

1 CITY OF CORAL GABLES  
 2 LOCAL PLANNING AGENCY (LPA)  
 3 PLANNING AND ZONING BOARD MEETING  
 4 VERBATIM TRANSCRIPT  
 5 CORAL GABLES CITY HALL  
 6 405 BILTMORE WAY, COMMISSION CHAMBERS  
 7 CORAL GABLES, FLORIDA  
 8 WEDNESDAY, SEPTEMBER 14, 2016, COMMENCING AT 6:04 P.M.  
 9  
 10 Board Members Present:  
 11 Jeffrey Flanagan, Chairman  
 12 Maria Alberro Menendez  
 13 Marshall Bellin  
 14 Julio Grabiell  
 15 Robert Behar  
 16 Frank Rodriguez  
 17  
 18 City Staff and Consultants:  
 19 Ramon Trias, Planning Director  
 20 Charles Wu, Assistant Director Development Services  
 21 Craig Collier, Special Counsel  
 22 Megan McLaughlin, City Planner  
 23 Craig E. Leen, City Attorney  
 24 Scot Bolyard, Principal Planner, Acting Secretary  
 25 Cristina Suarez, Assistant City Attorney  
 26  
 27 Public Speakers:  
 28 Zeke Guilford, Esq.  
 29 Dr. Joseph Briggie  
 30 Eddie Lamas, Architect  
 31 Jordi Cruixent, Architect  
 32  
 33  
 34  
 35

1 (The following proceedings were held.)  
 2 CHAIRMAN FLANAGAN: We'll call the meeting  
 3 to order.  
 4 Charles, do you want to read the  
 5 introductory statements, please? I don't have  
 6 my sheet tonight.  
 7 MR. WU: Good evening. The Board is  
 8 comprised of seven members. Four Members of  
 9 the Board shall constitute a quorum. And the  
 10 affirmative vote of four Members of the Board  
 11 present shall be necessary for the adoption of  
 12 any motion. A tie vote shall result in the  
 13 automatic continuance of the matter to the next  
 14 meeting, which shall be continued unless the  
 15 applicant requests to be heard before the City  
 16 Commission.  
 17 If only four Members of the Board are  
 18 present, an applicant shall be entitled to a  
 19 postponement to the next regularly scheduled  
 20 Board Meeting.  
 21 Any person who acts as a lobbyist pursuant  
 22 to the City of Coral Gables Ordinance 2006-11  
 23 must register with the City Clerk prior to  
 24 engaging in lobbying activities or  
 25 presentations before City Staff, Boards,

1 Committees and/or the City Commission. A copy  
 2 of the Ordinance is available in the Office of  
 3 the City Clerk. Failure to register and  
 4 provide proof of registration shall prohibit  
 5 your ability to present to the Board.  
 6 Reflect the call of the meeting.  
 7 CHAIRMAN FLANAGAN: We'll call the Planning  
 8 and Zoning Board meeting of September 14th,  
 9 2016 to order. The time is 6:04 p.m.  
 10 MR. WU: Roll call.  
 11 THE SECRETARY: Robert Behar?  
 12 MR. BEHAR: Here.  
 13 THE SECRETARY: Marshall Bellin?  
 14 MR. BELLIN: Here.  
 15 THE SECRETARY: Julio Grabiell?  
 16 MR. GRABIEL: Here.  
 17 THE SECRETARY: Maria Menendez?  
 18 MS. MENENDEZ: Here.  
 19 THE SECRETARY: Alberto Perez?  
 20 Frank Rodriguez?  
 21 MR. RODRIGUEZ: Here.  
 22 THE SECRETARY: Jeffrey Flanagan?  
 23 CHAIRMAN FLANAGAN: Here.  
 24 Thank you.  
 25 Next item on the agenda is the approval of

1 the minutes from our August --  
 2 MR. WU: I have one more statement.  
 3 CHAIRMAN FLANAGAN: Okay.  
 4 MR. WU: Please be advised that this Board  
 5 is a quasi-judicial board and the items on the  
 6 agenda are quasi-judicial in nature, which  
 7 requires Board Members to disclose all ex parte  
 8 communication, site visits.  
 9 For the record, does a Board Member have  
 10 any ex parte communication for any cases today?  
 11 Let the record show there's --  
 12 MR. BEHAR: No.  
 13 MR. WU: Let the record show there's none.  
 14 Swearing in. Anyone who will speak today  
 15 shall complete the roster on the podium. We'd  
 16 ask you to print clearly, so the official  
 17 records of your name and address will be  
 18 correct.  
 19 Now, with the exception of attorneys, all  
 20 persons who wish to speak on the agenda before  
 21 us today, please rise to be sworn in.  
 22 (Thereupon, all of the participants were  
 23 sworn.)  
 24 MR. WU: In deference to those present, we  
 25 ask that all cell phones, pagers and other

1 electronic devices be turned off at this time.  
 2 Now we will proceed with the agenda.  
 3 CHAIRMAN FLANAGAN: Thank you, Charles.  
 4 Next item on the agenda is the approval of  
 5 the minutes from our August 10th, 2016 meeting.  
 6 MR. BELLIN: The next item, I'm going to  
 7 have to recuse myself.  
 8 MR. BEHAR: Well, before you recuse --  
 9 CHAIRMAN FLANAGAN: Hold on. Sorry. One  
 10 item at a time.  
 11 MR. BEHAR: I'll make a motion for approval  
 12 of the minutes.  
 13 CHAIRMAN FLANAGAN: Thank you.  
 14 Do we have a second?  
 15 MR. GRABIEL: Second.  
 16 CHAIRMAN FLANAGAN: We have a motion and a  
 17 second. Any comments or changes to the  
 18 minutes?  
 19 MR. BEHAR: I --  
 20 CHAIRMAN FLANAGAN: Robert.  
 21 MR. BEHAR: I know that I have to recuse  
 22 myself for Item Number 8. I want to see if  
 23 it's possible that we could move 9 and 10 up,  
 24 to take that, which are the two City --  
 25 CHAIRMAN FLANAGAN: Okay. Sorry. Robert,

1 hold on.  
 2 We have a motion and a second on the  
 3 minutes. Anybody have any comments on the  
 4 minutes?  
 5 MR. BEHAR: Oh, I'm sorry.  
 6 CHAIRMAN FLANAGAN: No? Seeing none, all  
 7 those in favor, say aye.  
 8 MR. BEHAR: Aye.  
 9 CHAIRMAN FLANAGAN: Anybody opposed?  
 10 Hearing none. Thank you.  
 11 Next item will be the deferrals, changes or  
 12 additions to the agenda. We know -- I'll start  
 13 with Robert. Board Member Behar needs to  
 14 recuse himself for -- Robert, is it 5, 6 and 7?  
 15 MR. BEHAR: No. For me, it would be --  
 16 MR. TRIAS: It will be Number 8.  
 17 MR. BEHAR: 8 only.  
 18 CHAIRMAN FLANAGAN: Number 8.  
 19 MR. BELLIN: I have to recuse myself for 5,  
 20 6 and 7.  
 21 CHAIRMAN FLANAGAN: Marshall needs to  
 22 recuse for 5, 6 and 7.  
 23 Okay. Let's go put that off to the side  
 24 for one moment. Do we have any deferrals,  
 25 Ramon?

1 MR. TRIAS: Mr. Chairman, the applicant has  
 2 requested to defer 5, 6 and 7, which are the  
 3 items related to 33 Alhambra, to October. They  
 4 were not ready. They did not provide the  
 5 drawings that needed to be provided to revise  
 6 the project.  
 7 CHAIRMAN FLANAGAN: Okay.  
 8 MR. TRIAS: So that is a request of the  
 9 applicant.  
 10 CHAIRMAN FLANAGAN: That's a request from  
 11 the applicant?  
 12 MR. TRIAS: Yeah, and Staff recommends that  
 13 you defer.  
 14 CHAIRMAN FLANAGAN: Okay. Is the applicant  
 15 here to confirm that?  
 16 MR. GUILFORD: Good evening, Mr. Chairman,  
 17 Members of the Board. For the record, Zeke  
 18 Guilford, with offices at 400 University Drive.  
 19 Yes, we are requesting a continuance to the  
 20 October meeting.  
 21 CHAIRMAN FLANAGAN: Okay.  
 22 MR. COLLER: I have a question,  
 23 Mr. Chairman.  
 24 Charles, is this being re-advertised or do  
 25 we announce the date of the meeting?

1 MR. WU: We will re-advertise it, but it  
 2 doesn't hurt to give the date, if someone's  
 3 listening. It's --  
 4 MR. COLLER: Okay.  
 5 CHAIRMAN FLANAGAN: It should be October  
 6 12th.  
 7 MR. GUILFORD: No, it's actually October  
 8 19th, because of Yom Kippur.  
 9 MR. TRIAS: Mr. Chairman, I did send a  
 10 e-mail saying we would send notice again to the  
 11 neighbors, because I believe that they need to  
 12 be noticed and they need to be aware of what's  
 13 going on. So that will be a request.  
 14 CHAIRMAN FLANAGAN: Okay. So if everybody  
 15 will bear with me for a second. Let's table  
 16 that -- how do we do this?  
 17 Our meeting right now is October 12th.  
 18 Mr. Guilford, there's a discussion item on the  
 19 agenda to move it to the 19th.  
 20 MR. GUILFORD: Oh, I'm sorry. Excuse me.  
 21 CHAIRMAN FLANAGAN: No. No. I forgot  
 22 about that until you said that.  
 23 MR. TRIAS: Would you like to have that  
 24 discussion now?  
 25 CHAIRMAN FLANAGAN: I think we should.

1 MR. TRIAS: Yeah.  
 2 MR. COLLER: Yeah. I think probably it  
 3 would be worthwhile.  
 4 CHAIRMAN FLANAGAN: Let's jump, if  
 5 everybody can keep track of where we're going,  
 6 on the agenda, we're going to jump to Item  
 7 Number 14. It's a discussion item to  
 8 reschedule the October 12th meeting, in  
 9 observation of Yom Kippur, to the Wednesday  
 10 following, which is October 19.  
 11 Anybody have any objection or comment on  
 12 that?  
 13 MR. GRABIEL: My only comment is that I'm  
 14 going to be out of the country through the  
 15 month of October.  
 16 CHAIRMAN FLANAGAN: So you would have  
 17 missed it --  
 18 MR. GRABIEL: So I would have missed both  
 19 of them.  
 20 CHAIRMAN FLANAGAN: You would have missed  
 21 both, okay.  
 22 MR. GRABIEL: Yes.  
 23 CHAIRMAN FLANAGAN: Anybody else?  
 24 There's a consensus to move it to the 19th?  
 25 MR. BEHAR: I'm okay with it.

1 CHAIRMAN FLANAGAN: Okay.  
 2 MR. TRIAS: Okay. Well, thank you very  
 3 much. Do we need to take a vote on this or --  
 4 MR. WU: We recommend a vote.  
 5 MR. TRIAS: Why don't we do that?  
 6 CHAIRMAN FLANAGAN: You recommend a vote?  
 7 MR. TRIAS: Yeah.  
 8 CHAIRMAN FLANAGAN: Somebody want to  
 9 move --  
 10 MR. RODRIGUEZ: I so move.  
 11 CHAIRMAN FLANAGAN: We have a motion.  
 12 Anybody second it?  
 13 MR. BEHAR: I'll second it.  
 14 CHAIRMAN FLANAGAN: We have a motion and a  
 15 second to move it from the 12th to the 19th of  
 16 October.  
 17 Scot, if you'll call the roll, please.  
 18 THE SECRETARY: Julio Grabiell?  
 19 MR. GRABIEL: Yes.  
 20 THE SECRETARY: Frank Rodriguez?  
 21 MR. RODRIGUEZ: Yes.  
 22 THE SECRETARY: Robert Behar?  
 23 MR. BEHAR: Yes.  
 24 THE SECRETARY: Marshall Bellin?  
 25 MR. WU: Out of the room.

