here, we have
11 all of the lists of the presentations and Board
12 meetings and the different Boards and the dates
13 and whatnot. All of those require
14 notification. And it just needs to be tracked
15 on, on the website, so that you know where they
16 are in the process and what the next steps are,
17 and eventually people will figure it out, but
18 anything that we do, whether it's door hangers
19 or mailers, we need something to refer them
20 back to something that we have, as the City,
21 under our control, with regards to the
22 information that's being put out there.

23 The problem is that you have standard forms
24 that you use, just like when you post a
25 property and it says, on a yellow card, that's

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1 I run by it every day, and they've got a sign
2 that's about this big, by this big, right up on
3 the construction fence.

4 MS. GARCIA: A construction fence is a
5 different regulation, but like for advertising
6 for DRC or the Planning and Zoning Board, it's
7 a half a page.

8 MR. PARDO: Oh, so you can actually put
9 them on a construction fence and be much
10 bigger?

11 MS. GARCIA: I don't know what the
12 regulations are.

13 MR. BEHAR: Yes. Yes, you can. So maybe
14 that should be one way to make the
15 advertisement a little bit more visible,
16 because the little cards -- you know, the
17 little yellow ones, you can't see that. So
18 maybe you could do something, you know, ten
19 days before, not keep it there --

20 MR. PARDO: What I run by is like this and
21 like that.

22 MS. GARCIA: On a construction fence?

23 MR. PARDO: Yeah.

24 CHAIRMAN AIZENSTAT: Javier.

25 MR. SALMAN: I don't like the door hangers.

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1 about five by -- maybe four by ten, forty
2 square inches, that says, "Notice," black
3 letters, on a yellow background, and then
4 there's some space -- I just did this today. I
5 just noticed a property, because we're going up
6 before the Board for preliminary review of a
7 modification of a building, and it's on the
8 23rd, and so you write down that it will be on
9 the 23rd at this Board.

10 Well, I think, maybe, when you have your
11 application number, they should put the
12 application number on there, and if you go over
13 to the website, you hit -- anybody, just on the
14 information, you put the application, and,
15 boom, it should take you right to the item
16 number and what the description of the job is.

17 And we have electronic filing. You can
18 upload drawings and whatnot onto there, and
19 people can look all they want. And I'm going
20 to go see you about another project that got
21 built recently. I want to know who approved
22 it. I'm not going to complain. I'm going to
23 find out who did it.

24 MR. BEHAR: It wasn't her.

25 MR. SALMAN: I think it might have been

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1 you, okay.
 2 Ms. GARCIA: Right now -- I mean, this
 3 isn't for the Neighborhood Meeting, right now
 4 our notices for DRC and for the Planning and
 5 Zoning Board, do say, "Notice," and they have
 6 the application number on there and the website
 7 they can go to, so they can see the agenda, and
 8 click on the actual item and download the Staff
 9 report and pictures.

10 MR. SALMAN: But when I look at those
 11 things -- I'll look at them again and I'll
 12 reserve my commentary for when I come in for
 13 the request of information.

14 MS. GARCIA: Okay. That's fine.
 15 MR. SALMAN: All right. Thank you.

16 CHAIRMAN AIZENSTAT: How diligent is the
 17 City with actually collecting residents'
 18 e-mails and so forth to be able --

19 MS. GARCIA: So we have that application.
 20 We're still working on the fine tuning of it,
 21 to get people to basically register themselves,
 22 opt into an e-mail notification, and then when
 23 Staff -- when there's a project coming up,
 24 we'll basically identify the property and it
 25 will give us, you know, a thousand foot --

1 CHAIRMAN AIZENSTAT: Bay Harbor. Actually,
 2 Bay Harbor goes ahead, for a construction
 3 project, they put a huge sign, and then they --
 4 which is put up in front of the property, which
 5 has a picture of the project, a brief
 6 description, application number for -- I think
 7 it's for the Commission Meeting or what they
 8 call the Council Meeting, and then it's taken
 9 down.

