

**City of Coral Gables City Commission Meeting**  
**Agenda Item E-7 and E-8 are related**  
**October 25, 2016**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Jim Cason**  
**Commissioner Pat Keon**  
**Commissioner Vince Lago**  
**Vice Mayor Frank Quesada**  
**Commissioner Jeannett Slesnick**

**City Staff**

**City Manager, Cathy Swanson-Rivenbark**  
**City Attorney, Craig E. Leen**  
**City Clerk, Walter J. Foeman**  
**Deputy City Clerk, Billy Urquia**  
**Planning and Zoning Director, Ramon Trias**

**Public Speaker(s)**

---

Agenda Items E-7 and E-8 are related [0:00:00 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 4, "Zoning Districts," adding Section 4-207, "North Ponce Neighborhood Conservation Overlay District," to modify and supplement the existing Multi-Family 2 standards and criteria to allow appropriate infill and redevelopment that preserves and enhances the character of the neighborhood; providing a repealer provision, severability clause, codification, and providing for an effective date. (07 13 16 PZB recommended approval; Vote 7-0)

An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Zoning Map pursuant to Zoning Code Article 3, "Development

---

City Commission Meeting  
October 25, 2016

Agenda Items E-7 and E-8 are related – Ordinances of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code and requesting an amendment to the Zoning Map to create the "North Ponce Neighborhood Conservation Overlay District.

Review”, Division 14, “Zoning Code Text and Map Amendments”, to create the “North Ponce Neighborhood Conservation Overlay District,” for portions of the Douglas Section, Section K, and Section L, Coral Gables, Florida; providing a repealer provision, severability clause, codification, and providing for an effective date. (Legal Description on file with the City) (07 13 16 PZB recommended approval; Vote 7-0)

Mayor Cason: And then we have two items, E-7 and E-8, which are on First Reading.

City Attorney Leen: Mr. Mayor...

City Manager Swanson-Rivenbark: And I’ll ask -- I’m sorry, go ahead.

City Attorney Leen: Okay. Item E-7 is an ordinance. This is an item on First Reading. E-7 and E-8 are related, so the public hearings will be consolidated. Item E-7 is an ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 4, “Zoning Districts,” adding Section 4-207, “North Ponce Neighborhood Conservation Overlay District,” to modify and supplement the existing Multi-Family 2 standards and criteria to allow appropriate infill and redevelopment that preserves and enhances the character of the neighborhood; providing a repealer provision, severability clause, codification, and providing for an effective date. On July 13, 2016 the Planning and Zoning Board recommended approval by a vote of 7-0. Consolidated with this item for purposes of the public hearing is Item E-8; an ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Zoning Map pursuant to Zoning Code Article 3, “Development Review”, Division 14, “Zoning Code Text and Map Amendments”, to create the “North Ponce Neighborhood Conservation Overlay District,” for portions of the Douglas Section, Section K, and Section L, Coral Gables, Florida; providing a repealer provision, severability clause, codification, and providing for an effective date. Legal Description on file with the City. July 13, 2016, Planning and Zoning Board recommended approval by a vote of 7-0. These are both public hearing items on First Reading. I also just

wanted to state for the record there is a home office provision. It will be the first home office provision -- I'm sure Mr. Trias is going to discuss it -- the home office provision in any of our zoning districts. We do have several opinions allowing individuals, professionals, lawyers, doctors, engineers, anyone to list with a Bar certification or a Board certification, their home address. They're allowed to work in their house, like at a computer. What they can't do is see clients. I've issued several opinions on this. They can't see clients. They can't have a material amount of business deliveries. What this Code provision does is it puts a lot of this into the Code itself, but that doesn't mean that it is now not allowed in other areas. It's just the first time it's been formally put into the Code. And I did work with staff in doing that, so, please, if you have any comments also please let me know as well. With that, I would turn it over to Mr. Trias.

Planning and Zoning Director Trias: Thank you. May I have the PowerPoint, please? Mayor, Commissioners, we have been discussing the area of North Ponce for a while, and as you know, we had a lot of public outreach through the process, many, many opportunities for public notification and ideas, et cetera. And we also have followed all the notification requirements for this very specific request. This is one portion of many different things that we've been working on, and I think it's probably one of the most important ones. And what I mean by working on this, as you know, we have been having public meetings for over a year trying to involve the community, trying to discuss it with the different boards, many times with the Commission, et cetera. And to remind you what the overall strategy is, we are proposing that two zoning overlay districts be implemented. And today, you're going to have a chance to vote on one of those. Later on, you will get the second one. The second one deals with Ponce de Leon. Today we're dealing with the conservation district, which is the core area of the North Ponce. In addition, we also have several planning studies and some capital improvements and some community amenities. Today, what we bring to you is two things, two items. One is a map amendment. We are proposing that the conservation district areas be mapped in the Zoning Code, and this is the -- in the dark in this aerial photograph are the two areas -- or the three areas that we believe should be part of this district. Now, the actual geometry of that line, the one particularly at the edge along Ponce de Leon, reflects the other overlay district that we'll bring to you, so that's why the

