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1 MR. COLLER: I would move to defer it to a
 2 date uncertain.
 3 CHAIRMAN FLANAGAN: Okay.
 4 MR. COLLER: And they'll reschedule it.
 5 MR. GRABIEL: I so move.
 6 CHAIRMAN FLANAGAN: Julio moves to defer
 7 indefinitely. Is there a second?
 8 MR. BEHAR: Second.
 9 CHAIRMAN FLANAGAN: There's a second on
 10 Item Number 8.
 11 MR. COLLER: To a date uncertain.
 12 MS. MENENDEZ: Can I ask a question? Why
 13 are we deferring it? Is this the one --
 14 CHAIRMAN FLANAGAN: Not indefinitely?
 15 MR. TRIAS: Yeah, the drive-throughs --
 16 MR. COLLER: Indefinitely is forever.
 17 CHAIRMAN FLANAGAN: To a date uncertain.
 18 MS. MENENDEZ: Why are we deferring it?
 19 MR. TRIAS: Because any change in the Code
 20 requires notifying all of the property owners
 21 affected, and this is an interpretation that
 22 was made after we advertised the agenda. It is
 23 very unusual to have to notify everybody within
 24 the C District, and that requires a mailing,
 25 and so on. So we were not able to do it on

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1 time. And it's a very unusual requirement --
 2 MS. MENENDEZ: Does this have to do with
 3 the walk-up window?
 4 MR. TRIAS: No. No. No. This has to
 5 do -- what precipitated this discussion is the
 6 operations of the Starbucks drive-through on
 7 US-1.
 8 MS. MENENDEZ: Okay.
 9 MR. WU: Mr. Chair, can we pause and take a
 10 roll call?
 11 CHAIRMAN FLANAGAN: I did skip over that.
 12 You were early. I got sidetracked.
 13 Sorry. Let's back up. Take a time out.
 14 Jill, if you'll call the roll, please.
 15 THE SECRETARY: Robert Behar?
 16 MR. BEHAR: Here.
 17 THE SECRETARY: Marshall Bellin?
 18 MR. BELLIN: Here.
 19 THE SECRETARY: Julio Grabiell?
 20 MR. GRABIEL: Here.
 21 THE SECRETARY: Maria Menendez?
 22 MS. MENENDEZ: Here.
 23 THE SECRETARY: Alberto Perez?
 24 Frank Rodriguez?
 25 Jeff Flanagan?

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1 CHAIRMAN FLANAGAN: Here.
 2 Okay. Thank you.
 3 Getting back to Item Number 8, we have a
 4 motion and a second to defer it to a date
 5 uncertain.
 6 Any comments? No?
 7 Jill, call the roll, please.
 8 THE SECRETARY: Marshall Bellin?
 9 MR. BELLIN: Yes.
 10 THE SECRETARY: Julio Grabiell?
 11 MR. GRABIEL: Yes.
 12 THE SECRETARY: Maria Menendez?
 13 MS. MENENDEZ: Yes.
 14 THE SECRETARY: Robert Behar?
 15 MR. BEHAR: Yes.
 16 THE SECRETARY: Jeff Flanagan?
 17 CHAIRMAN FLANAGAN: Yes.
 18 All right. Going back up in the Agenda.
 19 It says Items 5 and 6 are related. I will read
 20 both of those in.
 21 Item Number 5 is an Ordinance of the City
 22 Commission of Coral Gables, Florida providing
 23 for text amendments to the City of Coral Gables
 24 Official Zoning Code, by amending Article 4
 25 "Zoning Districts," adding Section 4-206,

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1 "Giralda Plaza Overlay" to modify and
 2 supplement the existing Commercial District
 3 standards and criteria to allow appropriate
 4 infill and redevelopment that enhances the
 5 character of Restaurant Row; providing for a
 6 repealer provision, providing for a
 7 severability clause, codification, and
 8 providing for an effective date. This item was
 9 continued from the July 13, 2016 Planning and
 10 Zoning Board meeting.
 11 Item Number 6 is an Ordinance of the City
 12 Commission of Coral Gables, Florida requesting
 13 an amendment to the text of the City of Coral
 14 Gables Comprehensive Plan, Future Land Use
 15 Element, Policy FLU-1.1.2, "Table FLU-2,
 16 Commercial Land Uses", pursuant to expedited
 17 state review procedures, Section 163.3184
 18 Florida Statutes, and Zoning Code Article 3,
 19 "Development Review", Division 15,
 20 "Comprehensive Plan Text and Map Amendments;"
 21 amending the "Commercial Low-Rise Intensity"
 22 Land Use Classification to permit residential
 23 use in the Giralda Plaza Overlay District when
 24 expressly permitted by the Zoning Code;
 25 providing for a repealer provision, providing

1 for a severability clause, and providing for an
2 effective date. It's Local Planning Agency
3 review. And this item was also continued from
4 the July 13, 2016 Planning and Zoning Board
5 meeting.

6 Mr. Trias.

7 MR. TRIAS: Mr. Chairman, nothing has
8 changed as far as the proposal for Giralda, but
9 last time, I did promise that there were some
10 additional issues that had to do with the
11 Downtown Overlay, the overall Downtown Overlay.

12 So what I have is Item 11, as a discussion,
13 and I would like to move it to this moment, and
14 basically give you my Downtown Overlay
15 discussion, so you understand the concept.

16 CHAIRMAN FLANAGAN: Okay.

17 MR. TRIAS: So if we could have the
18 PowerPoint for the Downtown Zoning Amendments.

19 Thank you very much.

20 As you can see, Giralda -- the area labeled
21 as Giralda is a fairly relatively small area
22 within the overall picture of the Downtown
23 Overlay. And the kind of ideas that we are
24 proposing for the Downtown Overlay include
25 extended hours of operation, outdoor dining,

1 signage, storefront requirements, residential
2 uses, and the height limits that you have
3 already discussed for Giralda.