10 MR. PARDO: Right. It's only up for like
 11 two weeks or three weeks.

12 CHAIRMAN AIZENSTAT: Yeah. It's within
 13 their Code, yeah.

14 MR. PARDO: Right. I think maybe you
 15 should look at those options.

16 I agree with Sue, you know, as far as the
 17 app is concerned, without any doubt, and other
 18 electronic ways that your IT department can do
 19 it, but the door hangers, to me -- you know,
 20 hanging that thing there, it's telling everyone
 21 that you're not there, and that's a security
 22 problem. If you've ever been broken into, you
 23 know, that's not a good idea, I don't think,
 24 but I like the blimp also.

25 CHAIRMAN AIZENSTAT: To move this along,

1 1,500 hundred foot radius and we can collect
 2 that.

3 CHAIRMAN AIZENSTAT: So there is --

4 MS. GARCIA: The issue is that you have to
 5 have people opt in to receive that notice. So
 6 we don't have very many people who opted into
 7 that.

8 MR. SALMAN: It's a data collection issue.

9 MS. GARCIA: Yeah.

10 MR. SALMAN: That's what it is.

11 MS. GARCIA: Which I think it will be a
 12 very similar issue with the WhatsApp.

13 CHAIRMAN AIZENSTAT: Felix.

14 MR. PARDO: I just wanted to say, remember
 15 that, of course, not the last couple of years,
 16 but, you know, in the past, a broker having
 17 his, you know, little three by five or whatever
 18 it is, it could be there for months, you know,
 19 depending on their contracts, six months, a
 20 year. You know, that's very different than,
 21 you know, putting up something for a public
 22 hearing, you know, and putting something up
 23 where it's substantial enough.

24 I know that there are other jurisdictions
 25 where --

1 would somebody -- actually, before I do that,
 2 do we have any speakers on Zoom?

3 THE SECRETARY: Yes. We have one
 4 speaker.

5 CHAIRMAN AIZENSTAT: Can you please put
 6 them on?

7 MR. SALMAN: Does this item require voting?

8 THE SECRETARY: Ms. Gold, can you --

9 CHAIRMAN AIZENSTAT: Yes.

10 MS. GOLD: I'm unmuted. Can you hear me?

11 THE SECRETARY: Yes.

12 MS. GOLD: Okay. Sheryl Gold. I live at
 13 721 Biltmore Way.

14 I don't have any prepared remarks. I
 15 didn't think I was even going to be speaking
 16 tonight, but I listened to the discussion on
 17 Med Bonus and now I'm listening to the
 18 discussion about notifications, and I wanted to
 19 give you an example of something that, I think,
 20 it's just not on anybody's radar.

21 I live in a high-rise building, and two
 22 properties will be developed, one behind me, at
 23 730 Coral Way, one next to me, at 719 Coral
 24 Way. There was no notification required,
 25 Number One. There was a tiny little notice in

1 front of the properties. I don't walk around
2 onto Coral Way, so I would never see that. So
3 no notification required to neighbors. And
4 beyond that, because these two properties were
5 undersized and upzoned, there's no requirement
6 for them to go before the Planning and Zoning
7 Board or the Commission in order to get their
8 Med Bonuses.

9 So I listened to your whole discussion
10 about Med Bonus and how everything is going to
11 have to go from the BOA, to the Planning and
12 Zoning Board, and then the last appeal is at
13 the Commission. Well, these two properties,
14 one of which goes from a four-story building to
15 a 190-foot building, without any review by you
16 or the Commission, and without any notification
17 to the residents.

18 So I think somebody needs to look at this
19 loophole that's in the Code now, since the
20 overall -- which allows big projects like
21 these -- 190 feet is the highest height allowed
22 in the Biltmore Section, okay, north of
23 Biltmore Way, and without you ever looking at
24 it, without the residents even knowing about
25 it, no requirement that the developer has to

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1 meet with the residents that live within like a
2 -- I don't know -- five-foot setback.

3 MR. COLLER: I suggest that she get
4 together with Jennifer.

5 MS. GOLD: No, that's not productive.
6 Jennifer knows exactly what's happening. I'm
7 bringing it up today, because you're talking
8 about notification and there's a whole bunch
9 of -- not just the normal notification, you
10 have to think about the people that live in
11 high-rises. Obviously, the door hangers don't
12 work for those high-rises. And I think it is
13 something that the Planning and Zoning Board
14 should be aware of and engaged with, in how to
15 fix this loophole of high-rise projects that
16 are being approved without it ever coming to
17 the Planning and Zoning Board.

