

CITY OF CORAL GABLES
LOCAL PLANNING AGENCY (LPA)/
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
WEDNESDAY, DECEMBER 8, 2021, COMMENCING AT 6:02 P.M.

Board Members Present:
Eibi Aizenstat, Chairman
Robert Behar
Luis Revuelta
Wayne "Chip" Withers
Venny Torre
Claudia Miro
Alex Bucelo

City Staff and Consultants:
Suramy Cabrera, Development Services Director
Ramon Trias, Planning Director
Jill Menendez, Administrative Assistant, Board Secretary
Jennifer Garcia, City Planner
Arceli Redila, Principal Planner
Craig Collier, Special Counsel
Fred Couceyro, Parks & Recreation Director

Also Participating:

Enrique Bernal
Angela Carrillo
Sarita Courtney Baigorri
Marisa Chisena
Patricia Lieberman
Ingrid Lyall
Sue Kawalerski
Debra Register
Vicky Berg
Joe Jimenez
Gordon Sokoloff
Sheryl Gold (Via Zoom)
Maria Cruz (Via Zoom)
Javier Banos (Via Zoom)
Carter Sox (Via Zoom)
Karelia Martinez Carbonell (Via Zoom)

THEREUPON:

CHAIRMAN AIZENSTAT: I'd like to call the meeting to order.

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 Board Members 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 Secretary of the Board may set a Special Meeting to consider such matter. In the event that four votes are not obtained, an applicant may request a continuance or allow the application to proceed to the City Commission without recommendation.

MR. BUCELO: Pursuant to Resolution Number 2021-118, the City of Coral Gables has returned to traditional in person meetings. Accordingly, any individual wishing to provide sworn testimony shall be present physically in the City Commission Chambers. However, the Planning & Zoning Board has established the

ability for the public to provide comments, which will be non-sworn and without evidentiary value, virtually. Accordingly, only individuals who wish to provide public comment in this format may appear and provide those comments via Zoom.

Lobbyist Registration and Disclosure, any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance Number 2006-11, must register with the City Clerk prior to engaging in lobbying activities or presentations before City Staff, Boards, Committees, and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk. Failure to register and provide proof of registration shall prohibit your ability to present to this Board.

As Chair, I now officially call the City of Coral Gables Planning and Zoning Board Meeting of December 8th, 2021 to order. The time is 6:02.

Jill, if you would please call the roll.

THE SECRETARY: Robert Behar?

MR. BEHAR: Here.

THE SECRETARY: Alex Bucelo?

MR. BUCELO: Here.

THE SECRETARY: Claudia Miro?

MS. MIRO: Here.

THE SECRETARY: Luis Revuelta?

Venny Torre?

MR. TORRE: 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 -- can everybody please silence their phones? Thank you -- 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 the 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

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1 Member regarding an issue before the Board, the
 2 Board Member must state, on the record, the
 3 existence of the ex parte communication and the
 4 party who originated the communication. Also,
 5 if a Board Member conducted a site visit
 6 specifically related to the case before the
 7 Board, the Board Member must also disclose such
 8 visit. In either case, the Board Member must
 9 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 that his or her decision will be based on
 15 substantial competent evidence and testimony
 16 presented on the record today.

17 Does any Board Member have such
 18 communication and/or site visit to disclose at
 19 this time?

20 MR. BEHAR: No.
 21 MR. BUCELO: No.
 22 CHAIRMAN AIZENSTAT: No?

23 Regarding the swearing in, everyone who
 24 speaks this evening must complete the roster on
 25 the podium. We ask that you print clearly, so

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1 agenda items. I will also ask you to be
 2 concise for time. I will limit each speaker to
 3 three minutes, because there is quite a bit of
 4 speakers and people that are here tonight and
 5 I'd like to make sure everybody has their turn
 6 to state how they feel and what their opinion
 7 is.

8 We have gone ahead and received 23 e-mails.
 9 Jill, is that correct?

10 THE SECRETARY: Yes, correct.

11 CHAIRMAN AIZENSTAT: And what I'd like to
 12 do is, Jill, I would like to enter all 23
 13 e-mails into the record at this time, please.

14 First I'd like to go ahead and look at the
 15 minutes of October 13, 2021. Would anybody
 16 like to make a motion to approve?

17 MR. BEHAR: I make a motion for approval.
 18 CHAIRMAN AIZENSTAT: Robert moved.
 19 MS. MIRO: Second.
 20 CHAIRMAN AIZENSTAT: We have a second.
 21 MR. BUCELO: Second.
 22 CHAIRMAN AIZENSTAT: Any discussion?
 23 Jill, call the roll, please.
 24 THE SECRETARY: Alex Bucelo?
 25 MR. BUCELO: Yes.

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1 the official records of your name and address
 2 will be correct. With the exception of
 3 attorneys, all persons physically in the City
 4 Commission Chambers who will be speaking on an
 5 agenda item tonight before us, please rise to
 6 be sworn in.

7 (Thereupon, the participants were sworn.)
 8 CHAIRMAN AIZENSTAT: Thank you.
 9 And please make sure that you have
 10 registered with Jill, if you are going to
 11 speak, because she will be calling the speakers
 12 tonight.

13 Zoom platform participants, I will ask any
 14 person wishing to speak on tonight's agenda
 15 items to please open their chat and send a
 16 direct message to Jill Menendez, stating what
 17 item you would like to speak before the Board
 18 on, and include your full name. On your Zoom,
 19 you should have your full name. Jill will call
 20 you when it's your turn. Depending on the
 21 number of speakers, I'd ask you to be concise,
 22 in the interest of time.

23 Phone platform participants, after the Zoom
 24 platform participants are done, I will ask
 25 phone participants to continue on tonight's

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1 THE SECRETARY: Claudia Miro?
 2 MS. MIRO: Yes.
 3 THE SECRETARY: Venny Torre?
 4 MR. TORRE: 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 that we will use tonight,
 12 we'll first have the identification of the
 13 agenda item by Mr. Collier. The presentation
 14 will then be by Staff. And, then, the
 15 presentation by an applicant or agent, if there
 16 is one for that particular item. I will then
 17 open the public comment, first in chamber, then
 18 to Zoom platform, and then the phone line
 19 platform. Afterwards, I will close the public
 20 comment, we will have a Board discussion, a
 21 motion, further discussion, a second of the
 22 motion, if necessary, and then the Board's
 23 final comments, before the vote. Thank you.

24 We have the first item, which is for time
 25 certain, which is for 6:15. Do we have time to

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1 get in before-hand Item E-8, Mr. Trias?

2 MR. TRIAS: Mr. Chairman, that's my

3 recommendation. It should be a routine item,

4 but a very good one. It's the open space

5 amendments to the Comp Plan. If I could have

6 the PowerPoint.

7 CHAIRMAN AIZENSTAT: If it's okay with

8 everybody, I'm going to go ahead with --

9 MR. BEHAR: I'm okay with that, if we make

10 it quickly, yes.

11 MR. TRIAS: I think you can make it

12 quickly, because Fred has done a fantastic job

13 in the last two and half, three years.

14 MR. COLLER: Okay. I think we should read

15 into the record Item E-8. It's E-8, right?

16 MR. TRIAS: E-8, yes sir.

17 CHAIRMAN AIZENSTAT: Mr. Coller, would you

18 please?

19 MR. COLLER: Okay. Item E-8, an Ordinance

20 of the City Commission of Coral Gables, Florida

21 granting approval of proposed amendments to the

22 text and maps of the City of Coral Gables

23 Comprehensive Plan, pursuant to expedited state

24 review procedures and Zoning Code Article 14,

25 "Process," to provide updates and

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1 the City's strategic plans was to have that

2 ten-minute walk to a park within a

3 neighborhood, but to not have to have a family

4 have to cross a major roadway. So what that

5 did is, that kind of cut off some of our

6 radiuses, so it means we have to find some more

7 parks to make sure, because, in some cases, the

8 radius was over a waterway. There's no way

9 that someone, unless you had a canoe or kayak,

10 to get to that park. So we had to look at

11 changing those maps. And the rest of it --

12 MR. TRIAS: Yeah. So it's a plan document.

13 It's not the existing conditions, it's what the

14 City is trying to do. And the time line of

15 review is, today Planning and Zoning is looking

16 at it, the City Commission will do the First

17 Reading, date to be announced, then the

18 Department of Economic Opportunity of the State

19 has to review it, and then there's the Second

20 Reading of the Commission.

21 So Staff found the amendments consistent

22 with the Comprehensive Plan and recommended

23 approval for both, the text and the map.

24 CHAIRMAN AIZENSTAT: Somebody's cell phone.

25 Would you please silence that? Thank you.

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1 clarifications to the Recreation and Open Space

2 Element, Capital Improvements Elements, and all

3 corresponding map series; providing for a

4 repealer provision, providing for a

5 severability clause and providing an effective

6 date.

7 Item E-8, public hearing.

8 MR. TRIAS: May I have the PowerPoint,

9 which is only two slides, by the way?

10 We're here for a routine amendment to the

11 Comp Plan that has been the result of over two

12 years of very, very good work by a consultant

13 and by the staff of Recreation and Open Space.

14 There are two things that are being amended,

15 the text, and you can see a summary of the

16 changes, such as the level of service, the

17 facilities, the different district and regional

18 parks, some technical changes to the names,

19 nomenclature, that Fred could explain in great

20 detail, and the other amendment is the map.

21 The map, we're still working on it, but the

22 map basically shows you the level of service,

23 how you have neighborhood parks within a

24 minute's walk, generally, in most of the City.

25 MR. COUCEYRO: The amendment is -- one of

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1 Before we do that, I'd like to open it.

2 Are there any speakers for this item here

3 tonight? Anybody that wishes to speak for this

4 item? Jill, do we have anybody on the Zoom or

5 phone line?

6 THE SECRETARY: No?

7 CHAIRMAN AIZENSTAT: No. Okay. At this

8 point, I'm going to go ahead and close it to

9 public comment and open it for Board

10 discussion. Robert?

11 MR. BEHAR: I will start. Thank you, Fred.

12 And looking at the map, what this map shows me

13 particularly is that we need more green space.

14 Whether they're small parks or large parks, we

15 need more space walking distance from the

16 residents, and we've got to do whatever it

17 takes, from the City, to promote to get more

18 green space.

19 I think you did a wonderful job. I don't

20 have any comments. If anything else? If not,

21 I'll make a motion for approval.

22 CHAIRMAN AIZENSTAT: Anybody else have any

23 comments from the Board?

24 Just one question, this is all supposed to

25 be connected by sidewalks, correct, if I

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1 recall?

2 MR. COUCEYRO: Well, that's part of the --

3 the strategic plan. Through the Master Plan,

4 one of the strategies and the goals is to have

5 linkages and access to the parks.

6 CHAIRMAN AIZENSTAT: Okay.

7 MR. COUCEYRO: It's not sidewalks, per se,

8 throughout the City, but it's linkages to the

9 parks.

10 CHAIRMAN AIZENSTAT: Okay. Thank you.

11 We have a motion. Is there a second?

12 MR. TORRE: Second.

13 CHAIRMAN AIZENSTAT: Venny seconded. Any

14 discussion?

15 Jill, call the roll, please.

16 THE SECRETARY: Claudia Miro?

17 MS. MIRO: Yes.

18 THE SECRETARY: Venny Torre?

19 MR. TORRE: Yes.

20 THE SECRETARY: Chip Withers?

21 MR. WITHERS: Yes.

22 THE SECRETARY: Robert Behar?

23 MR. BEHAR: Yes.

24 THE SECRETARY: Alex Bucelo?

25 MR. BUCELO: Yes.

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1 definitely have to be out of here by nine

2 o'clock sharp. So I don't know if we're going

3 to be able to --

4 CHAIRMAN AIZENSTAT: Well, I'm hoping we

5 do, and I will ask, when the time comes at nine

6 o'clock, if any Board Members would like to

7 extend, and at that time, we will take a vote,

8 as required. Thank you.

9 All right. If everybody would please take

10 their seat. It's 6:15. We would like to get

11 the item going. If everybody would take their

12 seats.

13 At this time, we will start with Agenda

14 Item E-1. Mr. Coller.

15 MR. COLLER: Item E-1, an Ordinance of the

16 City Commission of Coral Gables, Florida

17 providing for text amendments to the City of

18 Coral Gables Official Zoning Code, Article 4,

19 "Zoning Districts," Section 2-100, "Residential

20 Districts" and Article 5, "Architecture,"

21 Section 5-200, "Mediterranean Standards;" to

22 remove the Mediterranean Bonus of height for

23 Multi-Family 4 (MF4) properties south of

24 Biltmore Way; providing for severability,

25 repealer, codification and for an effective

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1 THE SECRETARY: Eibi Aizenstat?

2 CHAIRMAN AIZENSTAT: Yes.

3 Thank you very much.

4 Since we have a 6:15 time certain, it is

5 6:12. We finished a little bit quicker than I

6 anticipated. Craig, do we need to hold off

7 until 6:15 or can we start with the first item?

8 MR. TRIAS: Mr. Chairman, I would recommend

9 you wait until 6:15, given the fact that that's

10 the way it was advertised, and I don't think we

11 have time to really do any other items.

12 CHAIRMAN AIZENSTAT: Yeah, we don't have

13 time.

14 MR. TRIAS: One minute, Craig.

15 MR. COLLER: I would wait.

16 CHAIRMAN AIZENSTAT: Okay. Thank you. We

17 are going to take a two-minute break, please,

18 everybody, and I apologize. Thank you. Thanks

19 for your patience.

20 (Short recess taken.)

21 MR. BEHAR: Mr. Chairman, while we wait,

22 I --

23 CHAIRMAN AIZENSTAT: Silence, please, in

24 the Chamber. Thank you.

25 MR. BEHAR: Just for the record, I

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1 date.

2 Item E-1, public hearing.

3 CHAIRMAN AIZENSTAT: Thank you. Do we need

4 to read Items E-2 and E-3, since they're

5 related, at the same time or do we wait on

6 that?

7 MR. COLLER: I don't have --

8 MR. TRIAS: Mr. Chairman, those are not

9 related.

10 CHAIRMAN AIZENSTAT: They are not related

11 to E-1?

12 MR. TRIAS: They are related to themselves,

13 but not to E-1.

14 CHAIRMAN AIZENSTAT: Okay. So I misread

15 that. Thank you very much. Go ahead, please.

16 MS. CABRERA: Good evening. I'm Suramy

17 Cabrera, Development Services Director. And I

18 think this is the first time I'm in front of

19 this Board.

20 CHAIRMAN AIZENSTAT: Welcome.

21 MR. CABRERA: So I'm here today to talk

22 about something very, very specific, and I'm

23 sure everybody here behind me is for the same,

24 exact reason, which is, as we went through the

25 Zoning Code update in 2021, there were some

1 properties that were basically re-zoned, and in
 2 that, there was an issue that certain
 3 properties picked up some additional height, of
 4 going from 150 feet to 190.5 feet, which was
 5 not the intention of that Code amendment.
 6 So what I wanted to show here on the map
 7 is, the old Zoning Code is on your left, the
 8 new Code is on your right, and you can see in
 9 this Code that the properties -- and the
 10 properties in question are the ones there that
 11 are in that black dashed line. What happened
 12 is that the properties that are north of
 13 Biltmore Way were Zoned MF2, and they had a
 14 height limit of 190.5 feet. The properties
 15 south of Biltmore Way were MFSA, and they had a
 16 height limit, through a Site Specific, of 150
 17 feet. When the Code changed, these all became
 18 MF4, which is the map you see on the right, and
 19 MF4 allows up to 190.5 feet.
 20 So this was not intentional. It was
 21 brought up to us through the resident input,
 22 and after Staff looking at it, reviewing it
 23 with the City Attorneys, we felt that it was
 24 appropriate to come back and remove the
 25 additional height from the MF4 properties that

1 with the Med Bonus; 150, without the Med Bonus.
 2 MR. BEHAR: I've got a question. Do we
 3 know how many transactions took place between
 4 the date that that went into effect to today?
 5 My concern is, and I'm going to quote
 6 Commissioner Anderson, that once you give
 7 somebody more FAR and more buildable area, then
 8 there's a possibility for a lawsuit. I'm not
 9 in favor of going to the 190. What I'm
 10 concerned is that potentially we could be in a
 11 litigation, because we did this -- whether it
 12 was a mistake, intentional, whatever, we're
 13 here -- how do we protect ourselves?
 14 Because I know I read 23 letters, and I
 15 read one where the Bert Harris property rights
 16 is mentioned. What I don't want to do is do
 17 something that could potentially put us in a
 18 predicament --
 19 MS. CABRERA: I understand. And the City
 20 did look at that, and our attorneys looked at
 21 it, and we feel that it does not expose the
 22 City to the Bert Harris.
 23 MR. WITHERS: I'm sorry, what?
 24 MS. CABRERA: It does not. The
 25 Commissioner who is sponsoring this was very

1 are south of Biltmore Way, so that their height
 2 would basically remain at the 150 feet that
 3 they had prior to the 2021 Zoning Code change,
 4 and that's what's in front of you today.
 5 That's really the crux of this entire thing.
 6 I don't know if you have any questions for
 7 me. It's pretty much as simple as that.
 8 CHAIRMAN AIZENSTAT: Robert.
 9 Venny?
 10 MR. TORRE: I want to clarify. The height
 11 is given by the Comp Plan or by the Zoning?
 12 MS. CABRERA: So the height for the
 13 properties south of Biltmore Way is through the
 14 Site Specifics in the Zoning Code. All of
 15 these properties are High Density, Multi-Family
 16 High Density; however, the MFSA ones were not
 17 allowed to get the additional 40 feet through
 18 Med Bonus. So those properties were limited to
 19 150.
 20 The ones north of Biltmore Way, as they
 21 were MF2, were limited to 150, but could get
 22 the Med Bonus and take them to the 190.5.
 23 MR. TORRE: The Comp Plan is what allows
 24 the 190?
 25 MS. CABRERA: The Comp Plan allows the 190,

1 clear that we would undertake corrections that
 2 would not open the City up to Bert Harris
 3 issues, and we feel that this does not open up
 4 the City to a Bert Harris.
 5 MR. BEHAR: Because I read, you know, one
 6 publication that mentioned the Commissioner and
 7 that's her quote, that it could potentially
 8 open up, and that really is what gave me some
 9 concerns.
 10 MS. CABRERA: Correct.
 11 MR. BEHAR: You may want to sit here,
 12 Craig, since nobody is here.
 13 MR. COLLER: Yeah. Why don't I -- oh,
 14 there it goes.
 15 CHAIRMAN AIZENSTAT: Now we can hear you.
 16 MR. COLLER: Okay. When I turn it off, you
 17 can hear me. When I turn it on, you can't.
 18 Makes a lot of sense.
 19 So the City retained an appraiser, who
 20 evaluated this, and the actual development
 21 envelope is such that it's the appraiser's
 22 feeling that the actual developable area
 23 would -- is sufficient and doesn't -- it
 24 doesn't mean that somebody can't sue us for
 25 Bert Harris -- anybody could sue, for anything,

1 at any time -- but we feel pretty strongly that
 2 we're on solid ground, as far as they being
 3 able to get the value that they appropriately
 4 would get and would not be -- they would not
 5 have a good claim for Bert Harris.
 6 MS. CABRERA: Yeah. And I actually have a
 7 slide, and it was a handout that we provided.
 8 Could we go back to the presentation?
 9 MR. BEHAR: And Suramy, before you go
 10 there, and this is only pertaining -- we're
 11 discussing the height, we're not -- you know, I
 12 believe there was an increase of .5 of the FAR.
 13 MS. CABRERA: Correct.
 14 MR. BEHAR: The FAR is not being removed?
 15 It stays?
 16 MS. CABRERA: No. Correct.
 17 MR. BEHAR: Just from 190.5, bring it back
 18 to 150?
 19 MS. CABRERA: Correct.
 20 MR. TORRE: So you're still going -- the
 21 2.5 is still going to be --
 22 MS. CABRERA: The 2.5 is still there.
 23 CHAIRMAN AIZENSTAT: And how does this all
 24 come about -- with the discussion that's been
 25 had for Mediterranean Bonuses, how will it

1 really cannot get a lot of benefits, because
 2 the graphics just don't let you to get more
 3 than to this.
 4 MS. CABRERA: That's exactly --
 5 MR. TORRE: You run out of space.
 6 MS. CABRERA: It's more of an academic
 7 conversation.
 8 MR. TORRE: Right. Right. You're not
 9 taking away their rights to put the 2.5.
 10 You're saying, okay, you're going to have no
 11 more room, because this structure doesn't let
 12 you get any further. So I think that's the
 13 basis for the stance that you're taking.
 14 MS. CABRERA: Correct. I actually had a
 15 resident that sent me a property that I believe
 16 is for sale and they showed the development
 17 potential and they capped out at 90 feet,
 18 because they got to the 2.5 FAR.
 19 MR. TORRE: Right. If you do the math, you
 20 run out of space.
 21 MS. CABRERA: So there was no way for them
 22 to actually take advantage of going from 150 to
 23 190, but the perception is that this should
 24 read the way it was previously. There was
 25 never an intention to go from 150 to 190, so

1 affect if it goes back to 150 then?
 2 MS. CABRERA: It's exactly the way it would
 3 have been for height prior to the 2021 Code
 4 change.
 5 CHAIRMAN AIZENSTAT: But now there's
 6 discussion within the City to change or to
 7 update the Mediterranean Bonuses and how you
 8 come about to get it.
 9 MS. CABRERA: And that was a separate
 10 discussion and there was a Blue Ribbon
 11 Committee and I think that has already been put
 12 to rest, but that doesn't affect what we're
 13 doing today.
 14 CHAIRMAN AIZENSTAT: Has that been put to
 15 rest?
 16 MR. BEHAR: I don't know what -- define
 17 "rest" to me.
 18 MS. CABRERA: There was a vote.
 19 MR. TRIAS: Mr. Chairman, that is one of
 20 the items tonight.
 21 MR. TORRE: What I'm understanding -- I
 22 apologize -- let me explain something. All you
 23 could really sell is FAR. Height doesn't have
 24 the value, it's in the FAR. You're giving the
 25 2.5. You're not taking away that right. You

1 we're going back to how it was.
 2 CHAIRMAN AIZENSTAT: Alex.
 3 MR. BUCELO: And what was the height, I
 4 guess, limit, on north of Biltmore Way prior to
 5 the Zoning change?
 6 MS. CABRERA: 190.5.
 7 MR. BUCELO: 190.5.
 8 MS. CABRERA: With the Mediterranean Bonus,
 9 and that's what it is in the MF4.
 10 MR. BUCELO: Prior to --
 11 MS. CABRERA: Prior to the 2021 change, it
 12 was MF2, which is this map that you see here,
 13 and you could see there, it's the brown, and
 14 that was 150 by the Comp Plan and allowed you
 15 to go to 190.5, if you were to meet the Med 2
 16 Bonus.
 17 CHAIRMAN AIZENSTAT: Chip?
 18 MR. WITHERS No, I'm good.
 19 CHAIRMAN AIZENSTAT: Okay. At this time,
 20 I'd like to go ahead and open it up for public
 21 comment. Jill, how many speakers do we have in
 22 Chambers?
 23 THE SECRETARY: 14 and three on Zoom.
 24 CHAIRMAN AIZENSTAT: 14 and three. I would
 25 ask you to please limit to three minutes. Jill

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1 does have a timer. And I ask everybody to be
 2 concise with your comments.
 3 Yes, sir, Robert.
 4 MR. BEHAR: I believe, and maybe we take a
 5 pause, but I believe that every -- or the
 6 majority of these speakers are --
 7 MR. TORRE: Represented by a letter?
 8 MR. BEHAR: Yeah.
 9 CHAIRMAN AIZENSTAT: Are what, I'm sorry?
 10 MR. TORRE: He's suggesting that the
 11 letters are going to be duplicated by the --
 12 MR. BEHAR: A majority of them. I mean, we
 13 could ask. I just don't want to get the
 14 letters that are on the record and the
 15 speakers.
 16 MR. COLLER: Well, if people are here to
 17 speak, they may have submitted letters, but we
 18 need to allow them to speak.
 19 CHAIRMAN AIZENSTAT: I agree. Go ahead and
 20 call the first speaker, please.
 21 THE SECRETARY: Enrique Bernal.
 22 MR. BERNAL: Good evening, Members of the
 23 Board. I am Enrique Bernal. I live at 718
 24 Valencia Avenue, Biltmore Park Condominium, and
 25 we moved to Coral Gables for the beauty and the

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1 without any direct notice to any of the
 2 residents. You know, the City publishes in the
 3 Miami Business Daily or whatever. We don't
 4 read those things. And the point is, you know,
 5 I am very proud to live in a city where the
 6 City Manager and at least one of the
 7 Commissioners, you know, recognizes that a
 8 mistake was made. There are very few cities in
 9 which that would happen.
 10 But I think that the question is, the
 11 definition of the mistake and the corrective
 12 action for the mistake, I respectfully differ
 13 from Ms. Cabrera's definition to you. I think
 14 it's very misleading and I would like to be
 15 given access to the chart that she showed,
 16 okay. The reality is that the -- there are
 17 eight blocks of the City involved, and I may be
 18 wrong, but I have spent like seven months
 19 studying this thing and I have looked at all of
 20 the rights that every owner has, based on the
 21 size of the property and everything else.
 22 The two blocks, 1 and 2, that are north of
 23 Biltmore Way, between Biltmore Way and Coral
 24 Way, were Zoned MF2, and MF2 has the same limit
 25 of height as MFSA. They're both 150 feet.