4 Currently we have a Downtown Overlay, as
5 you well know, so what we're trying to propose
6 is an amendment to the boundary, that includes
7 additional land, and, then, in addition to
8 that, some changes, that we were able to
9 discuss last time, that apply to specific areas
10 within the Downtown.

11 In Giralda, if you'll remember, we talked
12 about having residential uses in the upper
13 floors. We talked about a parking exemption
14 for small buildings to three stories. That was
15 basically the last recommendation that we had a
16 chance to discuss. And, then, focus on
17 pedestrian activity by limiting driveways and
18 service areas along the front.

19 The section that you see here, and the
20 dimensions, in terms of area and square footage
21 and requirements for Mediterranean design and
22 the opportunity for residential uses, are
23 listed in this slide. That's what we talked
24 about the last time. This is the item that was
25 continued.

1 In terms of the other issues -- in terms of
2 the other issues that are included in the
3 Downtown Overlay, we are not proposing any
4 changes on the height. Right now 70 feet is
5 the height that is allowed on Miracle Mile, 70
6 feet, according to the Overlay. And we are
7 proposing, at the request of the BID, and after
8 significant public input and discussion, some
9 changes in the hours of operation, and the
10 opportunity to play music outdoors, and some of
11 the issues related to the noise levels. And
12 that we can discuss in more detail.

13 MS. MENENDEZ: That's different from what
14 we have.

15 MR. TRIAS: Yes.

16 CHAIRMAN FLANAGAN: There's a difference?

17 MS. MENENDEZ: So that's changed, the hours
18 of operation. The one we have says, from what
19 I remember, Sunday through Thursday 'til 10:00.

20 MR. BEHAR: No.

21 MS. MENENDEZ: 10:00 p.m.

22 MR. TRIAS: I did not intend to change it,
23 so I think this is correct, and maybe we have a
24 typo, perhaps, but if you want to have some
25 discussion about the content of this item, of

1 the hours of operation specifically, this is
2 the recommendation from the BID.

3 And, again, you don't have to take action
4 on any of this tonight. This is just simply
5 for context.

6 Am I confusing everybody or -- the issue is
7 that the Giralda Overlay will have some
8 additional benefits from the Downtown Overlay,
9 and those additional benefits, one of them is
10 hours of operation, okay.

11 Then, another item in the Downtown Overlay
12 will be pre-selected outdoor dining areas. In
13 other words, pre-approved locations, that we
14 can map. And that becomes important, because,
15 as you know, both, in Giralda and in Miracle
16 Mile, we have a brand new sidewalk that is
17 being built, and that sidewalk has great
18 opportunities, but also it's designed in ways
19 that has trees, has many objects in the
20 sidewalk, so we need to be able to know exactly
21 the areas that could be used for outdoor
22 dining.

23 Okay. So if the idea is, if you have a
24 restaurant, and you want to have outdoor dining
25 in the pre-approved locations, with the

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1 pre-approved chairs and tables, it should be
 2 very easy to get a permit. It's a way to
 3 streamline that process.
 4 The signage provisions, they were trying to
 5 enhance the pedestrian signs, such as the retro
 6 signs, some of the window signs, the projection
 7 signs. Some of them are already allowed. Some
 8 of them are not. For example, umbrella signs
 9 are not allowed. Awning signs are allowed.
 10 And we're trying to coordinate all of those
 11 opportunities to give information to the
 12 pedestrian in a way that is aesthetically
 13 cohesive.
 14 We're also going to recommend some ground
 15 floor street design standards. And what that
 16 means is that there will be a required
 17 transparency and storefront design along those
 18 sidewalks. And the idea for that is to create
 19 the kind of activity that is appropriate for a
 20 Downtown.
 21 So, for example, 90 percent of the frontage
 22 should be either a shop front, a storefront, an
 23 arcade or a pedestrian courtyard, meaning
 24 pedestrian focus design features at the ground
 25 level.

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1 So those standards will also be in the
 2 Downtown Overlay, if you choose to recommend
 3 it.
 4 Then, the idea of having residential uses,
 5 we have already discussed, with Giralda, and
 6 that's one of the amendments before you today.
 7 As you know, we like to think that residential
 8 uses are allowed Downtown, you know, in
 9 general, but the reality is that they're only
 10 allowed in Mixed-Use buildings.
 11 Mixed-Use buildings have to be at least
 12 20,000 square feet. The parcel has to be at
 13 least 20,000 square feet. So what happens is
 14 that the small, little building that you see in
 15 this picture from the 1920s, which has
 16 commercial downstairs and then two stories of
 17 residential, currently is not allowed.
 18 However, from an urban design point of view,
 19 it's a very successful building for infill. So
 20 we're going to make some recommendations to
 21 enhance the residential uses.
 22 And, then, as you know, currently the
 23 Downtown is also a TDR, Transport Development
 24 Rights receiving site. We may explore some
 25 parking exemptions, similar to the ones that we

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1 have talked about in Giralda, for Miracle Mile,
 2 and I would like to encourage, also, the
 3 opportunity to make it easier to provide remote
 4 parking, shared parking, and also try to have
 5 that blended ground floor parking ratio, to be
 6 able to have change of uses and activity in a
 7 way that is streamlined and much more
 8 effective.
 9 As I said, the TDR is currently allowed, so
 10 we're not making any changes, in terms of the
 11 receiving sites for the Downtown. However, I'm
 12 going to make some recommendations to allow TDR
 13 receiving sites for the North Ponce area later
 14 on. But as far as Downtown, it remains in
 15 place.
 16 The general parking exemption, except the
 17 specific areas -- the very precise areas that
 18 you have discussed in Giralda, and maybe we may
 19 discuss some in Miracle Mile, generally don't
 20 change. As you know, we have some parking
 21 exemptions already, which allow for the small
 22 buildings to function effectively.
 23 We are not making any changes on the
 24 unlimited density that is allowed for Mixed-Use
 25 projects. And the remote parking, as I said, I