line is where it is. It reflects the existing conditions, existing zoning, a variety of things. The most important aspect of this conservation district is that it promotes the preservation and enhancement in addition to the older buildings. Now, here in this map where we're seeing the darker color is the pre-1963 buildings. I believe those are going to be the most -- the buildings that are going to have the most benefit from this proposal. Something important to keep in mind also, is that we are having a line -- a boundary added to the Zoning Code, but the zoning designations and the land use designations have not changed. So, whatever is possible today, it remains possible in the future. The proposal is to add some additional incentives and to be able to promote better development, so that is what we're doing today. Then the second aspect, in addition to the map, of this request is to change some of the Zoning Code language. The large buildings, the buildings that are over 20,000 square feet are not affected by this request. As I said, the main focus of this idea is the conservation of the smaller buildings, and that is done through historic benefits. It's done for some requirements in terms of additions and also with some requirements in terms of landscape. And the best way to describe this different request is that most of them are incentives. The landscape, on the other hand, is a requirement that is mandatory for any type of development. So, I think between those two aspects of the request, we are going to have a very, very strong strategy for redevelopment of the neighborhood. The historic preservation benefits, some of them you have dealt with already, such as the bed and breakfast. Some of them, the City Attorney explained very well, such as the home office and live-work, which are additional uses that will be promoted. We also are recommending that museums and preschools and schools are allowed. In terms of parking, I think that's the biggest benefit. There's some provisions for parking waivers and for some remote parking, such as the ideas that you discussed earlier in the meeting, being able to find parking in public parking garages or some other places. So, those are very important, I believe, in order to encourage the development of the existing buildings that contribute to the fabric. In addition, there's some economic incentives, such as the TDR sending sites and some tax exemptions. And finally, there's some allowance for signage, small signage for commercial activities that may happen in the home office or the live-work uses. Now, the Garden Apartment Conservation Program deals with basically the...

Vice Mayor Quesada: Is that the only picture you have of the garden apartments?

Planning and Zoning Director Trias: No, it's not the only one.

Vice Mayor Quesada: Okay.

Planning and Zoning Director Trias: Is there some better one we can use? Certainly, we can...

Vice Mayor Quesada: No, I just want to go through it because I want to discuss it a little bit, but I'll let you finish.

Planning and Zoning Director Trias: Yeah, absolutely. So, there's some Historic Preservation staff review that happens with the exterior architecture, open space, site work, and then some variances that are allowed for additions. In other words, trying to encourage the small-scale additions. Then, we also have some proposals for small-scale construction, and the idea is to update some of the setbacks, some of the ground area coverage and the building height, and especially the parking location, allow this parking management strategy.

Mayor Cason: Let me ask you...

Planning and Zoning Director Trias: Yes.

Mayor Cason: This only applies to future new development, redevelopment? It's not like you have to go plant trees in your front yard, now if you're not doing anything else on your building?

Planning and Zoning Director Trias: Right, right. That's the case.

Mayor Cason: And is it -- what degree of redevelopment of the building triggers these things? I mean, if you knock the whole building down, if you add something? I mean, at what point does this apply to you?

Planning and Zoning Director Trias: I think it applies to any type of construction, any type of addition, or any type of redevelopment of the building in the sense that it's an incentive, in the sense that it allows some things that are not allowed today. So, therefore, it's a benefit for the property owners. And finally, the landscape standards, which are mandatory and those would apply, whether or not one takes advantage of these new standards -- and basically, the idea behind this is to rediscover the garden apartment quality of the neighborhood by having that front yard be as screened as possible. And that is one of the great things about this area. It's relatively dense; most of it is apartments, but they all have front yards and they're all green and they all have landscape and trees. So, to promote and to encourage that I think would be also very beneficial for the future of the area. Staff has reviewed the requirements for these two requests, and we believe that all of the requirements are satisfied, and that they're consistent with the Comprehensive Plan. And staff recommends approval, and the Planning and Zoning also recommended approval.

Vice Mayor Quesada: Alright...

Mayor Cason: Two questions. One, will we decide what kinds of trees? Are we going to encourage shade trees versus palms when we get into the -- or can the developer decide what kind of trees as of right, or could we...

Planning and Zoning Director Trias: Certainly, we can decide that as much as the Commission recommends. At this point, the recommendation is toward shade trees.

Mayor Cason: And the second thing is, just curious, why was the area above -- up to Flagler not included, that other little piece of the Gables that we forget about. Did they want to be in this? Is there something different about those homes why they're not included in this?

Vice Mayor Quesada: You're saying north of 8<sup>th</sup> Street?

Mayor Cason: Yeah.

Planning and Zoning Director Trias: Yeah.

Vice Mayor Quesada: Well, it's more -- it's not a multifamily area. It's a single-family area.

Mayor Cason: So, it's just not relevant?

Planning and Zoning Director Trias: That is the answer. The answer is we dealt with MF-2 properties and they end around 8<sup>th</sup> Street. Now, recently, I've had a chance to work with the neighbors north of 8<sup>th</sup> Street in other issues, and perhaps we could deal with their issues effectively in the near future.

Mayor Cason: I'm just thinking that for the same reasons the ones in this area wanted to have the charrette is they want to keep the character. So, I would think the people up above 8<sup>th</sup> and up to Flagler would also want to keep those single-family homes and (INAUDIBLE) development.

Planning and Zoning Director Trias: That is my impression so far. Like I said, we're working very closely with them recently on some issues that are very serious in terms of parking, in terms of the different commercial uses and so on, so I do anticipate some recommendations for that area.

Vice Mayor Quesada: So -- I'm sorry.

Mayor Cason: Go ahead.

Vice Mayor Quesada: Do you have something else?

Mayor Cason: No, I'm finished.

Vice Mayor Quesada: You're finished or you're not?

Mayor Cason: I'm finished.