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1 historic value of the City. And, you know,
 2 volunteering for various committees, we try to
 3 preserve the peace and quiet that we have in
 4 the Biltmore section.
 5 I am coming here respectfully to ask you to
 6 re-consider what this Board did back -- prior
 7 to the February 9th vote by the Commission. As
 8 part of that 40-year Rezoning plan, for the
 9 first time in the history of the City, this
 10 Board recommended granting Mediterranean Bonus
 11 in a Residential area.
 12 This had never happened before. It's a
 13 momentous point in the history of the City,
 14 because we know that when the Mediterranean
 15 Bonus is granted, with it comes density and
 16 intensity, in addition to height, and it's
 17 really -- we, the residents of this beautiful
 18 section, see it as kind of like honey for the
 19 bears. It's a message to the developers to
 20 come and start making massive buildings, okay.
 21 I have worked with the City Manager and
 22 with Commissioner Anderson for several months,
 23 without making any public comments, trying to
 24 find a way to resolve this egregious change
 25 that was made, okay. The change was made

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1 THE SECRETARY: Your time is up.
 2 MR. BERNAL: She said MF2 was 190.5.
 3 CHAIRMAN AIZENSTAT: If you would please
 4 wrap it up. Continue, please, but --
 5 MR. BERNAL: Okay. So what I'm trying to
 6 say is, look, the four blocks were equally
 7 injured by the changes from MF2 and MFSA to
 8 MF4. This concept that, let's correct the
 9 height, is a pernicious concept, in the sense
 10 that the additional FAR and the additional
 11 density is the result of the additional height.
 12 They're not independent. They're only there to
 13 allow you to build the three extra floors.
 14 To try to reverse this thing only for
 15 height doesn't make any sense.
 16 CHAIRMAN AIZENSTAT: Thank you very much.
 17 MR. BERNAL: I ask you that you please
 18 recommend to the City that they take back the
 19 entire change.
 20 CHAIRMAN AIZENSTAT: Thank you, sir.
 21 MR. BEHAR: Can I ask Ms. Cabrera a
 22 question, because I want to clear this right
 23 now, once and for all?
 24 MS. CABRERA: Sure.
 25 MR. BEHAR: I believe that you mentioned

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1 that the two blocks to the north, it was the
 2 same way since 2007, that has not been altered,
 3 correct?
 4 MS. CABRERA: Yes.
 5 CHAIRMAN AIZENSTAT: Sir --
 6 MR. BEHAR: You're done, please.
 7 CHAIRMAN AIZENSTAT: Thank you, sir.
 8 MR. BEHAR: That has not been changed?
 9 MS. CABRERA: No.
 10 MR. BEHAR: Okay. Thank you.
 11 CHAIRMAN AIZENSTAT: Next speaker, please.
 12 THE SECRETARY: Angela Carrillo.
 13 MS. CARRILLO: I've asked a couple of
 14 people to come and speak with me as residents
 15 of Coral Gables.
 16 CHAIRMAN AIZENSTAT: Could you start with
 17 your name and address, please?
 18 MS. CARRILLO: Yes. My name is Angela
 19 Carrillo. I'm the President of the Junior
 20 League of Miami. Our address is 713 Biltmore
 21 Way.
 22 CHAIRMAN AIZENSTAT: Thank you.
 23 MS. CARRILLO: Good evening, Planning and
 24 Zoning Board. Thank you for the opportunity to
 25 speak tonight. My name is Angela, and I'm the

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1 Award for historic preservation after our
 2 members both paid for and painstakingly worked
 3 directly on and oversaw the restoration. As
 4 you can imagine, HQ is very important to us and
 5 holds a very special place in our hearts.
 6 HQ is emblematic of Coral Gables. It's the
 7 window into the vision of George Merrick and
 8 the preservation of what makes the City
 9 Beautiful a beautiful place to live and work.
 10 Our Venetian palace HQ building was designed by
 11 famed architect George Fink and was built in
 12 the same year as the City of Coral Gables,
 13 1925.
 14 It was the first Commercial building
 15 constructed in Coral Gables, and the only
 16 remaining Commercial building of this style
 17 west of City Hall. It deserves the protection
 18 by the City that prides itself on historic
 19 preservation and beautification.
 20 I, speak tonight on behalf of our
 21 membership to urge the Planning and Zoning
 22 Board recommend and support our position that
 23 the City Commission not omit the 700 Biltmore
 24 Way block, the north side of Biltmore Way, from
 25 the downzoning currently being proposed. We

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1 President of the Junior League of Miami.
 2 The Junior League of Miami is an all
 3 women's organization with the vision to empower
 4 and mentor Miami's women, children and families
 5 to conquer tomorrow's challenges and build a
 6 united community.
 7 The Junior League of Miami has always had a
 8 strong connection to the City of Coral Gables.
 9 We're 600 members large. Many of our members
 10 have served in elected and unelected City
 11 offices, including Jeannette Slesnick and
 12 Rhonda Anderson.
 13 Many of us have ties to the City of Coral
 14 Gables, not only as residents and a place of
 15 employment, but it's the home of our historic
 16 headquarters, HQ, as we call it, located on 713
 17 Biltmore Way. The Junior League of Miami
 18 purchased HQ on December 28, 1995 to serve as
 19 its permanent headquarters. Extensive
 20 renovations were required to bring the building
 21 up to compliance and to the current Building
 22 Code and fire safety requirements.
 23 We were also fortunate enough to locate and
 24 preserve some key historic features of the
 25 building. Our HQ has won the City Beautiful

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1 want to be included and treated like the rest
 2 of our neighborhood.
 3 We were recently told that a developer went
 4 under contract for the garden apartments
 5 located directly adjacent to us at 719 Biltmore
 6 Way. As you know, this is currently a small
 7 apartment, with a walled courtyard and a pool
 8 next door to the property. We have grave
 9 concerns about the possibility of a building on
 10 a lot so close to our historic building, let
 11 alone a building as closely and dense as the
 12 new Zoning.
 13 Last week we heard that we would be omitted
 14 from the proposed amendment. It's become
 15 painfully clear to JLM that this has been an
 16 intentional omission, and to say that we're
 17 disappointed is an understatement. We're not
 18 anti-development, but our organization and
 19 members have spent millions of dollars to
 20 preserve this building and have serious
 21 concerns over the massive Zoning. Our beloved
 22 HQ should not be a victim of the
 23 overdevelopment that has plagued other parts of
 24 the County.
 25 Again, we respectfully request that the

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1 Planning and Zoning Board include our block in
 2 the amendment and remove the Mediterranean
 3 Bonus.
 4 CHAIRMAN AIZENSTAT: Thank you. Thank you
 5 very much.
 6 Next speaker, please.
 7 THE SECRETARY: Ava Habif.
 8 Sarita Courtney Baigorri.
 9 MS. BAIGORRI: Good evening. My name is
 10 Sarita Courtney Baigorri, and I stand here
 11 today as a resident of Coral Gables. I live in
 12 a 1926 George Merrick home. I have a business
 13 in Downtown Coral Gables. And I am currently,
 14 this year, the President of the Junior League
 15 of Miami Foundation, and I'm -- in addition to
 16 what Angela Carrillo said, I'm here to support
 17 the Junior League of Miami's position to not --
 18 to lower the Mediterranean Bonus and the height
 19 restrictions on the 700 Block of Biltmore Way,
 20 to protect our Junior League Headquarters and
 21 to protect our Coral Gables old Spanish
 22 historic homes and buildings. Thank you.
 23 CHAIRMAN AIZENSTAT: Thank you, ma'am.
 24 THE SECRETARY: Marisa Chisena.
 25 MS. CHISENA: Good evening. My name is

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1 So I also wonder what's going to happen to
 2 -- I know this doesn't necessarily apply to
 3 this building, but this new continuous
 4 development is displacing people. Biltmore Way
 5 and all of that section has a lot of elderly
 6 people. Where are they going to go, if they
 7 are displaced? There's no affordable places
 8 for them. And that's a worry, in my opinion.
 9 I also wonder if the City has done a
 10 traffic study and an infrastructure study and a
 11 hydraulic study, because we do have problems
 12 with water in our garages. The City only said,
 13 it's a problem of each building. The buildings
 14 are not built properly. However, I'm sure
 15 everybody here knows, that when you build a new
 16 building, you're going to go on with a
 17 foundation and you're going to displace water,
 18 and where is the water going to go, to the
 19 building next to it. So that's the big concern
 20 of mine and everybody else in the neighborhood.
 21 So I would like to clarify, and maybe I'm
 22 wrong, but maybe you can verify, before
 23 February, I believe, without the Mediterranean
 24 Bonus, which was established in February, so
 25 before February, the north side of Biltmore Way

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1 Marisa Chisena. I am a resident at 721
 2 Biltmore Way. I'm also an owner at 625
 3 Biltmore Way.
 4 I moved to Miami about 20 years ago from
 5 New York, and we chose -- my husband and I
 6 chose Coral Gables because it's the City
 7 Beautiful, because of the green spaces, and,
 8 specifically, we chose Biltmore Way, where we
 9 resided for 20 years, specifically for the
 10 beauty, the feeling of being in a city, but not
 11 in a Downtown area like on the other side of
 12 LeJeune.
 13 I've also been in real estate for the last
 14 18 years, so I understand development, I
 15 understand construction, I understand that a
 16 city cannot stay in the past, it has a future,
 17 but when I look at that little building, yellow
 18 building, and we see what could possibly
 19 grow -- right next to my building there's now a
 20 two-story building. That yellow building you
 21 see there, it looks like probably 12 stories.
 22 From two stories, it's quite a difference, from
 23 what you see, and that could be just the
 24 beginning of something that is normal from here
 25 on.

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1 and Coral Way was not allowed to build over 150
 2 square feet, am I correct?
 3 CHAIRMAN AIZENSTAT: I'll ask you to just
 4 direct the comments and then we'll address the
 5 comments later.
 6 MS. CHISENA: Okay. So what I would like
 7 to ask is, reverse the Zoning changes in the
 8 Biltmore Section that were approved in February
 9 in 2021, and restore the original density, FAR,
 10 height, et cetera, remove the Mediterranean
 11 Bonus for all of the properties in the Biltmore
 12 Section, and eliminate the MF4 Zoning District
 13 and re-establish the MFSA and MF2 Zoning
 14 District in the Biltmore Section.
 15 I would also like to ask for a Sunshine
 16 meeting for everyone on the Biltmore section,
 17 because that has never occurred, and things
 18 have happened without the residents in the
 19 Biltmore Section knowing. I'll ask for
 20 transparency.
 21 I thank you very much for your time.
 22 CHAIRMAN AIZENSTAT: Thank you for your
 23 time for coming.
 24 Before we continue, I'd like to acknowledge
 25 that Mr. Revuelta has kindly joined us. Thank

1 you for coming. If we could note that, for the
 2 record, please.
 3 MR. REVUELTA: My apologies for being late.
 4 CHAIRMAN AIZENSTAT: Go ahead, please,
 5 Jill.
 6 THE SECRETARY: Patricia Lieberman.
 7 MS. LIEBERMAN: I moved to Miami in 1961 --
 8 CHAIRMAN AIZENSTAT: Start with your name
 9 and address, please. Thank you.
 10 MS. LIEBERMAN: Patricia Lieberman, 420
 11 Biltmore Way, Apartment 420 -- and we rented a
 12 home on Castania and Le Jeune, and I asked for
 13 a variance to have a chain link fence put up,
 14 so my children could play in the yard and not
 15 cross the street. I was refused. And since I
 16 was only -- that I had to put up a concrete
 17 fence. So I was refused, and I was not going
 18 to pay for a concrete fence on a house that I
 19 was only renting.
 20 And it seems that since then anything that
 21 anybody wants seems to get passed, and I live
 22 on the corner of Cardena and Biltmore Way and
 23 Valencia, and there's a lot of discussion back
 24 and forth -- I never have gotten a true
 25 answer -- to the lots across the street, which

1 Ingrid Lyall. I'll be very brief and concise.
 2 I'm only here -- I live at 700 Biltmore Way,
 3 and I'm just here to ask that the change in
 4 Zoning for the Biltmore Section be rescinded
 5 for the entire section. Thank you.
 6 CHAIRMAN AIZENSTAT: Thank you, ma'am.
 7 MS. SECRETARY: Sue Kawalerski.
 8 MS. KAWALERSKI: Good evening, Chair and
 9 Board. My name is Sue Kawalerski. I reside at
 10 6830 Grecian Street, and I'm here in two
 11 capacities, one as a resident, and one as the
 12 President of the Coral Gables Neighbors
 13 Association.
 14 I do want to put on the record, and I don't
 15 know if this is an ethical concern, if it's a
 16 conflict of interest, but there are two sitting
 17 Members on the Board, Mr. Behar and Mr. Torre,
 18 who also were on elite panels for the
 19 consultant that rewrote the Zoning Code. So I
 20 don't know if that's a conflict of interest
 21 with you sitting on the Board.
 22 MR. BEHAR: That is not true. I did not
 23 sit on the panel that wrote the --
 24 MS. KAWALERSKI: This is from the City.
 25 CHAIRMAN AIZENSTAT: If we can, it's on the

1 I will face once the construction has started.
 2 So every time I get a notice from the City,
 3 that has a block of things, that I can't read,
 4 I don't know one block from the next. So I
 5 don't know where the actual building is going
 6 to be, and what the restriction's are going to
 7 be. So I just wish that, when you send out
 8 information, there's a map here that was -- you
 9 know, it told you where everything was, but I
 10 have no idea where it is.
 11 So when you're considering the height and
 12 what you're going to put there, I mean, I know
 13 it's important to have a park, et cetera, but
 14 also to take into consideration your neighbors
 15 that are across the street on both sides.
 16 Thank you.
 17 CHAIRMAN AIZENSTAT: Thank you, ma'am.
 18 Jill, would you do me a favor and just make
 19 sure Ms. Lieberman, before leaving, has the
 20 phone number for the Planning and Zoning
 21 Department, so if you do have any questions,
 22 you can call that number and they can clarify
 23 any information you may need. Thank you.
 24 THE SECRETARY: Ingrid.
 25 MS. LYALL: Good evening. My name is

1 record, your concern, and if you could please
 2 move on.
 3 MS. KAWALERSKI: Yes, I will.
 4 CHAIRMAN AIZENSTAT: Thank you.
 5 MS. KAWALERSKI: But I did want that noted,
 6 because this comes right from the City, by the
 7 way, okay.
 8 So, as the President of the Coral Gables
 9 Neighbors Association, I do want to read into
 10 the record what you have already received,
 11 hopefully, via e-mail yesterday.
 12 Please accept this letter in support of a
 13 complete reversal of the Zoning changes
 14 approved by the City Commission in February
 15 2021 for the entire Biltmore Section of Coral
 16 Gables, which includes Biltmore Way, Coral Way,
 17 Valencia Avenue and all adjacent streets
 18 affected by the Zoning changes.
 19 The Coral Gables Neighbors Association
 20 stands with the Biltmore Condominiums Coalition
 21 on this issue. The Biltmore Condominiums
 22 Coalition asserts: Residents in the affected
 23 area were never notified of the up-zoning and
 24 how their properties would be adversely
 25 affected. The City, represented by Planning

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1 Director Ramon Trias, admitted during the
 2 Sunshine Meeting on this issue that the City
 3 made a mistake when it falsely represented to
 4 the Commission that the up-zoning would not
 5 increase building heights or density. Those
 6 false statements were relied upon by the
 7 Commission to be true and accurate before a
 8 vote to approve the new Zoning Code.

9 Anything less than a complete reversal of
 10 the February Zoning changes and a reversion to
 11 the Zoning previously in place for the entire
 12 Biltmore Section is unacceptable.

13 The CGNA expects the City to take this
 14 action posthaste.

15 With that said, we also expect this
 16 Planning and Zoning Board to consider the
 17 complete reversal, not just a half measure, not
 18 just half of a mistake to be reversed, but the
 19 entire mistake to be reversed and in place
 20 prior to the Zoning change in February. Thank
 21 you.

22 CHAIRMAN AIZENSTAT: Thank you. Please.
 23 Please, stop. Please hold your clapping.
 24 We're just trying to conduct a meeting and get
 25 everybody to be able to speak. I do appreciate

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1 moved here to Coral Gables two years ago,
 2 and -- actually, I moved back to Coral Gables
 3 two years ago. I left Florida in '86. I lived
 4 in California 34 years.

5 When I came back, coming here, and I grew
 6 up here, it's been almost a culture shock to
 7 see how it's changed; more importantly, how
 8 frustrating it is living here, because traffic
 9 is awful, parking is a nightmare, and yet we
 10 keep building.

11 I think we have forgotten our vision or the
 12 vision of Merrick. We're not Manhattan. We're
 13 not Brickell. We are a small community, Coral
 14 Gables, the City of trees. It's a beautiful
 15 city, low crime, a place where you can feel
 16 secure, where you can enjoy walking through the
 17 trees and all of that, yet it's becoming a
 18 jungle of buildings. So I ask you today to
 19 please do not allow more footage or more height
 20 in buildings, not only here in Biltmore, but
 21 the whole District of Coral Gables is just
 22 awful. It's just awful.

23 So I hope that by moving here, for my
 24 retirement, I can enjoy my retirement. So
 25 please consider your motion today. Thank you.

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1 it. Thank you.

2 THE SECRETARY: Debra Register.
 3 Ana Perez will be the next speaker.

4 MS. REGISTER: Hello. My name is Debra
 5 Register. I reside at 1240 Placetas Avenue.
 6 I'm coming before the Chair and the Board to
 7 request that you reverse the Zoning change
 8 completely. I can understand how this will
 9 affect the residents in this area. This Board
 10 and part of the Commission -- the prior Board
 11 and part of the Commission, approved the Paseo
 12 Development. That has affected our Residential
 13 area by traffic, noise. And any additional
 14 density and traffic will adversely affect this
 15 area.

16 So, please, reverse this decision, that was
 17 based on inaccurate information, completely and
 18 not partially. Thank you for your
 19 consideration.

20 CHAIRMAN AIZENSTAT: Thank you for coming.
 21 Next speaker, please.

22 THE SECRETARY: Ana Perez.
 23 Vicky Berg.

24 MS. BERG: Good evening. My name is Vicky
 25 Berg. I live at 600 Biltmore Way, Unit 620. I

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1 CHAIRMAN AIZENSTAT: Thank you, ma'am.

2 THE SECRETARY: Gordon Sokoloff.

3 MR. SOKOLOFF: Good evening. Gordon
 4 Sokoloff, 225 Alesio Avenue, Coral Gables. I
 5 really appreciate hearing the sentiments of
 6 everyone here. I don't have much new to say,
 7 other than I was at the meetings -- the
 8 meetings that were, you know, during the height
 9 of the pandemic, where the Plater-Zyberg
 10 rewrite was being discussed, and the majority
 11 of residents did not know that much about it.
 12 I had personally asked, on more than one
 13 occasion, for a glossary, basically, a layman
 14 version, so that the public could understand
 15 what that Code Re-Write was all about. We were
 16 given an abridged edition, but not a layman's
 17 edition.

18 A lot of people were blindsided. Lo and
 19 behold, this is the one ball that slipped past
 20 the goalie. This was a mistake. And it's one
 21 example, one in a row, that the City actually
 22 came out and admitted it was a mistake,
 23 clearly. I was at the Sunshine Meeting with
 24 Rhonda Anderson.

25 Again, another faux pas of the City is,

1 that meeting was very poorly advertised, people
 2 didn't know about it. Imagine, this room only
 3 had four people in it to discuss the issue and
 4 you can see how important it really is.
 5 So, at that meeting, the admission was
 6 made, so the only proper, right thing to do is
 7 for the City to rescind the bad mistake they
 8 made, in its entirety, not partially. Thank
 9 you.
 10 CHAIRMAN AIZENSTAT: Thank you, sir.
 11 THE SECRETARY: Ana Perez, one more time.
 12 So that's all of the speakers for this
 13 item.
 14 CHAIRMAN AIZENSTAT: In Chambers.
 15 THE SECRETARY: In the Chambers, yes.
 16 CHAIRMAN AIZENSTAT: And how many do we
 17 have on Zoom?
 18 THE SECRETARY: We have three.
 19 CHAIRMAN AIZENSTAT: Would you call the
 20 first individual, by their full name, please?
 21 THE SECRETARY: I have Sheryl Gold. One
 22 second until I unmute you, please.
 23 CHAIRMAN AIZENSTAT: Is she there?
 24 THE SECRETARY: Just one second.
 25 CHAIRMAN AIZENSTAT: Okay. Thank you.