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1 think it should be expanded to new
 2 construction. That would be an encouragement,
 3 a way to incentivize the smaller scale
 4 incremental development.
 5 And the shared parking provisions, one idea
 6 is to allow them in buildings that are
 7 Mixed-Use, which we do already, but, in
 8 addition, to any building that has more than
 9 one use.
 10 In the context of the Coral Gables Code,
 11 Mixed-Use is mostly residential. That's what
 12 it is. So, for example, if you have an office
 13 building that has retail downstairs, that is
 14 not Mixed-Use, according to the Coral Gables
 15 Code. However, it is Mixed-Use from a
 16 functional point of view. So I think that for
 17 the purpose of parking, and for the purpose of
 18 counting parking requirements, that may be one
 19 of the benefits that we try to explore.
 20 The idea of having a standardized ratio for
 21 parking on the ground level would be very, very
 22 effective as a way to process development.
 23 And, like I said, this is just for
 24 discussion. If you have any thoughts, any
 25 better ideas, certainly we will help you

1 develop them, and bring them back to you at
 2 some point in the future for adoption.
 3 So if you want to continue the discussion
 4 about Giralda, just keep all of this other
 5 issues in mind. So thank you very much.
 6 CHAIRMAN FLANAGAN: Thank you, Mr. Trias.
 7 This is a public hearing item, so we'll
 8 open the public hearing. If there's anybody
 9 here who would like to speak on -- it's Agenda
 10 Items 5 and 6, tied in with the discussion on
 11 Item 11.
 12 THE SECRETARY: Jorge Kuperman.
 13 MR. KUPERMAN: Good afternoon, Members of
 14 the Board.
 15 MR. WU: Sir, can you first be sworn in?
 16 CHAIRMAN FLANAGAN: Yeah, I think the
 17 gentleman --
 18 MR. KUPERMAN: I wasn't here.
 19 CHAIRMAN FLANAGAN: You weren't, and there
 20 are some others that were not here. So if
 21 anybody walked in late and intends to testify,
 22 has not been sworn in, please be sworn in.
 23 Okay.
 24 (Thereupon, more participants were sworn.)
 25 MR. KUPERMAN: Once again, Members of the

1 Board, good afternoon. Jorge Kuperman,
 2 property owner at 137 Giralda Avenue, principal
 3 architect of JSK Architectural Group, taking
 4 place at that location.
 5 I'd like to get started by recognizing the
 6 fact that Ramon Trias and his Staff have been
 7 receptive to some of the items that the BID
 8 requested, and hopefully those of you that were
 9 here during the last meeting kept a copy of
 10 this little document with the yellow highlight.
 11 And, if not, hopefully you'll remember those
 12 items.
 13 I was saying that while there is a
 14 recognition that some of the items were taken
 15 into consideration to be used for the Downtown
 16 Overlay, I do see that many interesting items
 17 were not taken into consideration, and,
 18 obviously, Staff and Administration has their
 19 own reasons.
 20 I indicated before that I own a property
 21 that is 25 feet frontage. While the Giralda
 22 Overlay allows me, with a Mediterranean
 23 architectural style, to increase my FAR to 3.5,
 24 it limits my height to three stories. So if I
 25 want to maximize my footprint, I will never be

1 able to come up to that point half. I will
 2 need another half.
 3 Something else that I want to point to your
 4 attention, the maximum height, it's 45 feet.
 5 And while the proposed Ordinance doesn't
 6 restrict the density, it does indirectly
 7 restrict the density, because it tells me that
 8 I can only build three-story high.
 9 So I can tell you that I can develop four
 10 stories or three and a half in 45 feet.
 11 Obviously, I'm not going to be able to use the
 12 four, because I can only go 3.5, but that .5
 13 will make a dramatic difference on my interest,
 14 and property owners like me, with 25 feet
 15 frontage, to re-develop those properties.
 16 That's the spirit of this Ordinance, to
 17 re-develop these properties to create the
 18 living units, those units that are potentially
 19 not going to have parking, but it's to create a
 20 spirit of walkability in the area, and the
 21 urban experience that we want for Coral Gables'
 22 Downtown, in general, and Giralda, in
 23 particular.
 24 So I invite you, once again, to take please
 25 into consideration the opportunity of that

1 additional .5. Otherwise, the Ordinance, I
 2 don't want to call it defective, but it kind of
 3 runs short, in that I will never be able to do
 4 that 3.5, if I want to maximize my footprint.
 5 Thank you.
 6 CHAIRMAN FLANAGAN: Thank you.
 7 Anybody else?
 8 MR. BEHAR: I have a question for -- how
 9 big is your property? What's the size of it?
 10 MR. KUPERMAN: 2,500.
 11 MR. BEHAR: 2,500?
 12 MR. KUPERMAN: Correct.
 13 MR. BEHAR: And right now the proposed
 14 regulation allows, you say, a 3.0.
 15 MR. KUPERMAN: 3.0 or 3.5 with
 16 architectural style -- Mediterranean style.
 17 MR. BEHAR: And in a 20 -- it's 25 by 100,
 18 I guess, the property?
 19 MR. KUPERMAN: Yes.
 20 MR. BEHAR: Do you really think that in 25
 21 by 100 you could fit the 3.5?
 22 MR. KUPERMAN: Yes. Yes. I already got a
 23 conceptual.
 24 MR. BEHAR: Okay. Thank you.
 25 CHAIRMAN FLANAGAN: Thank you.