1 THE SECRETARY: Maria Menendez?  
 2 MS. MENENDEZ: Yes.  
 3 THE SECRETARY: Jeffrey Flanagan?  
 4 CHAIRMAN FLANAGAN: Yes.  
 5 All right. Thank you.  
 6 So let's go back now to the deferral  
 7 request for Items 5, 6 and 7. That would be to  
 8 October 19th.  
 9 Okay.  
 10 MS. MENENDEZ: I have a question. The  
 11 City, at the last meeting or the meeting  
 12 before --  
 13 MR. WU: Ms. Menendez, can you speak into  
 14 the mike?  
 15 MS. MENENDEZ: You were concerned that we  
 16 were deferring it to this date. And what  
 17 changed, because now we're deferring it one  
 18 more month, at your request?  
 19 MR. GUILFORD: Right. Sure.  
 20 What happened is, the architects are trying  
 21 to re-design to meet some of the conditions of  
 22 Staff, and, unfortunately, there was a death in  
 23 one of the architects' family, so it got put  
 24 off. So we're asking for this deferral.  
 25 MS. MENENDEZ: I understand.

1 CHAIRMAN FLANAGAN: Okay. We'll open up  
 2 the public hearing. Is there anybody here  
 3 tonight that objects to the deferral to the  
 4 October 19th meeting?  
 5 Seeing none, we'll close the public  
 6 hearing.  
 7 Anybody have any further discussion on it?  
 8 Seeing none, Scot, can you call the roll,  
 9 please?  
 10 THE SECRETARY: Frank Rodriguez?  
 11 MR. RODRIGUEZ: Yes.  
 12 THE SECRETARY: Robert Behar?  
 13 MR. BEHAR: Yes.  
 14 THE SECRETARY: Julio Grabiell?  
 15 MR. GRABIEL: Yes.  
 16 THE SECRETARY: Maria Menendez?  
 17 MS. MENENDEZ: Yes.  
 18 THE SECRETARY: Jeffrey Flanagan?  
 19 CHAIRMAN FLANAGAN: Yes.  
 20 MR. GUILFORD: Thank you.  
 21 CHAIRMAN FLANAGAN: Thank you.  
 22 Okay. Marshall, if you're listening, you  
 23 can come back.  
 24 We'll keep going. We still have a quorum,  
 25 so we'll keep going.

1 If nobody has an objection, since Board  
2 Member Behar is here, he can sit for the  
3 balance of the items. He will have to recuse  
4 himself for Number 8, so if we can move that to  
5 the end of the agenda?

6 Any objection to doing that? Okay. So  
7 we'll move Item 8 to the end of the agenda.  
8 That means our next item, at this point, is  
9 Item Number 9. I'll read it into the record.

10 It's an Ordinance of the City Commission of  
11 Coral Gables, Florida requesting an amendment  
12 to the Future Land Use Map of the City of Coral  
13 Gables Comprehensive Plan pursuant to Zoning  
14 Code Article 3, "Development Review", Division  
15 15, "Comprehensive Plan Text and Map  
16 Amendments", and Small Scale amendment  
17 procedures, Section 163.3187, Florida Statutes,  
18 from "Public Buildings and Grounds" to  
19 "Commercial High-Rise Intensity" for the  
20 property legally described as Lots 1-12 and  
21 27-38, Block 18, Coral Gables Crafts Section,  
22 known as 2801 Salzedo Street, Coral Gables,  
23 Florida; providing for severability, repealer  
24 and an effective date.

25 Mr. Trias.

1 The parcel, as you can see, is bound by  
2 Sevilla in the north, Palermo in the south, and  
3 Salzedo in the east. The request is both, Land  
4 Use and Zoning changes. If you look at the  
5 existing Land Use Map, you will see that  
6 currently it is green, which is the Land Use  
7 for the public facilities, and we are proposing  
8 that it will change to high-rise, which is  
9 consistent with the general area. Around it,  
10 as you can see, it's mostly red, in the same  
11 way.

12 Zoning is the same situation. Zoning right  
13 now is green, also, which is the Special Use  
14 District, and we have recommended that it  
15 should be red, which is Commercial. Those are  
16 the two requests.

17 The property owners were notified, with a  
18 radius of 1,500 feet, which is the new standard  
19 for changes of Land Use, and this map shows you  
20 the area that surrounds the parcel within 1,500  
21 feet.

22 And, as always, we had a chance to have  
23 multiple ways to public -- to notify the public  
24 of the request. The property was posted in  
25 August. There was a legal advertisement in

1 MR. TRIAS: Mr. Chairman, Items 9 and 10  
2 are related, so my presentation will deal with  
3 both, and you will deal with them separately in  
4 your vote. So if I could have the PowerPoint  
5 for the Public Safety Building.

6 CHAIRMAN FLANAGAN: Ramon, I'm sorry to  
7 interrupt. Let me just read in Number 10. I  
8 should have done that.

9 MR. TRIAS: Yes.

10 CHAIRMAN FLANAGAN: Item Number 10 is an  
11 Ordinance of the City Commission of Coral  
12 Gables, Florida requesting a change of zoning  
13 pursuant to Zoning Code Article 3, "Development  
14 Review", Division 14, "Zoning Code Text and Map  
15 Amendments", from Special Use District (S) to  
16 Commercial District (C) for the property  
17 legally described as Lots 1-12 and 27-38, Block  
18 18, Coral Gables Crafts Section, known as 2801  
19 Salzedo Street, Coral Gables, Florida; and  
20 providing for severability, repealer and an  
21 effective date.

22 MR. TRIAS: Thank you. The request is to  
23 change the Land Use and change Zoning for a  
24 City owned parcel where the Public Safety  
25 Building is located today.

1 September. There was a courtesy notification,  
2 which is the mailing that I just showed, also  
3 in September. And the property was posted on  
4 the agenda on City Hall and on the web page  
5 September 9th, and the Staff Report was also  
6 posted on the City web page.

7 Staff recommends approval, in that the  
8 Staff Report details the standards of review  
9 which have been reviewed by Staff, and we  
10 believe they have been satisfied. And Staff's  
11 determination is that the proposed changes are  
12 consistent with the Comprehensive Plan's goals,  
13 objectives and policies.

14 If you have any questions, I'll be happy to  
15 answer you. Thank you.

16 MR. RODRIGUEZ: Is this where the Fire  
17 Department and the police station is?

18 MR. TRIAS: Yes.

19 CHAIRMAN FLANAGAN: Okay. We'll open up  
20 the public hearing. We'll open up the public  
21 hearing.

22 Scot, do we have any cards for speakers?

23 THE SECRETARY: No.

24 CHAIRMAN FLANAGAN: Okay. Anybody present  
25 who wishes to speak on this item?

1 Dr. Briggie.  
 2 DR. BRIGGLE: Good evening, Mr. Chairman,  
 3 Members of the Board. My name is Dr. Joseph  
 4 Briggie. I am a resident, as well as a  
 5 commercial owner. My building is at 368  
 6 Sevilla Avenue, Coral Gables, Florida, and I  
 7 live at 1430 Siena Avenue.  
 8 I'm here today not really against building,  
 9 but my concern is strictly parking. My  
 10 building is directly across the street from  
 11 what used to be considered the Burger King  
 12 project, which is the Bacardi building now.  
 13 And, at the time, I happened to be the Vice  
 14 Chair of the Board of Adjustments, so the  
 15 Burger King folks were in front of us or the  
 16 contractors were in front of us for many  
 17 variances and so forth, which we worked out.  
 18 So I saw those plans ahead of time on that  
 19 commercial building, and I saw where they were  
 20 going to have a lot of street parking, and  
 21 obviously we were going to lose some of the  
 22 street parking, because of entrances and exits  
 23 to the, at the time, Burger King building and  
 24 the City National Bank that was coming across  
 25 next door to us.

1 But, in reality, when the building was over  
 2 with, we lost 19 street parking spots from the  
 3 two sides of Sevilla, north and south, from Le  
 4 Jeune, halfway up to the Mercedes Benz  
 5 property, the south side of Almeria and the  
 6 north side of Palermo. We lost 19 street  
 7 spots, mostly for entrances and exits, but some  
 8 because of trees. Because of the Charrette,  
 9 they had to put a tree every so often.  
 10 Well, the problem is, I'm a small business  
 11 owner, single building. My patients have a  
 12 real challenge with parking, and I'm sure many  
 13 of your customers and clients do, as well.  
 14 So my problem is not really with the Police  
 15 and Fire Station changing. The challenge is,  
 16 there is parking there now. They have permit  
 17 parking at that building. And you and I all  
 18 know that when this is granted and it goes to a  
 19 commercial property, the City of Coral Gables  
 20 is likely to sell the property, because it is  
 21 valuable, and the new -- whoever purchases that  
 22 property, and builds on it, which I certainly  
 23 have no problem with, but they're not going to  
 24 be thinking of parking. They're going to be  
 25 basically dealing with the minimum requirement

1 of parking for that particular structure.  
 2 And, again, once again, we lose more street  
 3 parking. And I know it's beyond your control,  
 4 and I spoke to the City Commission four or five  
 5 years ago about this, but you guys -- you guys  
 6 -- this building is killing street parking for  
 7 the small business, and that is my only  
 8 concern, because I'm losing patients from not  
 9 wanting to come in, drive in traffic in Coral  
 10 Gables -- we've got to live with that -- but  
 11 more, importantly, having a difficult time  
 12 parking.  
 13 So, you know, this may not be the forum for  
 14 me to vent, but I'm going to vent all of the  
 15 way up, to make people aware that it's a bigger  
 16 issue than you might think.  
 17 So that would be the only reason that I am  
 18 against converting this property, because right  
 19 now it has existing parking in that building,  
 20 and I'm all for that.  
 21 Thank you very much. If anyone has any  
 22 questions, I'm happy to entertain. Thank you  
 23 very much.  
 24 CHAIRMAN FLANAGAN: Thank you, Dr. Briggie.  
 25 Anybody else?

1 All right. Close the public hearing.  
 2 Open it up for discussion, comments from  
 3 Board Members.  
 4 MS. MENENDEZ: Well, I have -- I understand  
 5 why the City is doing this, but my concern is  
 6 the impact of what could go there to the  
 7 neighborhood, to the area.  
 8 MR. TRIAS: Yeah.  
 9 MS. MENENDEZ: Salzedo is a street that's  
 10 two lanes, one each way, and it's very, very  
 11 heavy as it is right now. It's very heavily  
 12 trafficked. There's a lot of traffic on it.  
 13 And so I have no problem with what's being  
 14 proposed, outside of I would like it to go  
 15 through a public process, and my concern is, if  
 16 you give it the highest intensity of  
 17 Commercial, as it's proposed, it's as of right,  
 18 and we would -- it would not go through a  
 19 public process.  
 20 I'm not necessarily advocating that it  
 21 comes through us, but at least, at a minimum,  
 22 at the Commission level, that it does go  
 23 through a public process, primarily because of  
 24 the impact.  
 25 The Agave project is probably going to

1 start soon. Then you have this building. So  
2 that would be my suggestion or my comments  
3 related to the application.

4 CHAIRMAN FLANAGAN: Anybody else?  
5 I have a question to Craig. Do we create a  
6 non-conforming use at this point by doing this?