1 CHAIRMAN AIZENSTAT: Ms. Gold, wait.
 2 MR. COLLER: I believe this was the person
 3 that we gave a special accommodation to,
 4 because she could not appear. So we could
 5 swear her in, if we can get the video squared
 6 away.
 7 CHAIRMAN AIZENSTAT: If we cannot, then we
 8 cannot swear her in, if we don't have the
 9 video.
 10 MR. COLLER: But we did -- I'm wondering if
 11 it would be worth passing and going to the next
 12 person and coming back to her and see if we can
 13 get the video squared away.
 14 CHAIRMAN AIZENSTAT: Ms. Gold, are you okay
 15 with that? Let's go ahead and do that.
 16 MS. GOLD: Yeah. Sure. That's fine.
 17 Thank you.
 18 CHAIRMAN AIZENSTAT: That will give us a
 19 chance. Thank you.
 20 MS. GOLD: That's why I thought that the
 21 video was so important.
 22 CHAIRMAN AIZENSTAT: Thank you, ma'am. I
 23 didn't know that.
 24 Next speaker, please.
 25 THE SECRETARY: Maria Cruz. One second,

1 THE SECRETARY: Ms. Gold, can you try to
 2 open your mike please?
 3 MS. GOLD: It's open. Are you going to
 4 open the camera?
 5 THE SECRETARY: One second. We're working
 6 on that with the IT Department. We can hear
 7 you, but we don't have vision.
 8 MS. GOLD: Mr. Chairman, do you want me to
 9 just speak with the audio only, even though I'm
 10 prepared to speak with the video, as well?
 11 CHAIRMAN AIZENSTAT: I'm going to go ahead
 12 and ask you just to speak with the audio only,
 13 and if we do get it resolved in the meantime,
 14 then we will have the honor of seeing you at
 15 the same time.
 16 MS. GOLD: Thank you. I did point out the
 17 fact that the video or the camera was not on,
 18 and I pointed that out at --
 19 CHAIRMAN AIZENSTAT: Could I ask you to
 20 start by your full name and address, please?
 21 MS. GOLD: Certainly.
 22 Good evening. I'm Sheryl Gold. I live at
 23 721 Biltmore Way. I'm here to give sworn
 24 testimony, as an affected. Although I am a
 25 founding --

1 please.
 2 MS. CABRERA: There we go. Okay. So if
 3 you are on Zoom and you want to speak, please
 4 raise your hand with the icon to raise your
 5 hand. Otherwise we can't find you.
 6 MS. CRUZ: Where is the icon?
 7 CHAIRMAN AIZENSTAT: Go ahead, Ms. Cruz.
 8 MS. CRUZ: Good evening. My name is Maria
 9 Cruz, 1447 Miller Road. I have lived in Coral
 10 Gables since 1976, same house, same location,
 11 same family.
 12 I'm here to support the Biltmore residents,
 13 but I have some comments, and I know that some
 14 people may not want to hear it, but we do have
 15 the records, and, yes, there are several of
 16 your members, your members sitting on your
 17 Board today, that participated in the meetings,
 18 supposedly the Staff meetings, with lobbyists
 19 and architects, that were held in the process
 20 for the Zoning Re-Write.
 21 You also have on your Board, one of your
 22 Members just recently, less than three months
 23 ago, bought a property in the affected zone.
 24 And you also have one -- at least one that is
 25 very closely connected business-wise with one

1 of the developers that has been contacting the
 2 owners in that area to sign contracts and be
 3 ready to jump.
 4 I see a problem with that. People that
 5 were involved with the Zoning Re-Write have a
 6 heads up before the regular people. That is
 7 not right. One of the persons that obviously,
 8 because it was posted in a blog, in some -- it
 9 was Insider, one of the persons has even
 10 contracted an attorney that was also involved
 11 in the Zoning Re-Write. How does that sound?
 12 Obviously we do have conflicts of interest.
 13 When you make a mistake, and I'm a retired
 14 educator, I have never heard of anyone
 15 accepting just fixing partially a mistake. I'm
 16 sure that if you all go back to your years in
 17 school, when you made a mistake, you were told
 18 to correct the mistake, not to choose what you
 19 wanted to correct. A mistake is a mistake, in
 20 any book, in any dictionary, and mistakes need
 21 to be corrected.
 22 As to the issue of maybe exposing the City
 23 to lawsuits, this City is known for being
 24 exposed. This City has more lawsuits than
 25 anybody else that I can think of. Exposure

1 MR. BANOS: Good evening, everyone. I do
 2 want to make sure that Sheryl Gold be allowed
 3 to speak. She was --
 4 CHAIRMAN AIZENSTAT: Mr. Banos, could I ask
 5 you to please state your name and address, for
 6 the record?
 7 MR. BANOS: I apologize, Mr. Chairman.
 8 My name is Javier Banos. I live at 1801
 9 Casilla Street, Coral Gables, Florida 33134.
 10 Once again, I want to reiterate, I would
 11 like Ms. Gold to be allowed to speak, because
 12 this is an issue in which she has been a
 13 significant advocate and that is one of the
 14 persons that championed and made this item
 15 being up here possible today.
 16 Okay. I want to support the Junior League
 17 of Miami, I want to support Sheryl Gold, I want
 18 to support the neighbors in the Biltmore
 19 Section and say that we have a complete
 20 reversal of -- as it pertains to this
 21 particular section, of those Zoning changes,
 22 because it prevents them from having the full
 23 enjoyment of their property in the way they
 24 envisioned it. It creates a significant burden
 25 on all of them for the future if they're going

1 does not mean anything, when you're exposing
 2 the property owners. So the choice is, do we
 3 protect the City, which, by the way, is all of
 4 us, and anything that the City pays out is from
 5 our pocketbook, or do we protect the residents
 6 that were hurt, the residents that are going to
 7 suffer, because the City made a mistake?
 8 CHAIRMAN AIZENSTAT: Ms. Cruz, I'm going to
 9 ask you if I would please wrap up. You're past
 10 the three minutes. Thank you.
 11 MS. CRUZ: I'm going to wrap up very
 12 shortly. Yeah, but the three minutes included
 13 the time that I was not unmuted, okay.
 14 I think -- I believe that in order to be
 15 fair and just, the City needs to request to
 16 change everything back to what it was before
 17 the Zoning Re-Write. Process was not followed,
 18 residents were not informed that they would be
 19 affected. Enough is enough. And you have it
 20 in your purview to say it and to get it done
 21 and please make sure that those people that we
 22 have identified that have interest in this
 23 issue to not be voting tonight. Thank you.
 24 CHAIRMAN AIZENSTAT: Thank you, Ms. Cruz.
 25 THE SECRETARY: Javier Banos.

1 to live in a neighbor that is going to have
 2 high-rises far bigger than the ones they have
 3 today, and this area is know for having all
 4 sorts of water intrusion issues and all sorts
 5 of other problems that structurally would not
 6 be conducive -- will not be in the best
 7 position to have larger buildings.
 8 So before we move ahead and allow these
 9 changes in some future Re-Write, we're hoping
 10 that you reverse the complete changes. I think
 11 a study as to the water seepage that's here,
 12 the conditions of these properties, the
 13 problems that the David Williams and other
 14 buildings have had over the years, that should
 15 be put forward, before this mistake is allowed
 16 to continue. I think we should allow this
 17 matter to be put to rest and reversed, and that
 18 we -- if some changes need to be done, then it
 19 should be re-examined wholeheartedly. Thank
 20 you very much.
 21 CHAIRMAN AIZENSTAT: Thank you, sir.
 22 THE SECRETARY: We've had a few more people
 23 raising their hands and wishing to speak.
 24 Carter Saw.
 25 MS. SOX: Good evening, everyone. This is

1 Carter Sox. I'm at 1407 El Rado Street. I
 2 just want to add my voice to this cause. I
 3 know a lot of people talk on development issues
 4 in Coral Gables as long time residents, and,
 5 you know, they voice the opinion that they
 6 don't necessarily like the changes that are
 7 coming to Coral Gables. I want to voice my
 8 opinion as a newer resident and the mother of a
 9 young family. It's not that I'm against change
 10 in Coral Gables, and it's not that I'm against
 11 development and restaurants and industry and a
 12 great economy in Coral Gables, but there has to
 13 be a plan, and this has to be done
 14 strategically, and I actually have spoken
 15 before about the increase in the height
 16 allowances -- I spoke about this one in
 17 particular -- and it's just slightly
 18 unfathomable to me that we would just continue
 19 to move forward with what is obviously a
 20 mistake, and that the residents of this area,
 21 the residents who are the constituents that
 22 you, as Commissioners, owe your support to,
 23 would just be sort of written off, because a
 24 mistake was made. So I think that's very
 25 important.

1 lots of traffic, that's going to create a huge
 2 problem, because that is the thoroughfare
 3 between North Gables and all of the area around
 4 the Granada Golf Course and Downtown Gables,
 5 and that has to be taken into consideration, as
 6 well.
 7 So I'll just wrap up, I don't think -- this
 8 was obviously a mistake. One side of this
 9 cannot be punished because of this mistake that
 10 was made. I'm also an attorney. I don't think
 11 you make decisions based on potential
 12 liability. You make the right decision and
 13 then you have a legal strategy afterwards to
 14 back up your decision. So I don't think that's
 15 a valid reason to not fix this mistake. And I
 16 support all of the residents, I support the
 17 Junior League, and I support myself and my
 18 family, who use this area regularly. Thank you
 19 very much.
 20 CHAIRMAN AIZENSTAT: Thank you.
 21 Jill, now that we have the camera up, can
 22 we call Ms. Gold back?
 23 THE SECRETARY: Ms. Gold, can you unmute
 24 yourself, please?
 25 MS. GOLD: Sure.

1 I'm also a Junior League of Miami member,
 2 and I know we've had our official
 3 representatives there, but I absolutely support
 4 the Junior League of Miami, and that's also a
 5 historic building, and there are other historic
 6 buildings in this area, and that has to be
 7 taken into consideration.
 8 I'm from Virginia, where historic buildings
 9 go a lot further back than in Miami, and it's
 10 beautiful and it's a really nice part of the
 11 community, and if Miami doesn't respect its
 12 history and the historic buildings that are
 13 here, it's going to lose its character, and
 14 it's going to lose its charm, and that's really
 15 what makes Coral Gables special.
 16 And, finally, even though I don't live in
 17 the Biltmore Section, I do just want to point
 18 out that that area is such a thoroughfare. I'm
 19 in the North Gables. I probably drive through
 20 that area 90 percent of the time of where I'm
 21 going. So if I'm going to Downtown Gables, I
 22 drive through that area. I go to the library,
 23 I go Downtown, I go to the War Memorial, all
 24 driving through that area. If that is suddenly
 25 high-rises, with tons of parking issues and

1 Thank you very much for fixing the camera
 2 for me. It's a little hazy. You are out of
 3 focus, but I'll just get started.
 4 Good evening.
 5 MR. COLLER: Wait. We're going to swear
 6 the witness in.
 7 (Thereupon, the participant was sworn.)
 8 MS. GOLD: I do.
 9 CHAIRMAN AIZENSTAT: Thank you, ma'am. If
 10 you could start with your name and address,
 11 please.
 12 MS. GOLD: Sheryl Gold, 721 Biltmore Way.
 13 I'm here to give sworn testimony as an affected
 14 resident. Although I am a founding member of
 15 the Biltmore Condominiums Coalition, I am
 16 representing myself as an individual tonight.
 17 My opposition to the up-zoning of the
 18 Biltmore Section is based on my personal
 19 knowledge of the issues and my commitment to
 20 preserving the residential character of our
 21 neighborhood. I attended five Commission
 22 Sessions on the Zoning Code Re-Write, and I
 23 never heard a single reference to the Biltmore
 24 Section. What I did hear was the City's
 25 consultant, Elizabeth Plater-Zyberg, state that

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1 the objective of the Zoning Code Re-Write was
 2 to incentivize small projects and prevent the
 3 larger developments possible under the old
 4 Code. She obviously misspoke, since the total
 5 opposite has happened in the Biltmore Section.
 6 I am the resident, in February, following
 7 approval of the new Code, that first discovered
 8 the up-zoning and its harmful consequences.
 9 When I asked Ramon Trias for a before and after
 10 chart and maps, to date the vast majority of
 11 affected residents still have no knowledge of
 12 the original Zoning Code changes or the real
 13 reason for the selective and inequitable remedy
 14 being proposed today.
 15 The Staff's explanation for why only half
 16 of the Biltmore District will realize removal
 17 of the Med Bonus height increase is because
 18 those properties are in the former MFSA
 19 District. Why not those in the former MF2?
 20 The simple unvarnished truth, a developer or
 21 developers want to demolish and re-develop
 22 properties on the north side of Biltmore Way
 23 and Coral Way. I organized a site tour in May
 24 for Mayor Lago and Commissioners Fors and
 25 Anderson, so they could observe the existing

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1 benefit developers, at the expense of
 2 residents. Thank you.
 3 CHAIRMAN AIZENSTAT: Thank you, ma'am.
 4 Who do we have next, Jill?
 5 THE SECRETARY: I have Ms. Carbonell.
 6 MS. CARBONELL: Yes, I'm here. Thank you.
 7 Can you hear me?
 8 CHAIRMAN AIZENSTAT: Yes, ma'am. If you
 9 could start with your name and address, please.
 10 MS. CARBONELL: This is Karelia Martinez
 11 Carbonell. I'm at 532 Altara Avenue. I am
 12 President of the Historic Preservation
 13 Association of Coral Gables, and I'd like to
 14 read a letter that was submitted on behalf of
 15 our organization. Also, for the record, I was
 16 past Foundation President of the Junior League
 17 of Miami.
 18 Please accept this letter, which was
 19 submitted on behalf of the Historic
 20 Preservation Association, in opposition to the
 21 proposal to re-zone only part of the Biltmore
 22 Section that was recently up-zoned. The
 23 up-zoning impacts the view-shed of historically
 24 significant buildings, such as the George
 25 Fink-designed headquarters of the Junior League

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1 physical conditions and hear residents'
 2 concerns about the adverse impact of the Zoning
 3 Code changes, increased density, intensity,
 4 taller and larger buildings, more traffic
 5 congestion, less green space, loss of specimen
 6 trees, all resulting in a loss of quality of
 7 life and property values. Also, we raised
 8 concerns about the destabilizing forces of
 9 demolitions and construction on adjacent
 10 buildings in an area already challenged by
 11 excessive flooding and underlying hydrological
 12 conditions.
 13 I support the reversal of all Zoning Code
 14 changes in the Biltmore Section, the
 15 re-establishment of the MFSA and MF2 District,
 16 with the reinstatement of the original height,
 17 FAR, density and setbacks and the removal of
 18 the Med Bonus for the entire district.
 19 Overdevelopment is radically changing
 20 forever the character and historical legacy of
 21 the City Beautiful. I do not want Commercial
 22 size buildings in our Residential neighborhood.
 23 Wise and responsible policy making depends upon
 24 the engagement of the people. I urge you to
 25 reject the proposed amendment, that will

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1 at 713 Biltmore Way, and the garden apartment
 2 complex at 719 Biltmore Way, to name just two
 3 examples.
 4 The Association recognizes that the
 5 Secretary of the Interior has noted that the
 6 setting of a building is part of its
 7 significance. Vibrations and mechanical
 8 actions can disturb the settings and
 9 foundations of historic sites and structures,
 10 especially when larger buildings are
 11 constructed next to much smaller ones.
 12 Additional building height and massing in
 13 the area will further distort and compromise
 14 historic Coral Way and the historic Granada
 15 golf course, so the proposed text amendment
 16 should include restoration of the previous
 17 density, height and FAR restrictions on all
 18 blocks that were erroneously up-zoned.
 19 The Historic Preservation Association of
 20 Coral Gables promotes the understanding and
 21 importance of historic resources and their
 22 preservation in Coral Gables, and we ask that
 23 your Board please decide on correcting this
 24 error that has been now explained by many and
 25 that we ask that it be corrected.

1 Thank you for letting me speak.
 2 CHAIRMAN AIZENSTAT: Thank you, ma'am.
 3 THE SECRETARY: The last speaker on Zoom is
 4 Julie. Julie?
 5 CHAIRMAN AIZENSTAT: Is she there? I'm
 6 sorry?
 7 THE SECRETARY: She's still connected and
 8 has her hand raised.
 9 UNIDENTIFIED VOICE: That was a mistake.
 10 THE SECRETARY: You do no wish to speak?
 11 UNIDENTIFIED VOICE: No, ma'am. Thank you.
 12 THE SECRETARY: Okay. Thank you.
 13 CHAIRMAN AIZENSTAT: Thank you.
 14 Do we have anybody by phone platform?
 15 THE SECRETARY: No.
 16 CHAIRMAN AIZENSTAT: We do not?
 17 Okay. At this time, I will go ahead and
 18 close the meeting -- the floor for this item
 19 and open it up for discussion among the Board
 20 Members.
 21 Chip?
 22 MR. WITHERS: Yeah. Thank you.
 23 I have two questions. First of all, I
 24 thank everyone for being here. I appreciate
 25 you coming out.

1 MS. CABRERA: Do we have the notice --
 2 you're talking about what we're doing today or
 3 when it was done in February?
 4 MR. WITHER: Well, give me the process.
 5 During the process.
 6 MS. CABRERA: Okay. So there were 25
 7 public meetings on this item --
 8 MR. WITHERS: On the overall.
 9 MS. CABRERA: On the overall.
 10 MR. WITHERS: How many on this area, do you
 11 know?
 12 MS. CABRERA: I don't know if there were
 13 specific to this. I think there was
 14 something -- some discussions that we found.
 15 MR. WITHERS: Because some people have said
 16 they knew nothing about it, they weren't
 17 informed. I'm just trying to figure out
 18 where --
 19 MR. TRIAS: There was one specific
 20 Commission Workshop on the --
 21 MR. WITHERS: There was one Commission --
 22 on this area, okay.
 23 We also heard, I think, a couple folks say
 24 they want to take it all of the way back to
 25 square one. Is your plan taking it all of the

1 And, I guess, Ramon, how did we get to
 2 where we are? I mean, how did all of this
 3 happen? How did all of this unfold? I just
 4 would like chronologically what happened.
 5 MS. CABRERA: Is it working? No, I'm just
 6 short. I didn't wear the heels today.
 7 MR. WITHERS: There you go.
 8 MS. CABRERA: So the idea was to make our
 9 Code simpler and to bring some consistency
 10 between different areas, and to bring the
 11 Zoning Code and the Comp Plan to be more in
 12 line with each other. And in doing that,
 13 there's a very specific section of the MFSA
 14 that did not allow the Med Bonus, and when we
 15 went from MFSA, for these properties that were
 16 capped at 150 feet through the Site Specifics,
 17 when they were re-zoned to MF4, the MF4 allowed
 18 the 190.5, and, therefore, they picked up the
 19 190.5. That's your 40 and a half feet.
 20 MR. WITHERS: So through all of this time,
 21 do we normally publicize public meetings and
 22 hearings on these Zoning issues when we have
 23 the Committee meetings and the Zoning meetings?
 24 Do you notify the whole area? How do you
 25 notify --

1 way back to square one or are there certain
 2 things you want to leave in, in the plan, as it
 3 is?
 4 MS. CABRERA: So we're here today only to
 5 address the item that Commissioner Anderson has
 6 sponsored, which is to correct the additional
 7 40 feet of height for these properties, when
 8 they went from 150 to 190.5. The FAR is not
 9 being changed. And that's what she's
 10 sponsoring, simply because she does not want to
 11 open the City to potential lawsuits, and the
 12 City Attorney's recommendation is that the
 13 change in the height does not, but the FAR
 14 should be left as is.
 15 MR. WITHERS: So what are the other items
 16 that you're not removing that were put in?
 17 FAR --
 18 MR. BEHAR: That's it, FAR.
 19 MS. CABRERA: Yeah.
 20 MR. WITHERS: That's it, no?
 21 MR. BEHAR: That's it. Density --
 22 MR. WITHERS: Density.
 23 MR. BEHAR: Just FAR.
 24 MR. WITHERS: And the reasoning that was
 25 not removed was the threat of litigation?

1 MS. CABRERA: Correct.
 2 So what they thought was, if they do the
 3 Med Bonus -- so they don't just get the 2.5 FAR
 4 outright.
 5 MR. WITHERS: Right.
 6 MS. CABRERA: They have to do the Med Bonus
 7 to get that additional FAR. So, before, they
 8 would do the Med Bonus, no additional FAR.
 9 Now, if they do the Med Bonus, that's when they
 10 get the additional FAR.
 11 MR. WITHERS: I understand.
 12 And then the last question is, the Junior
 13 League's historic property there, someone said
 14 it wasn't included. Earlier they said it
 15 wasn't part of the --
 16 MS. CABRERA: So what I heard was that
 17 they don't feel that the north side of Biltmore
 18 Way should be allowed to go to the 190.5 with
 19 Med Bonus. However, that's not up for
 20 consideration, because that section always had
 21 the 190.5.
 22 MR. WITHERS: So that's very difficult to
 23 rescind at this point, anyway.
 24 MS. CABRERA: There is no appetite, my
 25 understanding, to rescind that. And I

1 Mr. Trias, but that gets complicated to do
 2 that.
 3 MS. CABRERA: What you're proposing is that
 4 we would keep FAR at 2.0 and that they would
 5 have to use TDRs to get to the 2.5?
 6 MR. WITHERS: Well, I mean, if they agree
 7 not to develop what they have the right to
 8 develop, then they have the ability to sell --
 9 MS. CABRERA: Oh, to sell the TDRs.
 10 MR. BEHAR: To sell the FAR, what you're
 11 suggesting to do?
 12 MR. WITHERS: Yes.
 13 MS. CABRERA: Is that area in the TDR --
 14 MR. WITHERS: No, it's not, but I'm just
 15 saying, is that --
 16 MS. CABRERA: Can it be put on there?
 17 That's a whole separate discussion.
 18 MR. WITHERS: I mean, I hear that
 19 litigation is one of the issues here, and
 20 litigation is usually the result of someone
 21 losing compensation, and if this is a way to
 22 compensate someone, then we win and they win.
 23 That's my only --
 24 MS. CABRERA: Yeah, and the properties in
 25 the sections that are available for TDR and how

1 understand that there's been questions on
 2 whether that area was 190.5. The documents
 3 that are with the State, which is our
 4 Comprehensive Plan, clearly state 150 without
 5 Med Bonus. If you do the Med Bonus, you could
 6 get to 190.5. So that has always been there.
 7 MR. WITHERS: So has there ever been any
 8 discussion on encouraging people not to take
 9 advance of that or let them use Transfer of
 10 Development Rights to recoup some of the
 11 potential costs they might have lost -- some of
 12 the profits they might have lost in the
 13 development?
 14 MS. CABRERA: No, we're not discussing TDRs
 15 in this.
 16 MR. BEHAR: And Chip, that area is not --
 17 you know, not a transferable area. Remember,
 18 we only have certain areas in the City --
 19 MR. WITHERS: Right.
 20 MR. BEHAR: -- and that's not one of them.
 21 So it would not --
 22 MR. WITHERS: Could it be?
 23 MR. BEHAR: You would have to change,
 24 including, I believe, the Comp Plan to do that.
 25 So, I mean, Ramon may be better to answer that,

1 that's done, it has no be really looked at,
 2 because you don't want to just flood the market
 3 and really drop the price of TDRs and then make
 4 them worthless. So it's a completely different
 5 discussion, honestly. I'm not sure we're
 6 prepared for that today. I'm not.
 7 MR. WITHERS: You know, the City has been
 8 with the Transfer of Development rights for the
 9 property down south, they've come up with some
 10 pretty novel ideas. You know, just a thought.
 11 Okay. That's all I have. Thank you very much.
 12 CHAIRMAN AIZENSTAT: Thank you.
 13 Venny?
 14 MR. TORRE: I say that I welcome and
 15 appreciate the amount of area -- the people out
 16 of the area that know what's happened. I think
 17 there's a little bit of an alarm ringing beyond
 18 what's really happening, I mean, specific to
 19 this project. I think there's a bigger alarm,
 20 and I get it.
 21 CHAIRMAN AIZENSTAT: Venny, could I ask you
 22 to speak into the mike?
 23 MR. TORRE: Can you hear me better?
 24 CHAIRMAN AIZENSTAT: Thank you.
 25 MR. TORRE: So this alarm has to do with a

1 lot more, and it's very much understood, I
2 think people are here for a lot of reasons and
3 not just specific to this. As it relates to
4 this project, I think a lot of it has been
5 blown up a little bit without really diving
6 into the facts and the details of the bigger
7 issues, and I think that happens a lot lately
8 and I'd prefer that we really deal with the
9 specifics.

10 On the south side, there's an error. I
11 mean, there's a possible error, which I think
12 is honest. It's not an error that was done
13 with malice. I think we all feel, probably
14 there's a correction that makes that whole.