1 Anybody else from the audience?
 2 MR. KUPERMAN: Thank you.
 3 CHAIRMAN FLANAGAN: All right. Seeing
 4 none, we'll close the public hearing.
 5 And questions or comments or anything from
 6 the Board Members at this point?
 7 Ramon, let me just -- we do have two
 8 Ordinances before us.
 9 MR. TRIAS: Yes.
 10 CHAIRMAN FLANAGAN: But then the discussion
 11 item. So what are you asking --
 12 MR. BEHAR: Should we go, you know --
 13 CHAIRMAN FLANAGAN: Well, I think we
 14 should, but I just want to make sure that we
 15 know what we're being asked to vote on, because
 16 I think Ramon ended the presentation with
 17 saying that this is still open for, if I
 18 understand it, discussion and review. Or are
 19 you asking us to take action on 5 and 6?
 20 MR. TRIAS: Yeah, I'm asking you -- thank
 21 you, Mr. Chairman. What I'm asking you is to
 22 take action on the Ordinances, and the reason I
 23 gave the Downtown presentation is just to
 24 inform you that there are some additional
 25 benefits that may be coming in the future, for

1 you to take action, that affect the operations
 2 and so on and so on, and signs, et cetera, some
 3 things that are not related to development
 4 sizes or development requirements and
 5 additional parking. So that was the purpose of
 6 it, and that's what I said last time that I
 7 would bring back.
 8 CHAIRMAN FLANAGAN: Thank you.
 9 MR. TRIAS: And as far as Mr. Kuperman's --
 10 and your question, Mr. Behar, it's that as long
 11 as no parking is provided, you can obviously
 12 build as big a building as you want, and that's
 13 the issue. The issue here is, how much are we
 14 allowing without parking. And the
 15 recommendation is the three stories.
 16 MR. GRABIEL: Why?
 17 MR. TRIAS: That has been the source of
 18 significant discussion for the past three or
 19 four months. And it's a balancing between the
 20 needs to encourage small development, the
 21 current availability of parking. And we have
 22 had some testimony from our Parking Director,
 23 in terms of what would be ideal, and so on.
 24 And the idea that in order to keep some sense
 25 of control, in terms of development, we needed

1 to set a roof, in terms of the area that we
 2 would propose without parking. So that's the
 3 Staff recommendation.
 4 MR. GRABIEL: I think we all --
 5 MR. WU: Mr. Chair, it's also to provide
 6 incentive for residential uses in Giralda,
 7 essentially. It's to incentivize residential
 8 and particular services.
 9 MR. GRABIEL: No, I understand that, and I
 10 think everybody -- I don't know anybody who is
 11 against bringing in residential to Giralda and
 12 Downtown Coral Gables. But if you look at
 13 those small lots of 25-foot wide, like
 14 Mr. Kuperman, and the need to design a
 15 residential component that sits on top of the
 16 retail, I'm very happy that he's found a
 17 solution, but I've been wracking my brain of
 18 how it would be done, so that you can have a
 19 successful building, that works on three
 20 stories, and that you can get, you know,
 21 maximum residential, and unless there's an
 22 urbanistic reason for limiting it to three
 23 stories, I'm just not sure that that might be
 24 the best way of achieving what we're looking
 25 for, which is to have as much residential as we

1 can in Downtown.
 2 So, you know, I don't see the connection
 3 between the parking and the height. I mean,
 4 the height affects the urban character of the
 5 street, but why does the parking tie into the
 6 height of the building?
 7 MR. TRIAS: Yeah, and what I'm saying is
 8 that what we are proposing is a certain amount
 9 of development, a certain amount, and we need
 10 to figure out what that amount is.
 11 A certain amount of development that does
 12 not require minimum parking. Why is that?
 13 Well, because if you have that opportunity,
 14 then you can do the small infill buildings. A
 15 small infill building, if you have to provide
 16 parking, it's impossible. It just doesn't fit.
 17 Now, one extreme would be to say, oh, no
 18 parking requirements, and then see what the
 19 market does. That's one view. And then that's
 20 one view that has been discussed, and proposed,
 21 and considered. However, that view, when we've
 22 looked at the opportunities that we have, in
 23 terms of having public parking and the
 24 functioning of the streets and so on, it was
 25 determined that it was excessive, in terms of

1 the demand that it would create in parking.
 2 So the proposal is to cap it at three
 3 stories. We believe that that was the right
 4 amount.
 5 MR. BELLIN: Ramon, I have a question.
 6 MR. TRIAS: Yes.
 7 MR. BELLIN: Essentially you have two
 8 limiting factors. You have the 15,000 square
 9 feet and the three stories.
 10 MR. TRIAS: Yes.
 11 MR. BELLIN: Three stories never allow you
 12 to get to the 3.5. 3.5, times 25, you know,
 13 about 10,000 square feet.
 14 So why don't we just have the limiting
 15 factor to be the 15,000 square feet? Whatever
 16 you can fit in the envelope. And if it takes
 17 four stories or five stories, does it really
 18 matter, as long as they get to the 3.5?
 19 MR. TRIAS: Yeah. And the purpose of the
 20 Board is to make recommendations, and certainly
 21 we will bring recommendations to the
 22 Commission. Now, Staff's recommendation is the
 23 three stories. If you believe something else
 24 is better, certainly we can forward that.
 25 MR. BELLIN: Yeah, I believe four stories

1 probably would be not a whole lot different,
 2 and it would allow him to get to his 3.5.
 3 MR. TRIAS: Okay.
 4 CHAIRMAN FLANAGAN: Anybody else?
 5 MR. GRABIEL: Well, I agree with that. I
 6 think, unless there's some urbanistic reason
 7 that the four stories affects the quality of
 8 life on the street --
 9 MR. TRIAS: I mean, the urbanistic reason
 10 was the 45 feet. So, the fourth story, you may
 11 want to set back --
 12 MR. GRABIEL: I don't have a problem with
 13 that.
 14 MR. BEHAR: Yeah. You know, I don't have a
 15 problem doing something like that. I just
 16 don't see -- and I agree with you -- how, in a
 17 25-foot lot, I could get something to work, if
 18 it's not just facing the street and the alley.
 19 Because, in 25 feet, it's very difficult to
 20 develop something that will make sense.
 21 I don't have a problem doing a four-story,
 22 if you set it back after the 45 feet, just to
 23 get a break, a relief there. I don't think
 24 it's going to make a difference, three or four
 25 stories.