7 MR. COLLER: I'm not sure. Why do you feel  
8 that you would be creating a non-conforming  
9 use? You're changing the Master Plan to it --

10 MS. MENENDEZ: You're changing everything.

11 CHAIRMAN FLANAGAN: Changing of the Master  
12 Plan and the Zoning, and I haven't gone back to  
13 look if the proposed --

14 MR. COLLER: Right, but I don't know if  
15 this building would be viewed as being  
16 inconsistent with the Master Plan. I think  
17 it's not sure, and I don't know how the  
18 Department views the structure currently.

19 MR. TRIAS: My opinion is that it's an  
20 office building, it's consistent with the  
21 request, so I don't think it would be  
22 non-conforming.

23 CHAIRMAN FLANAGAN: So both, the building  
24 and the uses, would remain conforming?

25 MR. TRIAS: Yeah. Yeah. I mean, the use

1 but I think it's consistent at least to what  
2 the current Zoning to the east -- immediately  
3 to the east and to the west.

4 So, I mean, I'm okay with it.

5 CHAIRMAN FLANAGAN: When is the public  
6 safety -- when are all of those services moving  
7 to a new location?

8 MR. TRIAS: I don't think anybody knows  
9 that answer at this point.

10 CHAIRMAN FLANAGAN: Then why are we doing  
11 this now?

12 MR. TRIAS: It's part of the planning  
13 process and I don't think it's a long-term  
14 planning process, but certainly it's going to  
15 take maybe a year or two years to finalize all  
16 of the plans. So one of the steps was to make  
17 sure that the existing land had Zoning and Land  
18 Use that was consistent with the area and the  
19 type of development.

20 I mean, right now, the only thing you can  
21 do there, with the Land Use and the Zoning, is  
22 a public building. And one has to wonder, you  
23 know, how is that really controlled beyond the  
24 fact that it goes through site plan approval  
25 and then goes to the Commission?

1 is parking and an office. There's nothing  
2 unusual about that.

3 MS. MENENDEZ: But I think it's not a high  
4 commercial use. It's probably mid commercial  
5 use.

6 MR. TRIAS: Right. Right. You could do a  
7 larger building on the site.

8 MS. MENENDEZ: If you go to -- what you're  
9 proposing, they can go to the highest.

10 MR. TRIAS: That is correct.

11 MR. BEHAR: You know, I look at it, and I  
12 see that everything to the west has the same  
13 Zoning designation they're seeking, at least  
14 from the color that I can see.

15 So I see this, that it almost will give a  
16 definition, where Palermo becomes the boundary.  
17 To the left, to the west, you have it. To the  
18 east, you already have it. I wish I could see  
19 a little bit more -- to the east, you have Old  
20 Spanish Village.

21 So, I think -- you know, we know the reason  
22 this is happening. You know, the Public Safety  
23 Building is going to move to a different  
24 location, where they're looking at it, and  
25 this, in the future, become a marketable site,

1 So, in a way, I think that the proposed  
2 Land Use and Zoning actually provides better  
3 tools to regulate development.

4 MS. MENENDEZ: But doesn't, by giving them  
5 the proposed Land Use and Zoning, they can  
6 build as of right? If they do a strictly  
7 commercial or office with parking, it never  
8 comes through any review, they just build?

9 MR. TRIAS: Yes. If it were to be an  
10 office building, you're correct. If it's a  
11 mixed-use building, then it's different. So  
12 those are the options, yeah.

13 MS. MENENDEZ: Right. But we don't know --  
14 I mean, primarily, in that area, it's office.  
15 You have the bank east of it, which is purely  
16 office. So, I mean, the area with the Agave  
17 project and other proposed developments that  
18 are being proposed as of right, at this  
19 point -- not the Agave project, but the other  
20 ones, I would love to see some type of public  
21 review. Again, not necessarily through this  
22 Board, but at a level of perhaps the Commission  
23 or some other Board.

24 MR. TRIAS: I think the fact that the land  
25 is owned by the City basically guarantees that

1 there's going to be some public review, because  
2 the City --

3 MS. MENENDEZ: Not -- they're going to sell  
4 it. It's not going to be the City's anymore.

5 MR. WU: If I can offer a suggestion. That  
6 we can share your comments to the City  
7 Commission. As the property owner, the  
8 Commission will stipulate whatever process the  
9 future buyer goes through as part of the sale.  
10 So we'll share that with the Commission, that  
11 it's something for their consideration.

12 MS. MENENDEZ: Well, what I'm trying to do  
13 is advocate for my fellow members to support me  
14 in providing a condition to approving the  
15 proposed Land Use that's being proposed by the  
16 City, with a condition that it does go through  
17 a site approval, primarily because all of the  
18 impact that all of the developments in the area  
19 is having to some of the streets there.

20 The streets there, outside of Ponce and Le  
21 Jeune, are very narrow streets, and the impact  
22 of a very intense development would have an  
23 adverse impact to the area.

24 CHAIRMAN FLANAGAN: I'm going to ask the  
25 City Attorney, Mr. Coller, I don't think --

1 process.

2 MS. MENENDEZ: I don't think that the City  
3 wants to be in a position to sell this property  
4 at the highest and best use, and then turn  
5 around and have an adverse effect to the area.  
6 So I'm trying to strike a balance, where --  
7 because, you know, we just heard from one of  
8 the property owners. We have several property  
9 owners, even residential properties, nearby,  
10 that are going to be impacted.

11 So, I mean, I'm trying to find a way of not  
12 necessarily, you know, affecting what's being  
13 proposed, but to consider -- I mean, review of  
14 site plan doesn't necessarily mean they're  
15 going to approve it or reject it, but it will  
16 go through a process and allow people to speak  
17 their concerns.

18 MR. COLLER: Well, I think the Board could,  
19 in approving this, make a recommendation that  
20 the City Commission review a site plan for this  
21 property, and how -- you can leave it to the  
22 City Commission as to how they want to  
23 implement that.

24 They may choose to do it as a condition of  
25 the sale of the property. There may be another

1 MR. COLLER: Yeah, I think it's problematic  
2 to put a condition on the straight Zoning and  
3 Land Use, but following up with what Charles  
4 mentioned, this is sort of a unique property,  
5 in that it's a municipally owned property.

6 So any sale of that property by the City  
7 can have conditions of the sale. So one of the  
8 conditions of the sale can be that the City is  
9 required to review any site plan. That could  
10 be a condition of the sale. I'm not saying the  
11 City would do that.

12 I'm just saying, you have a little bit more  
13 say on this building, this property, than you  
14 do on other types of properties, because  
15 they're private property. Right now this is a  
16 public property. So that might be a reasonable  
17 way to get at what you're trying to do without  
18 conditioning, you know, a Master --

19 MR. BEHAR: I mean, could it be like a  
20 recommendation to the Commission from us?  
21 Because I'm in support, but I like Maria's  
22 suggestion. How we can do something that it  
23 may not be, you know, imposing on the sale, but  
24 it's a recommendation for the Commission. Once  
25 that happens, that they go through this

1 way to impose it. I think it's problematic to  
2 condition a straight Zone change --

3 MS. MENENDEZ: But we just recommend. We  
4 don't --

5 MR. COLLER: Right.

6 MS. MENENDEZ: So --

7 MR. COLLER: Well, you can recommend it.

8 MS. MENENDEZ: We're just a recommending  
9 body.

10 MR. COLLER: That's true.

11 MS. MENENDEZ: We're not approving it.

12 MR. COLLER: Right. You can recommend it,  
13 but that typically would not necessarily be the  
14 way to do it.

15 So if you wanted a way to do it, that's why  
16 I was suggesting maybe recommending, as one of  
17 the conditions for sale of the property, a  
18 review of the site plan, which may be another  
19 way to get at it, but you're welcome to  
20 recommend that they condition it to a site  
21 plan. It just may be problematic to do it that  
22 way.

23 MR. BEHAR: Well, if they go through a  
24 mixed-use project, they're going to have to  
25 come over here no matter what.

1 MR. COLLER: Yes.  
 2 MR. TRIAS: Yes.  
 3 MS. MENENDEZ: Right. Yeah.  
 4 MR. BEHAR: If they go for an office  
 5 development, you know, what you're saying is  
 6 that you don't necessarily have to come before  
 7 us.  
 8 MS. MENENDEZ: Right.  
 9 MR. TRIAS: Right, but that doesn't mean  
 10 nobody reviews the project. The project goes  
 11 through Board of Architects always, and  
 12 certainly the Staff review takes into account  
 13 any issues that affect it.  
 14 MS. MENENDEZ: Do you address, when it's an  
 15 as of right project, to require a traffic  
 16 study?  
 17 MR. TRIAS: Oh, yeah. Absolutely.  
 18 MS. MENENDEZ: Is it part of the policy of  
 19 the administration to require it, once it  
 20 reaches a certain threshold?  
 21 MR. TRIAS: Absolutely. And then that's on  
 22 the recommendation of Staff. And, in addition,  
 23 the on street parking, that's reviewed one  
 24 parking space at a time by the Parking Director  
 25 and the Planning Staff and so on.

1 perspective on this is that that is one of the  
 2 weaknesses of the Zoning Code, the fact that  
 3 some very large projects, like you're  
 4 describing, can be approved, without review by  
 5 the Planning and Zoning and the Commission.  
 6 And in the next year or so, we're going to  
 7 try to impose the Zoning Code. We have that  
 8 opportunity. So that's coming up. So that's  
 9 one of the issues that I would like to raise to  
 10 you as ways to make things better, because you  
 11 can do a project that is 190 feet tall by  
 12 right.  
 13 MS. MENENDEZ: That's my point.  
 14 MR. TRIAS: Exactly. That's what the Code  
 15 says. And I think that that's an issue that we  
 16 need to discuss further. I mean, that would be  
 17 my recommendation.  
 18 MR. RODRIGUEZ: I have a question, Ramon.  
 19 I'm looking at the existing Future Land Use  
 20 Map, and if you can explain to me the rhyme and  
 21 reason how this came to be, if you know, where  
 22 right across -- west of the public building is  
 23 zoned Commercial high-rise, right across the  
 24 street, on, I guess, the north side, it's  
 25 Commercial high-rise, and then afterwards it

1 So all of those issues are reviewed by  
 2 Staff in all projects.  
 3 MS. MENENDEZ: Okay.  
 4 MR. WU: And can you elaborate on the DRC  
 5 process, as well?  
 6 MR. TRIAS: Yeah. And, also, the DRC is  
 7 the first process -- the first step in the  
 8 process, the Development Review Committee.  
 9 All of the Staff, from the different  
 10 departments, provide comments, in writing, most  
 11 of the time, in great detail, that deal with  
 12 all kinds of issues. Traffic is one of the  
 13 issues that is always discussed. So all of  
 14 that takes place.  
 15 Now, the only difference is that there's no  
 16 formal public hearing at this level and at the  
 17 level of the Commission. That doesn't take  
 18 place when the project is, quote/unquote, by  
 19 right. But, as I've said to my Staff, the  
 20 word, by right, doesn't really exist in Coral  
 21 Gables. There's all kinds of review that takes  
 22 place, for all projects, beginning with the  
 23 Board of Architects.  
 24 So I understand your concern, and I'll  
 25 forward that to the Commission, but my

1 seems -- I mean, this is a little bit  
 2 confusing, because of the shades, but as I'm  
 3 reading it, it looks like right next to it,  
 4 north, is Commercial mid-rise.  
 5 You know, how did that come -- is there --  
 6 MR. TRIAS: I can't explain it, but usually  
 7 what I hear -- I cannot explain it in detail,  
 8 but, in general, what has happened is that many  
 9 of those parcels were changed on a case by case  
 10 basis, and that has happened. And I think that  
 11 that's another one of the issues that we may  
 12 want to review as we look at the Zoning Code.  
 13 MR. RODRIGUEZ: It changed from mid-rise to  
 14 high-rise?  
 15 MR. TRIAS: At some point.  
 16 MR. RODRIGUEZ: I don't see how it would  
 17 change from high-rise to mid-rise.  
 18 MR. TRIAS: No. No. No. Certainly.  
 19 MR. RODRIGUEZ: Okay.  
 20 CHAIRMAN FLANAGAN: And I would support  
 21 Maria's thought process, because, from a  
 22 general parking standpoint, I think we're  
 23 making it harder and harder. I agree with Dr.  
 24 Briggie. He happens to be my dentist. I see  
 25 him twice a year at 8:00 a.m.



