

CITY OF CORAL GABLES
LOCAL PLANNING AGENCY (LPA)/
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
TUESDAY, MARCH 1, 2022, COMMENCING AT 6:02 P.M.

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

City Staff and Consultants:
Ramon Trias, Planning Director
Jill Menendez, Administrative Assistant, Board Secretary
Jennifer Garcia, City Planner
Arceli Redila, Principal Planner
Craig Collier, Special Counsel

Also Participating:

Brett Gillis, via Zoom

1 THEREUPON:

2 (The following proceedings were held.)

3 CHAIRMAN AIZENSTAT: I'd like to call the
4 meeting to order. I'd like to ask everybody to
5 please silence their phones and beepers.

6 Good evening. This Board is comprised of
7 seven members. Four Members of the Board shall
8 constitute a quorum and the affirmative vote of
9 four Members of the Board shall be necessary
10 for the adoption of any motion. If only four
11 Members of the Board are present, an applicant
12 may request and be entitled to a continuance to
13 the next regularly scheduled meeting of the
14 Board. If a matter is continued due to a lack
15 of quorum, the Chairperson or Secretary of the
16 Board may set a special meeting to consider
17 such matters. In the event that four votes are
18 not obtained, an applicant may request a
19 continuance or allow the application to proceed
20 to the City Commission without a
21 recommendation.

22 Pursuant to Resolution Number 2021-118, the
23 City of Coral Gables has returned to
24 traditional in-person meetings. Accordingly,
25 any individual wishing to provide sworn

1 testimony shall be present physically in the
2 City Commission Chambers. However, the
3 Planning and Zoning Board has established the
4 ability for the public to provide comments,
5 non-sworn and without evidentiary value,
6 virtually. Accordingly, only individuals who
7 wish to provide public comment in this format
8 may appear and provide those comments via Zoom.

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

20 As Chairman, I now officially call the City
21 of Coral Gables Planning and Zoning Board
22 Meeting of March 1, 2022 to order. The time is
23 6:02. Jill, if you'd please call the roll.

24 THE SECRETARY: Robert Behar?

25 MR. BEHAR: Here.

1 THE SECRETARY: Alex Bucelo?
2 Claudia Miro?

3 MS. MIRO: Here.

4 THE SECRETARY: Luis Revuelta?
5 Venny Torre?

6 MR. TORRE: Here.

7 THE SECRETARY: Chip Withers?

8 MR. WITHERS: Here.

9 THE SECRETARY: Eibi Aizenstat?

10 CHAIRMAN AIZENSTAT: Here.

11 Notice Regarding Ex Parte Communications,
12 please be advised that this Board is a
13 quasi-judicial Board, which requires Board
14 Members to disclose all ex parte communications
15 and site visits. An ex parte communication is
16 defined as any contact, communication,
17 conversation, correspondence, memorandum or
18 other written or verbal communication that
19 takes place outside of a public hearing between
20 a member of the public and a member of the
21 quasi-judicial Board regarding matters to be
22 heard by the Board. If anyone made any contact
23 with a Board Member regarding an issue before
24 the Board, the Board member must state on the
25 record the existence of the ex parte

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1 communication and the party who originated the
 2 communication.
 3 Also, if a Board Member conducted a site
 4 visit specifically related to the case before
 5 the Board, the Board Member must also disclose
 6 such visit. In either case, the Board Member
 7 must state on the record whether the ex parte
 8 communication and/or site visit will affect the
 9 Board Member's ability to impartially consider
 10 the evidence to be presented regarding the
 11 matter. The Board Member should also state
 12 that his or her decision will be based on
 13 substantial competent evidence and testimony
 14 presented on the record today.
 15 Does any Board Member of the Board have
 16 such a communication and/or site visit to
 17 disclose at this time?
 18 MR. BEHAR: No.
 19 MS. MIRO: No.
 20 CHAIRMAN AIZENSTAT: Item E-2 is a
 21 quasi-judicial item that is on the agenda. Is
 22 there anybody here who will be speaking on Item
 23 E-2? If so, we will ask you to be sworn in.
 24 MR. COLLER: In this case, I believe just
 25 Staff would be the only one to be sworn in for

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1 had a chance to review those?
 2 MR. BEHAR: I make a motion to approve.
 3 CHAIRMAN AIZENSTAT: We have a motion.
 4 MR. TORRE: I'll second.
 5 CHAIRMAN AIZENSTAT: We have a second by
 6 Venny.
 7 Any comments?
 8 Call the roll, please.
 9 THE SECRETARY: Claudia Miro?
 10 MS. MIRO: Yes.
 11 THE SECRETARY: Venny Torre?
 12 MR. TORRE: Yes.
 13 THE SECRETARY: Chip Withers?
 14 MR. WITHERS: Yes.
 15 THE SECRETARY: Robert Behar?
 16 MR. BEHAR: Yes.
 17 THE SECRETARY: Eibi Aizenstat?
 18 CHAIRMAN AIZENSTAT: Yes.
 19 The procedure that will be used for
 20 tonight's meeting is as follows: First, we'll
 21 have the identification of the agenda item by
 22 Mr. Coller, presentation by Staff and
 23 presentation by applicant or agent, in this
 24 case Staff is doing the presentation. Then
 25 I'll go ahead and open it for public comment,