1 I just don't know how, in a small lot, it's
 2 really feasible, doable or achievable.
 3 MR. BELLIN: It's really not, and --
 4 MR. TRIAS: If I could make another point
 5 that I forgot. The 45 feet is the current
 6 maximum before you get to the 20,000 square
 7 feet parcel. So there's some other issues that
 8 are triggered when you change that.
 9 MR. BELLIN: I think 45 feet is reasonable.
 10 You can get four stories in that. I think I
 11 discussed this three or four meetings ago, the
 12 same issue. I don't see how you can develop a
 13 project in 25 feet, when you've got corridors
 14 and elevators, and --
 15 MR. BEHAR: And fenestrations, windows.
 16 MR. BELLIN: -- and two means of egress.
 17 You can only have windows on the street and the
 18 back, and that's it.
 19 MR. BEHAR: On the street and back, yeah.
 20 MR. BELLIN: So the units can't be more
 21 than 20 feet wide, if that. I don't know. I
 22 mean, it's -- but --
 23 MR. GRABIEL: My point would be that if we
 24 want to really achieve residential, and we are
 25 working with owners that have very narrow lots,

1 we should give them maximum flexibility, so
 2 that they can make it a marketable and
 3 financially feasible project.
 4 Going to one more story, as long as we set
 5 it back -- I agree with the idea that we keep
 6 45 as the cornice line, but then we set it back
 7 whatever, ten, fifteen, twenty feet. I would
 8 have no problem with that.
 9 MR. BEHAR: And that could lead to very
 10 nice projects, because you could have a roof
 11 terrace for a unit, and the unit steps back.
 12 So, you know, that's not a problem.
 13 I have another question, because I was
 14 invited by a younger member of my staff last
 15 Friday to Tap42.
 16 MS. MENENDEZ: You got in? You got in?
 17 MR. BEHAR: I disguised myself.
 18 MR. GRABIEL: Because he went with a young
 19 person.
 20 MS. MENENDEZ: That's why.
 21 MR. BEHAR: And I was walking on Giralda,
 22 the whole block to the west of Ponce de Leon,
 23 okay, is a similar character. There's not as
 24 many restaurants, but you do have The Corner,
 25 which is a nice bakery, and then you have a

1 couple of more restaurants, if you go further
2 west.

3 Have you even considered maybe the two
4 blocks that could become restaurants on both
5 sides?

6 MR. TRIAS: We could look into that as part
7 of the Downtown Overlay. There are a few
8 distinctions. One of them is that the
9 streetscape project doesn't go all of the way.
10 It stops at the one block that we're looking
11 at.

12 MR. BEHAR: Ponce.

13 MR. TRIAS: At Ponce. The other one is
14 that the Land Use in those blocks is actually a
15 Mid-Rise. It's Low-Rise in the block that
16 we're looking at. So there's a few issues that
17 make it a little bit tricky, but certainly we
18 can look into it.

19 MS. MENENDEZ: Let me ask you, because I
20 raised this in our last Board Meeting, when we
21 were addressing this. I'm still not convinced
22 that -- I mean, is the objective of the City to
23 continue having Restaurant Row a restaurant,
24 because from what I understand with these
25 opportunities for re-development and maximizing

1 properties, the uses may change. You know,
2 we'll have apartments on top, but there's
3 really nothing driving it to continue being
4 what we call Restaurant Row.

5 You know, I mean, for me what would be
6 incentive is to basically see what it takes to
7 put up a restaurant or to put up a cafe, and
8 incentivize it that way, where you provide --
9 the other meeting, someone mentioned, "Oh, my
10 gosh, to put in a restaurant you have to pay so
11 much impact fee. You have to put in water
12 lines. You have to" -- perhaps, you know, in
13 order to incentivize that area, is to see what,
14 in fact, needs to take place to keep it
15 becoming -- you know, to keep it being a
16 Restaurant Row, because I think with these
17 development opportunities, you'll get some
18 residential, but not necessarily you'll keep
19 the character of the block, which is
20 restaurants, cafes.

21 Because that provides a lot of activity for
22 that pedestrian, to go down, to have a cafe, to
23 walk, grab the paper, you know. So I'm just
24 afraid that with all of this re-development of
25 that one block area, you're going to miss --

1 you're going to lose, I should say, the cafe,
2 the restaurant, the ambiance that it currently
3 has.

4 MR. BEHAR: But, Maria, the residential is
5 only permitted on the upper levels.

6 MS. MENENDEZ: No, I understand that, but
7 it doesn't say -- there's no incentive for them
8 to re-build and have a cafe on the bottom,
9 because these cafes, and you all know this more
10 than I do, require a lot of infrastructure, a
11 grease trap, water main extensions, you know.

12 And so what I'm basically asking Staff is,
13 if you want to incentivize and keep that theme
14 or at least some part of it there, and to
15 really create the kind of synergy that you're
16 looking for, you really need to look at some
17 types of incentive to create the will or the --
18 you know, the want of having cafes and
19 restaurants there.

20 MR. TRIAS: And those would be economic
21 development incentives that certainly I would
22 recommend that the Economic Development --

23 MS. MENENDEZ: We've never -- well, I don't
24 know what you mean by economic development
25 incentives, but we've never really had those in

1 the City, that I know of, but we have, perhaps,
2 through what I just explained, identifying
3 what, in fact, it takes to put in a cafe and
4 restaurant, and maybe collectively doing things
5 to provide the incentive, because with all of
6 these -- I'm just concerned, with all of these
7 re-development opportunities, if I was a
8 property owner, I would re-develop, but not
9 necessarily -- if it's not feasible, a
10 restaurant is not going to go in there or a
11 cafe is not going to go in there.

12 MR. BEHAR: But you think an office, a
13 commercial, retail, will pay as much, you know,
14 for the space as a restaurant?

15 MS. MENENDEZ: I don't know. I don't know.
16 You think that there is enough incentive here
17 to keep -- it's more of a question for me or at
18 least --

19 MR. TRIAS: Yeah. If I could explain the
20 answer that I have. The only incentives that
21 we have tonight are zoning incentives. And
22 that's why I said, "Okay, let me show you the
23 additional incentives that we are proposing,
24 hours of operation until midnight, music
25 outdoors allowed, pre-approved outdoor

1 seating," and that one is important. Let me
2 explain what I'm thinking.