15 What happens in the north side is a fear of
16 building on a property that's adjacent to the
17 small historic building. The other
18 buildings -- and I'm not trying to patronize,
19 I'm trying to be helpful. I'm trying to really
20 paint what's really the truth. There's a lot
21 of condos. Those condos aren't going to go
22 down, because there's a very small chance that
23 the condos will be all bought and re-developed.
24 Around the north side, there really is one
25 property that's in fear of development. But if

1 you really look at what's there, and I've done
2 the math, when I was trying to figure this out,
3 there's a parcel about 12,000 square feet.
4 Done by math, the real facts, it can be built
5 to a maximum of about 30,000 feet.

6 If you took 30,000 feet and divided it into
7 condominiums, and you only put -- you would
8 never do this, but you put 3,000 square foot
9 condos, that would give you ten floors. You're
10 not going to get, probably, 3,000 square foot
11 condos. You're probably going to get twice of
12 that per floor -- the point being, the chances
13 of you getting anything taller than eight or
14 nine stories is very much -- is not going to
15 happen.

16 You're allowed, besides the point of the
17 bonus, 150 feet. So you're fighting what
18 happens over 150. What I'm trying to tell you
19 is, the chances of anybody getting to 150 is
20 remote, at best. So you're fighting a real
21 battle, that you would have to have this skinny
22 little pencil, this skinny, little, tiny,
23 little pencil to try to get higher than ten,
24 eleven floors.

25 So, there's a fear, I get it, but I think

1 the rights of the people there already exist
2 and I just don't know that you have a lot you
3 can do about it. So the fear here is of
4 re-development of the site. I just don't know
5 that we have any choice of anything we can do.
6 Rezoning the north is not going to help the
7 reconstruction or the re-development of that
8 lot. And I apologize, but that's what I think
9 is the math. So I think there's a fear of
10 developing there, but it's not going to be
11 guarded by taking and capping at 150. I don't
12 think that happens.

13 And to say that there's a difference in the
14 shaking of the ground because of 150 and 160
15 feet, once you get to eight, nine stories,
16 you're shaking the ground, right. You're
17 shaking the ground at nine stories, you're
18 shaking the ground at six stories. I don't
19 think there's a difference in shaking the
20 ground at ten stories or at twelve stories.
21 It's irrelevant once you start becoming a
22 high-rise or a taller building.

23 So I fear there's a little bit of
24 discussions here that really go beyond the real
25 fear, which is really developing on that site.

1 And, again, the facts that I'm hearing is that
2 the Code allowed for 190, and what I've been
3 hearing is, bring it back to the original Code.
4 So what is being said here is --

5 CHAIRMAN AIZENSTAT: Excuse me.

6 MR. TORRE: -- the Code then would revert
7 to the 190, on the north side, just by the fact
8 that that's what existed.

9 MS. CABRERA: With Mediterranean Bonus.

10 MR. TORRE: With Mediterranean Bonus.

11 So I hear the call, but it's not solving
12 anything. For, One, because the Code already
13 exists, and, Two, I think that nobody's going
14 to get to 170 or 180 or 190 on a lot that's
15 only 12,000 square feet. It's just not going
16 to ever happen. Parking would not allow it to
17 happen, a bunch of other reasons would not
18 allow it.

19 So I get the point, and I get, this is a
20 bigger problem. On the issue of the south side
21 of Biltmore Road, I think there's a logic why
22 you guys are doing only the height, and I'm
23 actually in favor of rescinding the height
24 issue, and that's fine. I think we're talking
25 about what I think everybody probably agrees is

1 a good thing. If there's an error, let's
 2 correct it. Those are my points.
 3 CHAIRMAN AIZENSTAT: Thank you, Venny.
 4 Claudia?
 5 MS. MIRO: So, a little earlier, when you
 6 first spoke, somebody had asked the question
 7 about Bert Harris, and you said we were not --
 8 the City was not legally facing any Bert Harris
 9 now. Then you also said that the Commissioner
 10 had filed this motion this way because of legal
 11 concerns. So is there a risk of being sued or
 12 is there not?
 13 MS. CABRERA: There's always a risk of
 14 being sued; however -- you can't stop people
 15 from suing us, and I believe there was an
 16 attorney that spoke on Zoom that said, but you
 17 have a plan, and that's exactly what it is, we
 18 have a plan. If we get a Bert Harris, we feel
 19 very strongly that we could show that they did
 20 not lose development rights from going from 190
 21 to 150.
 22 MS. MIRO: I guess the other question I
 23 have is, what the residents are asking us for
 24 is to rescind the entire thing. We can do that
 25 as a Board, correct? Mr. Attorney --

1 Code allows 190.5 with Med Bonus.
 2 MS. MIRO: Right, and that's what's before
 3 us, but rescinding the whole thing would change
 4 the FAR, which is not being proposed because of
 5 a legal ramification? Is that correct?
 6 MS. CABRERA: Yes. That's my understanding.
 7 MS. MIRO: The other thing is, I've been
 8 hearing from everyone else, I think that, just
 9 for my perspective -- and, again, I still say
 10 I'm very much a freshman on this Board, to
 11 understand very well FAR, TDR and everything
 12 else, but I do understand that when you make a
 13 mistake, that you correct the mistake. I
 14 understand the explanations that have been
 15 given for FAR and how, you know, it's also for
 16 the heights, that it doesn't -- just fixes the
 17 part that has been changed, I understand all of
 18 that, but I also understand, when I hear the
 19 residents say, "Hey, we didn't know that -- you
 20 know, we were not notified that our properties
 21 were going to be up-zoned," I understand that
 22 they were cut out of the process, and I also
 23 understand that the intention, right,
 24 originally, back in February, was to just
 25 update or refresh the Code, but that a mistake

1 MR. COLLER: Well, the item that's before
 2 you is the south side. Now, if you were to
 3 rescind -- if you wanted to go back to the old
 4 Code, the position of the Department, I
 5 believe, is, MF2 permitted the 190.5, and there
 6 seems to be some dispute about whether that's
 7 true, but I believe that that is the case.
 8 So if you went back to MF2, you get the
 9 190.5. What's before you is the south side.
 10 However, if you want to make a recommendation,
 11 that you approve this, however, you believe
 12 that the Commission could consider reversing
 13 the MF4 and go back to MF2, you could put that
 14 as part of your motion, but what's before you
 15 is -- the specific item itself is the southern
 16 property.
 17 MR. BUCELO: Are there any legal
 18 ramifications to going back to MF2, if that
 19 were to happen?
 20 MR. COLLER: Well, the legal ramifications
 21 are, MF2 allows 190.5, so I don't think that
 22 accomplishes anything.
 23 MS. CABRERA: Yeah, I was going to say, the
 24 MF2 allowed 190.5 with Med Bonus. The MF4 --
 25 the MF2 in the old Code. The MF4 in the new

1 was made, right. So I think that if we want to
 2 maintain the trust of the residents, the next
 3 time that we come up and say, "Hey, we're just
 4 doing this and it's just to clean this up, it's
 5 a technicality that we're fixing," that they
 6 can be able to put their full faith behind that
 7 and not find themselves months later saying,
 8 "Wait a minute. That wasn't what happened,"
 9 and now you're going to fix part of it, and the
 10 other part, we're not going to fix, because
 11 we're afraid that they're going to come after
 12 us legally, but that's why we all have
 13 attorneys.
 14 I think that, in the real world, when you
 15 make a mistake, you suffer the consequences,
 16 you face them, and, you know, like the resident
 17 on El Rado said, you come up with a strategy
 18 and you face that. So I'm kind of leaning in
 19 that direction, just trying to understand, you
 20 know, what it is that -- I get it. I hear both
 21 sides. I understand them. I just think that,
 22 in order for us and -- this City is very much
 23 in need to hone in that public trust. I heard
 24 my colleague, Venny Torre, talking about the
 25 fear. I think that's a very real fear. It's

1 not a fear that's frivolous. It's a fear of,
2 hey, we see what's going on around us, we see
3 the things that have passed, and for some
4 reason, have been erected, and I think that we
5 need to restore that public trust, and, you
6 know, I would say, do the right thing and start
7 from scratch.

8 If the intent was to spruce it up and make
9 it right, well, let's go back to that and start
10 from scratch again, and come with me, we'll
11 face it. Those are the consequences. I very
12 much respect Commissioner Anderson for what
13 she's trying to do, but, at the same time, I
14 think that the residents are once again coming
15 to us and that they are asking, listen to us,
16 and we need to do that.

17 The other thing, somebody else mentioned
18 that, for that Workshop, it was poorly
19 advertised. I didn't hear about it myself and
20 I live in the Gables, you know, and I'm
21 interested in the issue. So I do think we need
22 to do a better job, as a city, to get the word
23 out, so that we don't have four people in a
24 room this size, that we have 400, if necessary,
25 because I haven't met one person, every time I

1 myself. I just happen to buy a unit in
2 Biltmore Way, 625 Biltmore Way, roughly around
3 three months ago. So I'm very familiar with
4 this area.

5 I would like to hone in on Mrs. Miro's
6 comment as to notice, transparency. I think
7 that's the big issue here. One of the
8 questions I have for the City is, what notice
9 was given before the February Zoning change, if
10 any? What transpired in that end?

11 MS. CABRERA: Jennifer, Ramon, do you
12 have -- I know we've shown it in a few slides,
13 but --

14 MR. TRIAS: So the notice, I don't recall
15 exactly, but it's just the typical notice.

16 UNIDENTIFIED VOICE: Speak a little louder,
17 please.

18 CHAIRMAN AIZENSTAT: Excuse me, ma'am.
19 He's directing his comment --

20 UNIDENTIFIED VOICE: Sir.

21 CHAIRMAN AIZENSTAT: Oh, I do apologize
22 about that.

23 MR. TRIAS: I heard you. Thank you, sir.

24 CHAIRMAN AIZENSTAT: Sir.

25 MR. TRIAS: Yes, it was a Commission

1 talk to somebody, who's not concerned about the
2 growth that our City is seeing and how we're
3 getting into it, whether it was a mistake or
4 whether it happened at this Board or that Board
5 or at the Commission level. We need to really
6 start moving in that direction of, how do we,
7 you know, move in baby steps or make sure, if
8 we make a mistake, that we correct it and we
9 don't lose that public trust. Those are my
10 comments. Thank you.

11 CHAIRMAN AIZENSTAT: Thank you. Please
12 hold back on your applause. Thank you.
13 Luis?

14 MR. REVUELTA: If you don't mind, leave me
15 for last, since I was late.

16 CHAIRMAN AIZENSTAT: Say that again,
17 please.

18 MR. BUCELO: He wants to be left for last.

19 CHAIRMAN AIZENSTAT: He would like to be
20 left for last.

21 Okay. Alex.

22 MR. BUCELO: Yes. And I want to address
23 one of the speakers -- I think it was on Zoom
24 -- that mentioned one of the Board Members
25 lives in the Biltmore Section, and that's

1 Meeting, and the point is, there were 25
2 meetings and some of them were regular
3 Commission Meetings, some were Special
4 Workshops, some were Zoom meetings that we had,
5 too, because of the Pandemic. So there was a
6 variety of things. We can research it and give
7 it to you in detail, but there were multiple --

8 MR. BUCELO: I mean, we keep on hearing
9 from the residents that -- that's pretty much
10 one the main issues here, that they're left off
11 in the dark and that's something that has to be
12 addressed, and definitely addressed moving
13 forward, so these concerns don't continue
14 happening.

15 But pretty much my colleagues asked most of
16 the questions I had in mind, so thank you.

17 MS. MIRO: I'm sorry, I had one more
18 comment, if I may, Mr. Chair. Also, one of the
19 questions I did have was, I know Patricia
20 Lieberman, she spoke and she said about maps,
21 that the maps that she received were not as
22 detailed, you know, as the ones that we
23 received or the ones that we saw on the slide
24 show.

25 So my question is, why is it that when we

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1 send out notices to the residents, what kinds
 2 of maps are they getting, that they have no
 3 idea that they're looking at their own
 4 neighborhood and they don't know where they're
 5 standing? So why can't we provide the same
 6 maps that are provided to this Board? I'm just
 7 wondering, because I didn't get to see what
 8 she's talking about, but she's raising that
 9 concern.

10 MS. CABRERA: I heard her say that, too.
 11 I'm not sure exactly what map she got, but I've
 12 been using the same maps from the beginning,
 13 which are these, and then, for the new maps, we
 14 have a software, Gridics, where you could go in
 15 there and use your address and it will show all
 16 of the Zoning information for your property and
 17 we just printed out that map. It's available
 18 online.

19 MR. TRIAS: Ma'am, if I can clarify. The
 20 notice does not have any of the maps that are
 21 included in the presentation. However, all of
 22 those maps are in the website, and you can
 23 click on them and see them, if you want to. So
 24 if you follow the information, you can find it.
 25 The notice is just an eight and a half by

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1 affected," so that our residents can, I think,
 2 Number One, be more involved. I think, if you
 3 get something with a map on it, with a big
 4 circle, and, you know, "X" is your property,
 5 you have an idea of, hey, this is affecting me,
 6 I better get out there or I have questions.
 7 That's all. Thank you.

8 CHAIRMAN AIZENSTAT: Thank you.
 9 Robert.

10 MR. BEHAR: Thank you, Mr. Chair.
 11 First, I do want to take this opportunity
 12 to address those two speakers that went out
 13 and -- I want to clear the record -- went out
 14 and tried to smear my name and the efforts that
 15 I've put into this community, that I've done
 16 for the last 25 years.

17 I was not part of the firm, anywhere near
 18 that firm, doing the Rezoning. I was, as a
 19 concerned resident, that I've lived in the City
 20 of Coral Gables for approximately 30 years,
 21 giving my opinion on items that I thought were
 22 important. I am not a property owner, I don't
 23 have any property along this area. I don't
 24 have, as an architect, any project. So I want
 25 to make sure that those two speakers clearly

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1 eleven sheet that describes the meeting and
 2 what's going to happen in the meeting. That's
 3 the way it's done. We could do it differently,
 4 if you think.

5 MS. MIRO: Yeah, that was my question,
 6 because that's wonderful for all of us, who
 7 are -- you know, we can work a computer and
 8 we're savvy -- tech savvy, but some of the
 9 maybe older residents, who don't know how to
 10 navigate our already difficult website to
 11 navigate, may have an issue. So can we include
 12 them in the future or if somebody requests
 13 them, do we mail them out?

14 MS. CABRERA: Absolutely. If somebody
 15 requests them, we would absolutely.

16 MS. MIRO: I know my colleague, Mr.
 17 Aizenstat, provided her the number for Planning
 18 and Zoning, but --

19 CHAIRMAN AIZENSTAT: Ma'am, if you can,
 20 please let her speak. Thank you. Go ahead,
 21 Claudia.

22 MS. MIRO: So, yeah, so I was just thinking
 23 if there was any way that we could be more
 24 transparent and say, "Hey, you know, here's the
 25 notice and this is the area that's being

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1 know that I have no interest.

2 I'm not going to -- listen, I agree with my
 3 colleague, Mr. Torre, as far as the height. As
 4 much we would like to say that it's possible,
 5 it will be impossible. I would acknowledge,
 6 and this is going to surprise those two
 7 speakers, if a mistake was made, I think we
 8 need to correct the mistake, okay. If a
 9 property on the north side, that have lived for
 10 the past 14 years zoned one way, we cannot go
 11 back and do anything about that. That is the
 12 way it was done, and we cannot go modify or
 13 change that north side of Biltmore Way.

14 The properties that we're talking about,
 15 the two blocks that we're talking about today,
 16 if we need to go back and get them back to the
 17 150, I'm in favor of doing that. Unlike what
 18 other people are saying, the correcting needs
 19 to be done. I'm in favor of making a motion to
 20 go -- to recommend approval as the way Staff
 21 has proposed it to us. There is a reason why
 22 the FAR is not part of that, just the height,
 23 and I will make a motion, after my colleagues
 24 speak, in favor of approving the Staff
 25 recommendation.

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1 CHAIRMAN AIZENSTAT: I'd like to go
 2 ahead -- I understand. If it's okay, I'd like
 3 to go ahead and have that motion made after --
 4 MR. BEHAR: After.
 5 CHAIRMAN AIZENSTAT: Thank you. Are you
 6 done, Robert?
 7 MR. BEHAR: Yes, I am.
 8 CHAIRMAN AIZENSTAT: Thank you.
 9 Luis?
 10 MR. REVUELTA: I am in agreement with what
 11 Mr. Torre and Mr. Behar said. I am in
 12 agreement that the mistake has to be corrected.
 13 I'm in agreement that we cannot be fooling with
 14 FAR, because that issue is going to be a big,
 15 big expensive mess for the City.
 16 As an architect, and I apologize for being
 17 late, but how is the Fink building going to be
 18 protected? Or does it get affected at all by
 19 whatever recommendation we make here tonight?
 20 CHAIRMAN AIZENSTAT: Ramon.
 21 MS. CABRERA: I don't see that it's
 22 affected. It's a historic structure. It will
 23 go through Historic. There's no effect.
 24 I understand that there were some comments
 25 about how a building right next to it might

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1 CHAIRMAN AIZENSTAT: Okay. Thank you.
 2 MS. CABRERA: I just want to say something,
 3 because there's a lot of people listening, that
 4 probably usually are not listening. Even if
 5 that building had not been designated historic,
 6 if someone comes in with a demolition plan for
 7 any building in the City, we send it to
 8 Historic. And if Historic feels that it should
 9 not be demolished, they will moved forward with
 10 a designation.
 11 So there is no way to demolish a building
 12 in this City without getting Historic to review
 13 it first.
 14 CHAIRMAN AIZENSTAT: Understood.
 15 What I see before me and before this Board
 16 is the south side of Biltmore Way. That's what
 17 we're here to talk about. The fact that was
 18 made about the process and the notification, if
 19 there is an issue with the process of notifying
 20 residents, then that's separate and that's
 21 something that should be looked at. That
 22 should be looked at by Staff, by all
 23 recommendations and all bodies of authority
 24 that need to look at that, but for the process
 25 that has gone on 'til today, the proper

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1 affect the structural integrity of it, but, you
 2 know, building right up, you know, close to a
 3 property line, next to another tall building or
 4 another building, is very common in the
 5 Downtown areas or in any other City. I'm a
 6 structural engineer so that's --
 7 MR. TRIAS: I don't know if it's designated
 8 historic. It probably is. It probably is, and
 9 if it is, it is protected, as far as the
 10 building itself.
 11 MR. REVUELTA: And I'm in agreement with
 12 what Venny said, that 150 or 190, it's
 13 irrelevant. Actually, if the building could
 14 have a smaller footprint and be thinner, it
 15 would be actually better for air space around
 16 the old historic building.
 17 Regarding the south side, I am in agreement
 18 with what Robert said. I do have a concern how
 19 height slowly continues to creep into lower
 20 height areas. So as much as I'm not 100
 21 percent familiar with the consequence, I think
 22 if something can be done to manage that height,
 23 as it grows south into the lower height areas,
 24 I would be in favor to second the motion or
 25 vote in favor of that.

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1 notification, which is required by the City,
 2 has been followed, is my understanding. Am I
 3 correct?
 4 MS. CABRERA: Correct. I believe we hand
 5 delivered some notices, correct?
 6 CHAIRMAN AIZENSTAT: The notices are -- how
 7 many feet do you have to deliver notices, for
 8 example?
 9 MS. CABRERA: A thousand? Is it a
 10 thousand? A thousand.
 11 CHAIRMAN AIZENSTAT: So it's a thousand
 12 feet. So if the City is hearing the concerns
 13 from the residents that the notices are not
 14 sent out correctly or the notices are not sent
 15 out far enough or wide enough as to what they
 16 encompass, then that's an issue that the City
 17 needs to look at, but that is not before us
 18 tonight. I'm not saying -- I don't disagree
 19 that it should be further, but that's not
 20 before us tonight.
 21 A lot has been said about the north side of
 22 Biltmore Way. While that can be looked at, I
 23 think that's also not before us tonight, even
 24 though this body can make a recommendation for
 25 the Zoning Code to be looked at, for a specific

1 part of the Zoning Code to be looked at, but I
 2 think we need to look at what's before us here.
 3 My colleague, Venny, actually spoke very
 4 eloquently, and he stated the facts, as they
 5 are. There are a lot of residents here that
 6 are concerned, and I think, myself, as the
 7 Chairman, and I think the entire Board here,
 8 welcomes your voice, all of your concerns and
 9 it's something that the City should look at. I
 10 am also in favor of, if a mistake was made,
 11 then it needs to be corrected, and obviously a
 12 mistake was made, because the City has said
 13 this was a mistake.
 14 I do not think that it was a mistake made
 15 by malice. I do not think it was a mistake
 16 made with intention. That is my feeling. I
 17 cannot speak for the rest of my Board Members,
 18 but I can speak for myself.
 19 At this point, Robert made a motion.
 20 Robert, would you like to go ahead and repeat
 21 that, please?
 22 MR. BEHAR: I'll make a motion that we
 23 rescind the additional height, as stipulated in
 24 the Staff recommendation, that we go back to
 25 the 150, as it was prior to February of 2021,

1 MR. BEHAR: I agree with Chip. Maybe we go
 2 after. I'm willing to do that, but not as part
 3 of this motion, because this is to what's in
 4 front of us.
 5 MR. WITHERS: This motion is going to pass
 6 unanimously, because everybody feels we need to
 7 right a wrong, and everybody's expressed that,
 8 but there's two of us, and maybe three of us,
 9 including me, and I don't know how you others
 10 feel, that there is, you know, just a general
 11 feeling in the City that things are getting
 12 built really high and really fast and people
 13 are really getting upset about it and there's
 14 been a whole wind of change in the last couple
 15 of years on that, and if we don't take this
 16 opportunity to express our concern, you know, I
 17 have a concern that we look at this area, north
 18 of Biltmore Way, and say, look, what can we do?
 19 You know, how do we get that down to the 150?
 20 You know, what are the options out there on the
 21 table to do that?
 22 CHAIRMAN AIZENSTAT: Chip, let me ask you a
 23 question. Would you like to suggest that that
 24 be added as a recommendation part of this?
 25 MR. WITHERS: Whatever we do to make sure

1 and the motion is to approve Staff
 2 recommendation.
 3 CHAIRMAN AIZENSTAT: And, Luis, you had a
 4 second?
 5 MR. REVUELTA: I seconded it.
 6 CHAIRMAN AIZENSTAT: We have a motion. We
 7 have a second. Any discussion among the Board?
 8 MR. WITHERS: Can we, after we vote on this
 9 motion, go back and address the north side and
 10 have a little bit of discussion about that?
 11 CHAIRMAN AIZENSTAT: Craig, how does that
 12 work, if it's not noticed and we have a
 13 discussion based on the north side?
 14 MR. COLLER: Well, I think, as part of this
 15 motion, if you have a recommendation -- first
 16 of all, all that's been advertised is the south
 17 side. So there would have to be a completely
 18 new item to address the north side. So you
 19 can't really address the north side in this
 20 item. But as a recommending body, which you
 21 are, right, if you want to add to your vote --
 22 in support of this, if you want to say, "Well,
 23 we think we should look at the north side," if
 24 you want to do that, as part of the motion, you
 25 can.