Vice Mayor Quesada: Oh, Okay. I misunderstood you. I don't like this. I don't like those apartments. I lived in that area for a short period, and yes, you said something that I do agree with, with the green in front of those apartments. But I think a lot of those multifamily units are tired in design; they're boxy. I don't think they provide the aesthetic, or the character that people have grown to love in the Gables, you know. I remember, maybe two years ago, I think I was the first one to bring up the discussion of looking at North Ponce. I think we have an opportunity there to make it better. I'm not talking high-rises. I'm talking about keeping it low level, the same exact zoning requirements that we have now. But, you know, I see the townhouses that we've been putting up near City Hall. I mean, the ones that come to mind immediately are the Vinnie Torre ones that he's put together. Those are spectacular. I always felt that that area of North Ponce, it would be more attractive for people to do that, you know, to promote that style more. I know we have issues because of either the depth of the lots or the parking requirements...

Planning and Zoning Director Trias: The alleys also.

Commissioner Lago: Yeah.

Commissioner Keon: The alley issue.

Vice Mayor Quesada: And the alleys. I understand. I understand we have problems, but I feel like this ordinance, what's being created is to preserve something that I don't think is within the same look, feel and character of the rest of the City. I feel that one pocket of North Ponce stands out a little bit. And I had my office there and I would walk those streets all the time just because my office was there and I lived there for a little bit. And I don't know, I don't agree with it; I don't.

Mayor Cason: Does this preclude what he is talking about? Something...

Vice Mayor Quesada: No, but what happens is it makes it harder to change away from those current apartments that they have there now to switch it to something -- I guess what we're seeing developed with the townhomes near the Youth Center and near City Hall, which I think most of us like.

Mayor Cason: What does this allow legally? What would this -- I mean, I agree with -- I think they're tired and I -- not for me, very attractive, but could you put something in attractive that sort of fits the low...

Vice Mayor Quesada: No, the point of this is the Garden Apartment Conservation Program. If you look at subsection d of the proposed revision of Section 4-207(d), that's the point of this.

Commissioner Lago: But can I...

Vice Mayor Quesada: What's the definition of a garden apartment?

Planning and Zoning Director Trias: What I would -- Vice Mayor...

Mayor Cason: An apartment that has a garden.

Planning and Zoning Director Trias: What I would say is that -- to your point, is that this is just one portion of the North Ponce, and it's the only area -- and it's a relatively small area. The area that has some of the historic apartments. Keep in mind that the proposal for the mixed use overlay for Ponce de Leon, which is coming soon, proposes a whole different way of -- a whole different intensity of development and a whole different idea of the way the City should be. And these are in very close proximity to that. So, what happens is that I think -- what I would -- I would encourage you to look at it in a more comprehensive way and to see this as an opportunity to keep some of the high-quality buildings that we have in that area. Many of them are not that high quality, I agree.

Vice Mayor Quesada: I guess, you know what comes to mind when I read this -- and I don't know if Commissioner Slesnick said it in a meeting, or I saw it in one of her mail-outs recently, that the recent sales of the homes in Coral Gables are \$1.3 million or \$1.6 million. I forget the exact number. I'm in the...

Commissioner Slesnick: You're in the ballpark.

Vice Mayor Quesada: I'm in the ballpark. I think those people that are looking for those types of homes, they're not looking at this area. They're not looking at these buildings, and that's not -- I just think that this is not sort of in line with the look and feel of the Gables. Yes, I know they've been around for a long time. But just because it's an old building doesn't mean it's a nice building.

Mayor Cason: George Merrick wanted those.

Commissioner Slesnick: They're World War II varieties.

Vice Mayor Quesada: I just -- I don't see it in today's day and age, those -- because I lived in one of those apartments for a short period.

Commissioner Slesnick: Right.

Vice Mayor Quesada: Tiny, little closet. Tiny, little, secluded kitchen. You know, you walk into those apartments and you open a door, and it's, you know, raggedy stairs going up -- not all of them. I'm just saying it was my personal experience. It doesn't feel like Coral Gables. I think that...

Mayor Cason: What is the definition of garden apartment?

Vice Mayor Quesada: And because of that location -- because I think we want -- I think we all want to see the North Ponce area, you know, more people living there, more people walking to downtown. I loved working in that area when I did, on 13<sup>th</sup> and Ponce, because it was so easy. You just jump on the trolley. You go downtown. It's so incredibly easy. If you got to go to downtown Miami to go to court or for whatever it is, it's so easy. And it's nice living there because you're close to everything. So, I just don't think that people are clamoring to live in these garden apartments, so why is it that we're going to continue to conserve them.

Commissioner Lago: Can I...

Mayor Cason: But let me ask again, is what he wants -- and I sort of agree -- is that precluded...

Vice Mayor Quesada: No, it's not precluded, but it makes it more difficult -- for these that are built prior to 1964, and they have the zoning of MF-2, then, yes, it does preclude it for those specific ones. Is that correct?

Mayor Cason: What's your answer?

City Attorney Leen: No. I think it incentivizes them.

Planning and Zoning Director Trias: Yeah. This is an incentive.

Vice Mayor Quesada: Incentive to keep it.

City Attorney Leen: It incentivizes to keep it. It doesn't require us to keep it...

Vice Mayor Quesada: So, to answer your question...

Vice Mayor Quesada: So, to answer your question...

City Attorney Leen: Unless it's historic.

Vice Mayor Quesada: But the Mayor's question is, does this make it more difficult to redevelop into, you know, the townhomes that we're talking about? And the answer to that question is, yes, it does make it more difficult to make that change.

Commissioner Lago: Can I just add -- may I just add one thing, Mayor? There's two issues, and I think Mr. Torre does a spectacular job in reference to his townhomes and they're appropriate in certain areas of the City. Let's be careful with that. The big issue that concerns me here is, if you move in that frame of development where you allow those townhomes here, you're going to get rid of open space. If you look at the townhomes, there's not a lick of grass.

Commissioner Slesnick: No.