3 Right now the outdoor seating is limited to
4 30 percent of the area that you have inside.
5 So it's a relatively small opportunity. With
6 this pre-approved plan, you can have whatever
7 is allowed in front or even beyond that, if
8 you're willing to get into that kind of
9 arrangement with the City. So you can have
10 more outdoor seating. To me, that's a big
11 incentive for me.

12 MS. MENENDEZ: Okay.

13 MR. TRIAS: And maybe I didn't make it
14 clear, but that was the intent to showing you
15 the additional requirements, because those are
16 the Zonings incentives. In addition, we can
17 explore some other economic development type of
18 ideas.

19 MR. BEHAR: And she's right. I mean, I
20 tend to agree with her suggestion. It would be
21 nice to get an incentive -- you know,
22 incentivize the actual development.

23 I do -- just the economics of the
24 buildings, you know, and Mr. Kuperman, who has
25 an office over there could tell you, what he

1 could get in rent for office space is nowhere
2 near what you could get for a restaurant space.

3 MS. MENENDEZ: Okay.

4 MR. BEHAR: You know, I don't think there
5 will be a lot of changes from restaurant to
6 office.

7 MS. MENENDEZ: Okay.

8 CHAIRMAN FLANAGAN: And especially because
9 if a restaurant is there, they already have the
10 grease trap set up, they've paid the impact
11 fees for that type of water use and disposal,
12 which goes a long way to turning it into
13 another restaurant.

14 MS. MENENDEZ: Okay. All right.

15 MR. BELLIN: Ramon, I have a question.

16 MR. TRIAS: Yes.

17 MR. BELLIN: It seems to me that outdoor
18 music is probably not a very good idea, if
19 you're going to have two levels of residential
20 units. You know, a guy goes home at eight
21 o'clock, and he's tired and he tries to go to
22 sleep, and there's a mariachi playing
23 downstairs until 12:00 or whatever it is. It
24 just seems like sort of incompatible --

25 MR. BEHAR: Don't rent there. Don't rent

1 there, you know.

2 MR. TRIAS: Mr. Bellin --

3 MR. BEHAR: Don't rent there. You know
4 this.

5 MR. BELLIN: That's what's going to happen.

6 MR. TRIAS: That would depend on the market
7 that you're looking for, the type of renters or
8 the type of buyers. I mean, people that --

9 MR. BELLIN: Old people, like me.

10 MR. BEHAR: Go to Kendall.

11 CHAIRMAN FLANAGAN: Take an Ambien.

12 MR. TRIAS: People who want to live
13 Downtown need to have the proper expectations
14 of what a Downtown should be, I think.

15 MR. BEHAR: I mean, you're going to control
16 the decibel level of the music, which, you
17 know, I'm sure that there's already a standard
18 for that, but if you're going to make this that
19 lively area, you need to allow, in my opinion,
20 outdoor music.

21 MR. TRIAS: Yeah. And it's allowed, and
22 that's one of the incentives that we're trying
23 to encourage in the Downtown Overlay.

24 CHAIRMAN FLANAGAN: Okay. Anybody else, on
25 either Item 5 or 6?

1 Okay. Anybody like to make a motion?

2 MS. MENENDEZ: Let me ask you something.
3 Your chart related to the Giralda Overlay.
4 What are you proposing, because you have what
5 the BID has put in there? I mean, are you
6 proposing still Staff's recommendation?

7 MR. TRIAS: Yes. We're proposing the text
8 that is in the Ordinance.

9 MS. MENENDEZ: Okay.

10 MR. TRIAS: We haven't made any changes
11 since the last meeting.

12 MR. GRABIEL: I do have one minor point.

13 MR. TRIAS: Yes.

14 MR. GRABIEL: On Page 11, on Item H, it's a
15 minor one, but I think it's important. Shop
16 front windowsill height above the sidewalk
17 elevation shall be a maximum of three feet. I
18 think even that's too high.

19 MR. TRIAS: Two feet is better.

20 MR. GRABIEL: Two feet is -- three feet
21 is --

22 MR. TRIAS: Okay.

23 MR. GRABIEL: -- so high that it really
24 doesn't make it a good shop window. So if we
25 can keep it down to 24 inches, it would be

1 great.
 2 MR. TRIAS: Yeah. I agree.
 3 CHAIRMAN FLANAGAN: Okay. Anybody else?
 4 MS. MENENDEZ: Are we ready for a motion?
 5 I'll move that the Ordinance be adopted as
 6 presented by Staff.
 7 MR. BEHAR: I'll second it.
 8 CHAIRMAN FLANAGAN: A motion and a second.
 9 MR. WU: Well, there was a motion to change
 10 the three feet to two feet. Is that part of
 11 the motion?
 12 MS. MENENDEZ: That's part of it.
 13 MR. BEHAR: That's part of the motion.
 14 MR. BELLIN: Are we talking about three
 15 stories as opposed to four?
 16 CHAIRMAN FLANAGAN: The motion right now is
 17 based on Staff's recommendation --
 18 MR. BELLIN: Which is three stories.
 19 CHAIRMAN FLANAGAN: Correct.
 20 MR. BEHAR: Do you want to --
 21 MS. MENENDEZ: No, I want to stick to
 22 Staff's recommendation. I mean, you know,
 23 three stories.
 24 MR. BEHAR: You will not consider a
 25 friendly amendment, if the fourth story is set

1 back 20 feet from the front or 15 feet from the
 2 front? So you still perceive three stories at
 3 the street.
 4 MS. MENENDEZ: Sure.
 5 MR. BEHAR: But at the back, you know --
 6 MS. MENENDEZ: How much are you setting it
 7 back? What is typically -- how much, 10 feet?
 8 Is that what we typically set back?
 9 CHAIRMAN FLANAGAN: The BID's
 10 recommendation, they were requesting a 15-foot
 11 step back for the fourth floor.
 12 MR. BEHAR: Typically, in the MXD, it's a
 13 10-foot step back.
 14 MS. MENENDEZ: That's what I remember.
 15 MR. BEHAR: The step back typically is 10
 16 feet.
 17 MR. BELLIN: At 45 feet.
 18 MR. TRIAS: But the key issue is, no
 19 parking for that fourth story. That was the
 20 key request. Okay. So keep that in mind. And
 21 that's the effect that it has.
 22 CHAIRMAN FLANAGAN: But that doesn't bother
 23 me, I think, because there's no density
 24 limitation on residential.
 25 MR. TRIAS: Right.