1 MR. BEHAR: Torture him.  
 2 CHAIRMAN FLANAGAN: Oh, they do, don't  
 3 worry.  
 4 I go at 8:00 a.m., because it's very easy  
 5 to find a parking space out front and you don't  
 6 have to pay the meter. Although we're losing  
 7 meters, and we are going to this centralized  
 8 payment system, which makes it very difficult  
 9 to park in front of the business, drop a  
 10 quarter in, run in, go pick something up, and  
 11 run back out, because now you have to walk  
 12 halfway down a block, go pay the machine, get  
 13 your ticket, walk back to your car, and then go  
 14 visit the business.  
 15 I think, whatever we're doing, I understand  
 16 there's economic efficiencies for the City, it  
 17 reduces maintenance costs, we get rid of labor,  
 18 but I think, from the ability to patronize  
 19 businesses, and I know this is not before us  
 20 tonight, but obviously I'm taking the  
 21 opportunity, I think we are doing a disservice  
 22 to the businesses and to the patrons, who like  
 23 to pull up real quick, two minutes, ten  
 24 minutes, run in, do their business, and come  
 25 back out, and we are also putting up resident

1 only parking signs in areas, in some very, very  
 2 unique places, that seem, I'll say,  
 3 circumspect, as to why we would need them,  
 4 which then further reduces the ability to park  
 5 on the street.  
 6 So for whatever those comments are worth,  
 7 for the record of whoever reads them, I put  
 8 those out there, because I think we need to  
 9 look at the big picture. We do these  
 10 landscaped island bulb-outs on some of these  
 11 projects that really -- while we may add some  
 12 of the tree canopy, we take away some of the  
 13 parking spaces, which continues to exacerbate  
 14 the problem. So that's my two cents on this.  
 15 Anybody else?  
 16 All right. Hearing none, anybody want to  
 17 make a motion?  
 18 MS. MENENDEZ: I'd like to make a motion to  
 19 accept the proposed Land Use and Zoning change,  
 20 subject to -- or a strong recommendation that  
 21 upon the acceptance or upon the selling of the  
 22 property and proposed development being  
 23 proposed to the City, that it goes through some  
 24 site plan review process.  
 25 MR. WU: Can we have two separate motions,

1 please?  
 2 MR. COLLER: Yeah. On which item? We've  
 3 got two different motions.  
 4 MR. TRIAS: Yeah, we need a motion for Land  
 5 Use and one for Zoning.  
 6 MR. WU: We have two ordinances before you.  
 7 MS. MENENDEZ: So Item 9.  
 8 CHAIRMAN FLANAGAN: Item 9, which is the  
 9 Land Use Amendment.  
 10 MS. MENENDEZ: Right.  
 11 MR. BEHAR: I'll second it.  
 12 CHAIRMAN FLANAGAN: That's straight on  
 13 Staff's recommendation, Item Number 9?  
 14 MS. MENENDEZ: Right. Subject or -- I'm  
 15 not sure if it's subject to, but that we  
 16 strongly recommend that they, in fact, have a  
 17 site plan approval process prior to approving  
 18 the development that goes into that parcel.  
 19 MR. COLLER: I think that would be more on  
 20 10, would it not?  
 21 CHAIRMAN FLANAGAN: 10, yeah.  
 22 MS. MENENDEZ: Well, I think it's both,  
 23 because they're both asking for approval to  
 24 increase -- for example, Number 9 is from  
 25 public building grounds to Commercial high-rise

1 intensity. So they both have a similar  
 2 condition.  
 3 MR. COLLER: You can make it to both, if  
 4 you'd like.  
 5 MS. MENENDEZ: Yes. That's my motion.  
 6 MR. TRIAS: Thank you.  
 7 MR. BEHAR: I second that.  
 8 CHAIRMAN FLANAGAN: Okay. Motion and a  
 9 second.  
 10 Frank, did you have a discussion?  
 11 MR. RODRIGUEZ: Yeah. I just want to make  
 12 a point that's been kind of bothering me, as  
 13 I've been sitting here listening, and I'm just,  
 14 you know, speaking as I'm thinking through  
 15 this.  
 16 I just have a problem with this, because,  
 17 on the one hand, you know, I certainly want to  
 18 do whatever I think is in the City's best  
 19 interest, which, I think, is my role here, and  
 20 what's in the best interest of the citizens of  
 21 the City of Coral Gables, but a lot of times  
 22 developers come in here with very attractive  
 23 projects, and they've spent a lot of money, and  
 24 they have their renderings and everything and I  
 25 -- I mean, I take very seriously, if somebody

1 wants to have a Zoning change, I think there  
 2 has to be some very good reasons for that  
 3 change.  
 4 And, you know, this is the City. And what  
 5 kind of example is the City setting if -- I  
 6 mean, if I'm going to take a hard line, and I  
 7 intend to -- I mean, if people come in here  
 8 wanting a Zoning change and they bought a piece  
 9 of property when it was zoned a certain way,  
 10 and now they want to change the Zoning, I think  
 11 it's incumbent upon me, in my role on this  
 12 Board, to ask questions as to why -- you know,  
 13 why should I approve it, and what are the  
 14 reasons, and how does it benefit the City.  
 15 And, you know, I feel, if I'm going to do  
 16 that when a developer comes in here, if the  
 17 City is asking now for something that would  
 18 give, then, the ensuing buyer of the property  
 19 essentially Cart Blanche to do something that  
 20 they -- I'm uncomfortable with it, and I may --  
 21 and I just want to give my reasons ahead of  
 22 time, why I may very well vote no.  
 23 CHAIRMAN FLANAGAN: Anybody else?  
 24 All right. We have a motion and a second.  
 25 With no further discussion, Scot call the roll,

1 happens now. When you develop a project,  
 2 you've got to go to various departments, Public  
 3 Works, Zoning, everybody else.  
 4 The Commission, unless it's a mixed-use  
 5 will never see this project.  
 6 MS. MENENDEZ: I know. But I want to  
 7 have --  
 8 MR. BELLIN: But the problem is, they never  
 9 see half of the projects that are being built,  
 10 because there is no reason to see them. And I  
 11 think that that needs to be changed. The  
 12 Commission needs to see every project of this  
 13 scope to understand what is going on in the  
 14 City.  
 15 So I don't think having a condition put on,  
 16 like I think you want to put on, really  
 17 accomplishes anything.  
 18 MS. MENENDEZ: I think it gives the -- if  
 19 they were to approve it or if they were to  
 20 consider it and adopt it as it's being  
 21 recommended, I think it gives the public an  
 22 opportunity to look at the project, and to  
 23 basically speak on it, to give them their input  
 24 to the process.  
 25 For example, the doctor would be able to

1 please.  
 2 THE SECRETARY: Julio Grabiell?  
 3 MR. GRABIEL: Yes.  
 4 THE SECRETARY: Maria Menendez?  
 5 MS. MENENDEZ: Yes.  
 6 THE SECRETARY: Frank Rodriguez?  
 7 MR. RODRIGUEZ: No.  
 8 THE SECRETARY: Robert Behar?  
 9 MR. BEHAR: Yes.  
 10 THE SECRETARY: Marshall Bellin?  
 11 MR. BELLIN: Yes.  
 12 THE SECRETARY: Jeff Flanagan?  
 13 CHAIRMAN FLANAGAN: Yes.  
 14 Okay. So we'll now need a motion for Item  
 15 Number 10, which is the rezoning.  
 16 MR. BELLIN: I'll make a motion to approve  
 17 or to recommend approval.  
 18 CHAIRMAN FLANAGAN: Okay. Motion to  
 19 recommend approval.  
 20 MS. MENENDEZ: Can I request a friendly  
 21 amendment, and add the provision for strongly  
 22 recommend that it go through a site plan  
 23 approval, whether it's at the Board level or at  
 24 the Commission level?  
 25 MR. BELLIN: I think that that process

1 come up and say, "Do we have enough parking?  
 2 Can we make sure we have enough parking?" And  
 3 look at the project.  
 4 If we don't have some type of public review  
 5 process, then the project is built without any  
 6 review.  
 7 I'm talking public. I know that the City  
 8 goes through an extensive review. And given  
 9 that this is a City project or City land that's  
 10 being sold, most likely, I would like to  
 11 have -- at least give that opportunity.  
 12 MR. BELLIN: I mean, I don't know how you  
 13 really enforce it. For sure the City is going  
 14 to sell it. That's the purpose for changing  
 15 the Zoning.  
 16 MS. MENENDEZ: Right. Okay. That's fine,  
 17 if you want to present it that way.  
 18 CHAIRMAN FLANAGAN: But let me just add,  
 19 Marshall, but you think the City Commission  
 20 should be looking at these projects?  
 21 MR. BELLIN: I think so. I think they  
 22 should be looking at every project for  
 23 themselves.  
 24 CHAIRMAN FLANAGAN: All right. So the  
 25 language Maria is, I think, asking --

1 MS. MENENDEZ: Right.  
 2 CHAIRMAN FLANAGAN: -- which is the same as  
 3 we just recommended approval on, it just helps  
 4 to enforce that thought process.  
 5 MR. BEHAR: It's exactly the same thing.  
 6 You know, it would -- if they accept our  
 7 recommendation, it would go through Commission  
 8 at some point.  
 9 MS. MENENDEZ: Right.  
 10 MR. BEHAR: So, you know, exactly what  
 11 you're suggesting, which I tend to agree, that  
 12 will facilitate that process. Otherwise, they  
 13 will never see it, no matter what.  
 14 MR. BELLIN: No, they won't.  
 15 MR. BEHAR: So if we accept the  
 16 recommendation, at least they get to see it.  
 17 We get to see it and they get to see it.  
 18 MS. MENENDEZ: Maybe we won't get to see  
 19 it. Maybe the decision will be made that it's  
 20 at the Commission level. It really doesn't  
 21 bother me if we don't see it, from my  
 22 perspective. Maybe you all think different.  
 23 But at least some public process. Some  
 24 opportunity for the residents or the business  
 25 owners of the area to be able to view the

1 development and provide their input.  
 2 MR. BEHAR: And that will be the only  
 3 opportunity for a check and balance on a  
 4 project of that magnitude.  
 5 MR. TRIAS: Yeah. And right now the only  
 6 time that that happens would be at the Board of  
 7 Architects, where the property is posted, and  
 8 we have all of the documents in the web --  
 9 MS. MENENDEZ: But you don't allow input at  
 10 the Board of Architects from the public.  
 11 MR. TRIAS: Sometimes. It depends. It's  
 12 up to the Chairman. But also at the DRC. So  
 13 those are the only two times when all of the  
 14 information is actually posted on the web and  
 15 somebody, who is aware of what's going on, can  
 16 see what the project is.  
 17 MS. MENENDEZ: No. I'm talking about a  
 18 notice, and I'm talking about some process  
 19 that, people that would be impacted by whatever  
 20 development goes in, have an opportunity to  
 21 speak on the development.  
 22 MR. BELLIN: Okay. I'll amend my --  
 23 MS. MENENDEZ: I appreciate that.  
 24 MR. BELLIN: To include what you're  
 25 suggesting.