Vice Mayor Quesada: I'm looking at it...

Commissioner Slesnick: We need the grass in the front yards.

Commissioner Lago: Okay, but let me just...

Vice Mayor Quesada: You're looking at it in too constrained of a view.

Commissioner Lago: And I want to...

Vice Mayor Quesada: It doesn't mean we can't do a play on that.

Commissioner Lago: But I'm going to go -- let me just finish. I love you.

Commissioner Slesnick: And more trees.

Commissioner Lago: So...

Vice Mayor Quesada: You're working me up.

Commissioner Lago: I work you up. I like that pink, that little pink. It's nice. You wore the -- you look very nice today. So, that's where I tone him down a little bit, you know.

Vice Mayor Quesada: It's not going to work.

Commissioner Lago: So, the reason why I mentioned it is another important component is that, you know, I've met with some of the residents, and I know all we have who have -- who work in the City and they're renters and they lived on Valencia. And those four-plex, six-plex, eight-plexes are now gone because they've gone the way of those high-end, multimillion dollar, one million to one point five million dollar townhouses, which are beautiful, beautiful, by the way. But they have their place in certain areas of the City. I'm afraid that if we start removing a lot of

these smaller, garden-style apartments, the workforce that works in, you know, the law offices, the engineering firms, the construction firms and, you know, the medical buildings, they're going to be forced out of the City. And the few that I've met with, they say, you know, we really enjoy -- what you stated before -- being able to get up, you know, ride the trolley to work. We're a stone's throw away. We really enjoy the safety, the beauty of living in the City, and we kind of feel that we're being pushed out for a higher end product. Which, again, I didn't want to use gentrification, but you're right. But so -- to me, I just want to be careful. I think there's a place for every -- there's a place for every idea in North Gables. That's why, you know, I think it's a great idea that we embarked on this a year ago and we're bringing it to fruition. I just want to be careful how far we push out, you know, the type of product that really is geared to -- maybe the realtor on the Commission should be answering -- but the thousand, fifteen hundred, two thousand dollar a month rent. And I think we need to be very careful because we're going to end up with a city which doesn't have any employees, and I think that's critical.

Mayor Cason: I agree with you on that point.

Commissioner Slesnick: Well, if you were able to afford (INAUDIBLE)...

Mayor Cason: And I mean, it's...

Commissioner Lago: No, just...

Mayor Cason: One of the things that George Merrick wanted to have a city where you could have people from all income levels, different sorts of homes. But I'm just wondering -- I mean, this is an incentive, but can you build -- like I'm still not clear what you can build when you call it a garden -- these are incentives. You're going to have trees in front, if you're going to do any redevelopment, so that takes care of the idea of just being built up to the front. But can you build something "nicer," more modern that fits what the residents wanted and fits the -- whatever the definition of garden apartment is, which for me is you've got a garden in front. I don't know.

Planning and Zoning Director Trias: Yes. What I would say is this, the garden apartment, that term is the 1940s idea of development for that neighborhood. And what I think the main characteristic is that the front yard is green, and I think that's very valuable. That really matters and that has to do with the quality of Coral Gables. And I think that a lot of the larger buildings or the redeveloped buildings in the last, let's say, 20 years or so, lost that front yard. That's gone; it's paved. And that, to me, that's the impact of forgetting about the qualities that were very positive about the early development of that area. Now, what I'm saying is, to you, Vice Mayor, is that I agree with you in the sense that a lot of those are in bad shape. But the reason is is that there's no incentive to make them better. This provides some incentive...

Vice Mayor Quesada: So, what's the incentive that they get?

Planning and Zoning Director Trias: The parking.

Vice Mayor Quesada: Hypothetically, let's say...

Commissioner Slesnick: Less parking.

Vice Mayor Quesada: I am an owner of one of these garden apartments. What -- why do I care about this Code? What does it do for me?

Planning and Zoning Director Trias: Well, if you want to do an addition to your building, for example, it would be impossible to fit the parking.

Vice Mayor Quesada: Okay.

Planning and Zoning Director Trias: It's just not possible. So, what we're saying is, let's be more flexible about parking. Let's allow for a parking management plan. Let's allow for remote parking. Let's allow for those kinds of features that are more urban.

Vice Mayor Quesada: And then...

Planning and Zoning Director Trias: For example...

Vice Mayor Quesada: So, if I wanted to put a third story -- because I know the MF-2 here allows 45 feet or three stories, and I have a two-story garden apartment, the City, under this Code, would allow that individual, that property owner to build a third floor if they...

Planning and Zoning Director Trias: Explain the parking in a way that makes sense.

Vice Mayor Quesada: So, okay, I'm fine with that.

Commissioner Keon: Does this allow...

Vice Mayor Quesada: But again -- and I don't want anyone to mischaracterize what I'm saying. I like the green in front. I like the garden in front. I like the foliage; I like the shade; love all that. That's not my issue. The quality of the buildings and the architectural aesthetics are severely lacking, severely lacking in those buildings. So, what I would say is to put in this...

Planning and Zoning Director Trias: In the '60s and '70s...

Vice Mayor Quesada: Okay, let me just -- perfect, wonderful...

Planning and Zoning Director Trias: Yeah.

Vice Mayor Quesada: But we have an opportunity now, okay, with this to force them to improve the quality...

Planning and Zoning Director Trias: Yes.

Vice Mayor Quesada: If we're going to allow them those additions. For example, we had a long conversation at -- I think it was the last meeting or the meeting before, on the Mediterranean ordinance, with -- it was the project here with -- the architect was...

Commissioner Keon: Henry.

Vice Mayor Quesada: Mr. Behar.