1 MR. BEHAR: So you could have one unit per
 2 floor, you know.
 3 MR. TRIAS: Yes. Or two. One in the front
 4 and one in the back.
 5 MR. BEHAR: Or two, you know.
 6 MR. BELLIN: All you could have is two.
 7 That's the maximum you could have.
 8 MR. BEHAR: Yeah, the maximum you could
 9 have is two, absolutely.
 10 So, you know, if the BID requested 15 feet,
 11 I'm okay with 15 feet.
 12 MS. MENENDEZ: Okay. I'm okay with the
 13 friendly amendment.
 14 CHAIRMAN FLANAGAN: So a 15-foot step back
 15 at the fourth floor?
 16 MR. BEHAR: At the 45 feet.
 17 MS. MENENDEZ: 45 feet.
 18 CHAIRMAN FLANAGAN: The BID was the fourth
 19 floor, whatever that may be.
 20 MR. BEHAR: Okay.
 21 MR. TRIAS: Right. And the fourth floor
 22 would be above the 45 feet in our
 23 recommendation.
 24 MR. BEHAR: Now, the question is, how high
 25 are we going to give them for the fourth floor?

1 Because that's going to be -- is it at 10 feet,
 2 floor to floor, 15 feet?
 3 If we're going to allow the fourth floor,
 4 how high will that be?
 5 MR. TRIAS: Very good point. And the
 6 reason this is significant is, as I said
 7 before, unless you have 20,000 square feet, you
 8 cannot go beyond 45 feet. So if you create
 9 something in between, you need to set a very
 10 clear height.
 11 MS. MENENDEZ: So what is your suggestion?
 12 MR. BEHAR: Well, the BID has --
 13 CHAIRMAN FLANAGAN: The BID suggestion was
 14 to go from 45 to 50 feet for parcels of less
 15 than 20,000 square.
 16 MS. MENENDEZ: Okay.
 17 MR. BEHAR: I'm okay with that.
 18 MS. MENENDEZ: I'm okay with that.
 19 CHAIRMAN FLANAGAN: So max is 50. Step
 20 back 15 feet at the fourth floor.
 21 MR. BEHAR: So you would not have -- the
 22 fourth floor, the 45 feet will not come into
 23 play. It will probably be at 40 feet and then
 24 step it back.
 25 MS. MENENDEZ: Thank you.

1 MR. TRIAS: Which --
 2 MR. BEHAR: Somewhere around there.
 3 MR. TRIAS: Yes.
 4 MR. BEHAR: You know, whatever that works
 5 out. You know, and that may not be bad,
 6 because it gives you some variety in the
 7 cornice line. Not everything is going to be at
 8 45 feet.
 9 MS. MENENDEZ: Let me ask you, though, they
 10 have here in their provision, and 77 for
 11 parcels of 20,000 square feet or more. We're
 12 just focused on the less than.
 13 MR. TRIAS: That's allowed already. That
 14 is what's allowed.
 15 MS. MENENDEZ: Okay.
 16 CHAIRMAN FLANAGAN: Okay.
 17 MS. MENENDEZ: 50 feet?
 18 MR. BEHAR: 50 feet. I'm okay with that.
 19 CHAIRMAN FLANAGAN: Is the maker and the
 20 second of the motion, are we all in agreement?
 21 MS. MENENDEZ: Yes.
 22 CHAIRMAN FLANAGAN: So we have, in
 23 accordance with Staff's recommendation,
 24 changing the sill to two feet, rather than
 25 three; 50-foot height limit for the small lots,

1 which are less than 20,000 square; and step
 2 back 15 feet at the fourth story.
 3 MS. MENENDEZ: Right. At the third.
 4 MR. BELLIN: Take a look and see what that
 5 really means. You're going 50 feet. You've
 6 got three stories that you can have.
 7 MS. MENENDEZ: You give them a half, pretty
 8 much. Give them a half.
 9 MR. BEHAR: You could do it. Four stories
 10 in 50 feet.
 11 CHAIRMAN FLANAGAN: Marshall, it's what
 12 they asked for.
 13 MR. BELLIN: Okay. I just don't see why
 14 you --
 15 MR. TRIAS: I mean, I guess the main
 16 difference between the Staff recommendation and
 17 what you're saying is one extra story, without
 18 parking, and then some design ramifications of
 19 that, that we probably need to fine tune a
 20 little bit, in the sense that where is that
 21 setback exactly. Is it 40 feet or --
 22 MR. BEHAR: Well, but it doesn't really
 23 matter. If we've got a limitation of 50 feet,
 24 and you know that you're going to have probably
 25 no less than 10 feet, a little bit more, on the

1 fourth floor, so between 35 and 40 feet, you're
 2 going to have that step back, whenever you have
 3 a four-story, right?
 4 I mean, mathematically it seems to me that
 5 it will make sense --
 6 MR. TRIAS: Okay.
 7 MR. BEHAR: -- if you want to do that, and
 8 add the fourth floor.
 9 MR. TRIAS: That's -- certainly.
 10 MR. BEHAR: Marshall, would you recommend
 11 going beyond 50 feet, above 50 feet?
 12 MR. BELLIN: No. No. What I would
 13 recommend is, take the amount of stories out,
 14 because the limiting factor is 15,000 square
 15 feet for no parking. So if you've got 45 feet,
 16 you've got a retail, whatever it is, on the
 17 ground floor, a restaurant --
 18 MS. MENENDEZ: That's fine. That's the way
 19 its presented here. They don't have stories.
 20 They just say, 50 feet, for parcels of less
 21 than 20,000 square feet.
 22 MR. BELLIN: But three stories for the
 23 parking issue.
 24 MR. TRIAS: Yeah. That's the language of
 25 the BID. The language that Staff had