1 that we do it legally and correctly and
 2 sufficiently, as far as the City can move
 3 forward. I mean, I don't know. I thought a
 4 separate discussion item, but if it has to be a
 5 part of this motion --
 6 MR. COLLER: Well, I mean, it doesn't have
 7 to be, but it will be part of this item.
 8 MR. WITHERS: Okay.
 9 MR. COLLER: If you want to do it as a two
 10 vote, first on the approval and second on what
 11 you want the recommendation to read, you can do
 12 it that way.
 13 MR. WITHERS: I just think that I would
 14 like the Commission to know how I feel and a
 15 couple of the Board Members feel about the
 16 north side of this property, and I don't want
 17 to speak for Claudia, but I don't know how you
 18 all -- I kind of heard you saying that, when
 19 you all --
 20 MS. MIRO: I can speak for Claudia, and I'm
 21 on the same page with you.
 22 MS. CABRERA: May I say something?
 23 CHAIRMAN AIZENSTAT: Yes, please.
 24 MS. CABRERA: So I understand that there's
 25 a frustration, and I'm hearing it, with the

1 developments and the height and the size of the
2 developments, but everything -- every project
3 that I have heard a complain about, not one of
4 those was built under this Code.

5 MR. WITHERS: I'm sorry, not one, what?

6 MS. CABRERA: Not one of them was built
7 under this Code. Those were projects that were
8 built under a Code that was in existence before
9 Ramon Trias was with the City, before I was
10 with the City.

11 MR. TORRE: Can I also say something,
12 because I think it's being missed? Maybe some
13 folks don't quite understand. The Commercial
14 Code is different from the Residential Code.
15 MF2 is not like Commercial. But you've heard
16 all here, Commercial gets you to 4.5, 4.85, all
17 of these numbers, right, up there, which 190 in
18 the height really gets into it. This is about
19 2.0 to 2.5. To get to 190, with a 2.0, is a
20 different ball game. So, therefore, these
21 Residential buildings just don't creep up to
22 that level and it's a different game.

23 CHAIRMAN AIZENSTAT: Sir, the floor is
24 closed.

25 MR. TORRE: I'm just making that point,

1 because there's a fear to get to that point,
2 but -- and I go back to the figures, the
3 numbers, the math. 190 for Commercial all day
4 long is an issue we talk about. 2.0 to 2.5,
5 when you're trying to get to that --

6 MR. WITHERS: Hey, look, five years ago,
7 nobody had the wildest dream that the
8 monstrosity where the Deel Ford parking lot
9 used to be on US-1 would be as big as it is.

10 MR. BEHAR: But, Chip, you know
11 something --

12 MS. CABRERA: I understand.

13 MR. WITHERS: No, no, no. Wait.

14 MR. BEHAR: You know something, when that
15 project came to this Board, it was voted down
16 six to zero. It was never -- this Board --

17 MR. WITHERS: I know. I'm not saying --
18 no, no -- this Board has held the line, I can
19 tell you.

20 MR. BEHAR: -- never approved that project.

21 MR. WITHERS: But I'm saying, once it gets
22 past this Board, changes are made, and I don't
23 think anybody would have ever thought that --
24 you know, and I live on Hardee Road and I never
25 thought that the Holiday Inn would have a --

1 you know, you don't know the nightmare that
2 causes the neighbors right now.

3 MR. BEHAR: And, again, that project was
4 not approved by this Board.

5 MR. WITHERS: I know it wasn't. That's not
6 my point. All I'm saying is, we can say, let's
7 retract this, but what do we do to kind of keep
8 the ball rolling, because I really think that
9 we need to --

10 MS. CABRERA: I just have to make a
11 comment. I have to, because I'm the
12 Development Services Director, and I hear a lot
13 of complaints and I know that Ramon has taken a
14 beating lately, but the David Williams was
15 probably before we were even born. It had
16 nothing to do with the Staff that's here today.
17 It has nothing to do with the Code that's in
18 front of you today.

19 The projects on US-1 were not built under
20 the Code that you're looking at now. It was
21 not under a Code that Ramon Trias had his hand
22 on. And I just feel like I understand that
23 there's a frustration of overdevelopment. I
24 remember when this happened a few years ago,
25 and, you know, the City made changes, the

1 residents. It's just difficult for me to sit
2 here -- and I don't feel I need to protect my
3 Staff, because if I'm protecting them, it's
4 because they're doing something wrong, but I do
5 feel that I need to speak up for them, when I
6 feel that they're being blamed for things that
7 had nothing to do with them.

8 MR. WITHERS: Time out. In all due
9 respect, none of these buildings were built to
10 Code.

11 MS. CABRERA: And none of them were built
12 by Staff.

13 MR. WITHERS: None of them were built to
14 Code. You might say it was an old Code, but
15 they blew through that Code. The building on
16 US-1 blew through the Code.

17 MS. CABRERA: I agree with you.

18 MR. WITHERS: Alhambra blew through that Code.

19 MS. CABRERA: I agree with you.

20 MR. WITHERS: The Ponce de Leon building
21 blew through that Code. So to say that the
22 Code is the Bible, we blow through the Bible.
23 We blow through the Code.

24 So, yes, it wasn't under your watch and it
25 wasn't your Code, but it wasn't under the Code

1 before, because they didn't respect the Code
 2 before.
 3 MS. CABRERA: I understand, and that was --
 4 follow the process and the process did not end
 5 with Staff. Staff cannot approve those
 6 projects to be built.
 7 MR. WITHERS: I didn't mean to get into
 8 this discussion. I apologize, Mr. Chair.
 9 CHAIRMAN AIZENSTAT: I know. I was
 10 actually going to make a suggestion. Maybe,
 11 possibly, we could have a Workshop at some
 12 point to look at that or invite people to come
 13 and so forth. That may be the better venue for
 14 that discussion.
 15 MS. CABRERA: Yeah.
 16 CHAIRMAN AIZENSTAT: Because I think
 17 whatever recommendation that we're going to
 18 make now, I don't know how far that's going to
 19 go.
 20 MR. TORRE: I want to make a point, and
 21 we've said it before, what is helping us here
 22 is also hurting us. This is a very difficult
 23 Code. It's hard to understand it, when you
 24 make the changes, it's hard to even explain it.
 25 It's part of the reason people just come here,

1 because they just can't understand what the
 2 heck is going on, and I sometimes have to, but
 3 that's the Code that helps us. It's the very
 4 same Code that's given us protections that
 5 we've made Coral Gables with. So it's a
 6 two-sided thing here, but it's a very difficult
 7 thing to work with.
 8 MR. WITHERS: So your point is?
 9 MR. TORRE: The point is, in deference to
 10 them, this happens because it's -- trying to
 11 put this through the Code changes was a
 12 difficult thing. Trying to explain it was a
 13 difficult thing. Trying to understand it, it
 14 was a difficult thing. And something got past.
 15 MS. CABRERA: Yes, and the implications of
 16 the changes.
 17 MR. BEHAR: We can fix whatever mistake was
 18 made.
 19 MR. TORRE: It's a very complex thing, to
 20 even figure out what to change, and, then, when
 21 you try to make the changes, look, something
 22 got by.
 23 CHAIRMAN AIZENSTAT: Okay. We have a
 24 motion that was made. We have a second. Go
 25 ahead, Claudia.

1 MS. MIRO: I'm still leaning towards the
 2 motion of adding the north side to this motion,
 3 just to tie it in together. I don't want this
 4 to pass --
 5 CHAIRMAN AIZENSTAT: As a recommendation?
 6 MS. MIRO: As a recommendation that we
 7 bring it up as an item in the future to discuss
 8 it, like what Chip had said earlier.
 9 MR. BEHAR: But I think that's a discussion
 10 item, and we could make -- you know, but it
 11 cannot be tied this item.
 12 MS. MIRO: Why not?
 13 MR. BEHAR: Because we cannot go and say
 14 we're going to change the north side of that.
 15 CHAIRMAN AIZENSTAT: Let me clarify that.
 16 We have a motion. We have a second. We can
 17 vote on it, and if it doesn't pass -- unless
 18 you'd like to go ahead and amend it.
 19 MR. BEHAR: As much as I would agree to do
 20 it, exactly what Chip said, we cannot today go
 21 and say we're going to change the north side
 22 tonight. We cannot. What we can do is what
 23 Staff brought to us, on the south side, those
 24 two blocks that were mistakenly raised to 190.5
 25 inches, those we can go back, but we cannot go

1 back and do those north side.
 2 At least, in my motion, I cannot do that.
 3 MS. MIRO: I'm confused, because what I
 4 would like clarification on is, when Chip
 5 brought it up, you said, I'm open to that, and
 6 now you're saying, I can't do that?
 7 MR. BEHAR: No, I'm open as a separate
 8 item, not part of this motion. I was very
 9 clear. And I agree with him, we should look at
 10 that, the City should look at it, but it's
 11 going to be a process that's going to take
 12 time. This is not something that we have the
 13 authority to guide tonight and say, we're going
 14 to change the north side. We cannot do that.
 15 MS. MIRO: So what was your proposition,
 16 Chip?
 17 MR. WITHERS: That we express concern to
 18 the Commission that they should take a hard
 19 look at the north side.
 20 MS. MIRO: So that's all that it would be,
 21 would be an expression of --
 22 MR. BEHAR: We can make a recommendation to
 23 do it, but we cannot be part of --
 24 CHAIRMAN AIZENSTAT: Let me ask a question,
 25 if I may, one second. Robert, would you be

1 open to amending that we also express to the
 2 Commission that they look at the north side for
 3 the future?
 4 MR. BEHAR: Yes.
 5 MR. REVUELTA: And I would keep the second.
 6 CHAIRMAN AIZENSTAT: Would you second that
 7 amendment to the motion?
 8 MR. REVUELTA: At the end of the day, the
 9 City Attorney said that we could add a comment
 10 to it. I think Robert is correct. There's
 11 nothing we can do, other than just, as Chip is
 12 saying, let's just continue to raise the flag
 13 or keep the flag up, so we can --
 14 MS. MIRO: That's fine. I just don't want
 15 to do nothing with it. That's fine.
 16 Absolutely.
 17 MS. CABRERA: Because if you add it here,
 18 you may not get either one. So it's better to
 19 get, you know, a bird in hand and then
 20 recommend the other one.
 21 MS. MIRO: Absolutely.
 22 CHAIRMAN AIZENSTAT: If I may, are you okay
 23 with the amendment that was just made?
 24 MR. REVUELTA: I am okay. I have one
 25 question. How many properties on the north

1 MS. MIRO: Yes.
 2 THE SECRETARY: Luis Revuelta?
 3 MR. REVUELTA: Yes.
 4 THE SECRETARY: Eibi Aizenstat?
 5 CHAIRMAN AIZENSTAT: Yes. Thank you.
 6 The next item on the agenda, E-2 and E-3 --
 7 go ahead.
 8 MR. TRIAS: Mr. Chairman, just for
 9 practical reasons, if we can deal with E-7 --
 10 CHAIRMAN AIZENSTAT: Let's go ahead and
 11 take a five-minute recess, because there's
 12 people that are leaving the Chambers. That
 13 will give them an opportunity, and then we will
 14 go ahead and continue.
 15 (Short recess taken.)
 16 CHAIRMAN AIZENSTAT: All right. Let's
 17 reconvene, please. Everybody is here. Thank
 18 you.
 19 Ramon went ahead and notified me that Item
 20 E-7 should be done next.
 21 MR. COLLER: Okay. I'll read it in.
 22 CHAIRMAN AIZENSTAT: Let's read it in and
 23 then --
 24 MR. COLLER: An Ordinance of the City
 25 Commission of Coral Gables, Florida granting

1 side can be developed?
 2 MR. BEHAR: Who knows, at this point, Luis.
 3 MS. CABRERA: One or two, I think, is what
 4 I'm hearing.
 5 MR. REVUELTA: But there --
 6 MR. BEHAR: But it's there. But it's
 7 there.
 8 MR. BUCELO: It's only one.
 9 MR. REVUELTA: It's only one property, so
 10 I'm in favor --
 11 CHAIRMAN AIZENSTAT: So you're seconding
 12 the amendment, correct?
 13 MR. REVUELTA: Yeah.
 14 CHAIRMAN AIZENSTAT: We have a motion, we
 15 have a second, with the added comment.
 16 Jill, call the roll, please.
 17 THE SECRETARY: Venny Torre?
 18 MR. TORRE: Yes.
 19 THE SECRETARY: Chip Withers?
 20 MR. WITHERS: Yeah.
 21 THE SECRETARY: Robert Behar?
 22 MR. BEHAR: Yes.
 23 THE SECRETARY: Alex Bucelo?
 24 MR. BUCELO: Yes.
 25 THE SECRETARY: Claudia Miro?

1 approval of proposed amendments to the text of
 2 the City of Coral Gables Comprehensive Plan,
 3 pursuant to expedited state review procedures
 4 and Zoning Code Article 14, "process," Section
 5 14-213, "Comprehensive Plan Text and Map
 6 Amendments," to provide for a Property Rights
 7 Element with Goals, Objectives, and Policies;
 8 providing for a repealer provision, providing
 9 for a severability clause, and providing for an
 10 effective date.
 11 Item E-7, public hearing.
 12 MR. TRIAS: Mr. Chairman, the State of
 13 Florida has mandated that every municipality
 14 adopt a property rights element in the Comp
 15 Plan. That is what we have here today. This
 16 has to be adopted prior to processing any other
 17 Comp Plan amendments. So that's why do it's
 18 important to adopt it tonight.
 19 The text is based on the 1000 Friends of
 20 Florida model element. It does two things. It
 21 talks about respecting property rights. It
 22 also talks about transparency and public
 23 access, which I think is something that we do
 24 quite well in this City. Staff recommends
 25 approval.

1 CHAIRMAN AIZENSTAT: Is there anybody that
 2 would like to speak on this item?
 3 Jill, do we have anybody on Zoom?
 4 THE SECRETARY: No, no one on Zoom.
 5 CHAIRMAN AIZENSTAT: And what about the
 6 phone platform?
 7 THE SECRETARY: No.
 8 CHAIRMAN AIZENSTAT: At this time, I'll go
 9 ahead and close it for public comment and open
 10 it for Board discussion. Robert.
 11 MR. BEHAR: This is way overdue. This is
 12 something that, in my opinion, will benefit the
 13 homeowners. I'll make a motion to approve it.
 14 CHAIRMAN AIZENSTAT: Venny.
 15 MR. TORRE: I'm going to second it, but I
 16 have a follow-up question that will take me one
 17 minute, just to educate me. So, second.
 18 CHAIRMAN AIZENSTAT: We have a motion. We
 19 have a second. Any discussion? Chip.
 20 MR. WITHERS: No, I'm good.
 21 CHAIRMAN AIZENSTAT: Claudia?
 22 MS. MIRO: I'm good, as well.
 23 MR. BUCELO: Same.
 24 CHAIRMAN AIZENSTAT: The same?
 25 Luis?

1 law affect those kinds of decisions, where you
 2 basically have a value of a property at a
 3 million dollars, I can't knock the house down?
 4 You know, is that something that would play
 5 into this sort of all?
 6 MR. COLLER: I don't believe so. I think
 7 this basically is a general statement of what
 8 the law of takings is, in the State of Florida,
 9 and probably under the U.S. Constitution, and
 10 the Legislature wanted it reiterated here. I
 11 don't think it added anything new to the law of
 12 takings or vested rights, but, rather, than
 13 expression of what the existing law was and the
 14 Legislature wanted it to be in the
 15 Comprehensive Plans.
 16 MR. TORRE: Thank you.
 17 MS. COLLER: Can somebody take this and
 18 argue? Yes. Like I said before in the Bert
 19 Harris, anybody could sue anybody for anything.
 20 MR. TORRE: Thank you for that.
 21 CHAIRMAN AIZENSTAT: Thank you.
 22 Let's continue with our agenda items. So
 23 E-2 and E-3 are related.
 24 Craig, you'll go ahead and read those both
 25 into the record at the same time?

1 MR. REVUELTA: No.
 2 CHAIRMAN AIZENSTAT: Okay. Call the roll,
 3 please.
 4 THE SECRETARY: Venny Torre?
 5 MR. TORRE: Yes.
 6 THE SECRETARY: Chip Withers?
 7 MR. WITHERS: Yeah.
 8 THE SECRETARY: Robert Behar?
 9 MR. BEHAR: Yes.
 10 THE SECRETARY: Alex Bucelo?
 11 MR. BUCELO: Yes.
 12 THE SECRETARY: Claudia Miro?
 13 MS. MIRO: Yes.
 14 THE SECRETARY: Luis Revuelta?
 15 MR. REVUELTA: Yes.
 16 THE SECRETARY: Eibi Aizenstat?
 17 CHAIRMAN AIZENSTAT: Yes. Thank you.
 18 MR. TORRE: So my question is, it doesn't
 19 pertain to you, but maybe you can help me and
 20 maybe our attorney can help me. In our
 21 Historic Preservation Board, many, many times
 22 we were told -- they would come up, "Oh, my
 23 little house is worth this, if you knock it
 24 down," dah, dah, dah, and economic factors were
 25 not to be taken into consideration. Does this

1 MR. COLLER: Sure.
 2 E-2, an Ordinance of the City Commission of
 3 Coral Gables, Florida granting approval of
 4 proposed amendments to the text of the City of
 5 Coral Gables Comprehensive Plan, pursuant to
 6 expedited state review procedures and Zoning
 7 Code Article 14, to allow an additional height
 8 bonus for limiting density for qualifying
 9 Planned Area Developments within the Central
 10 Business District; providing for a repealer
 11 provision, providing for a severability clause,
 12 and providing an effective date.
 13 E-3, an Ordinance of the City Commission of
 14 Coral Gables, Florida, providing for text
 15 amendments to the City of Coral Gables Official
 16 Zoning Code, Article 2, "Zoning Districts"
 17 Section 2-500 "Planned Area Developments," to
 18 create the "Height Bonus to PAD Minimum
 19 Development Standards in the Central Business
 20 District" to award additional height and limit
 21 of density for qualifying properties; providing
 22 for severability, repealer, codification, and
 23 an effective date.
 24 Items E-2 and E-3, public hearing.
 25 CHAIRMAN AIZENSTAT: Thank you.

1 Mr. Trias.
 2 MR. TRIAS: Mr. Chairman, this item was
 3 brought by the Commission. The Commission
 4 requested that we draft an ordinance that
 5 allowed extra height beyond the 190, in the
 6 Downtown area.
 7 MR. WITHERS: Why?
 8 MR. TRIAS: To limit density to 100 units
 9 per acre. Again, this is a Commission idea.
 10 Sometimes I'm given too much credit for things,
 11 okay. I'm just here to explain the logic. The
 12 logic is that, at this point, as you know, you
 13 well know, the Downtown density is unlimited.
 14 So you can do as many units as you want.
 15 What is being proposed here is that if the
 16 project is a PAD, meaning it's over one acre,
 17 and in addition to that, limits density to 100
 18 units per acre, then it could be 205 feet tall,
 19 as opposed to 190.5. That's the concept.
 20 MR. BEHAR: Okay. Just to be clear, if you
 21 want to do that -- if you want to limit -- just
 22 to understand, maybe you could explain it a
 23 little bit more -- if you want to limit the
 24 density, why do you have to increase height?
 25 Why can't you just, with you have today, limit

1 additional five percent open space. So those
 2 are the rules, and the goal is to enhance the
 3 aesthetics of future buildings.
 4 Yes, sir.
 5 MR. WITHERS: So I'm trying to understand
 6 the rationale, and like my colleague said, if
 7 we're trying to reduce density, why don't we
 8 just reduce density?
 9 MR. TRIAS: Certainly that's another way to
 10 do it.
 11 MR. WITHERS: No, I'm asking you. I mean,
 12 you're a planner. I mean, if you want to
 13 reduce density, do you do it by raising the
 14 building or do you do it by reducing density?
 15 MR. TRIAS: You do it by reducing density.
 16 MR. WITHERS: Okay.
 17 MR. TRIAS: But the issue is that this
 18 gives you an incentive program.
 19 MR. WITHERS: Well, no, but reduce density
 20 now. Forget about the incentive, just reduce
 21 density.
 22 MR. BEHAR: The simpler you could do it --
 23 because in the CBD, there's no density maximum
 24 now, right?
 25 MR. TRIAS: Right. Right.

1 your density and --
 2 MR. TRIAS: There are multiple ways to do
 3 this, certainly, and the current request is to
 4 allow height to allow for flexibility in the
 5 design of the building.
 6 Now, that requires a Zoning change. That
 7 also requires a Comprehensive Plan change. As
 8 you know, and as was explained in the prior
 9 item today, the Comprehensive Plan is the one
 10 that limits the 190 through the Med Bonus. So
 11 you have to change both, Zoning and the Comp
 12 Plan. That's why we have two Ordinances.
 13 Now, we have here -- I don't know if people
 14 would like to speak later, but we have a
 15 person, who is working on a project that would
 16 be affected -- or could take advantage,
 17 rather, of these provisions and maybe that
 18 person could explain that in some detail. But,
 19 as you can see, the area would be in the
 20 Downtown, as long as the project doesn't face
 21 Miracle Mile, Le Jeune Road, Douglas Road,
 22 Ponce de Leon Boulevard or Alhambra Circle,
 23 meaning it's kind of like toward the center,
 24 it's not at the edges, it needs to get Med
 25 Bonus Level 2, yes, and it also provides an

1 MR. BEHAR: I guess, I'm trying to
 2 understand and understand why we would do this,
 3 is to make maybe bigger units, you know, based
 4 on the FAR. You could do that without having
 5 anything, you know, imposed on this, making any
 6 changes, right? If I want to do -- on a site,
 7 I want to limit to "X" amount of units, you
 8 know, a hundred, I don't have to have this in
 9 place, I could do it.
 10 MR. TRIAS: Yes. You could limit your
 11 project to a hundred units. That's correct.
 12 MR. BEHAR: I mean, I'm trying to
 13 understand the reasoning, the purpose behind
 14 this.
 15 MR. TRIAS: The purpose is to have more
 16 flexibility with the building design.
 17 MR. BEHAR: But don't you have, in the CBD,
 18 190 feet six inches today?
 19 MR. TRIAS: Yes, sir.
 20 MR. BEHAR: So let's say I was to do, you
 21 know, I guess, a 16, 17, 18 building -- I don't
 22 know. I'm trying to see why --
 23 MR. TRIAS: I think you're leading towards
 24 an answer. It's the 18 stories that could be
 25 possible, for example.

1 MR. BEHAR: But you could still do 18
 2 stories in 190 feet.
 3 MR. TRIAS: You could.
 4 MR. BEHAR: There's no reason why you
 5 couldn't. I mean, I'm trying to understand, so
 6 I could make, you know -- you know, and, then,
 7 the question, this would only apply for a PAD,
 8 a PAD, correct?
 9 MR. TRIAS: Yes.
 10 MR. BEHAR: Is there any specific -- you
 11 mentioned there's a specific project that this
 12 -- will take advantage of.
 13 MR. TRIAS: I'm familiar with one project
 14 and the representative is here and maybe he
 15 could explain it.
 16 MR. BEHAR: Not right now.
 17 MR. TRIAS: Yeah.
 18 MR. BEHAR: Would this be considered --
 19 would this be considered like spot zoning, if
 20 we do this?
 21 MR. TRIAS: No. It's a voluntary process,
 22 the PAD, so it's not any different than any
 23 other PAD. It's just that it has some
 24 additional benefits.
 25 MR. REVUELTA: It's just an overall change

1 CHAIRMAN AIZENSTAT: What I'd like to do at
 2 this point is open it up for public comment.
 3 Jill, do we have any individuals here that
 4 would like to speak?
 5 Please step up.
 6 MR. JIMENEZ: I didn't sign up. It's a
 7 good thing I don't like an audience.
 8 Good evening, Joe Jimenez, Executive Vice
 9 President and General Counsel for Codina
 10 Partners, 2020 Salzedo, Fifth Floor.
 11 MR. REVUELTA: Executive counsel for, whom?
 12 MR. JIMENEZ: Codina Partners. Excuse me,
 13 I'm sorry. I have actually been in trial for
 14 the last two weeks. I'm a little
 15 overcaffeinated. If I call any of you, Your
 16 Honor, I apologize.
 17 MS. MIRO: Tell me your last name again,
 18 I'm sorry.
 19 MR. JIMENEZ: Jimenez, with a "J."
 20 Because the project correctly was mentioned
 21 by Mr. Trias and we are mentioned in the Staff
 22 report, we've made no secret of our involvement
 23 in this Ordinance. The City Code requires an
 24 application of this kind to find a sponsor on
 25 the Commission. The Mayor and Commissioner

1 in the Code, I guess.
 2 MR. BEHAR: Maybe. Maybe there's one site
 3 that we're looking at --
 4 CHAIRMAN AIZENSTAT: Why don't we do
 5 something, Ramon, are you done with your
 6 presentation?
 7 MR. TRIAS: I am.
 8 MR. WITHERS: I have one more question of
 9 Ramon. So talk to us about the architecture
 10 element on top of the 205 feet, what does that
 11 do? It stays the same?
 12 MR. BEHAR: 25 feet --
 13 MR. TRIAS: Yeah, that would stay the same,
 14 yes, sir.
 15 MR. REVUELTA: 30 feet or 24 percent.
 16 MR. WITHERS: What is it?
 17 CHAIRMAN AIZENSTAT: 30 feet, 24 percent.
 18 MR. BUCELO: It's based on a percentage.
 19 MR. TRIAS: Yes. In the Downtown, there's
 20 a percentage, so it could be substantial, the
 21 height, yeah, but it's not habitable. So it's
 22 just decorative.
 23 MR. WITHERS: Yeah, but it's still height.
 24 MR. TRIAS: Yes. Yes, of course.
 25 Thank you very much.