1 MS. MENENDEZ: And then I'll second it.  
 2 CHAIRMAN FLANAGAN: Motion and a second.  
 3 Any further discussion?  
 4 Hearing none, Scot, call the roll please.  
 5 THE SECRETARY: Frank Rodriguez?  
 6 MR. RODRIGUEZ: No.  
 7 THE SECRETARY: Marshal Bellin?  
 8 MR. BELLIN: Yes.  
 9 THE SECRETARY: Julio Grabiell?  
 10 MR. GRABIEL: Yes.  
 11 THE SECRETARY: Robert Behar?  
 12 MR. BEHAR: Yes.  
 13 THE SECRETARY: Maria Menendez?  
 14 MS. MENENDEZ: Yes.  
 15 THE SECRETARY: Jeffrey Flanagan?  
 16 CHAIRMAN FLANAGAN: Yes.  
 17 All right. Thank you.  
 18 Next item on the agenda is Item Number 11.  
 19 It's an Ordinance of the City Commission of  
 20 Coral Gables, Florida providing for text  
 21 amendments to the City of Coral Gables Official  
 22 Zoning Code, Article 3, "Development Review,"  
 23 Division 3, "Uniform Notice and Procedures for  
 24 Public Hearing," Section 3-302, "Notice"  
 25 amending the public hearing notification

1 requirements for Zoning Code Text Amendments  
 2 that change the actual list of permitted,  
 3 conditional, or prohibited uses within a zoning  
 4 category; providing for repealer provision,  
 5 severability clause, codification, and  
 6 providing for an effective date."  
 7 Mr. Trias.  
 8 MR. TRIAS: Mr. Chairman, the request is to  
 9 remove the mail notice when a change -- when a  
 10 use is added or changed in a Zoning  
 11 designation, and the reason is that, for  
 12 example, if you have C Zoning, which affects a  
 13 very large area of the City, all we're doing is  
 14 making one minor change in the designation.  
 15 The mail notice becomes very difficult to  
 16 provide, in terms of the staffing that it takes  
 17 and so on.  
 18 So, from our perspective, we believed that  
 19 there was enough notice already with the other  
 20 ways that we notice the public, in that the  
 21 actual mail notice, for this -- only for this  
 22 particular case, for this particular request,  
 23 was not necessarily. So that's the request  
 24 before you.  
 25 CHAIRMAN FLANAGAN: Ramon, am I reading

1 this that it's only for amendments greater than  
2 ten acres?

3 MR. TRIAS: Well, it affects areas that are  
4 bigger than ten acres, because the Zoning  
5 designation affects a great portion of the  
6 City.

7 CHAIRMAN FLANAGAN: Got it. Okay.  
8 All right. Any comment? Questions?  
9 Anybody in the audience?  
10 Seeing none.

11 MR. BELLIN: I'll make a motion for  
12 approval.

13 CHAIRMAN FLANAGAN: We have a motion to  
14 approve.

15 MR. GRABIEL: Second.

16 CHAIRMAN FLANAGAN: And a second.  
17 Any discussion from the Board?  
18 Hearing none, Scot, can you call the roll,  
19 please?

20 THE SECRETARY: Marshall Bellin?

21 MR. BELLIN: Yes.

22 THE SECRETARY: Julio Grabiell?

23 MR. GRABIEL: Yes.

24 THE SECRETARY: Maria Menendez?

25 MS. MENENDEZ: Yes.

1 THE SECRETARY: Robert Behar?

2 MR. BEHAR: Yes.

3 THE SECRETARY: Frank Rodriguez?

4 MR. RODRIGUEZ: Yes.

5 THE SECRETARY: Jeffrey Flanagan?

6 CHAIRMAN FLANAGAN: Yes.

7 All right. Thank you.

8 We have two discussion items. How do we  
9 want to handle it? Do you want to have  
10 discussion items so that Robert can be here for  
11 that, and then we'll go to Item 8, or do we  
12 want to continue with the public hearing and go  
13 straight into Item 8?

14 MR. TRIAS: Why don't we deal with the  
15 discussion items? I think that they should be  
16 relatively brief.

17 MR. BEHAR: I would like to be able to hear  
18 those.

19 CHAIRMAN FLANAGAN: Perfect. Okay. So  
20 we'll move right into Item Number 12, which is  
21 Zoning Code Amendments for Open Space on  
22 development parcels.

23 MR. TRIAS: Mr. Chairman, there has been  
24 some concern about the way that open space, as  
25 defined in the Code currently, doesn't really

1 mean, let's say, grassy areas or trees. Open  
2 space, as you know, includes many things, many  
3 things that may not be seen as landscape, such  
4 as arcades.

5 So very good things, things that really  
6 enhance the public space, but they're not  
7 actually landscaped. So there has been an  
8 interest in trying to define that better, and  
9 trying to make some more clear requirements  
10 about the actual landscape component.

11 So it's up to you, for discussion. If you  
12 have any thoughts, Staff will prepare some  
13 Zoning language in the next month or two and  
14 bring it back to you, based on your ideas and  
15 your priorities and hopefully we'll go through  
16 the Commission.

17 CHAIRMAN FLANAGAN: Anybody have any  
18 thoughts?

19 MR. BEHAR: Let me ask you a question. The  
20 open space on development parcels, give me an  
21 example, you know, of one particular  
22 development parcel that this will be effected  
23 on?

24 MR. TRIAS: Well, for example, let's say,  
25 The Henry. Well, maybe I shouldn't discuss

1 that one because --

2 MR. BEHAR: Yeah, that's not a good example  
3 to use.

4 MR. TRIAS: Any mixed-use project that gets  
5 Med bonus, as you know, the setbacks are  
6 usually waived, and then there are no setbacks,  
7 most of the time, in the projects.

8 So what happens is that the whole parcel is  
9 developed. Generally you end up with an arcade  
10 around the ground level, which is very nice and  
11 works very well, and it's a very desirable  
12 feature; however, if that is the only open  
13 space that is being provided, in terms of the  
14 ground level, sometimes that's not sufficient,  
15 from the point of view of the City.

16 As you know, the City of Coral Gables was  
17 designed by Frank Button, who was a landscape  
18 architect, and landscape is one of the main  
19 features of the City. And we're thinking that  
20 perhaps there's an opportunity to have some  
21 additional open space requirements or some more  
22 definition, in terms of requiring some of the  
23 open space to be green.

24 Right now, Staff does the best job we can,  
25 through the design process, working with the

1 applicants, to come up with a design that fits  
2 the City, fits the context and creates a higher  
3 quality development. And usually that works  
4 very well. But I think that some Commissioners  
5 and some citizens believe that there's an  
6 opportunity to have some more clarity in the  
7 Zoning language.

8 MR. WU: Mr. Chair, Gables Station is the  
9 project that this concept was discussed by the  
10 Commission. So I think that might be a project  
11 you might think in the context of where this  
12 also came from. Also, Paseo might be a good  
13 example to think about how this would be  
14 implemented.

15 MR. TRIAS: And those two examples are  
16 examples of very successful design that was  
17 achieved through conversation and discussion  
18 and debate, and, yet, it is because the  
19 applicant was working very hard at trying to  
20 come up with a good balance between the  
21 hardscape and the building features, such as  
22 the arcades and the open space and the more  
23 park like features.

24 MR. BEHAR: And if you do that, what  
25 implication that could have on a development?

1 MR. BEHAR: Okay. All right. Then I --  
2 MR. TRIAS: But that's -- actually, as a  
3 result of that --

4 MR. BEHAR: You know, a project that we  
5 would ask for open space, but then we would  
6 have to then give them whatever development  
7 right they will have for that somewhere else,  
8 because you're taking -- if that happens -- the  
9 point I'm trying to make, if that happens, you  
10 may take away some potential development that  
11 they otherwise would have. Where would they  
12 put it?

13 MS. MENENDEZ: Well, but when I look at  
14 these development projects, and they're asking  
15 for change of Zoning and change of Comp, there  
16 has to be a give and take.

17 MR. BEHAR: You're right, but if they're  
18 not asking for a change of Zoning or a change  
19 of Comp --

20 MS. MENENDEZ: We wouldn't see it, unless  
21 it's a mixed-use.

22 MR. BEHAR: You would see it.

23 MS. MENENDEZ: Unless it's a mixed-use.

24 MR. BEHAR: And something to think about,  
25 and I like the idea, but we need to really

1 MR. TRIAS: Obviously it's up to the  
2 Commission ultimately, but perhaps there could  
3 be more open space, perhaps, at the ground  
4 level. That could be one of the outcomes.

5 MR. GRABIEL: Is the interest of the City  
6 to create more green space or just space that  
7 is accessible to the public within private  
8 property?

9 MR. TRIAS: I think there's an interest in  
10 more accessible green space at the ground  
11 level.

12 MS. MENENDEZ: And are we looking at  
13 covered green space or are we looking at open,  
14 as it should be open?

15 MR. BEHAR: Open to the sky.

16 MR. TRIAS: Open, I believe. I believe  
17 that's the priority.

18 MR. BEHAR: And one example I could think  
19 of, of a project that I guess came to us, and  
20 we -- back here, I forget the street,  
21 Valencia -- no, the one that we requested we'd  
22 be asked to have a park --

23 MS. MENENDEZ: We haven't finished with  
24 that item. I don't know if you can discuss it.  
25 But I know which one you're talking about.

1 analyze all of the implications that this could  
2 potentially have on a site.

3 MR. TRIAS: Okay. So what we can do is  
4 bring back some analysis of the implication and  
5 then some general ideas of things that we could  
6 do maybe for next month.

7 MR. GRABIEL: One of my concerns, Ramon,  
8 is, at one time the City had a requirement for  
9 green space on the buildings. And the  
10 Colonnade is a good example. The only way that  
11 that building was able to achieve the amount of  
12 green space that they wanted is by putting  
13 planters between columns, separating the  
14 sidewalk from the covered walk, killing the use  
15 of the covered walk and not giving the  
16 residents and users a really good green space.

17 MR. TRIAS: Yeah.

18 MR. GRABIEL: So we have to be careful that  
19 we don't fall in the trap of playing the  
20 numbers, and then ending up with stuff that  
21 is really worse -- it was a worse solution than  
22 was required.

23 MS. MENENDEZ: What if we were to  
24 consider -- because I understand what you're  
25 saying, it's a great point, but what if we were

1 to consider in projects, like the urban  
2 projects, that seem to run into those issues,  
3 in some way contributing to a nearby green area  
4 or green space that could then accommodate  
5 those -- what we're trying to create? Do you  
6 see what I'm saying?

7 So it doesn't necessarily have to be  
8 perhaps on the site, but some opportunity to --  
9 maybe if it's across the street, to create that  
10 open space.

11 MR. TRIAS: That has been done on a case by  
12 case basis already as conditions of approval.  
13 For example, contributions to the Underline and  
14 things like that.

15 MS. MENENDEZ: Right.

16 MR. TRIAS: So what we're thinking is,  
17 let's try to formalize this a little bit more,  
18 to give more predictability in the Code, and if  
19 you're okay with that, we can come back --

20 MS. MENENDEZ: I think that sometimes the  
21 open space areas really provide an opportunity  
22 to break up the massing, also, of these  
23 buildings, because some of them might be --  
24 well, at least -- not necessarily to the  
25 developer, but to the area, might help with

1 the Planning Department studies and comes back  
2 with a proposal to give us a clear  
3 understanding of what we want to achieve.

4 CHAIRMAN FLANAGAN: Okay. Anybody else?  
5 It's a discussion item, so there's no --

6 MR. BELLIN: Oh, okay. There's no motion.

7 CHAIRMAN FLANAGAN: But he heard you.

8 MR. BELLIN: Okay. We discussed it.

9 CHAIRMAN FLANAGAN: We discussed it.  
10 All right.

11 MR. TRIAS: Thank you. Thank you.

12 CHAIRMAN FLANAGAN: Next item, Number 13 on  
13 the agenda, Zoning Code Amendments to allow  
14 Transfer of Development Rights for Open Space.