18 CHAIRMAN AIZENSTAT: Thank you, ma'am.

19 MS. GOLD: It has to do with Med Bonuses
20 and notification and somehow exemptions from
21 any of these requirements that you have just
22 discussed for the last -- I don't know, since
23 six o'clock.

24 So thank you.

25 CHAIRMAN AIZENSTAT: Thank you, Ms. Gold.

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1 Jennifer, can you shed some light on this?

2 MS. GARCIA: Yes. So, many years ago, the
3 legal opinion for this area, Biltmore Section,
4 is that it doesn't matter how large or small
5 your property is, even though the underlying
6 Zoning is MFSA, and MF-2 had parcel
7 requirements, the legal opinion said that the
8 Site Specifics trumps those requirements. The
9 Site Specific did not have any parcel size.
10 Therefore, they were allowed to go up to that
11 height, no matter the size of the parcel.

12 MS. GOLD: That's not true.

13 CHAIRMAN AIZENSTAT: So those projects are
14 able to go to 190 feet?

15 MS. GARCIA: With the Med Bonus, yes,
16 because of the underlying Land Use. The Land
17 Use was high density.

18 MS. GOLD: But that was because of the
19 upzoning that changed the requirement for the
20 Med Bonus -- the ability to get the maximum Med
21 Bonus from 20,000 to 10,000 square feet. These
22 lots are only a little more than 10,000 square
23 feet. It used to be that you had to meet the
24 minimum of 20,000 square feet. But, then, when
25 they did the overall, they made it 10,000

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1 square feet. So it's a little different than
2 what Jennifer just explained. I'm sorry.

3 MS. GARCIA: It was changed to 10,000
4 square feet, because the legal opinion said
5 that it doesn't matter how large or small a
6 parcel is.

7 MR. SALMAN: This is the north side of
8 Biltmore?

9 MS. GARCIA: Yes.

10 MR. PARDO: Correct. Biltmore Way.

11 MS. GARCIA: Right. So the Land Use was
12 always high density there. It was just hiding
13 underneath the MF-2. Remember the whole trying
14 to make the Zoning Code more transparent and
15 not hiding all of the height and everything --

16 MR. PARDO: Wait a minute. This was the
17 former Planning Director --

18 MR. SALMAN: Yeah. In the middle of COVID,
19 all of these things happened.

20 MR. PARDO: -- that basically made a
21 mistake, and then the City had to correct it,
22 but the question here has to do with --

23 MS. GARCIA: This is the north side of
24 Biltmore Way.

25 MR. PARDO: -- notification.

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1 MR. BEHAR: There was a litigation, and
2 there was -- I think, through a settlement or
3 something, they gave that interpretation.

4 MR. PARDO: No.

5 MR. SALMAN: No. That was on the south
6 side.

7 MR. PARDO: You're correct. It's on the
8 south side, behind the Biltmore. That one is
9 the one that --

10 MR. SALMAN: That one went to litigation
11 and there was a special --

12 MR. PARDO: Yeah. The City was sued on
13 that one.

14 MR. SALMAN: Exactly. But this is on the
15 north side of Biltmore, that traditionally had
16 a high density along that side -- both sides of
17 the Biltmore. That's why the David Williams is
18 there, because that's considered a residential
19 high-rise corridor, and they removed the
20 requirement for a minimum of 20,000 square
21 feet, to allow for higher towers along there,
22 but that was only granted on the north side of
23 the street --

24 MR. PARDO: That's correct.

25 MR. SALMAN: -- not on the south side of

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1 just go back to the door hangers, but,
2 Jennifer, if you can look into it, if there's
3 anything that can be done, I think --

4 MR. WITHERS: Can I just ask one question?
5 Maybe we do, but do we use QR codes?

6 MS. GARCIA: Yes.

7 MR. WITHERS: We do. So, on the notice,
8 the posted notices, we have a QR code on that
9 posted notice?

10 MS. GARCIA: The posted -- I don't think we
11 do on the property. We do require that for the
12 mailed notice.

13 MR. WITHERS: Maybe, on the property --
14 everybody carries their cell phone, but they
15 don't always carry a piece of paper to write
16 down hearing numbers, you know.