1 recommended was in terms of stories and also in
 2 terms of height. So it was both.
 3 MR. BELLIN: Yeah. And for me, whatever
 4 you can fit in the 45-foot height, whether
 5 it's three stories or four stories, whatever
 6 you want, but the limiting factor ought to be
 7 the 15,000 square feet.
 8 MR. TRIAS: Yeah. And I think that
 9 probably the best thing to do is, make a
 10 recommendation based on what you believe is the
 11 best approach. We'll take it to the
 12 Commission. And then see how that goes.
 13 We'll probably have to fine tune some
 14 dimensions, I would think, but that's something
 15 that I don't think is a big deal, at this
 16 point.
 17 MR. BEHAR: I understand, Marshall.
 18 Personally, you know, I'm not the maker of
 19 motion, but the second, I'm okay either way.
 20 Probably, whenever you get to the fourth floor,
 21 you have to step it back 15 feet.
 22 MS. MENENDEZ: But you're saying 45 feet.
 23 CHAIRMAN FLANAGAN: No, fourth floor.
 24 MR. BEHAR: Fourth floor, because, you
 25 know, theoretically you could -- in 45 feet,

1 you can get four floors, which is, I think,
 2 what you're saying, that you don't need the
 3 additional five feet.
 4 MR. TRIAS: Mr. Behar, if I understand,
 5 we're talking about 50 feet, four floors, and
 6 the upper story set back 15 feet. Is that --
 7 MR. BEHAR: Yes.
 8 MR. GRABIEL: I agree with that.
 9 MS. MENENDEZ: Yes. Yes.
 10 MR. TRIAS: Okay.
 11 MS. MENENDEZ: Okay?
 12 MR. BELLIN: When it comes to the vote,
 13 I'll let you know how I feel about it.
 14 CHAIRMAN FLANAGAN: No. Now I'm confused.
 15 So what if you go 50 feet with three stories?
 16 MR. TRIAS: You certainly could do that, if
 17 you wanted to.
 18 MR. BELLIN: But what do you accomplish?
 19 If you want to get four stories and four
 20 stories will give him the 3.5 FAR --
 21 MR. TRIAS: Mr. Chairman, in theory, you
 22 could do, let's say, a Mezzanine, right, and
 23 have a two-story space and then have actually
 24 three levels, but then have a Mezzanine on the
 25 top and then you get to the 50 feet. And that

1 I mean, to me, that's a very clear
 2 recommendation.
 3 MR. BELLIN: Okay.
 4 MR. BEHAR: I'll stick to the motion and
 5 the second.
 6 CHAIRMAN FLANAGAN: Okay. All right.
 7 Further discussion? Hearing none, Jill
 8 call the roll, please.
 9 THE SECRETARY: Julio Grabiell?
 10 MR. GRABIEL: Yes.
 11 THE SECRETARY: Maria Menendez?
 12 MS. MENENDEZ: Yes.
 13 THE SECRETARY: Robert Behar?
 14 MR. BEHAR: Yes.
 15 THE SECRETARY: Marshall Bellin?
 16 MR. BELLIN: Yes.
 17 THE SECRETARY: Jeff Flanagan?
 18 CHAIRMAN FLANAGAN: Yes.
 19 Okay. So that was Item Number 5, which was
 20 changing the Zoning Code Text.
 21 We have Item Number 6, which is the change
 22 to the Comp Plan.
 23 MR. TRIAS: That's to allow residential.
 24 CHAIRMAN FLANAGAN: Anybody like to make a
 25 motion?

1 could be a really nice unit at the very top,
 2 for example. So there are many, many
 3 iterations of those dimensions.
 4 MR. BEHAR: But, start thinking about that,
 5 the Mezzanine, in order to count as a
 6 Mezzanine, has to be only one-third of the
 7 floor.
 8 MR. TRIAS: Yes.
 9 MR. BEHAR: So you may not get enough
 10 substance on that Mezzanine to justify it. If
 11 you do a unit that's two stories, you're still
 12 going to count it as a floor.
 13 MR. BELLIN: Yeah, but you don't have to
 14 worry about that if you're going four stories.
 15 It's 45 feet, four stories, you can do that.
 16 You have 15 feet on the first level, which
 17 could be the retail or restaurant, and then
 18 ten, ten and ten.
 19 MR. TRIAS: I think the number of units --
 20 CHAIRMAN FLANAGAN: Marshall, talk into
 21 your microphone, please.
 22 MR. TRIAS: The market could determine the
 23 number of units, within the rules, which is 50
 24 feet, four stories and a step back at the very
 25 top.

1 It's part of the same presentation.
 2 MR. BEHAR: I'll make a motion for
 3 approval.
 4 CHAIRMAN FLANAGAN: This is the change to
 5 the Comp Plan to allow residential in the
 6 commercial Low-Rise District on Giralda.
 7 MR. BEHAR: I'll make a motion for
 8 approval.
 9 MR. GRABIEL: I'll second it.
 10 MS. MENENDEZ: I'll --
 11 CHAIRMAN FLANAGAN: Motion and a second.
 12 Everybody second it. Any further discussion?
 13 Hearing none, Jill call the roll, please.
 14 THE SECRETARY: Maria Menendez?
 15 MS. MENENDEZ: Yes.
 16 THE SECRETARY: Robert Behar?
 17 MR. BEHAR: Yes.
 18 THE SECRETARY: Marshall Bellin?
 19 MR. BELLIN: Yes.
 20 THE SECRETARY: Julio Grabiell?
 21 MR. GRABIEL: Yes.
 22 THE SECRETARY: Jeff Flanagan?
 23 CHAIRMAN FLANAGAN: Yes.
 24 Okay. Item Number 7 on our agenda is an
 25 Ordinance of the City Commission of Coral