Mayor Cason: Henry.

Commissioner Keon: The Henry.

Vice Mayor Quesada: I think it's page 12 of the book that you put together on the Mediterranean bonus that shows the entrance features, and specifically, it shows the Douglas Entrance. Again, it's page 12. And the entrance that -- it shows all the ornate aspect to it. Now, if we made some of these garden apartments ornate and have some more detail, I think I would be okay with it. I just -- right now, they're just boxes that are sitting there. Yeah, and they have grass in front, but the thing is that grass in front does not make up for the, you know, marshmallow box and they're sitting right next to each other, that do nothing for us aesthetically.

Mayor Cason: Is height...

Vice Mayor Quesada: See what I mean?

Mayor Cason: An issue? A third story an issue with the neighbors there to accomplish what he's saying?

Vice Mayor Quesada: No, but they've always had that right and there are -- some of those buildings are three stories.

Planning and Zoning Director Trias: Right, that's...

Mayor Cason: So, you could build...

Vice Mayor Quesada: That's not an issue. It's been there forever.

Planning and Zoning Director Trias: The issue -- if I can understand what you're saying, Vice Mayor, the issue is that the...

Vice Mayor Quesada: I don't want plain boxes.

Mayor Cason: I agree.

Planning and Zoning Director Trias: The 1920s buildings are really nice, and the 1940s buildings lost a lot of detail. And by the time you get to the 1960s and '70s, they're awful.

Vice Mayor Quesada: They're awful.

Planning and Zoning Director Trias: They're not only boxes, they're on top of parking. They're probably the worst building type that one can come up with. That is what happened with MF-2. Now, I think if you would like some design guidelines, certainly, we can come with some ideas.

Mayor Cason: That's a good idea.

Vice Mayor Quesada: I would like for you to put in this document, in this amendment to 4-207, I want you to make reference to the Mediterranean bonus book that you referenced...

Planning and Zoning Director Trias: Sure.

Vice Mayor Quesada: That you summarized for us because I think if you add -- if you force them to improve the quality of the buildings -- even if it's renters, that's fine, but you got to -- they have to improve the quality of those buildings because some -- I'm telling you, you walk through some of those staircases and you open some of those doors, you feel like you're going to fall through the floor; number one. And number two is, the -- it can't just be a plain box. If they want that third story, they've got to do some design on it that's really going to wow people. So, you really want to drive by or you really want to walk by in front of those buildings. So it's not -- again, the plain boxes, we've all driven through it. You know, you're quick to drive out of there because there's nothing slowing you down because, you know...

Mayor Cason: Could you, between the first and Second Reading, if this were approved, come up with a guide to developers? Because the worst thing would be for them to come back and say, well, I thought I could do this because it was not clear, like we were talking about in Mediterranean, what other elements -- so that it was very clear that we want -- we don't want them to replace a box with a box.

Vice Mayor Quesada: Yeah.

Mayor Cason: We want the green. We want the parking flexibility because it -- that's an incentive. You could go up to three stories, but make something that's beautiful in the context of these 18 pages of drawings.

Commissioner Slesnick: Well, but I don't know if that's going to preclude them from gutting the interior of the building, right?

Planning and Zoning Director Trias: Right.

Commissioner Slesnick: I mean, if you have a four-plex there, they could gut the building and make two -- I mean, two apartments or something.

Planning and Zoning Director Trias: Yes.

Commissioner Slesnick: A townhouse type inside the current building.

Mayor Cason: Yeah.

Commissioner Keon: Yeah. I think that what you're missing in the discussion with regard to the garden apartment is that it's not necessarily the garden apartment of the 1920s or '40s or '60s. It is an attempt to retain the smaller scale building, so that you don't encourage the assemblages of 20,000 square feet of property that you end up then building very large buildings on to accommodate because of the cost and whatever. It encourages people to assemble property and build very large buildings. And so, it sort of maintains that aesthetic of a quieter, calmer urban residential community by asking that there be some green space in the front, by asking that there be trees and whatever along there, so that's really the purpose. And you can't, you know -- the buildings that are -- they're not particularly attractive, but they've been bought mostly as investment opportunities by a lot of people that some live here, some live elsewhere and, you know, they're rental properties. What -- you know, if someone decides to sell that rental property, you know, it can be purchased and they have actually changed the allowable setbacks on those. They've increased -- they have decreased the setbacks, so you can actually build a bigger floorplate on those lots. You can go to three stories, you can. The document encourages courtyards. So, instead of having the front of the building that you come up to being all cement,

it would be that it would sort of, you know, go back to that early aesthetic of a courtyard that is that -- it is Miami. It is the warm weather. I mean, I think it's -- you probably see it in southern California a lot, too. But it's an effort to preserve a more -- a calmer aesthetic. It also allows for -- it will likely allow for increased density. It does allow for home office, which we don't have otherwise. I mean, so I think it allows for a lot of incentives for people, but what you're trying to maintain is the idea of green, the idea of, you know, better type drainage and rain and whatever, that it's not all flowing into your things.

Vice Mayor Quesada: You know something, if we really want to maintain green, why don't we make a requirement if they don't want to make it ornate, that they have to have the ivy on it, or something.

Commissioner Keon: Yeah. I mean, there's lots of things...

Vice Mayor Quesada: The point is...

Commissioner Keon: I think we can do.

Vice Mayor Quesada: They're ugly. They're ugly boxes.

Commissioner Keon: Well, they're ugly now.

Vice Mayor Quesada: And putting more green and more trees, yes, it's an improvement, but it's...

Mayor Cason: It's lipstick...

Vice Mayor Quesada: Still ugly boxes.