15 MR. TRIAS: This is a related issue, and  
16 maybe it's related to some of the comments from  
17 Mr. Behar, which deal with, how do you create  
18 value out of this open space? And, right now,  
19 as you know, we have a TDR, Transfer of  
20 Development Rights program, only for Historic  
21 Preservation. One of the ideas was, perhaps  
22 that could be expanded for open space.

23 So I'm not a hundred percent sure on how to  
24 make this happen yet, but we're working on it,  
25 and we're thinking about it, and we would like

1 that massing of the project.

2 MR. TRIAS: Absolutely.

3 CHAIRMAN FLANAGAN: Anybody else?

4 MR. BELLIN: Yeah. Ramon, I think what we  
5 really need is a clear definition of what you  
6 mean by open space. And, for argument sake,  
7 you can use balconies -- if you put planters on  
8 the balconies, you can use that as open space.

9 MR. TRIAS: Or the pool deck.

10 MR. BELLIN: Or a pool deck.

11 MR. TRIAS: Yeah.

12 MR. BELLIN: And are those really the open  
13 spaces that we're looking for?

14 MR. TRIAS: Right. And that's the point.  
15 The point is, let's try to -- my recommendation  
16 is, we need to focus on the pedestrian level,  
17 and make sure that we have some very clear  
18 direction on what happens on the public spaces  
19 of the City.

20 Now, we may continue to have some other  
21 issues and so on, but let's improve what  
22 happens at the ground level. And my intent is  
23 to bring back some ideas for you to review and  
24 then take it to the Commission.

25 MR. BELLIN: I'd like to make a motion that

1 your input. And, then, again, in the future,  
2 come back with some recommendations.

3 MS. MENENDEZ: For me, this open space and  
4 having the opportunity to transfer development  
5 rights would be for those open spaces that are  
6 zoned a certain way, where there is a benefit  
7 to transfer the development rights. But if  
8 right now, based on our previous item, if we  
9 were to create these open spaces, I'm not sure  
10 if I would then turn around -- because then  
11 there's a benefit, and then turn around and  
12 then sell the development rights of that open  
13 space.

14 I don't know. There seems to be like a  
15 little conflict there, that I'm not too clear  
16 on.

17 MR. TRIAS: Well, if you look at the TDR  
18 program that we have for Historic Preservation,  
19 part of the requirement is that in perpetuity  
20 that historic building needs to be preserved  
21 and maintained, and so on.

22 So those kinds of rules can be written in  
23 such a way that public space remains in  
24 perpetuity public, as a park or in the way that  
25 it is designed.

1 MS. MENENDEZ: Right, but what I'm saying  
 2 is that in our previous item, if we were to  
 3 tell a developer, "If you're developing this or  
 4 doing this, we want an open space for the  
 5 benefit of the area, for the benefit of the  
 6 residents in the area or the businesses," and  
 7 then we're going to turn around and allow them  
 8 to sell the TDRs of that open space -- I don't  
 9 know. I'm just not clear. It might be okay,  
 10 but I'm just not clear how that would work.

11 MR. BEHAR: And when I made the comment, it  
 12 was not to sell it, Maria. It was to use it on  
 13 your own site somewhere, somehow, that you  
 14 don't lose that portion of the development  
 15 rights. Not to sell it --

16 MS. MENENDEZ: So you're saying that you  
 17 would tie it to the actual development, not to  
 18 turn around in the future and then sell it to a  
 19 development that might be a block away or  
 20 something?

21 MR. BEHAR: Correct.

22 MR. WU: Well, I have to clarify. It  
 23 should include both options, that on the  
 24 development, it could be a corner, to be a park  
 25 or it could be someone else buy a piece of

1 MR. TRIAS: Right. And typically you're  
 2 very aware of the limits, 3.5 FAR, 190 feet or  
 3 whatever the maximum height is. And within  
 4 those limits, you move development the best you  
 5 can. Typically, we haven't seen any issues  
 6 with being able to maximize the development,  
 7 and at the same time do high quality public  
 8 space at the ground level.

9 All we're saying is, let's try to define  
 10 that a little better, and let's have some  
 11 additional tools that may allow for some land  
 12 to remain green with TDRs.

13 MR. BEHAR: I would be a hundred percent in  
 14 support of a case like that, where somebody  
 15 buys a property, creates a park, you know,  
 16 gives it to the City, and then they could sell  
 17 the TDRs on that parcel, because you're  
 18 creating a public space.

19 MS. MENENDEZ: Right. I mean, my objection  
 20 to any of that would be -- you know, they're  
 21 now creating these open spaces on roofs --

22 MR. TRIAS: Yes.

23 MS. MENENDEZ: That I'm not --

24 MR. TRIAS: That's a real challenge.

25 MS. MENENDEZ: Right. So -- you know.

1 property, dedicate it to the City and turn  
 2 around and sell that development rights to  
 3 someone in the open market. So that is also  
 4 part of this consideration.

5 MS. MENENDEZ: Well, that's a different --

6 MR. BEHAR: Yeah.

7 MS. MENENDEZ: That's not what he's totally  
 8 saying.

9 MR. BEHAR: I understand what you're  
 10 saying. That would be great, if somebody buys  
 11 a piece of property, creates a park, and then  
 12 he could sell those --

13 MR. WU: Yes. And that is a TDR program by  
 14 itself.

15 MR. BEHAR: Okay.

16 MR. WU: What you're saying is, a site plan  
 17 mechanism like what Gables Station did. They  
 18 have this extensive open space and they moved  
 19 some of the development onto the towers.

20 MR. BEHAR: Right, exactly. That's a  
 21 perfect example. They created the open space,  
 22 but they moved that development up higher, to  
 23 make the space more attractive.

24 MR. WU: Or Mediterranean Village.

25 MR. BEHAR: Yeah.

1 MR. TRIAS: Okay.

2 MR. BEHAR: It has to be on the ground  
 3 level.

4 MS. MENENDEZ: It has to be on the ground,  
 5 for public use, for public access.

6 MR. BEHAR: Yeah, a public benefit.

7 MS. MENENDEZ: A public benefit.

8 MR. TRIAS: Absolutely.

9 MR. BELLIN: Ramon, why would anybody not  
 10 utilize his development rights? You create an  
 11 open space, and you're going to sell TDRs,  
 12 which diminishes what you can do on your  
 13 property? And in the TDRs, what you sell them  
 14 for, really, to me, makes no sense, because the  
 15 FAR is much more valuable than the TDRs that  
 16 you're going to sell.

17 MR. TRIAS: Well, in Downtown, I would  
 18 agree with you, but there may be some areas,  
 19 that are, let's say, further south in the City,  
 20 that are residentially zoned, that are  
 21 environmentally sensitive, for example, that  
 22 maybe this could be a good process for them.  
 23 So it really depends.

24 I think the way I would look at this is,  
 25 it's just one more tool. You have many tools,

1 and you may not use all of the tools, but this  
 2 is one additional tool.  
 3 MS. MENENDEZ: And I think it's tied to the  
 4 first item, whereas you're basically telling  
 5 the developer, look, we're going to require  
 6 some open space for your project, but, in turn,  
 7 you can do this.  
 8 MR. BELLIN: But you utilize your TDRs. If  
 9 you want to create your open space, you create  
 10 it. I just don't understand the concept, where  
 11 you're going to sell TDRs and not use them to  
 12 develop your project.  
 13 MR. BEHAR: No, Marshall, because today, if  
 14 you were to do a park -- somebody buys a  
 15 property and wants to create an open space, you  
 16 cannot -- there's no value.  
 17 You know, at least this mechanism would  
 18 give them something. You know, the FAR is more  
 19 costly than what you could buy the TDRs for.  
 20 MR. BELLIN: It's worth -- why would  
 21 somebody buy a piece of property to create a  
 22 park and then sell its development rights for  
 23 less than he paid for the property?  
 24 MR. BEHAR: We have some nice people in the  
 25 City of Coral Gables.

1 because --  
 2 MR. BELLIN: I stepped out because of  
 3 the --  
 4 CHAIRMAN FLANAGAN: For 5, 6 and 7, which  
 5 wanted to get deferred to the October 19th  
 6 agenda, so we had to jump to the deferral in  
 7 order to accomplish that, to defer the other  
 8 three.  
 9 MR. BELLIN: All right. Well, I would like  
 10 to know who is not going to be here on the  
 11 19th, because I think what's going to come  
 12 before the Board is very, very important  
 13 issues.  
 14 CHAIRMAN FLANAGAN: Well, they're all  
 15 important that come before us, no matter what  
 16 the item is.  
 17 MR. BELLIN: But there are some more  
 18 important than others.  
 19 CHAIRMAN FLANAGAN: I disagree. Everything  
 20 that we do is important. And the only Board  
 21 Member that won't be here at this point is  
 22 Mr. Grabel, who is going to be gone for the  
 23 month of October.  
 24 MR. BELLIN: And I think Maria will also be  
 25 gone.

1 CHAIRMAN FLANAGAN: I think it would help  
 2 if we had something, Ramon, from the  
 3 Department, even if it's a summary of ideas or  
 4 some outline of the thought process.  
 5 MS. MENENDEZ: To see. Right.  
 6 MR. TRIAS: Absolutely. That's coming.  
 7 Thank you very much for your input, and we'll  
 8 follow up.  
 9 CHAIRMAN FLANAGAN: Okay. All right.  
 10 Thank you.  
 11 MR. BEHAR: Now it's time for me to --  
 12 MS. MENENDEZ: Bye.  
 13 CHAIRMAN FLANAGAN: Yes, sir.  
 14 MR. BEHAR: Hasta la vista. Thank you.  
 15 MR. BELLIN: There's another item that you  
 16 may be interested in. It's 12 -- I mean, 14.  
 17 MR. GRABIEL: We voted on it.  
 18 MS. MENENDEZ: We already did that.  
 19 MR. BEHAR: It was already voted.  
 20 MR. TRIAS: It was done first. Mr. Bellin,  
 21 that was already done.  
 22 MR. BELLIN: 14 was done?  
 23 MR. COLLER: Yes. You had stepped out of  
 24 the room --  
 25 CHAIRMAN FLANAGAN: You had stepped out,

1 MS. MENENDEZ: You know, I may or may not.  
 2 I'm just trying to wonder how everybody finds  
 3 out when I'm going to be here or when I'm not,  
 4 because I haven't publicized it.  
 5 MR. BELLIN: But apparently when you were  
 6 asked the question by the Planning  
 7 Department --  
 8 MS. MENENDEZ: Well, but that was just to  
 9 her. I mean, I'm not sure what's going on, but  
 10 at the end of the day, I'm not sure. I would  
 11 have preferred to have left it on the 12th, but  
 12 I understand that there's religious  
 13 observations. So I'm going to try to  
 14 accommodate the Board meeting. And, if not, I  
 15 won't be here if -- or I'll be here.  
 16 CHAIRMAN FLANAGAN: So we took it. We did  
 17 it. It's the 19th.  
 18 MS. MENENDEZ: So if you were counting on  
 19 me not being here, I might be here.  
 20 MR. BELLIN: No, I'd prefer that everybody  
 21 was here.  
 22 MS. MENENDEZ: Oh, okay.  
 23 MR. BELLIN: And I think that we ought to  
 24 move it to a date where everybody is here.  
 25 CHAIRMAN FLANAGAN: Marshall, sorry, but as