1 Anderson have sponsored it, and I'm happy to
 2 explain the reasoning behind it.
 3 If you are unfamiliar with the project,
 4 this is a project that Armando -- excuse me,
 5 Mr. Codina, has openly discussed in public.
 6 He's discussed it with the Chamber of Commerce.
 7 He's discussed it in any number of meetings.
 8 So he's made no secret of the fact that he
 9 eventually wants to live in this building.
 10 This building is designed to be something
 11 that we don't believe Coral Gables, or, for
 12 that matter, Miami-Dade County has ever seen,
 13 and, yes, Mr. Behar, it is strictly for large
 14 units. As I've heard at least three of you
 15 say, you are architects, and as it has been
 16 explained to me by our architects and others,
 17 is that when you have a unit the size of the
 18 ones that we're proposing -- so, for example,
 19 in the Sofia, which is located at 2000 Salzedo
 20 Street, where I was the first resident -- I
 21 don't live there anymore, but I was the first
 22 resident there, the average unit was 950 square
 23 feet. The smallest unit in this building would
 24 be 2,000. The largest unit would be in the
 25 neighborhood of 12,000.

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1 The geometry of the ceiling height, just
 2 the vastness of the area, require it a little
 3 bit higher. At 18 stories, which by a City
 4 Attorney opinion, we would be allowed to apply
 5 for, without this Ordinance, by the way,
 6 without it, with a 15-foot minimum on the
 7 ground floor, plus ten feet clear on the
 8 remaining stories, we can't do it at a height
 9 of 190.5.

10 The idea was to address the concerns of
 11 residents that say development is impacting
 12 Downtown, whether by traffic, by any number of
 13 measures. Impact is measured, on any
 14 residential development, by doors, by units.
 15 That's how you charge fire impact fees, that's
 16 how you charge police impact fees, park impact
 17 fees, school impact, any number of things,
 18 door.

19 The FAR doesn't increase here. As you were
 20 talking about in the last item, and I do
 21 realize that -- I'm sorry that people didn't
 22 stick around. I had no problem discussing this
 23 in front of anybody. We are not building
 24 anything larger, floor area wise, than we
 25 could. By our calculations, being experienced

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1 We found two members of the City Commission
 2 willing to bring it up for discussion, willing
 3 to refer it to this Board. Hopefully this
 4 Board can see the wisdom of it.

5 We have a type of product that we need this
 6 envelope to build. If we can't, okay, well,
 7 then we go back to the drawing board and we do
 8 something else. We just need, because
 9 Mr. Codina wants a specific kind of product,
 10 that requires a specific kind of building
 11 height -- and I'm not going to sit here and be
 12 disingenuous with a Planning Board, obviously
 13 it has to make financial sense, too, and to do
 14 that, I need to be able to put a certain amount
 15 of square footage into this.

16 If we go down to 16 feet -- or, excuse me,
 17 190 and a half feet, and I get the same FAR,
 18 but I still want 10-foot ceilings, I don't lose
 19 a floor or two, I lose three. And you can see
 20 by -- because there's no half measure. I can't
 21 go to 190.7. So it's a voluntary program.
 22 You're not forcing me to take advantage of it.
 23 You're not forcing anybody else to take
 24 advantage of it.

25 To answer your question about spot zoning,

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1 developers and builders, having built something
 2 eight blocks away, by our math, we could do,
 3 under the current Code, with the normal
 4 process, coming to this Board, the Med Bonuses
 5 and everything out, if we were to build another
 6 Sofia, we can do in the neighborhood of 310 to
 7 315 units.

8 We are voluntarily taking advantage of a
 9 bonus, to get this different type of product,
 10 that is not available, and voluntarily limiting
 11 ourselves from an unlimited density, to 100
 12 units per acre. We're actually going to come
 13 in at much less than that. I think our number
 14 right now is 160. Our acreage is about 1.74
 15 acres.

16 Mr. Withers, to answer your question, as
 17 you discussed in the last item, I have no
 18 interest in getting into a fight with the City
 19 if all of a sudden you decide to lower my
 20 density. I'd have no choice, because I'd lose
 21 a lot of property rights, but if I'm doing it
 22 voluntarily, to take advantage of a 14 and a
 23 half foot bonus, I think that solves both of
 24 our problems. I think it's something that I
 25 can offer up. It's an idea that we offered up.

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1 because I do happen to be an attorney and I'm
 2 happy to address a legal issue, the Publix site
 3 that's been discussed to be developed time and
 4 time again, can absolutely take advantage of
 5 this on the Salzedo side. Any number of
 6 assemblages or anything else that can go up --
 7 the Salzedo site that we built could have taken
 8 advantage of it. So this is, by no means,
 9 directed to us. We just don't -- we are giving
 10 a less abstract version of this law, to show
 11 you what we have in mind to do with it.

12 The only way to take advantage of this, the
 13 only way this becomes an issue, because I agree
 14 with your point, your point and your point. On
 15 the last one, I know that site. A former
 16 landlord of mine owns the site next to the
 17 Junior League. It's 12,000 square feet.
 18 You're not getting above eight stories on that
 19 site and I agree with you.

20 The only way this becomes an issue is if
 21 you lower the density. Otherwise, the law just
 22 stays the same. And this reduction goes even
 23 below the limit placed outside the CBD, which
 24 is 125. So it's a drastic reduction from what
 25 you have inside the CBD today, to even lower

1 than you would have outside the CBD. So that's
 2 why we believe in the wisdom of this --
 3 MR. BEHAR: But Mr. Jimenez, what you're
 4 asking basically is increasing every floor by a
 5 foot, right?
 6 MR. JIMENEZ: It depends what you would
 7 build to, but, yeah, I would say --
 8 MR. BEHAR: You can go to 18 stories. You
 9 know you're not going to increase the parking.
 10 You would increase your habitable floors. By
 11 the way --
 12 MR. JIMENEZ: The height.
 13 MR. BEHAR: The height. So you're not
 14 really -- you're still going to be 18 stories.
 15 What you're going to do is try to give those
 16 apartment levels additional height.
 17 MR. JIMENEZ: Exactly.
 18 MR. TRIAS: Mr. Chairman, just to clarify,
 19 in most areas, we have a 16-story Site Specific
 20 maximum. So that is what the Code that Chip
 21 was talking about had for a long time. So to
 22 do 18 stories, there has to be that additional
 23 change of the Site Specific. I just want to
 24 make that very clear, so it's in the record.
 25 MR. JIMENEZ: This isn't about my site.

1 opinion, that I know the City Attorney has on
 2 his desk, it went from ten to twelve. Where
 3 there was a maximum of twelve, they took it up
 4 two. That's why I'm saying 18. I didn't mean
 5 to be disingenuous and I agree with my friend,
 6 Ramon, it's not at all, but we could go in --
 7 MR. TRIAS: The only reason I'm mentioning
 8 this is for transparency, so everybody
 9 understands what the issues are.
 10 CHAIRMAN AIZENSTAT: Venny.
 11 MR. TORRE: Yeah. This is a for sale
 12 product?
 13 MR. JIMENEZ: No, sir. This would be a
 14 rental product. Armando -- anything I say, I'm
 15 not breaking confidence, because he talks about
 16 it all of the time, because he's so proud of
 17 the building, he will not live in a condo that
 18 he developed, but he'll live in a rental that
 19 he developed.
 20 MR. TORRE: Okay. It's good to know that.
 21 MR. JIMENEZ: Rental, and long term, at that.
 22 MR. TORRE: So first point is, I appreciate
 23 your firm, the work you do, the work you're
 24 planning to do, the integrity of the work that
 25 you guys provide. This is impactful. I think

1 MR. TRIAS: No. No. No.
 2 MR. JIMENEZ: This is not about my site,
 3 which is my point to Mr. Behar.
 4 MR. TRIAS: The request is not about this
 5 site. The request is more general. The
 6 request, when described in terms of 18 stories,
 7 is beyond what it says here only, because it
 8 also sometimes would require amending some Site
 9 Specifics. So I just want to make it very
 10 clear, so we're completely transparent.
 11 CHAIRMAN AIZENSTAT: Just to understand, in
 12 that area, what's the highest stories of a
 13 building?
 14 MR. TRIAS: 16 stories and 190 feet.
 15 CHAIRMAN AIZENSTAT: That's currently,
 16 though?
 17 MR. TRIAS: Yeah, that is typically the
 18 Site Specifics.
 19 MR. JIMENEZ: With one exception, and I
 20 think the City Attorney has an opinion, this
 21 has nothing to do with my project. The City
 22 Attorney's Office long ago opined that with a
 23 PAD, the flexibility allowed by the Code in a
 24 PAD, that's in the Commission discretion, to
 25 extend the maximums, and the City Attorney's

1 this is what we should be talking about, these
 2 great big projects, investments that are coming
 3 into the City, but I also believe there's a lot
 4 of other things that we need to be talking
 5 about.
 6 The discussion here goes into the density,
 7 and I'm going to flat out tell you, this is a
 8 huge mistake. Not your project, not what
 9 you're trying to do, in the general sense.
 10 You're trying to do a good project and all of
 11 that. The lower density, as a measure of
 12 planning policy, in Downtown, is a total
 13 fallacy. When you spend \$150,000 in a retail
 14 strategy mission, blah, blah, blah, the first
 15 thing they tell you, at the top of the list is,
 16 maximize your density in Downtown, bring in
 17 residents. This policy is flawed and terrible.
 18 So I apologize for saying that, and I
 19 understand that there's some people thinking
 20 that way, bringing down traffic. You want
 21 people walking, you want people using their
 22 bike, you want people less driving. If you
 23 look at the urban academics, they'll tell you
 24 that's what Downtowns are doing.
 25 I understand what you're trying to do. I

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1 don't know how you're going to rent 12,000
 2 square feet or 6,000 square feet or 3,000
 3 square feet, but that's great, if you can do
 4 it.
 5 MR. JIMENEZ: Armando openly says, if he's
 6 wrong about the market, he'll have the biggest
 7 house in Coral Gables.
 8 MR. TORRE: But a measure of give and take,
 9 normally what you would do is, you're
 10 increasing your size, you'd have to lower it
 11 someplace else. You have to give something
 12 else.
 13 So what I first asked Mr. Trias is, if
 14 they're doing this, is the FAR dropping? No.
 15 So basically you're dropping the density, but
 16 you're increasing the Commercial, so nothing's
 17 changed size-wise. The project is not going to
 18 be diminished by this at all. It's still
 19 300,000 square feet.
 20 MR. JIMENEZ: No. No. My point at the
 21 beginning is --
 22 MR. TORRE: But the impact to our City is
 23 mostly about the FAR, and if you're dropping
 24 the density, but you're increasing the
 25 Commercial -- it's a balance. If you put 175

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1 here. I want to be clear on that.
 2 MR. JIMENEZ: Thank you, Mr. Chair.
 3 CHAIRMAN AIZENSTAT: I think we all should
 4 be clear. We are here for the two agenda items
 5 and you are here for your public comment.
 6 MR. BEHAR: That's it.
 7 CHAIRMAN AIZENSTAT: And we thank you for
 8 it.
 9 MR. JIMENEZ: You're welcome, sir.
 10 MR. TRIAS: Mr. Chairman, Mr. Jimenez was
 11 here just for illustration and then that's it.
 12 Now, that is not the request. He has submitted
 13 a project, separate from this, that meets the
 14 current Code and he would like to see if this
 15 is approved, and then he will modify it.
 16 MR. TORRE: So what I was thinking was,
 17 okay, so the density to me is not where we
 18 should be trying to incentivize. It's the
 19 opposite. I'm not in favor of that. So this
 20 is about what we can we do to give that extra
 21 height. Is there a place for that height?
 22 In my view, it's in the public realm and
 23 the benefits to the public realm, that the
 24 benefits -- you want to do a great job on the
 25 ground floor, you want to do something specific

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1 Residential units, you have to take them away
 2 from the Commercial units.
 3 MR. JIMENEZ: I don't think that's true,
 4 because, in my line of work, it's rentable
 5 square footage. How many doors I have is
 6 irrelevant --
 7 MR. TORRE: Right. But all that counts is
 8 FAR.
 9 MR. JIMENEZ: Excuse me?
 10 MR. TORRE: FAR --
 11 MR. TRIAS: For transparency sake, again,
 12 because you have submitted a project, it is
 13 4.375. They were taking advantage of --
 14 MR. BEHAR: 4.375 --
 15 MR. TRIAS: Yeah. That is the request.
 16 MR. BEHAR: You're bringing TDRs --
 17 MR. JIMENEZ: As we did on the Sofia.
 18 MR. TORRE: Here's a point, for Claudia and
 19 others that were -- the FAR in a Mixed-Use goes
 20 to 4.375. So the Residential units --
 21 MR. BEHAR, no, it's 3.0, 3.5. With Med
 22 Bonuses. You're allowed to bring it up .875,
 23 which would put it at 4.375.
 24 CHAIRMAN AIZENSTAT: I think we need to
 25 consider, we're not talking about this project

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1 and the great around the perimeter, what people
 2 touch and feel, maybe then we'll give you the
 3 height. I don't think density is where the
 4 trade should be.
 5 MR. TRIAS: The proposal is to add five
 6 percent open space.
 7 MR. TORRE: Excuse me, let me finish. So
 8 you have this huge building. You have these
 9 walls -- so let me go back.
 10 These small buildings exist. The
 11 building -- the street has a bunch of different
 12 people you pass by, you all know of these great
 13 things that exist in the City. You're knocking
 14 it down to put this one building. Now you have
 15 a whole wall of vaults and electric room and
 16 entrances. Now you're walking by a hundred
 17 feet of pretty much boring.
 18 Then, the point is, what do you on the
 19 ground floor to make it an unbelievable
 20 experience passing by? What happens to that
 21 bottom 30 feet? That's where the value is.
 22 And if you do something amazing, get the
 23 height.
 24 CHAIRMAN AIZENSTAT: You're saying, that's
 25 where the value is to the City.

1 MR. TORRE: That's where a bonus should
 2 lie. Density removal, no.
 3 CHAIRMAN AIZENSTAT: Claudia.
 4 MS. MIRO: That makes perfect sense to me.
 5 MR. BEHAR: I agree a hundred percent. We
 6 should not be looking at removing density. We
 7 want density. And I agree, maybe it's not five
 8 percent, maybe it's a little bit more, but if
 9 you create some benefit -- spaces that will
 10 benefit the public, I'm in favor of the
 11 additional, whatever, fifteen feet, it's not a
 12 problem, because I think you will get -- it
 13 doesn't matter, your project or any project in
 14 the Downtown area, it will be a much better
 15 project.
 16 In reality, whether you're looking at 190
 17 or 204, it doesn't matter. At that point, it
 18 really doesn't -- to me, in my opinion, doesn't
 19 matter. I think Venny is correct. We should
 20 concentrate more of what the public will
 21 benefit from, and if it's an additional five,
 22 ten percent open space, I think that's what we
 23 would -- you know, I would prefer to have.
 24 MR. TORRE: I know that that's all we talk
 25 about, and I'm going to start hopefully trying

1 building has four sides. You activate one
 2 side. The three other sides are dead. So, a
 3 good example, the building -- I'm not trying to
 4 pick on your building. Your building's
 5 fantastic. I'm not trying to put anything
 6 negative. I'm trying to be general.
 7 To do all of these condo offices and condo
 8 things, that never get turned on, is a dead
 9 space. You put -- it's the entire line of
 10 condo offices and meeting rooms for a condo
 11 that will never be used. Put something active,
 12 make it retail. So, again, you have to look at
 13 what's really being proposed and say, does it
 14 really activate -- does it really help
 15 Valencia, does it help Almeria? Two streets
 16 Downtown, middle of Downtown, or any street of
 17 the sort, should be active, should be really
 18 active, should be looked at for what kind of
 19 activation, should we really explore it,
 20 because otherwise we're losing our Downtown.
 21 We've got Miracle Mile and what? And then the
 22 other street doesn't get anything, and the next
 23 street doesn't get anything. The next thing
 24 you know, we have nothing.
 25 MS. MIRO: And I think that's what we're

1 to change the conversation. Open spaces are
 2 great. Pocket parks are great. But public
 3 realm is more than that.
 4 MR. BEHAR: But, Venny, it's not
 5 necessarily. If you have a building that's
 6 going to be 205 feet high, you need more of a
 7 setback because of the back of sidewalk and
 8 where the building starts.
 9 MR. TORRE: So you see all of the buildings
 10 on Le Jeune that never get occupied. They're
 11 empty. They're vacant. It happens all of the
 12 time. These spaces become, basically, ghost
 13 towns. It's not activated. They're not made
 14 to be activated.
 15 MR. BEHAR: But look at the Sofia, with the
 16 restaurant that they have, okay.
 17 MR. TORRE: That's what we want.
 18 MR. BEHAR: Okay. But what happens in a
 19 building -- and that portion of the building is
 20 not 200 feet. If you create --
 21 MR. TORRE: So I'm going to create another
 22 one --
 23 MR. BEHAR: -- a public space there, that
 24 they will benefit.
 25 MR. TORRE: Four sides, right -- the

1 moving towards, it's to revitalize that area.
 2 MR. TORRE: Well, but then the point is,
 3 down below, on that ground floor, is what we
 4 should be focusing on, and not the 190 or 200
 5 feet.
 6 CHAIRMAN AIZENSTAT: Alex.
 7 MR. BUCELO: I agree.
 8 CHAIRMAN AIZENSTAT: Luis.
 9 MR. REVUELTA: I actually don't have a
 10 problem with the lower density. And I
 11 understand what everybody is saying, but I
 12 think people will continue to come to Florida
 13 and Coral Gables, like there is no end to this
 14 thing.
 15 And I keep asking myself about the magic of
 16 the 205, you know, the problems with the 205,
 17 reversed engineered to some sort of a project,
 18 and I do agree, given the fact that we get
 19 involved in luxury condos, that the higher
 20 ceilings are a matter of quality in any city.
 21 So I think there's got to be a way that you can
 22 incentivize a higher ceiling product, which I
 23 think -- I wish them all the best in the
 24 success of that, but I believe this is going to
 25 be a condo conversion, in my opinion, for

1 whatever it's worth, in my crystal ball, but I
 2 think the issue that I struggle with is that
 3 every time that we recommend something and the
 4 law is passed, it creates a precedent and it
 5 creates an ability for somebody else to say,
 6 oh, he got that, I'd like to get 208, I'd like
 7 to get 210. You know, where does it stop?
 8 And I don't have a problem with height.
 9 I've always argued high and thin is better than
 10 low and wide. I think the problem with the
 11 project in the Circle is not the height, it's
 12 the massiveness of that project, just like the
 13 project on Dixie Highway. The height is not
 14 the issue. The issue is massiveness, and,
 15 frankly, the traffic and density.
 16 CHAIRMAN AIZENSTAT: Luis, could you speak
 17 into the microphone please? Thank you.
 18 MR. REVUELTA: I'm sorry.
 19 So I don't have a problem giving the extra
 20 height, as long as it's within some sort of
 21 realm, and I agree -- I think what you said,
 22 190, 205 -- you can't look at a building and
 23 say, hey, that's 205 feet and six inches. I
 24 can't do that. Maybe because I'm old and
 25 decrepit, you know, there's -- there's got to

1 luxury Downtown destination area?
 2 I mean, like Venny said, I mean, I think of
 3 the Chocolate Fashion right there, and I think
 4 of the Lebanese Restaurant right down the
 5 street and I think of Sykes Printing and I
 6 think of all of the little mop and pop shops.
 7 You know, what's it going to do to the
 8 character of that street if you come in and you
 9 just throw 100 feet of concrete, you know,
 10 facing north -- what would it be, Almeria? Is
 11 that the northern border of this project?
 12 MR. TRIAS: Yes. Valencia.
 13 MR. WITHERS: Valencia?
 14 MR. BEHAR: We're not looking at a project,
 15 remember.
 16 MR. WITHERS: No, I know, but I'm just
 17 saying, I'm envisioning that part of town.
 18 Now, I know what you're going to say. So I
 19 guess my question is, when we pass something
 20 like this, and the Commission has the ability
 21 to horse trade on a PAD, they don't have to
 22 give the 205 feet, is that correct?
 23 MR. TRIAS: They don't have to approve it,
 24 no, certainly. They could approve less, yeah.
 25 MR. WITHERS: So they could give more

1 be some reasoning. I mean, there's got to be a
 2 certain area of precedence, that you're not
 3 basically going above.
 4 So I'm struggling with this. I don't mind
 5 the higher ceilings. I don't mind the lower --
 6 and it's like Mr. Jimenez was saying, this is
 7 an option. You're not obligating anybody to
 8 take advantage of this. And I think that no
 9 matter what we do, we're never going to
 10 disincentivize the private sector of developers
 11 of just bringing density. There's nothing we
 12 can do to stop people coming to South Florida.
 13 So while you guys think about it and talk more,
 14 I'll think about it.
 15 CHAIRMAN AIZENSTAT: Thank you.
 16 Chip.
 17 MR. WITHERS: Well, first of all, I echo
 18 Venny, on Armando is a gentleman and the type
 19 of developer I think Coral Gables likes to
 20 have.
 21 Your mention of walking down 100 feet and
 22 seeing water, you know, flush outs and service
 23 areas and louvered doors with red lights behind
 24 them really caught my attention, and I guess
 25 the point is, you know, Coral Gables -- is it a

1 through variance, if they wanted to?
 2 MR. TRIAS: I don't think so, because it's
 3 a Comp Plan change. So you cannot go beyond
 4 the Comp Plan, no.
 5 MR. WITHERS: I see.
 6 MR. TRIAS: Now, Mr. Withers, I would also
 7 say that in the update that the Zoning Code did
 8 back in February, many very good things were
 9 done about the transparency at the ground
 10 level, the storefront requirements, and, for
 11 example, in Le Jeune, there's a ten-foot
 12 mandatory setback for buildings to enhance the
 13 sidewalks. So there were many things that were
 14 done in the Code that you all worked on that I
 15 think go towards Mr. Torre's concern about
 16 having an active ground level. So all of those
 17 things apply. All of those things would't go
 18 away because of the extra height.
 19 MR. WITHERS: I don't have a problem with
 20 the extra height in that part of town, you
 21 know, in the Central Business District. I have
 22 height issues in other parts of town, but not
 23 in Downtown.
 24 MR. BEHAR: And let me answer your question
 25 to see. In the CBD, I think 99 percent of all

1 of the properties have alleys in the back of
 2 it, correct?
 3 MR. TRIAS: Yes. That's typical.
 4 MR. BEHAR: So if you are not -- you don't
 5 have to put those service area on the street.
 6 You could put it on the alley. And you could
 7 activate the whole street without a problem.
 8 So to say that you're going to have a hundred
 9 feet of a solid wall, I don't think that's
 10 correct.
 11 MR. TRIAS: But that's not allowed.
 12 MR. BEHAR: First, it's not allowed. Now,
 13 what the one additional setback or open space
 14 could do, Venny, is like, if you have a
 15 property that goes from Almeria to the other
 16 block, you could create yourself an internal
 17 drive and you could put all of those
 18 services --
 19 MR. TORRE: I think you missed what I said,
 20 and I'm not suggesting there wouldn't be cut
 21 drives and access for trucks and all of that
 22 stuff. That's fine. It has to happen. That
 23 happens in the Regions building, where the back
 24 of the police has, that you enter this alley
 25 and nobody even knows that they're there.