Mayor Cason: On the pig.

Planning and Zoning Director Trias: Mayor.

Commissioner Keon: Well, yeah, no, they're not. But I think if you require that they have a courtyard and you require other things, there could be some design standards that could be built into it. But I think it's...

Mayor Cason: I think that's the key.

Commissioner Keon: A move toward...

Vice Mayor Quesada: I want it to be so that -- well, you know something, I have my lunch break. That street's nice. Those buildings are nice. I'm just going to go for a stroll and look at those buildings and walk down that street because it's a nice street. That will never happen now. No one has ever said that now.

Commissioner Keon: Well, you know, there are areas...

Vice Mayor Quesada: Why can't we make some changes to create that kind of situation?

Mayor Cason: Can you come up with...

Commissioner Keon: But I think we are.

Mayor Cason: Some design standards that...

Vice Mayor Quesada: Yeah. I think we need to be a little bit more...

Mayor Cason: Would meet what we're trying to do?

Vice Mayor Quesada: Forceful than this.

Planning and Zoning Director Trias: Yes. And the way that -- if you look at page 5, we do have...

Vice Mayor Quesada: Page 5 of what document?

Planning and Zoning Director Trias: Of the actual language of the ordinance.

Commissioner Lago: Presentation.

Vice Mayor Quesada: I'm sorry. I need the exhibit number.

Planning and Zoning Director Trias: It's -- the ordinance is -- it's Exhibit A, Exhibit A.

Vice Mayor Quesada: Exhibit A.

Planning and Zoning Director Trias: Exhibit A, page 5. We -- I mean, we anticipated some of this concern and we did talk about staff review of exterior architectural features, roof, windows, doors, porches, stucco, decorative features. The language is there, and I think that if you would like more detail in the form of some guidelines, we certainly can come up with something...

Vice Mayor Quesada: You know what we should...

Planning and Zoning Director Trias: By Second Reading.

Vice Mayor Quesada: Start doing -- and this is probably a little odd because I've never seen it in a zoning -- actually, no. I have seen it in zoning codes. Why can't we have a visual example directly in the Code.

Planning and Zoning Director Trias: What a great idea, Vice Mayor.

Commissioner Keon: But we have -- we talked about that...

Vice Mayor Quesada: Why do I note...

Commissioner Keon: At the last meeting.

Vice Mayor Quesada: Heavy sarcasm?

Planning and Zoning Director Trias: No, no, no. That's not sarcasm. I think it's a great idea.

Commissioner Slesnick: I like that idea.

Planning and Zoning Director Trias: We should do it.

Mayor Cason: No, I think -- I mean, what you're getting at is...

Commissioner Slesnick: Samples.

Mayor Cason: One of the kind of things we want to see if and when they're rebuilt -- because some of these people may just keep the boxes for years. But for those that are going to move on...

Vice Mayor Quesada: And look, if these are investment properties...

Mayor Cason: We don't want another box built.

Vice Mayor Quesada: If they're investment properties, they want more doors to rent out, so they're going to want to build that third story. They're going to want to get that additional density.

Mayor Cason: It's going to be competition. Those that don't want to change them are going to find out that people are not going to pay much rents as for the ones that are done that are nicer looking.

Commissioner Keon: Absolutely.

Planning and Zoning Director Trias: No, Vice Mayor, the point I was making is that I've been working for many, many years toward making graphics part of the Code, and I think we should do it. And I'll be happy to bring something to you so -- for your review.

City Attorney Leen: And there are precedents. We have some...

Planning and Zoning Director Trias: Yeah.

City Attorney Leen: Graphics in our Code.

Mayor Cason: Yeah.

City Attorney Leen: So you could do more.

Commissioner Keon: Like what we talked about at the last meeting...

Vice Mayor Quesada: So...

Commissioner Keon: With the Mediterranean Ordinance is potentially adopting the guidelines as part of the ordinance...

Vice Mayor Quesada: We talked about...

Commissioner Keon: Because the guidelines are not now part of the ordinance.

Vice Mayor Quesada: True. You're right. We did discuss that.

Commissioner Lago: We talked about that.

Vice Mayor Quesada: We did.

Commissioner Keon: And we did talk about that...

Mayor Cason: And we had...

Commissioner Keon: Including them, and so that should be another discussion at some point...

Planning and Zoning Director Trias: Sure.

Commissioner Keon: Is whether, you know, do we start including the guidelines that were presented by Planning into the ordinance, so that they become a part of the ordinance.

Vice Mayor Quesada: For the good -- the main...

Mayor Cason: I mean, you want to be...

Vice Mayor Quesada: Aspect of it.

Mayor Cason: Clear and fair to developers, so they don't come and say, well, I did everything you said and now you say I can't have it. I mean...

Vice Mayor Quesada: And actually, you know what's going to happen? There'll be less appeals to us because, you know, look...

Mayor Cason: Yeah.

Vice Mayor Quesada: You saw the picture.

Mayor Cason: So, why don't you make a motion to incorporate this because we have -- you can do this between...

Vice Mayor Quesada: Yeah.

Mayor Cason: First and Second Reading, so...

Vice Mayor Quesada: What the Mayor said. So moved.

Commissioner Keon: And I just also think that you have the potential for some very lovely, very contemporary...

Vice Mayor Quesada: That's fine.

Commissioner Keon: Redevelopment in the area.

Vice Mayor Quesada: That's fine, too, but it still...

Commissioner Keon: So, it's not just...

Vice Mayor Quesada: Got to be...

Commissioner Keon: Ornate, but it's interesting.

Vice Mayor Quesada: But I don't know -- you know what I don't want? I don't want someone to say it's contemporary and it's modern, and it's a flat white wall.