1 of now we agreed we're going to meet on the  
2 19th.  
3 MS. MENENDEZ: I thought we were going to  
4 hear it today, so --  
5 CHAIRMAN FLANAGAN: And the applicant asked  
6 that it be continued to the 19th.  
7 MS. MENENDEZ: Right.  
8 MR. BELLIN: Okay.  
9 CHAIRMAN FLANAGAN: Item Number 8 is a  
10 Resolution of the City Commission of Coral  
11 Gables, Florida requesting mixed use site plan  
12 conditional use review pursuant to Zoning Code  
13 Article 4, "Zoning Districts", Division 2,  
14 "Overlay and Special Purpose Districts",  
15 Section 4-201, "Mixed Use District (MXD)", for  
16 the mixed use project referred to as "The  
17 Henry" on the property legally described as  
18 Lots 22-38, Block 2, Industrial Section, known  
19 as 4105 - 4131 Laguna Street, Coral Gables,  
20 Florida; including required conditions and  
21 providing for an effective date.  
22 Is the applicant --  
23 MR. TRIAS: Mr. Chairman, if I could have  
24 the PowerPoint for --  
25 CHAIRMAN FLANAGAN: Oh, Staff is going

1 first?  
2 MR. TRIAS: -- The Henry. Yeah. I'll go  
3 first.  
4 CHAIRMAN FLANAGAN: I thought we were doing  
5 applicant first these days.  
6 MR. TRIAS: Oh, okay.  
7 CHAIRMAN FLANAGAN: No, you're there. Go  
8 ahead.  
9 MR. TRIAS: Yeah, let them go first.  
10 CHAIRMAN FLANAGAN: Okay.  
11 MR. GUILFORD: Good evening, Mr. Chairman,  
12 Members of the Board. For the record, again,  
13 Zeke Guilford, with offices at 400 University  
14 Drive.  
15 It gives me great pleasure to be here this  
16 evening to represent Terrace Mountain  
17 Investors, the owner of the property at 4015 to  
18 4131 Laguna Street. Here with me is Frank and  
19 Collen Trabold, who are the developers of the  
20 project.  
21 This actually came before this Board and  
22 the City Commission in like 2007, 2008, for a  
23 mixed use-site plan project that was actually  
24 never built because of the recession.  
25 So Terrace Mountain has purchased the

1 property from the prior owner and intends to  
2 develop the property as a mixed-use project,  
3 which is why it's before you today.  
4 The project will consist of 122 residential  
5 units, 2,572 square feet of office, and 10,014  
6 feet of retail. This is consistent with the  
7 requirements of the mixed-use regulations.  
8 At this time, I'm either going to turn it  
9 over to Jordi or Eddie to actually walk you  
10 through the project. They're the architects  
11 for the project.  
12 MR. LAMAS: Good evening, Board Members.  
13 My name is Eddie Lamas. I'm an architect with  
14 Behar Font, and with me is Jordi Cruxent.  
15 We're happy to present this very exciting  
16 project for you.  
17 Let me just start. We have made the  
18 boards, so that I can show you the context of  
19 the project.  
20 MR. COLLER: I don't recall. Did he  
21 indicate where his offices were, your address  
22 of your office?  
23 MR. CRUXENT: 4533 Ponce de Leon Boulevard.  
24 CHAIRMAN FLANAGAN: You need to talk into a  
25 microphone.

1 MR. LAMAS: Okay. Thank you.  
2 The project, which you have in your  
3 package, and I wanted to show you, the very  
4 first thing on the design concept is to be  
5 aware of the public realm. And by that I mean,  
6 the paseos that are immediately to the east of  
7 the project, and the ones that are to the west  
8 of the project. So we have a continuous paseo,  
9 that connects all of those three projects  
10 together, that you can walk over to Le Jeune.  
11 The project is situated that -- it's split  
12 into two parts. It's articulated, because the  
13 building is very long, and we were able to get  
14 some relief by articulating. Flanked at either  
15 side, it has office or retail, with an arcade  
16 on Laguna, to enhance the pedestrian activity.  
17 On Altara, we have the setback of 15 feet,  
18 that even sets back further from above, where  
19 the residential portion of the project is.  
20 So what we have is a ground floor that has  
21 a paseo over 60 feet wide. Part of it is for  
22 vehicles, like the project on the east side  
23 has, and the other ones are pedestrian paseos  
24 on both sides that come out.  
25 Okay. The entrance to the garage is from

1 Laguna, and then we have three floors of  
2 parking. So the total base of the project is  
3 four stories, and then the residential six  
4 floors set back further from both streets.

5 As you know, it's very constraining, in  
6 talking about parking, that Gables lots are  
7 only a hundred feet. So parking becomes a  
8 challenge, since you really need like 120 to  
9 make it even more efficient.

10 Is it working? Hello? Yes.

11 Again, this is a blow up of the ground  
12 floor. As I was saying, this is Laguna. So  
13 the project has an arcade on Laguna, flanked by  
14 retail. What you see in this color is a paseo  
15 that connects to the paseo that is in the  
16 building to the east and connects to the new  
17 building that is coming to the west.

18 So it's a visual connection, and it's also  
19 for a pedestrian, that can go all of the way  
20 from there to Le Jeune.

21 Merrick Shops are to the south, just one  
22 block away, and we have Altara, and at Altara,  
23 we're setting the building -- the building sets  
24 back 15 feet, again, at the base. So it's a  
25 very comfortable base, in that the building

1 buildings, and try to articulate them. It's  
2 six stories on top of the fourth, so we have a  
3 total of ten floors, and then the building is  
4 further set back from Altara, again, to open up  
5 this corridor, so it becomes not too tight  
6 where you see that.

7 The building will also introduce the retail  
8 and the arcade, and I agree with Julio, I don't  
9 want to green between the columns. So that's  
10 what we're trying to accomplish on the  
11 streetscape.

12 The view looking the other way, from Bird,  
13 on Laguna, the 7-Eleven is about here. So  
14 we're far from Bird Road. You will see, then,  
15 this building is pushed back even further back,  
16 so it's a nice, open wide space. And at the  
17 corner is Altara. And we have some very nice  
18 amenities, not only on the ground floor, but  
19 how we treat the pool and recreation decks.

20 So it's very green, very nice, very simple,  
21 elegant, you know, building, that I think will  
22 enhance and complement that area.

23 I'm done, if you have any questions.

24 CHAIRMAN FLANAGAN: Anybody have any  
25 questions for the applicant at this time?

1 tapers off when the residential units come  
2 above the fourth level.

3 Right at the fourth level, the dark shade  
4 is the garage building. As you can see, the  
5 building takes a bite, almost at the middle, to  
6 split the length of that building. At the same  
7 time, then the residential sets back even  
8 further, to make -- after the base, so you have  
9 the middle, and then we have the top. And we  
10 keep articulating it back from Altara. So,  
11 actually, from the property line, to the face  
12 of the building, to open up Altara, we have  
13 almost 70 feet. So we opened up that space.

14 To the north, we have the 7-Eleven here.  
15 So we're way back from Bird Road.

16 So the building is massed so that where it  
17 faces the street, it steps back, it creates an  
18 open space, and it opens up the street.

19 The building, this is a view from the  
20 corner of Laguna and Altara, that you look how  
21 we were able to create a base and break up --  
22 at the center, this is the main entrance for  
23 the residential lobby, and the paseo is right  
24 next to it. So we tried to assemble a  
25 combination of, could be two or three

1 MR. GUILFORD: Mr. Chairman, Members of the  
2 Board, Staff has recommended approval with  
3 conditions. We accept those conditions. And,  
4 again, if you have any questions, we're here to  
5 answer them. We also have our traffic  
6 engineer, should you have any questions  
7 regarding that, as well.

8 CHAIRMAN FLANAGAN: Thank you.

9 MR. GUILFORD: Thank you.

10 MR. TRIAS: Okay, Mr. Chairman. If I could  
11 have my PowerPoint, please. Thank you very  
12 much.

13 The Henry is requesting only one thing,  
14 only the mixed-use site plan. It's properly  
15 zoned and the proper Land Use is in place. The  
16 location, as the applicant explained, is right  
17 along Laguna and right north of Altara. That  
18 area, as you can see, has developed with  
19 mixed-use projects all around, so that's the  
20 way that that whole area of the City is  
21 becoming.

22 Now, the Land Use is industrial, and the  
23 Zoning is also industrial, which, in this area,  
24 as you well know, typically means mixed-use,  
25 and that is because of the overlays and the

1 other requirements that we have. So,  
2 therefore, there's no request to change the  
3 Zoning or Land Use at this point.

4 In terms of traffic, this area is within  
5 the GRID. As you know, the GRID is an area of  
6 the City where traffic counts and traffic  
7 volumes are not considered during the review  
8 process or the approval process; however, you  
9 can ask question about that and you can  
10 certainly make recommendations about traffic  
11 operations.

12 The project, as the applicant explained,  
13 is -- basically has an arcade, then parking,  
14 and then a pool deck, and residential units on  
15 top.

16 There has been a real careful effort to  
17 coordinate the ground level, lining up the  
18 different paseos, et cetera, and also to  
19 coordinate the massing and the overall  
20 development of that area. And that's an image  
21 that shows you several projects that are  
22 approved and not built, like Merrick Manor, for  
23 example, and then the actual -- The Henry, and  
24 the way that the area is going to be in the  
25 near future.

1 1,500 feet, and the public notification  
2 included at least two mailings, three times was  
3 the property posted, and three times we had a  
4 posting on the website, and we had one  
5 newspaper advertisement.

6 The project, as you can see, includes a  
7 parking garage in the center of the building,  
8 residential units upstairs, an arcade -- a  
9 continuous arcade along Laguna and also Altara  
10 and retail at the ground level.

11 This gives you a good sense of the way that  
12 the retail works, and the way that the public  
13 spaces are designed towards the City.

14 The site plan information, as you can see,  
15 the proposed FAR and height and the general  
16 dimensions of the site is what's allowed. As  
17 you may recall, some time ago, the Planning and  
18 Zoning Board and the Commission allowed 120  
19 feet in this area, it used to be 100, as long  
20 as the stories remain at a maximum of ten, and  
21 that is what's provided in this project.

22 The unit mix includes studios, two  
23 bedrooms, three or more bedroom units, and  
24 there are 229 parking spaces provided, when 223  
25 are required. So, as you can see, it's a

1 The ground level has been an interesting --  
2 well, actually, the request, as I said, is  
3 mixed-use site plan, and, the ground level,  
4 some of the issues about open space could be  
5 illustrated in this project. Most of the open  
6 space is the paseo in the center, plus the  
7 arcade all along. The applicant is planting  
8 the bulb-outs and doing some trees along  
9 Altara; however, as you can see, this is mostly  
10 an urban concept, in terms of the ground level.

11 The elevations have been explained. The  
12 review time line, as always, we had the DRC,  
13 the Development Review Committee, in February,  
14 then the Board of Architects in May, the  
15 required neighborhood meeting in June, and now  
16 we're at the Planning and Zoning Board meeting.

17 As I like to remind everyone, we have great  
18 assistance from the rest of the staff of the  
19 City. All of the different departments have  
20 looked at this project, mostly twice -- at  
21 least twice, at DRC and then at the Staff  
22 meeting that we always have prior to scheduling  
23 this Planning and Zoning hearing, and they  
24 provided comments.

25 Letters to property owners were sent within

1 project that matches what's allowed.

2 The setbacks have been reduced through the  
3 mixed -- through the Mediterranean Bonus  
4 process, and the open space, which was one of  
5 the issues that we have discussed today, is  
6 6,400 square feet, but, as I said before, it's  
7 mostly urban features, such as arcades and  
8 building features.