1 is saying, he's talking about something else,
 2 other than open space.
 3 MR. TRIAS: Yes. Yes. I understand. All
 4 I'm saying is that this is the only thing that
 5 we have right now related to that --
 6 MR. TORRE: There's a very good book by
 7 Victor Dover about streetscapes and what
 8 happens on the ground, and you've read the
 9 book. That's what I'm talking about. You
 10 know the book. You know what I'm talking
 11 about. You have certain things, certain
 12 criteria, that the experts will tell you should
 13 be happening on the ground floor.
 14 MR. BEHAR: You know, something that we are
 15 required to do, that I think takes away from
 16 that, is the requirement to put arcades. You
 17 know, that we're going away from that now.
 18 MR. TRIAS: It's an option. It's not a
 19 requirement.
 20 MR. BEHAR: Because the arcade, in a
 21 building like this, will be bad.
 22 MR. TRIAS: Furthermore, in the Code update
 23 that you worked on, arcades were eliminated
 24 from Miracle Mile, for example, because it's
 25 not a good way to deal with retail.

1 I think there has to be a pronounced
 2 acknowledgment that we need to focus on the
 3 quality of what happens on the ground in the
 4 Downtown, constant. It's my opinion. I
 5 think -- I don't have a problem with 203 feet,
 6 I don't, for any. I just don't think that the
 7 trade, in my view, should be for lower density.
 8 It should be for other trades. Give it to me
 9 on the ground, I want to expand those
 10 storefronts, I want to have liveliness, I want
 11 to have cafes, as much as I can, but I don't
 12 think the trade should be for lower density.
 13 MR. BEHAR: And I agree with you. I don't
 14 think we should give up any density, no, for
 15 that. I rather give them something else to
 16 allow --
 17 MR. TORRE: So I'm in favor of up to 203
 18 feet. I just want to give you a different
 19 trade.
 20 MR. TRIAS: Yeah, the current proposal that
 21 deals with your issue says that extra five
 22 percent open space. Now, that could be
 23 changed. That could be ten percent, that could
 24 be something --
 25 CHAIRMAN AIZENSTAT: But I think what Venny

1 MR. REVUELTA: Aren't some of the things
 2 that we're talking about things that have to be
 3 controlled by the architectural review board?
 4 MR. BEHAR: The Board of Architects --
 5 MR. REVUELTA: You know, mechanical spaces
 6 and this and that and the other, these are
 7 things that are to be controlled at the level
 8 of the architectural review board.
 9 MR. TRIAS: And they are. They are
 10 currently. Anytime we have a Mixed-use
 11 project, first it goes to the Board of
 12 Architects, then it comes to you. You get a
 13 chance to deal with the issues. In fact, the
 14 Fire Department is very sensitive to the
 15 different locations and so on. So you can
 16 really see that there's an effort to do the
 17 things you're talking about. The question is,
 18 how do we Codify it? How do we make the Code
 19 stronger?
 20 MR. BEHAR: The point, I think, is, we -- I
 21 mean, I'm not in favor of reducing -- like
 22 Venny is saying, reducing density for the
 23 height. Let's put it somewhere else, you know.
 24 That's my opinion. And I will support -- I'll
 25 make a motion -- are we ready for motions yet?

1 MR. TORRE: I think we have two or three
 2 people that haven't spoken. I want to make
 3 sure that we don't hog the space.
 4 MR. REVUELTA: I agree with everything that
 5 Venny said. The problem is that, how do you
 6 incentivize somebody to put a use -- a business
 7 that activates a City and is not controlled by
 8 the market? I think it's out of our control.
 9 MR. TORRE: We have incentives now that are
 10 Mediterranean, that are subjective to
 11 Mediterranean, that's a good thing for the
 12 City. We have to say, it's a good thing for
 13 the City to incentivize great streetscapes.
 14 Just like we have the Mediterranean Bonus as a
 15 great incentive to keep the fabric of the City,
 16 it's a great incentive that the downstairs of
 17 all of these buildings are top notch. It's the
 18 exact same way.
 19 MR. REVUELTA: I'm in agreement with you,
 20 but then that needs to be Codified. In my mind
 21 I'm saying, okay, if I'm writing this Code, if
 22 I'm going to give somebody another fourteen and
 23 a half feet, what am I going to tell them to
 24 have a successful business and quality
 25 materials and a loggia and this and that and

1 I'm not so sure how we can blend the two on
 2 an item like this, and maybe I'm confused.
 3 MR. TORRE: Last point, which I didn't --
 4 price point, right, you get a bigger unit, it
 5 gets to be a bigger price point, more
 6 expensive. More expensive for sale, more
 7 expensive for rent, they're bigger. One of the
 8 biggest issues in the real estate market is
 9 affordability. The smaller units are more
 10 affordable, and the further and further we get
 11 into this decade, whatever, it's just becoming
 12 harder and harder. I mean, the smaller units
 13 are the affordable units, and you're talking
 14 about, we're leaving people out of the market.
 15 We need to provide for affordability. Well, we
 16 need to have more units.
 17 MR. REVUELTA: You are absolutely right.
 18 What happens, though, on this luxury product,
 19 whether it's rental or condo, that the moment
 20 you have affordable housing, with a luxury
 21 product --
 22 MR. TORRE: No. No. I didn't say that. I
 23 never said the word.
 24 MR. REVUELTA: You were not suggesting
 25 that.

1 the other? I'm struggling with how to Codify
 2 that, despite the fact that I'm totally in
 3 agreement with what you're saying. There is a
 4 challenge in how do you incentivize that -- I
 5 don't feel the same concern about the density,
 6 because I think this just happened to be a
 7 developer that said, hey, I don't want to have
 8 a lot of density, I want to have high ceilings,
 9 and I want to go at it, but I think most of
 10 what's going to happen is that people are going
 11 try -- not to curtail themselves, and I don't
 12 know how many people are going to take
 13 advantage of this, by the way. You know, for
 14 fourteen and a half feet, to cut down the
 15 density this much, I'm struggling, because, I
 16 mean, 118 stories -- my understanding is 180
 17 feet. It's not ten feet clear. You need to
 18 add about eight inches or nine inches of slab
 19 and you need to have a decent retail space, and
 20 then you have parking, et cetera, et cetera, so
 21 to me everything that you said is right and it
 22 goes back to what Chip was saying, you know, we
 23 should have other discussion items or Workshops
 24 in which we address like the north side of
 25 Biltmore Way and things like this.

1 MR. TORRE: No. No. I said, more
 2 affordable units. I didn't say affordable --
 3 MR. REVUELTA: Well, I'll tell you what, to
 4 your point --
 5 MR. TORRE: No, I started saying, the price
 6 point is tied to the square foot. If I have a
 7 600 square foot apartment, it's cheaper than a
 8 900 square foot apartment, but they're still
 9 one bedroom.
 10 MR. REVUELTA: I'm taking your lead on
 11 this. If there is an incentive that a
 12 developer wants to do X, Y, and Z, there might
 13 be a fund in which that developer will put
 14 money for affordable housing. It's not
 15 inventing this, that already exists, right?
 16 Add it somewhere else in the City.
 17 I mean, that's an incentive that's a
 18 win-win situation, right. So, I mean, I'm just
 19 basically following your lead on that.
 20 MR. BEHAR: Well, I'm going to tell you, I
 21 think the additional height, I don't have a
 22 problem. I think it could be better. But I
 23 have a problem reducing -- as an incentive,
 24 reducing the units, because what's going to
 25 happen, that's today, the trend. The trend,

1 you know, Luis, is to do bigger units today.
 2 MR. REVUELTA: Today.
 3 MR. BEHAR: Today. I don't know what's
 4 going to happen five, ten years from now, then
 5 we're going to be a hundred unlimited units --
 6 MR. REVUELTA: We're going to be New York
 7 and Hong Kong. We're going to have drawers in
 8 buildings. That's what's going to happen.
 9 CHAIRMAN AIZENSTAT: But isn't the ground
 10 floor going to be dictated by economics, in
 11 general?
 12 MR. REVUELTA: Of course.
 13 CHAIRMAN AIZENSTAT: You could drive
 14 whatever you want to go into the ground floor
 15 to make it visible for people to walk by,
 16 cafes, whatever it is, but those landlords are
 17 going to have to get "X" amount of dollars per
 18 square foot to survive.
 19 MR. TORRE: Aren't they getting extra
 20 height?
 21 CHAIRMAN AIZENSTAT: And to thrive.
 22 MR. TORRE: That's the give.
 23 CHAIRMAN AIZENSTAT: But even if they're
 24 getting extra height, how do they support
 25 downstairs?

1 that lower density, even the ones that do high
 2 end, like Ugo Colombo does.
 3 But I think, a greater open area,
 4 landscaped green area percentage, if we're not
 5 comfortable with five, let's just pick a
 6 number, and I think a certain contribution to
 7 an affordable housing fund, it's a win-win
 8 situation, for what we're trying to say here,
 9 and I'm in agreement with whatever everybody
 10 else has said.
 11 MR. TORRE: I say that you can have a
 12 fifteen, twenty foot belt of green around a
 13 building in Downtown and have dead walls and
 14 you haven't gained anything. A bunch of people
 15 will sit there, but it's still a dead building.
 16 MR. REVUELTA: I mean, the City of Miami
 17 struggled with that after Miami 21, which is
 18 another big discussion, but are we not
 19 addressing that in the architectural Code and
 20 with the review board?
 21 MR. TRIAS: Yes.
 22 MR. REVUELTA: I mean, that is the first
 23 place that that needs to be caught and not be
 24 allowed. Actually, you can maybe even codify
 25 it even more strictly.

1 MR. BUCELO: Can they subsidize?
 2 MR. TORRE: Well, then you're saying, then
 3 don't make it a requirement for active and let
 4 them have dead downstairs and the --
 5 CHAIRMAN AIZENSTAT: No. No. I'm not
 6 saying the --
 7 MR. TORRE: No. No. I'm just saying, is
 8 the -- the betterment of the community and the
 9 betterment of the Downtown revolves, in my
 10 view, about active Downtowns. It revolves
 11 around 24-hour Downtowns.
 12 CHAIRMAN AIZENSTAT: A hundred percent.
 13 MR. TORRE: So that, in a general sense, is
 14 a better solution overall, everybody wins, the
 15 developer wins, the community wins, everybody
 16 wins, when there's a more lively downstairs, if
 17 everybody is doing it. If nobody's doing it,
 18 then, you know, nobody is going to do it,
 19 because it doesn't make sense. Retail is the
 20 hardest thing to do. I'm not doing it.
 21 MR. REVUELTA: I think if you -- I don't
 22 have a problem with the density, because I
 23 don't think too many people are going to take
 24 advantage of this. I can't think of how many
 25 clients of mine are going to take advantage of

1 MR. TRIAS: I think we get so much
 2 negativity all of the time, which doesn't
 3 reflect the quality of the work that is being
 4 done in this City, frankly. I mean, many of
 5 you deal with those projects. You do top notch
 6 Mixed-Use projects, that are very active at the
 7 ground level, and you, especially some of you
 8 know how difficult it is sometimes to get
 9 through the Board of Architects, how difficult
 10 it is -- right?
 11 MR. BEHAR: Absolutely. You're absolutely
 12 correct.
 13 MR. TRIAS: And at the end, the projects
 14 are nice.
 15 MR. TORRE: All I'm saying is, what do you
 16 want to be when you grow up? You either have
 17 to have some goals and some ideas or you just
 18 let people just do whatever they want. So,
 19 this, to me, is something we should be striving
 20 for.
 21 The second thing -- and I'm sorry, I'm
 22 taking up all of the time --
 23 CHAIRMAN AIZENSTAT: Go ahead.
 24 MR. TORRE: -- CBD, the Central Business
 25 District, that's what we're talking about.

1 We're not talking about the outside. We're
 2 talking about the Central Business corridor.
 3 That's why I believe it should be that.
 4 MR. TRIAS: We're not talking about US-1,
 5 for example.
 6 MR. TORRE: No. We're talking about the
 7 CBD, two or three streets.
 8 MR. COLLER: You may want to think about
 9 extending the meeting, in light of where we are
 10 in our agenda.
 11 CHAIRMAN AIZENSTAT: Let's see what time we
 12 have. We have 8:51. Are we going to make a
 13 motion on E-2 first? Anybody want to make a
 14 motion?
 15 Anybody want to make a motion to extend the
 16 time?
 17 MR. REVUELTA: Go Alex. I'm waiting for
 18 you. I would make a motion to approve, with
 19 the condition that the Commission requires or
 20 requests more green area --
 21 MR. TRIAS: Would you make a suggestion?
 22 MR. REVUELTA: -- or greater setbacks --
 23 either a greater setback or a combination of a
 24 greater setback, an open area and a
 25 contribution to be determined to an affordable

1 percent.
 2 MR. REVUELTA: How did you come up with the
 3 five percent?
 4 MR. TRIAS: The five percent was the
 5 recommendation from the Commissioner that is
 6 sponsoring this.
 7 MR. REVUELTA: So the five percent did not
 8 come from a study that the Planning Department
 9 did, it's a Commissioner recommending five --
 10 MR. TRIAS: Yeah. It was reviewed by Staff
 11 and we looked at some comparables, and we felt
 12 that it was reasonable. Although, frankly, ten
 13 percent was within range of something --
 14 CHAIRMAN AIZENSTAT: Ramon, one second.
 15 Before we continue, we are supposed to adjourn
 16 at 9:00. Is there anybody that wants to make a
 17 motion for E-2 and E-3 at some point or not?
 18 MR. REVUELTA: Who is in charge of those
 19 motions?
 20 CHAIRMAN AIZENSTAT: Anybody want to make a
 21 motion to extend ten minutes?
 22 MS. MIRO: I'll make a motion.
 23 CHAIRMAN AIZENSTAT: We have a motion by
 24 Claudia to extend ten minutes.
 25 MR. BUCELO: Ten minutes.

1 housing fund.
 2 MR. TRIAS: Are you comfortable with a
 3 percentage, either ten percent or --
 4 MR. REVUELTA: I hate that. You know, it's
 5 like, I'm not comfortable with 205. Why is it
 6 not 200? Why is it not 210?
 7 Every time I read a Code that has a number
 8 like this, I'm saying, you know, who ended up
 9 doing this thing?
 10 MR. BEHAR: Luis, you, as an architect, I
 11 think if you do a quick analysis, you're going
 12 to see why the additional fifteen feet or
 13 whatever.
 14 MR. REVUELTA: No. No. No. I understand
 15 where he's coming from, but it's a rhetorical
 16 question that I was asking. He asked me, what
 17 percentage? They're recommending five. I'm
 18 saying, if I, out of my belly button, recommend
 19 six, eight, what am I doing? I don't know if I
 20 can --
 21 MR. TRIAS: The reason I'm saying this is
 22 that we already have the Board of Architects
 23 that deals with the quality of the spaces. The
 24 Zoning Code is not that tool. It's a big,
 25 rough, tool that gives you five percent, ten

1 MR. TORRE: Second.
 2 CHAIRMAN AIZENSTAT: Venny seconds. Call
 3 the roll, please, Jill.
 4 THE SECRETARY: Robert Behar?
 5 MR. BEHAR: Yes.
 6 THE SECRETARY: Alex Bucelo?
 7 MR. BUCELO: Yes.
 8 THE SECRETARY: Claudia Miro?
 9 MS. MIRO: Yes.
 10 THE SECRETARY: Luis Revuelta?
 11 MR. REVUELTA: Yes.
 12 THE SECRETARY: Venny Torre?
 13 MR. TORRE: Yes.
 14 THE SECRETARY: Chip Withers?
 15 MR. WITHERS: Yes.
 16 THE SECRETARY: Eibi Aizenstat?
 17 CHAIRMAN AIZENSTAT: Yes.
 18 So we're on E-2. What was your motion?
 19 MR. REVUELTA: Well, I was trying to answer
 20 Ramon's question before making the motion.
 21 What is the current percentage required?
 22 MR. TRIAS: Well, for the PAD, it's twenty
 23 percent.
 24 MR. REVUELTA: The proposal is five percent
 25 in addition to twenty?

1 MR. TRIAS: Yes, at a minimum. That's the
 2 baseline, yeah.
 3 MR. REVUELTA: Any thoughts on that, in
 4 terms of percentages?
 5 MR. WITHERS: Look, I mean, this whole
 6 discussion, let's call it what it is, it's
 7 about a luxury Downtown condominium -- or not
 8 condominium, a rental unit in our Downtown area
 9 that wants another fifteen feet. Whether we
 10 say there's a specific project this item is all
 11 about, we all know that that's what this item
 12 is all about. So what we do when developers
 13 come to us with, you know, their plans that we
 14 don't like? We sometimes go back to them and
 15 say, come back -- you heard what we have to
 16 say, come back to us with a plan or an idea
 17 that we would like to see you do on your
 18 streetscape or something like that.
 19 I don't know, by just saying, go to 205 and
 20 a half feet, and we're going to keep your unit
 21 density under a hundred, is that really going
 22 to give us the building and the look we want?
 23 CHAIRMAN AIZENSTAT: Chip, if you're
 24 talking about, it's all about a developer,
 25 don't we ask for a Site Plan to review, based

1 Board of Architects, great spaces. How else
 2 you're going to be able to get more benefit to
 3 the public? In every major well-planned city,
 4 you do have more, for lack of a better word,
 5 public spaces, that the public benefits, and
 6 Mr. Trias, as a City Planner, do you agree with
 7 that or not?
 8 MR. TRIAS: Yes.
 9 MR. BEHAR: Okay. So do we benefit? I am
 10 a hundred percent in favor of the additional
 11 fifteen feet, not only for this project, for
 12 any project, because it's going to make it --
 13 whether the units' an average of 2,000 or an
 14 average of a thousand, is going to be a better
 15 unit, better quality.
 16 So I think -- I don't know your answer, to
 17 answer your question, Luis, whether it's an
 18 additional five percent or an additional ten
 19 percent, but I think that I would not put it on
 20 density. Let the market drive that, whether
 21 they want to do big units or small units. I
 22 want more units. I've been in favor always of
 23 bringing, you know, more Residential to the
 24 Downtown.
 25 We did a project, which was completed eight

1 on that?
 2 MR. WITHERS: We saw the Site Plan on this.
 3 So they're vacating the alley, if you remember.
 4 MR. JIMENEZ: No.
 5 MR. WITHERS: No? That's a different one?
 6 Okay. Sorry about that.
 7 MR. BEHAR: But, look, you're absolutely
 8 right, and I'm finished, because you're going
 9 in the right direction.
 10 MR. WITHERS: No. So all I'm saying is,
 11 maybe we say, come back with an idea of what we
 12 can do to enhance the Downtown streetscape. I
 13 mean, you guys are the architects. You're the
 14 smart ones.
 15 MR. BEHAR: What is the -- you know, what
 16 is the most benefit we could get out of a --
 17 we're going to have -- the market is going to
 18 drive what type of use of unit. You want to
 19 do -- in the Downtown, you want to have
 20 businesses that instead of paying you \$45 a
 21 foot is going to be able to pay you a hundred
 22 dollars a foot. A restaurant will be able to
 23 do that. An office will not be able to do
 24 that, on the ground level.
 25 So you are going to have, by control by the

1 years ago, seven years ago, Columbus Center,
 2 which is in the CBD, basically, and you have
 3 200 units. They're an average of like 900.
 4 But you know what, you want good quality units.
 5 It would benefit it if we had the additional
 6 height. It would have been a much better
 7 project. Because instead of having nine foot
 8 four, you had ten-foot ceilings. It's a better
 9 unit.
 10 So what I would do, I would put the
 11 condition that you have, perhaps, a little bit
 12 more public space, open space, in return for
 13 the height.
 14 MR. REVUELTA: I agree with that. And
 15 that's where I was going. I think, to benefit
 16 the public, there's things that we can do in
 17 recommending to the Commission right now, for
 18 creating better public spaces, which is what
 19 Venny started talking about.
 20 MR. TORRE: I think we have a discussion
 21 that goes around certain things that deal with
 22 the ground floor or the public realm. Call it
 23 the public realm, and that could be many
 24 different things. I don't know that we need to
 25 be specific and say, this is how the trade

1 goes. I think that doesn't -- in other words,
 2 we don't have to say specifically it's going to
 3 be ten percent. There should be something
 4 given for the height, and I'm not sure what
 5 that is, that makes sense and is discussed
 6 further than today.

7 So the response today should be, as a
 8 measure of public policy, this Board, maybe not
 9 you, but I do not agree density should be
 10 incentivized to be dropped, and, therefore,
 11 giving the bonus for this purpose is not
 12 approved, recommending that additional height
 13 would be granted under other options, that we
 14 should look at and agree to.

15 MR. BEHAR: But you have to quantify that.
 16 MR. TORRE: I'm denying the cause. Come
 17 back and we can figure out what that benefit
 18 should be. We're not approving this project.
 19 MR. BEHAR: But we're approving an
 20 amendment to the Comp Plan?
 21 MR. TRIAS: Yeah. The main issue --
 22 MR. TORRE: So you want to say what bonuses
 23 are tied to it, specifically, right now, and
 24 that means green space only?
 25 MR. BEHAR: Certainly, but what I agree

1 CHAIRMAN AIZENSTAT: Ramon, go ahead,
 2 please.

3 MR. TRIAS: Yeah, if I could summarize.
 4 From my point of view, the big deal is that for
 5 a long time 190.5 has been this magic number.
 6 So we're saying, no more, now we have a little
 7 bit more. So that's why this is significant.

8 And the question is, how is that worth it
 9 to the community? Well, if you have better
 10 quality design at the ground level, right,
 11 that's what I understand, which includes public
 12 space and the uses next to the public spaces.
 13 Is that it? We can probably draft some
 14 language that is appropriate for a Zoning Code
 15 if you agree with that concept and forward it
 16 to the Commission.

17 MR. TORRE: But let's say, you, in the
 18 Design District, did something similar, where
 19 the --
 20 MR. TRIAS: Yes, we did.
 21 MR. TORRE: -- the ground floor cannot have
 22 this, the ground floor cannot have that, the
 23 glass has to be clear. There's a few things
 24 that we could think about. I'm not suggesting
 25 I know anything about what this should be. But

1 with you on is that we're not reducing density,
 2 right? I don't know, maybe you and I have the
 3 one -- and Luis kind of expressed that so far.
 4 I haven't heard the other Members.