Commissioner Keon: No, Okay. Yeah, I understand.

Vice Mayor Quesada: Because then that's just lazy. That's cheap and...

Commissioner Keon: But that's something that you can -- yeah.

Vice Mayor Quesada: We all lose for that.

Commissioner Keon: Absolutely. But I think it's an opportunity for us to have -- to really create an urban residential...

Vice Mayor Quesada: Absolutely.

Commissioner Keon: Community that we really -- we sort of have...

Vice Mayor Quesada: Yeah, I think about...

Commissioner Keon: Up there, but we -- that we can really make even better. We can allow a little more density. We can allow them to redevelop with -- you know, instead of a four-plex, maybe it's six.

Vice Mayor Quesada: Absolutely.

Commissioner Keon: You know, so it's more affordable housing.

Vice Mayor Quesada: I think about...

Commissioner Keon: So, I think that...

Vice Mayor Quesada: Some of the ornate brownstones that you see in New York in some of the high-end neighborhoods.

Commissioner Keon: Yeah, yeah.

Vice Mayor Quesada: I'm not saying I want a brownstone there. We, obviously, (INAUDIBLE). But those are -- they're beautiful. You want to walk down -- you want to look at the ironwork that they have on the railings, and you want to see the, you know, different materials that they use on the buildings. So, I mean, that -- why can't we do our version of that?

Planning and Zoning Director Trias: We can.

Commissioner Keon: We can. But you know, also, if you go to southern California along Malibu and some of these other places where there are small apartment buildings, they have that same -- it is that -- they're very...

Vice Mayor Quesada: They have character.

Mayor Cason: Yeah, they have character.

Commissioner Keon: They have a lot of character, you know. And some of it is porches. Some of it is -- you know it's the different aspects of it that make them really attractive. It does sort of look back to our past, but it updates, you know, how we can do that and how we can actually make it better and encourage people to invest in them. I would like to say, though, along Ponce from 8<sup>th</sup> Street to Flagler, there are a couple of multi -- small, multifamily historic buildings that maybe at some point we could look at, you know, the ability to look at their transfer of development rights also, so that they can be maintained. They're very -- some of them are very interesting. I mean, they're old and you'd like to -- some of them are worth preserving because of their center courtyard and whatever else that maybe they should be redone.

Commissioner Slesnick: We have a list of those, don't we, the historic...

Commissioner Keon: Dona has all of those. But there are -- I think there's three maybe -- I'm not sure how many, but there are a couple along that corridor that maybe we could take a look at and we could also talk about it at some point.

Mayor Cason: Alright. We...

Commissioner Keon: But I'm very -- you know, I'm happy with what you've done. If you look at -- Frank, I don't know what page this is, I'm sorry to say.

Vice Mayor Quesada: That's okay.

Commissioner Keon: But it shows, you know, what are the changes in the setbacks when you're actually allowed a bigger...

Vice Mayor Quesada: I saw that.

Commissioner Keon: Floorplate.

Planning and Zoning Director Trias: It's page 5.

Commissioner Keon: You know, for them, and reducing, you know, the driveway so you can, you know, redo the parking. And so there's a lot -- I think it's a good start. And I mean, we'll...

Vice Mayor Quesada: Yeah.

Planning and Zoning Director Trias: Yeah.

Commissioner Keon: On Second Reading, we'll have more, and hopefully, there'll be more input. The only thing I would like to talk about just a little bit is about the Douglas corridor.

Planning and Zoning Director Trias: Yes.

Commissioner Keon: I mean, there is not many properties along Douglas that are small at this point, are there? So, I don't know if maybe there is a -- maybe there would be a better height for just Douglas back so far.

Planning and Zoning Director Trias: We...

Vice Mayor Quesada: There's a few.

Commissioner Keon: Or you could talk about that rather than -- also, make Douglas only three-story -- I don't -- you know, Douglas is like...

Planning and Zoning Director Trias: There's some...

Commissioner Keon: A border...

Planning and Zoning Director Trias: Property owners that are having some conversations for redevelopment on Douglas. And I think you're right. We need to have some more clarity on that because...

Commissioner Keon: Right.

Planning and Zoning Director Trias: The opportunity is there to do something very nice. And I think the expectations may be excessive, given some of the development that has gone on in Miami on the other side.

Commissioner Keon: Right. I don't want to say that, but you know, if you continue like the Douglas Entrance, you know, down -- further down along that sort of scale...

Planning and Zoning Director Trias: Yes.

Commissioner Keon: Or maybe a little bit bigger, but not, you know, the size of the one, you know, at the Publix site...

Commissioner Slesnick: You mean, near the Women's Club?

Commissioner Keon: Yeah.

Commissioner Slesnick: Coming down toward the Women's Club?

Commissioner Keon: No. If you're on Douglas -- right, if you're on Douglas on 8<sup>th</sup> Street and you're coming south toward Alhambra, you know, there is some opportunity for redevelopment along there.

Planning and Zoning Director Trias: I think there are...

Commissioner Lago: Next to Galiano.

Planning and Zoning Director Trias: Four blocks or...

Commissioner Keon: Yeah. There's a very -- it's very limited.

Planning and Zoning Director Trias: Yeah.

Commissioner Keon: You know, because most of it has been built out. But you know, maybe it's a little bit -- you know, a little more height may be appropriate, but you will look into that and come back with...

Planning and Zoning Director Trias: Okay.

Commissioner Keon: A recommendation specific to Douglas when you come back?

Planning and Zoning Director Trias: Sure.

Commissioner Keon: Thank you.