9 The Mixed-Use Site Plan request has been  
10 reviewed by Staff, and Staff has made the  
11 findings of fact that the standards, the  
12 different standards of review, have been  
13 complied with, including the fact that the  
14 project -- it is compatible with adjacent uses,  
15 and it's consistent with the Comprehensive  
16 Plan.

17 Staff's recommendation is approval, with  
18 conditions, and the standards identified in  
19 Section 3-408 for the proposed Conditional Use  
20 Site Plan have been satisfied, subject to the  
21 conditions.

22 In addition, Staff has determined that the  
23 project is consistent with the Comprehensive  
24 Plan.

25 Now, the Conditions of Approval are

1 detailed in the Staff report. Many of the  
 2 conditions are fairly typical, such as the  
 3 restrictive covenant required, and, then, in  
 4 addition, we have certain conditions that need  
 5 to be complied with, prior to the first  
 6 building permit, such as the Art in Public  
 7 Places contribution, the loss of on-street  
 8 parking pavement, additional reviews, signage  
 9 plan, the parking garage design issues, and a  
 10 variety of other things that are well-known and  
 11 deal with the requirements of the Zoning Code.

12 Prior to the first Certificate of  
 13 Occupancy, the utilities must be undergrounded,  
 14 the upgrade on all of the utility services  
 15 needs to be completed, and the Art in Public  
 16 Places requirement must be completed, and all  
 17 of the traffic studies that -- I'm sorry, all  
 18 of the traffic improvements recommended by a  
 19 traffic study and the review of that study by  
 20 Staff needs to be complied with. In addition,  
 21 the bicycle and pedestrian master plan needs to  
 22 be complied with. And the right-of-way, which  
 23 is the sidewalks, with the bulb-outs and so on,  
 24 need to be built.

25 As you know, in addition, the building

1 the arcade, some of the pool deck, landscape,  
 2 and so on.

3 MS. MENENDEZ: So the pool deck. So not  
 4 necessarily public access, it's just everything  
 5 that has a surface and not a building on it?

6 MR. TRIAS: Absolutely.

7 Now, a majority is public access. A  
 8 majority of the different things or the  
 9 different elements that one can count as open  
 10 space.

11 MS. MENENDEZ: Is the paseo an open space  
 12 -- I mean, a public space?

13 MR. TRIAS: Yes, but it's not open to the  
 14 sky.

15 MS. MENENDEZ: Right, but I'm saying, does  
 16 the public have the ability to walk through the  
 17 paseo?

18 MR. TRIAS: Yes. Yes. And there are  
 19 several paseos that line up in different  
 20 buildings in that area and that has been part  
 21 of the design review that has taken place.

22 MS. MENENDEZ: And so it says like, open to  
 23 public access, or it's just whoever goes  
 24 through is not going to be asked to leave?

25 MR. TRIAS: And those are conditions that

1 needs to obtain certification within two years,  
 2 and all of the traffic signal and signage  
 3 recommendations need to be paid for or  
 4 provided.

5 That is the Staff report. If you have any  
 6 questions, I'll be happy to answer them.

7 CHAIRMAN FLANAGAN: Thank you, Ramon.

8 This is a public hearing item, so we'll  
 9 open up the public hearing.

10 Scot, do we have any speaker cards?

11 THE SECRETARY: No, Mr. Chair.

12 CHAIRMAN FLANAGAN: No?

13 Anybody in the audience wish to speak on  
 14 this matter?

15 Seeing none, we'll close the public hearing  
 16 and open it up for discussion or comments from  
 17 Board Members.

18 MS. MENENDEZ: I have a question. May I  
 19 go?

20 CHAIRMAN FLANAGAN: Of course.

21 MS. MENENDEZ: The open space -- how do you  
 22 calculate the open space? What's calculated in  
 23 the open space? Is it the paseo? Is it open  
 24 or is it just -- tell me what --

25 MR. TRIAS: All of those things, the paseo,

1 you may want to make very clear, also, that if  
 2 you want to have additional conditions --

3 MS. MENENDEZ: I'm just trying to  
 4 understand how our City calculates open space,  
 5 when the open space is not necessarily -- it's  
 6 not tied to public use necessarily, is what  
 7 you're saying, it's really just open -- not a  
 8 building on it?

9 MR. TRIAS: That is one of the weaknesses  
 10 of the Code. Absolutely. You're correct.

11 MS. MENENDEZ: Okay. Just trying to  
 12 understand it.

13 MR. TRIAS: Now, having said all of that,  
 14 the majority of the features at the ground  
 15 level, like the arcade, the paseo, are bona  
 16 fide open space by any definition.

17 MR. GRABIEL: The paseo, is that open year  
 18 round for the public?

19 MR. TRIAS: Yes, but, in addition, if you  
 20 want, you can make it a Condition of Approval,  
 21 and make it very specific.

22 MS. MENENDEZ: How big is the entrance of  
 23 the paseo? How wide is the entrance of the  
 24 paseo, on one side and the other side?

25 MR. CRUXENT: On the north side, it's

1 nineteen feet eight inches. Then we have the  
2 drive, which is 22 feet. And on the south  
3 side, it's about fourteen feet.

4 So we have two flanking at either side. It  
5 will be open at all times. It works like the  
6 building right to its immediate east, and  
7 that's the intent, that it is -- even the open  
8 space, even the Miracle Mile shops, you go from  
9 the parking on Andalucia, through Miracle Mile,  
10 and it's covered. It's open space, but it's  
11 covered.

12 MS. MENENDEZ: Right.

13 My only concern is that in the future, if  
14 there's not like a requirement to allow it to  
15 be open, they can close it, and we would never  
16 know about it.

17 MR. CRESCENT: That's not our intention.  
18 The intention of the owner is to keep it open.  
19 There's nothing -- there's not going to be  
20 gates or walls, it's going to be really open.

21 MR. GRABIEL: We can make it a condition.

22 MS. MENENDEZ: Okay.

23 MR. TRIAS: Ms. Menendez, in the past,  
24 we've had Conditions of Approval that specified  
25 that it has to be open, if you choose to do

1 landscaping, we just added it to shade some of  
2 the area, but we can make as most of it green,  
3 but we'd like to make it as an urban setting,  
4 so people are walking to the shops and they're  
5 going to Le Jeune, and that's the reason for  
6 that.

7 MS. MENENDEZ: Got it. Thank you.

8 CHAIRMAN FLANAGAN: Anybody else?

9 No other comments? If somebody wants to  
10 make a motion.

11 MR. GRABIEL: I would like to make a motion  
12 for approval, with the condition that all of  
13 the open spaces, the paseo and the arcades, are  
14 permanently accessible to the public 24/7, 12  
15 months of the year.

16 MS. MENENDEZ: I'll second that.

17 MR. TRIAS: And the additional Conditions  
18 of Approval by Staff?

19 MS. MENENDEZ: Yes. That's a given.

20 MR. COLLER: Could we get an indication  
21 from the applicant that they find that  
22 acceptable, if we could?

23 MR. GUILFORD: That's acceptable to us. As  
24 a matter of fact, I believe, by the Code, you  
25 have to have a paseo every so many feet when

1 that.

2 MS. MENENDEZ: Right, but it's not like an  
3 easement.

4 CHAIRMAN FLANAGAN: There is.

5 MS. MENENDEZ: Is it an easement to the  
6 City?

7 MR. TRIAS: No.

8 MS. MENENDEZ: No. It's just a -- we would  
9 have to make a condition, a recommendation for  
10 a condition.

11 CHAIRMAN FLANAGAN: But one of Staff's  
12 conditions is to execute and record a publicly  
13 accessible open spaces easement. I took that  
14 to mean that this would be open to the public.

15 MR. TRIAS: It is. It is. That's already  
16 in the conditions, yes.

17 MS. MENENDEZ: Okay.

18 MR. LAMAS: It will always be open. Just  
19 like I want to point out that the arcade is  
20 only on Laguna. On Altara, the setback, 15  
21 feet, that's all open to the sky, space. It's  
22 not covered. And, again, it's a condition.  
23 You walk -- you walk with your mother, you walk  
24 with your girlfriend and two people need to  
25 stand there. So, again, if we put more

1 you have a development so long. So that's  
2 already there, but we definitely don't mind  
3 that as a Condition of Approval, as well.  
4 Thank you.

5 MR. BELLIN: I have a question. The deck,  
6 is that a public space?

7 MS. MENENDEZ: The pool deck?

8 MR. BELLIN: Yeah.

9 MR. LAMAS: No, that's for the residents.

10 MR. CRUXENT: It's private for the residents.

11 MR. TRIAS: Right. It's not public  
12 accessible open space, no.

13 MR. BELLIN: Okay. But the recommendation  
14 that was just given is the -- that's considered  
15 open space, and that goes towards the required  
16 open space.

17 MR. TRIAS: In terms of the Zoning  
18 calculation, yes, but the issue that we're  
19 dealing with is the accessible ground level  
20 pedestrian areas, and around I think that the  
21 condition that has been proposed is very  
22 effective at making sure that everything is  
23 accessible.

24 The design has been done to maximize that  
25 ability to access the ground level and so on.

1 MR. BELLIN: But one of the conditions that  
 2 was put on it, to my way of thinking, if you  
 3 accept that, then that pool deck, because it's  
 4 considered the --  
 5 MS. MENENDEZ: No, I don't think that was  
 6 the intent.  
 7 MR. GRABIEL: My intention was ground  
 8 floor --  
 9 MS. MENENDEZ: Ground floor. I mean, I  
 10 seconded it in that condition.  
 11 MR. BELLIN: Okay.  
 12 MR. TRIAS: I think it's clear. I think  
 13 the record is clear.  
 14 MR. BELLIN: Okay.  
 15 MS. MENENDEZ: If not, you'd have a lot of  
 16 pool people there.  
 17 MR. LAMAS: Yes.  
 18 CHAIRMAN FLANAGAN: All right. Everybody  
 19 is clear?  
 20 All right. Scot, can you call the roll,  
 21 please?  
 22 THE SECRETARY: Marshal Bellin?  
 23 MR. BELLIN: Yes.  
 24 THE SECRETARY: Julio Grabiell?  
 25 MR. GRABIEL: Yes.

1 THE SECRETARY: Frank Rodriguez?  
 2 MR. RODRIGUEZ: Yes.  
 3 THE SECRETARY: Maria Menendez?  
 4 MS. MENENDEZ: Yes.  
 5 THE SECRETARY: Jeffrey Flanagan?  
 6 CHAIRMAN FLANAGAN: Yes.  
 7 Thank you.  
 8 MR. GUILFORD: Thank you all very much. I  
 9 appreciate it.  
 10 CHAIRMAN FLANAGAN: That was the last item  
 11 on our agenda. Anybody have anything else for  
 12 discussion?  
 13 Move to adjourn.  
 14 MS. MENENDEZ: I move.  
 15 MR. GRABIEL: Second.  
 16 CHAIRMAN FLANAGAN: Anybody opposed?  
 17 All right. Thank you all. We'll see you  
 18 in October.  
 19 (Thereupon, the meeting was concluded at  
 20 7:30 p.m.)  
 21  
 22  
 23  
 24  
 25

1 CERTIFICATE  
 2  
 3 STATE OF FLORIDA:  
 4 SS.  
 5 COUNTY OF MIAMI-DADE:  
 6  
 7  
 8  
 9 I, NIEVES SANCHEZ, Court Reporter, and a Notary  
 10 Public for the State of Florida at Large, do hereby  
 11 certify that I was authorized to and did  
 12 stenographically report the foregoing proceedings and  
 13 that the transcript is a true and complete record of my  
 14 stenographic notes.  
 15  
 16 DATED this 28th day of September, 2016.  
 17  
 18  
 19 SIGNATURE ON FILE  
 20 \_\_\_\_\_  
 21 NIEVES SANCHEZ  
 22  
 23  
 24  
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