5 How else -- we've got to give them a
 6 direction. How do we then --

7 MR. TORRE: But why wouldn't the expert
 8 tell us what we think the City should benefit
 9 from, that they should be giving away or what
 10 is the goal that we should be striving for?
 11 Maybe it is green space, but there may be other
 12 benefits.

13 MR. TRIAS: I think --

14 MR. BEHAR: And not necessarily green
 15 space.

16 MR. TORRE: Could there be better
 17 architecture? I don't know. I'm just saying,
 18 there's a lot of things --

19 MR. REVUELTA: The typical things are open
 20 space, setbacks, are for public spaces, and
 21 affordable housing. I mean, those are things
 22 that always, in different municipalities, that
 23 keep popping up.

24 MR. TRIAS: Mr. Chairman, if I could just
 25 summarize.

1 there's things we can quantify, as to what may
 2 be a better solution, let's suppose, not 50
 3 feet of dead space should ever be had. I'm
 4 making up some. It could be that certain
 5 things are blocked from happening.

6 MR. TRIAS: And I think that Coral Gables
 7 has always relied on the very good work of the
 8 Board of Architects to be able to finish those
 9 details. Other cities have very prescriptive
 10 guidelines. I mean, some of you probably have
 11 worked with them, and they're not necessarily
 12 any good. So you don't want to go that way,
 13 either. So you have to be able to get that
 14 balance.

15 So I think I understand your point. I
 16 don't think we can draft the language right
 17 now, at nine o'clock, but if you want to make a
 18 motion and --

19 MR. COLLER: May I make a suggestion for a
 20 motion?
 21 CHAIRMAN AIZENSTAT: Please.
 22 MR. COLLER: That you would approve it on a
 23 modified basis, that rather than density being
 24 the incentive, the following factors should be
 25 looked at as a possible incentive for

1 additional height. Those factors being,
 2 activating the first floor, you know, all of
 3 the other things that we've talked about, and
 4 then you approve it on that basis, specifically
 5 saying that you do not believe that density is
 6 the appropriate, I guess, give back.
 7 CHAIRMAN AIZENSTAT: Incentive.
 8 MR. COLLER: Incentive, right. So that
 9 would be one way to get to some sort of motion
 10 to indicate to the Commission how you feel.
 11 CHAIRMAN AIZENSTAT: The other option may
 12 be to -- Ramon to come back with what has been
 13 discussed and be more definitive.
 14 MR. COLLER: A Motion to Defer is always in
 15 order.
 16 MR. TRIAS: Yes, that's also an option.
 17 MR. TORRE: I guess what I'm trying to
 18 do --
 19 MR. BUCELO: I'll move to defer.
 20 MS. MIRO: I'll second it.
 21 MR. WITHERS: I'll second it.
 22 CHAIRMAN AIZENSTAT: We have a Motion to
 23 Defer. We have a second.
 24 MR. COLLER: Is this on both items?
 25 CHAIRMAN AIZENSTAT: Well, let's do E-2

1 to encourage Staff to --
 2 CHAIRMAN AIZENSTAT: At the next meeting.
 3 MR. WITHERS: Okay. Next meeting?
 4 MR. TRIAS: Yes. Yes. Certainly.
 5 MR. BEHAR: And listen, it's going to be
 6 very simple. I mean, I don't see this being a
 7 very elaborate modification. I think that --
 8 and I think the message is, this is going to go
 9 in the direction that you're going to get the
 10 additional height.
 11 MR. TRIAS: I mean, I think I can forward
 12 your comments very easily to the sponsors and
 13 they can understand --
 14 MR. BEHAR: And more so, I am confident
 15 that the project that potentially could benefit
 16 from it is going to provide everything that we
 17 want to ask for. The quality is going to be
 18 there. So I don't foresee, you know --
 19 CHAIRMAN AIZENSTAT: On Item E-3, is there
 20 a motion, also?
 21 MR. BUCELO: I'll move to defer.
 22 CHAIRMAN AIZENSTAT: Defer.
 23 MR. BEHAR: I'll second it.
 24 CHAIRMAN AIZENSTAT: We have a second. Any
 25 discussion? No?

1 first.
 2 MR. COLLER: Okay.
 3 CHAIRMAN AIZENSTAT: You have a motion?
 4 MR. REVUELTA: I'll move to defer.
 5 CHAIRMAN AIZENSTAT: E-2. You have a
 6 second to defer on E-2.
 7 Any discussion? No?
 8 Call the roll, please.
 9 THE SECRETARY: Chip Withers?
 10 MR. WITHERS: Yes.
 11 THE SECRETARY: Robert Behar?
 12 MR. BEHAR: Yes.
 13 THE SECRETARY: Alex Bucelo?
 14 MR. BUCELO: Yes.
 15 THE SECRETARY: Claudia Miro?
 16 MS. MIRO: Yes.
 17 THE SECRETARY: Luis Revuelta?
 18 MR. REVUELTA: Yes.
 19 THE SECRETARY: Venny Torre?
 20 MR. TORRE: Yes.
 21 THE SECRETARY: Eibi Aizenstat?
 22 CHAIRMAN AIZENSTAT: Yes.
 23 MR. WITHERS: Mr. Chair, we know, when the
 24 discussion was brought by the Mayor and a
 25 Commissioner, is there a time frame we can try

1 Call the roll, please.
 2 THE SECRETARY: Robert Behar?
 3 MR. BEHAR: Yes.
 4 THE SECRETARY: Alex Bucelo?
 5 MR. BUCELO: Yes.
 6 THE SECRETARY: Claudia Miro?
 7 MS. MIRO: Yes.
 8 THE SECRETARY: Luis Revuelta?
 9 MR. REVUELTA: Yes.
 10 THE SECRETARY: Venny Torre?
 11 MS. MIRO: Yes.
 12 THE SECRETARY: Chip Withers?
 13 MR. WITHERS: Yes.
 14 THE SECRETARY: Eibi Aizenstat?
 15 CHAIRMAN AIZENSTAT: Yes.
 16 We have right now 9:05. If we are going to
 17 take --
 18 MR. COLLER: Mr. Chairman, E-5 could be
 19 disposed of pretty quickly if the Board is
 20 interested.
 21 CHAIRMAN AIZENSTAT: If we can dispose of
 22 it in five minutes.
 23 MR. COLLER: I think we can.
 24 MR. TRIAS: Which one?
 25 MR. COLLER: E-5.

1 MR. TRIAS: Yeah, E-5 is a very
 2 straight-forward request.
 3 MR. COLLER: Let me read it, if we're going
 4 to do it.
 5 MR. TRIAS: Yes, please.
 6 MR. COLLER: May I?
 7 CHAIRMAN AIZENSTAT: In four minutes, yes.
 8 MR. BEHAR: Do it quickly.
 9 MR. COLLER: An Ordinance of the City
 10 Commission of Coral Gables, Florida providing
 11 for a text amendment to the City of Coral
 12 Gables Official Zoning Code by amending Article
 13 1, "General Provisions," Section 1-109,
 14 "Construction Rules," to clearly state where
 15 the provisions of this Zoning Code vary from
 16 the applicable requirements of any law,
 17 statute, rule, regulation, ordinance, or code,
 18 the most restrictive or that imposing the
 19 higher standard shall govern, including within
 20 the Miami-Dade County Rapid Transit Zone;
 21 providing for severability, repealer,
 22 codification, and an effective date.
 23 Item E-5, public hearing.
 24 MR. TRIAS: Mr. Chairman, this item was a
 25 result of some planning work done by the County

1 stations.
 2 MR. TRIAS: Yes.
 3 CHAIRMAN AIZENSTAT: We have two minutes.
 4 Is there a motion to extend for five minutes?
 5 MR. BUCELO: I'll move.
 6 MS. MIRO: Second.
 7 MR. COLLER: You can do it by voice vote.
 8 CHAIRMAN AIZENSTAT: Everybody in favor to
 9 extend for five minutes --
 10 (All of the Members voted aye.)
 11 MR. TRIAS: So we had a meeting with the
 12 Planning Director for the County and we
 13 explained the different things that are already
 14 in the Code, in the Zoning Code and the Comp
 15 Plan, and they were very happy with what exists
 16 in Coral Gables. So there was no objection to
 17 any of that. This is simply to make sure that
 18 we can maintain the status quo and be able to
 19 regulate properly.
 20 MR. WITHERS: But don't we control the
 21 right-of-way along the Metrorail?
 22 MR. TRIAS: Not all of it, no.
 23 MR. WITHERS: But, I mean, in Coral Gables,
 24 we do, though, don't we? Wasn't that part of
 25 the agreement when they built Metrorail, that

1 on the Metrorail area and some concerns. So
 2 this simply says that the City has the ability
 3 to regulate more strictly, which we already
 4 have, but just to make it very clear, in order
 5 to avoid any inconsistencies, in the County,
 6 for example, rezoning or recommending rezoning.
 7 MR. BEHAR: Mr. Trias, a question for you.
 8 MR. TRIAS: Yes, sir.
 9 MR. BEHAR: And this is as a result of the
 10 two projects or three projects that are going
 11 up in the Douglas Station.
 12 MR. TRIAS: Yeah, which are in Miami.
 13 MR. BEHAR: And the land is owned by
 14 Miami-Dade County.
 15 MR. TRIAS: Exactly.
 16 MR. BEHAR: So we're thinking that
 17 potentially we have one station that is owned
 18 by Miami-Dade County along Ponce de Leon, in
 19 front of the University of Miami. Is this
 20 something that we --
 21 MR. COLLER: It's more than that. It's
 22 more than that. The County has outlined
 23 corridors where they may want to eliminate
 24 minimum density requirements, higher minimum
 25 density requirements. So it's not just the

1 the City allowed them our right-of-way and they
 2 agreed not to develop it, except for parking?
 3 I'm just asking.
 4 MR. BEHAR: But they could change their
 5 mind, Chip. They could change their mind, like
 6 they've done.
 7 MR. TRIAS: We just want to make sure that
 8 that remains.
 9 MR. WITHERS: No. I'm wondering what's
 10 behind it -- I mean --
 11 MR. TRIAS: What's behind this is that they
 12 have a map that had sixty units per acre
 13 ideally in areas that are Single-Family and
 14 Multi-Family along Ponce de Leon, for example.
 15 MR. BEHAR: It's not that simple, but --
 16 MR. TRIAS: For example.
 17 MR. BEHAR: It's not that simple.
 18 MR. COLLER: It basically states what we
 19 believe the law to be, that the City can always
 20 impose a higher standard of Zoning.
 21 MR. TRIAS: However, what I described was
 22 not a final plan or anything.
 23 MR. WITHERS: I understand.
 24 MR. BEHAR: And legally can we really
 25 impose something more stricter than the County

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1 when it's their property?

2 MR. TRIAS: It was not only for their

3 property. It was beyond their property.

4 MR. WITHERS: Outside their property.

5 MR. COLLER: It was transit corridors,

6 swath of land, not necessarily owned by the

7 County.

8 MR. TORRE: Motion to approve.

9 CHAIRMAN AIZENSTAT: Before we do that, is

10 there anybody from the public that would like

11 to speak? Nobody in the Chambers. Anybody on

12 Zoom or phone platform, Jill?

13 THE SECRETARY: No.

14 CHAIRMAN AIZENSTAT: Having none, I'll go

15 ahead and close it for the floor.

16 Is there a motion?

17 MR. TORRE: I will make it.

18 CHAIRMAN AIZENSTAT: Which is?

19 MR. TORRE: To approve.

20 CHAIRMAN AIZENSTAT: As written?

21 MR. TORRE: As written.

22 CHAIRMAN AIZENSTAT: Is there a second?

23 MR. BUCELO: I'll second.

24 CHAIRMAN AIZENSTAT: Any discussion?

25 Call the roll, please.

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1 Map. It's just paperwork, basically. It's

2 just making sure that the Comp Plan has an

3 updated map that deals with the districts that

4 we have --

5 MR. BEHAR: By the way, this was not on the

6 agenda that was --

7 MR. TRIAS: What was not on the agenda?

8 MR. BEHAR: E-9.

9 MR. TRIAS: It was not?

10 MR. BEHAR: No. It was -- I found it, but

11 it's not --

12 MR. TRIAS: You're right. It was not in

13 the first agenda, and in the first draft, yes.

14 MR. BEHAR: I don't know how many people

15 knew about it.

16 CHAIRMAN AIZENSTAT: If we want to

17 continue, we need to make a motion to continue.

18 Is there anybody that wants to make that

19 motion?

20 MR. REVUELTA: I'll make a motion to extend

21 it another 10 minutes.

22 MR. BUCELO: I'll second it.

23 CHAIRMAN AIZENSTAT: We have a motion and a

24 second. Call the roll, please.

25 THE SECRETARY: Robert Behar?

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1 THE SECRETARY: Alex Bucelo?

2 MR. BUCELO: Yes.

3 THE SECRETARY: Claudia Miro?

4 MS. MIRO: Yes.

5 THE SECRETARY: Luis Revuelta?

6 MR. REVUELTA: Yes.

7 THE SECRETARY: Venny Torre?

8 MR. TORRE: Yes.

9 THE SECRETARY: Chip Withers?

10 MR. WITHERS: No.

11 THE SECRETARY: Robert Behar?

12 MR. BEHAR: Yes.

13 THE SECRETARY: Eibi Aizenstat?

14 CHAIRMAN AIZENSTAT: No.

15 So it passes.

16 Is there a -- what's the feeling of the

17 Board? If we're going to go into another item,

18 we have to extend further.

19 MR. BEHAR: What items do we have pending?

20 MR. TRIAS: We have home occupation and Med

21 Bonus, and the map.

22 MR. BEHAR: And the Med Bonus is one that

23 is going to take a little bit of time.

24 MR. TRIAS: So how about this, why don't we

25 do E-9, which is simply updating the Mixed-Use

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1 CHAIRMAN AIZENSTAT: For a motion to

2 continue for how long, please, I apologize?

3 MR. REVUELTA: I said, 10 minutes.

4 CHAIRMAN AIZENSTAT: 10 minute? Call the

5 roll, please.

6 THE SECRETARY: Alex Bucelo?

7 MR. BUCELO: Yes.

8 THE SECRETARY: Claudia Miro?

9 MS. MIRO: Yes.

10 THE SECRETARY: Luis Revuelta?

11 MR. REVUELTA: Yes.

12 THE SECRETARY: Venny Torre?

13 MR. TORRE: Yes.

14 THE SECRETARY: Chip Withers?

15 MR. WITHERS: Yes.

16 THE SECRETARY: Eibi Aizenstat?

17 CHAIRMAN AIZENSTAT: No, because I don't

18 feel that we should rush items, but it passes,

19 so we're going to extend for ten minutes.

20 Would you like to read, Craig, 9?

21 MR. COLLER: Sure.

22 An Ordinance of the City Commission of

23 Coral Gables, Florida granting approval for

24 proposed amendments to Mixed-Use Overlay

25 District Map for the City of Coral Gables

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1 Comprehensive Plan, pursuant to the expedited
 2 state review procedures and Zoning Code
 3 "Process," Section 14-213, "Comprehensive Plan
 4 Text and Map Amendments," to update the
 5 Mixed-Use Overlay District Map to be consistent
 6 with the Future Land Use Map; providing for a
 7 repealer provision, providing for a
 8 severability clause and providing for an
 9 effective date.
 10 Item E-9, public hearing.
 11 MR. TRIAS: Mr. Chairman, this is just
 12 simply an update of the map with the new
 13 terminology, like the Industrial District is no
 14 longer there now, and that's all it is.
 15 CHAIRMAN AIZENSTAT: Is there anybody from
 16 -- is that your presentation, Ramon?
 17 MR. TRIAS: Yeah, that's it. That's it.
 18 CHAIRMAN AIZENSTAT: Is there anybody from
 19 Zoom or phone platform, as there's nobody here
 20 in the Chambers?
 21 THE SECRETARY: No.
 22 CHAIRMAN AIZENSTAT: No?
 23 THE SECRETARY: No.
 24 CHAIRMAN AIZENSTAT: I'll go ahead and
 25 close for public comment. Any questions or

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1 MR. BUCELO: Yes.
 2 THE SECRETARY: Eibi Aizenstat?
 3 CHAIRMAN AIZENSTAT: Yes.
 4 MR. BEHAR: So the only one really left
 5 over that is simple is home office.
 6 MR. TRIAS: Home office, yeah, we can do
 7 it, if you want, in a minute, or not, depending
 8 on whatever --
 9 MR. BEHAR: I think I know that E-4 is
 10 going to be a long one.
 11 MR. TRIAS: Home office, we're also just
 12 following the State requirements trying to --
 13 CHAIRMAN AIZENSTAT: Well, let's go ahead
 14 and read it. We have a short period, since we
 15 extended.
 16 MR. BEHAR: Five minutes.
 17 MR. COLLER: Which one is home office, E what?
 18 THE SECRETARY: E-6.
 19 MR. COLLER: Oh, E-6. Okay. Thanks.
 20 E-6, an Ordinance of the City Commission of
 21 Coral Gables, Florida providing for a text
 22 amendment to the City of Coral Gables Official
 23 Zoning Code by amending Article 3, "Uses,"
 24 Section 3-206, "Home Office," to provide
 25 additional requirements and allowances for a

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1 anything to Ramon? No?
 2 Would anybody would like to make a motion?
 3 MR. REVUELTA: I said, none.
 4 CHAIRMAN AIZENSTAT: Would anybody like to
 5 make a motion?
 6 MR. REVUELTA: I'll make a motion to
 7 approve.
 8 CHAIRMAN AIZENSTAT: I'm sorry, motion to
 9 approve, Luis?
 10 Is there a second?
 11 MS. MIRO: I'll second.
 12 CHAIRMAN AIZENSTAT: We have a second. Any
 13 discussion?
 14 Call the roll, please.
 15 THE SECRETARY: Claudia Miro?
 16 MS. MIRO: Yes.
 17 THE SECRETARY: Luis Revuelta?
 18 MR. REVUELTA: Yes.
 19 THE SECRETARY: Venny Torre?
 20 MS. MIRO: Yes.
 21 THE SECRETARY: Chip Withers?
 22 MR. WITHERS: Yes.
 23 THE SECRETARY: Robert Behar?
 24 MR. BEHAR: Yes.
 25 THE SECRETARY: Alex Bucelo?

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1 Home Office consistent with the requirements of
 2 Chapter 2021-202, Laws of Florida, providing
 3 for severability, repealer, codification and an
 4 effective date.
 5 Item E-6, public hearing.
 6 MR. TRIAS: Mr. Chairman, the items listed
 7 are consistent with what the State law says and
 8 we're just trying to bring our Code up to speed
 9 on that.
 10 CHAIRMAN AIZENSTAT: Is there any changes
 11 that have been done?
 12 MR. TRIAS: Nothing meaningful, just the
 13 same --
 14 MR. COLLER: But I want to make you aware
 15 that the State law made a substantial
 16 liberalization of home office, to allow a lot
 17 more than what any cities had previously done
 18 and it was a preemption of local rule. So
 19 we're forced to do it, because the State has
 20 preempted us.
 21 MR. TORRE: Is this a State mandate of
 22 sort?
 23 MR. COLLER: State mandate. That's
 24 correct.
 25 MR. TRIAS: Yes, sir.

1 MR. BEHAR: And we're limiting it to no
 2 more than 25 percent, right?
 3 MR. TRIAS: Right, 25 percent, two staff
 4 people, no signage.
 5 MR. WITHERS: I'm totally against this.
 6 I'm totally against this.
 7 MR. TRIAS: I don't disagree.
 8 MR. WITHERS: I mean, I'm so much against
 9 this. If Venny has an office and he has a wife
 10 and kids working there, they're really not
 11 staff, but they're employees, you know. He
 12 brings in a couple of assistants. Next thing
 13 you know, FedEx is delivering plans, to his
 14 office, GC comes with his pickup truck and
 15 wants to go over the plans and they park there,
 16 and then the plumber comes and parks his truck
 17 there. The next thing you know, UPS pulls up
 18 and delivers other stuff.
 19 If someone decides they want to start doing
 20 an Amazon business out of their house and 50
 21 Amazon trucks start dropping off packages at
 22 their house. So, I mean, that's why I'm
 23 against it.
 24 MR. TRIAS: And I think --
 25 MR. WITHERS: So, I mean, that's why I'm

1 thousand percent.
 2 MR. COLLER: You can recommend denial and
 3 that's what will go to the Commission.
 4 MR. WITHERS: I'll move to deny the motion.
 5 CHAIRMAN AIZENSTAT: We have a motion to
 6 deny. Is there a second?
 7 MR. BEHAR: I'll second it.
 8 CHAIRMAN AIZENSTAT: We have a second. Any
 9 discussion?
 10 Call the roll, please.
 11 THE SECRETARY: Luis Revuelta?
 12 MR. TORRE: Yeses and nos.
 13 MR. REVUELTA: Yes.
 14 MR. WITHERS: I didn't mean to be so
 15 radioactive on this thing.
 16 MR. BEHAR: But you're right.
 17 CHAIRMAN AIZENSTAT: Hold on. I'm calling
 18 the roll. So, yes, to deny, Luis?
 19 MR. REVUELTA: I'm voting, yes, to deny,
 20 agreeing with Chip and Robert.
 21 THE SECRETARY: Okay. Venny Torre?
 22 MR. TORRE: I agree, yes.
 23 THE SECRETARY: Chip Withers?
 24 MR. WITHERS: Yes.
 25 THE SECRETARY: Robert Behar?

1 against it. I think it's going to destroy our
 2 neighborhoods.
 3 MS. MIRO: Could we add something on top of
 4 this that kind of --
 5 MR. TRIAS: The place to oppose this is
 6 Tallahassee, unfortunately.
 7 MR. TORRE: No, but here is my question.
 8 This is --
 9 CHAIRMAN AIZENSTAT: What if we vote no?
 10 MR. TRIAS: You can vote, no, that's fine.
 11 CHAIRMAN AIZENSTAT: And what happens?
 12 MR. TRIAS: I mean, if we have nothing in
 13 the Code, then --
 14 MR. COLLER: Well, the City will have to --
 15 there are some restrictions. They can only
 16 park in actually specific parking spaces. You
 17 can't just park all over the swale. I'm not
 18 justifying it. I think it was a bad law.
 19 MR. WITHERS: We don't even enforce
 20 students parking in front of people's front
 21 yards at the University of Miami. You think
 22 we're going to enforce this parking?
 23 MR. COLLER: It's a bad law. It's a bad
 24 law. It's a preemption of local rules.
 25 MR. BEHAR: Chip, I agree with you a

1 MR. BEHAR: Yes. I don't want a
 2 construction office next to me.
 3 THE SECRETARY: Alex Bucelo?
 4 MR. BUCELO: Yes.
 5 THE SECRETARY: Claudia Miro?
 6 MS. MIRO: Yes.
 7 THE SECRETARY: Eibi Aizenstat?
 8 CHAIRMAN AIZENSTAT: Yes.
 9 Is there a motion to --
 10 MR. BEHAR: Motion to adjourn.
 11 CHAIRMAN AIZENSTAT: We have a motion to
 12 adjourn. Is there a second to adjourn?
 13 MR. BUCELO: Second.
 14 MR. COLLER: As part of that motion, you're
 15 deferring --
 16 MR. BEHAR: Motion to Defer E-4 to the
 17 following meeting.
 18 MR. BUCELO: Second.
 19 CHAIRMAN AIZENSTAT: All right. All in
 20 favor say aye.
 21 (All Members voted aye.)
 22 CHAIRMAN AIZENSTAT: We have a motion to
 23 adjourn by Robert. Second by Alex. All in
 24 favor say aye.
 25 (Thereupon, the meeting was concluded at 9:20 p.m.)

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CERTIFICATE

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

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

DATED this 14th day of December, 2021.

SIGNATURE ON FILE

NIEVES SANCHEZ