17 MR. COLLER: So, on this item, just to
18 bring us back to what we're doing, we need some
19 form of a motion.

20 CHAIRMAN AIZENSTAT: Right, on the door
21 hangers. So what I was going to ask -- and we
22 can -- is there anybody that would like to move
23 on the --

24 MR. SALMAN: I'd like to make a motion --

25 CHAIRMAN AIZENSTAT: Yes.

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1 the street.

2 MS. KAWALERSKI: But she's talking about
3 the north side. I know Ms. Gold well.

4 MR. PARDO: What she was saying is that
5 there was no notification for that --

6 MS. GARCIA: Because it was by right.

7 MR. BEHAR: You still have to come here.

8 MS. GARCIA: It was not requiring a Site
9 Plan approval. It never had required a Site
10 Plan Approval. MF-2 never had any kind of Site
11 Plan approval.

12 (Simultaneous speaking.)

13 MR. BEHAR: That's a big loophole.

14 MR. PARDO: Yeah, that's a --

15 MR. SALMAN: That's what she's talking
16 about, and it's a loophole and it's a problem,
17 because it creates an inequity across the
18 street that should be a corridor. Do you
19 follow me?

20 MR. PARDO: Oh, yeah.

21 MR. SALMAN: And you're taking rights away
22 from the people on the south side, in the
23 process of this, quote/unquote, transparency.

24 (Simultaneous speaking.)

25 CHAIRMAN AIZENSTAT: What I'd like to do is

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1 MR. SALMAN: -- that we deny this
2 Resolution.

3 CHAIRMAN AIZENSTAT: The door hanger, as
4 presented.

5 MR. SALMAN: As presented.

6 CHAIRMAN AIZENSTAT: Is there --

7 MR. BEHAR: I'll second that.

8 MR. COLLER: So it's a denial of Item E-3.

9 CHAIRMAN AIZENSTAT: As presented.

10 MS. COLLER: As presented, an Ordinance.

11 CHAIRMAN AIZENSTAT: We have a motion. We
12 have a second. Any discussion?

13 MR. PARDO: I would hope that maybe this
14 leaves more direction for Staff, that other
15 avenues are explored.

16 MR. SALMAN: We just spoke for half an hour
17 about it. I think she got all of the direction
18 she needs.

19 MR. PARDO: So you don't need that as a,
20 you know, come back?

21 MS. GARCIA: No. I'm good.

22 MR. PARDO: Okay.

23 CHAIRMAN AIZENSTAT: All right. Any other
24 discussion? No?

25 Call the roll, please.

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1 THE SECRETARY: Felix Pardo?
 2 MR. PARDO: Yes.
 3 THE SECRETARY: Javier Salman?
 4 MR. SALMAN: Yes.
 5 THE SECRETARY: Chip Withers?
 6 MR. WITHERS: Yes.
 7 THE SECRETARY: Robert Behar?
 8 MR. BEHAR: Yes.
 9 THE SECRETARY sue Kawalerski?
 10 MS. KAWALERSKI: No.
 11 THE SECRETARY: Eibi Aizenstat?
 12 CHAIRMAN AIZENSTAT: Yes.
 13 Thank you very much. There's no other item
 14 on the agenda for tonight.
 15 MR. BEHAR: I'll make a motion to adjourn.
 16 CHAIRMAN AIZENSTAT: We have a motion. All
 17 in favor --
 18 MR. SALMAN: Second.
 19 CHAIRMAN AIZENSTAT: -- say aye.
 20 (Therefore, Board Members voted aye.)
 21 (Thereupon, the meeting was concluded at 7:50
 22 p.m.)
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1 C E R T I F I C A T E
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3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7
 8

9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
 10 Public for the State of Florida at Large, do hereby
 11 certify that I was authorized to and did
 12 stenographically report the foregoing proceedings and
 13 that the transcript is a true and complete record of my
 14 stenographic notes.
 15

16 DATED this 14th day of May, 2024.
 17

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19 -----
 20 NIEVES SANCHEZ
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