Commissioner Slesnick: One thing, Ramon, too, on the home offices, do you have a requirement -- I mean, can you have an assistant or something working with you? Is there -- is that addressed? If you're going to have a home office, you're not looking...

Planning and Zoning Director Trias: I don't believe we addressed that.

City Attorney Leen: I did give you an -- I did issue an opinion on this topic, like a few days ago. And I said, if it was from time to time, yes, as long as it doesn't cause one of the factors...

Commissioner Slesnick: But is that going to be as part of this?

Mayor Cason: It's the traffic I think that we're...

Commissioner Slesnick: It's the traffic.

Mayor Cason: Trying to avoid, a lot of extra cars and...

Commissioner Slesnick: Because sometimes writers need...

Mayor Cason: Deliveries.

Commissioner Slesnick: Somebody to dictate to, or edit or whatever.

Vice Mayor Quesada: Yeah, but you run into a slippery slope there.

Commissioner Slesnick: I know. I just...

Vice Mayor Quesada: How many assistants, you know?

Commissioner Slesnick: Want to know -- no, but -- well, maybe we could limit it.

City Attorney Leen: Better to...

Commissioner Slesnick: It's better to put it in...

City Attorney Leen: With that, I would say it's better to keep that in an opinion, or an implementation, if it's with the staff.

Commissioner Slesnick: I just...

Planning and Zoning Director Trias: We did not address it in the zoning language, but we could if we you...

Mayor Cason: If it becomes a problem, you can always go back and...

City Attorney Leen: Because what happens is -- let's say someone was starting to run a publishing house out of their house...

Commissioner Slesnick: Well, no, no.

City Attorney Leen: Then you would have Code Enforcement -- no, I'm just saying. Then we would have Code Enforcement ticket them, and then that would go to the Code Enforcement Board, and they would apply the standards in the ordinance. So, let's say if someone, from time to time, someone's, you know, writing a book, or poetry or something like that and someone comes to help transcribe, particularly if they need that because there could sometimes -- I don't think in the issue you raised it was a case, but it could be an ADA issue. They may have a right to have someone come and help them.

Commissioner Slesnick: But you can't -- single-family...

City Attorney Leen: So, the...

Commissioner Slesnick: Zoning allows three unrelated adults sharing that property. So, what's to say that somebody's not even living there that's helping that homeowner or whatever? I'm just thinking writers and artists and so forth that need...

City Attorney Leen: Typically, there's a significant amount of discretion granted to Code Enforcement, to the City Manager, to the City Attorney in how we enforce the Code. I don't know if we should -- I mean, that may be something at some point you want to look at, but I -- this particular home office provision, in my opinion, don't really get into situations which are more than something which causes no impact to the surrounding community. If you're going to allow a home office or home occupation ordinance at some point that causes impacts to the community, that's a different question, and that's when you would address these sort of issues, in my opinion.

Mayor Cason: Let me ask if we have any speaker cards, since this is a public hearing.

City Clerk Foeman: No, Mr. Mayor.

Mayor Cason: So we'll close the public hearing. We had a motion from the Vice Mayor. Do we have a second?

Commissioner Lago: So moved.

Mayor Cason: Commissioner Lago seconds. City Clerk. And this is on both E-7 and E-8? We vote on...

City Attorney Leen: Yes. You would do one at a time.

Mayor Cason: E-7 and E-8 together.

City Attorney Leen: One at a time.

Mayor Cason: City Clerk. Oh, one at a time?

City Attorney Leen: Yes. You have to vote on them one at a time.

Mayor Cason: Well, E-7 first. City Clerk.

Commissioner Slesnick: Yes.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Vice Mayor Quesada: Yes.

Mayor Cason: Yes.

(Vote: 5-0)

Mayor Cason: Yes, E-8.

City Attorney Leen: Mayor, I think that we need a separate motion on that.

Vice Mayor Quesada: So moved on E-8...

Commissioner Keon: Second.

Vice Mayor Quesada: With the request to staff to make the revisions as discussed for prior to Second Reading.

Mayor Cason: Okay, the Vice Mayor made the motion. And seconded by?

Commissioner Keon: Second it.

Mayor Cason: Commissioner Keon. City Clerk.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Vice Mayor Quesada: Yes.

Commissioner Slesnick: Yes.

Mayor Cason: Yes.

(Vote: 5-0)

City Attorney Leen: And because E-8 was the map and E-7 is the text, I would assume that the Vice Mayor's instructions would apply to both.

Vice Mayor Quesada: Correct, to both.

City Attorney Leen: Okay.

Commissioner Keon: Yes. I would really like to thank Planning and the Manager, and all of the staff for moving forward with this whole concept because I know that those charrettes -- we have 20 years' worth of charrettes and documents on the North Gables...

Commissioner Lago: North Gables.

Commissioner Keon: That really have never...

Vice Mayor Quesada: It's true.

Commissioner Keon: Moved to fruition. So, I thank you very much for your continuing to work on this and share your ideas and help us move along and...

Mayor Cason: And we're going in the right direction.

Commissioner Keon: Going in the right direction. And you work with the residents that live in that area because you have been, you know, very open and very informative and very good with the residential community in that area to try and -- you know, that we have a vision and that we will, you know, look to fulfill that vision. So, thank you very much.

City Attorney Leen: And Mr. Mayor, I'd like to be very clear, too. The home office provisions do not allow someone -- I want to be very clear about this -- to put a shingle up, but a sign regarding, you know, like they're seeing clients or something like that. It doesn't allow people to have overnight accommodations, unless they comply with the bed and breakfast ordinance, for example. So, Air BnB is not going to be allowed there. Those issues do not change.

Mayor Cason: Okay.