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1 that item, unless there's somebody in the
 2 audience that is going to be testifying on E-2.
 3 (Thereupon, the participant was sworn.)
 4 MR. TRIAS: I do.
 5 CHAIRMAN AIZENSTAT: Thank you.
 6 Everyone who speaks this evening must
 7 complete the roster on the podium. We ask that
 8 you print your name clearly, so the official
 9 records of your name and address will be
 10 correct. We also ask, if there's anybody that
 11 wants to speak -- via Zoom, I'll ask any person
 12 wishing to speak on tonight's agenda items, to
 13 please open their chat and send a direct
 14 message to Jill Menendez, stating you would
 15 like to speak before the Board, and include
 16 your full name. Jill will call you when it's
 17 your turn. I'd ask you to be concise, for the
 18 interest of time.
 19 Phone platform participants, after the Zoom
 20 platform participants are done, I will ask
 21 phone participants to comment on tonight agenda
 22 items. I'd also ask you to be concise, for the
 23 interest of time.
 24 Next we have the approval of the minutes of
 25 the February 9th, 2022 meeting. Has everybody

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1 first in Chamber, then Zoom platform, and then
 2 the phone line platform. Afterwards, we'll
 3 close the public comment, have Board
 4 discussion, a motion, further discussion, and a
 5 second of the motion, and then Board's final
 6 comments and a vote, if necessary. Thank you.
 7 Mr. Coller.
 8 MR. COLLER: Item E-1 and E-2 are related,
 9 so I'm going to read both in.
 10 Item E-1, an Ordinance of the City
 11 Commission granting approval of proposed
 12 amendments to the text of the City of Coral
 13 Gables Comprehensive Plan, pursuant to
 14 expedited state review procedures, and Zoning
 15 Code Article 14, "Process," Section 14-213,
 16 "Comprehensive Plan Text and Map Amendments;"
 17 to provide that the maximum number of floors in
 18 the Comprehensive Plan shall not apply to any
 19 Planned Area Development upon City Commission
 20 approval, and to allow an additional height
 21 bonus in return for limiting density for
 22 qualifying Planned Area Developments within the
 23 Central Business District; providing for a
 24 severability clause, repealer provision, and
 25 providing for an effective date.

1 Item E-2, an Ordinance of the City
 2 Commission providing for text amendments to the
 3 City of Coral Gables Official Zoning Code,
 4 Article 2, "Zoning Districts," Section 2-500
 5 "Planned Area Development," (PAD) to provide
 6 that upon City Commission approval, the maximum
 7 number of stories in any PAD shall not apply;
 8 and to create a "Height Bonus to PAD Minimum
 9 Development Standards in the Central Business
 10 District" providing additional height with a
 11 limit of density for qualifying properties upon
 12 City Commission approval, providing for
 13 severability clause, repealer provision,
 14 codification, and providing for an effective
 15 date.
 16 Items E-1, E-2, public hearing.
 17 CHAIRMAN AIZENSTAT: Thank you.
 18 Mr. Trias.
 19 MR. TRIAS: Mr. Chairman, you have seen
 20 these items before and you voted on them.
 21 However, it's necessary to have a vote for or
 22 against -- the last vote was two-two -- in
 23 order to forward the Comprehensive Plan
 24 Amendment to the State. So that's why it's
 25 here before you again. If you have any

1 questions, I'll be happy to help, but nothing
 2 has changed as far as the content of the
 3 request.
 4 A little bit extra height to 205 feet, in
 5 certain areas of the Downtown, with a limit of
 6 100 acres (sic) of density.
 7 CHAIRMAN AIZENSTAT: Any other --
 8 MR. TRIAS: That's it. I'm done. I think
 9 most of you are familiar with it, so I don't
 10 want to -- but if you have any questions, I'll
 11 be happy to answer them.
 12 MR. BEHAR: I do have a question.
 13 CHAIRMAN AIZENSTAT: Yes, please.
 14 MR. BEHAR: I don't agree with -- and I
 15 think -- I wasn't here the last time this came
 16 up, but I saw it on TV. I don't agree that we
 17 should be limiting the density in the CBD
 18 area -- on the contrary, that's where you want
 19 the density -- to a minimum.
 20 What I think this is doing is, it's seeking
 21 that if you give the caveat of a hundred units
 22 per acre, you could go up to 205 feet, 6
 23 inches, right?
 24 MR. TRIAS: Yes. Sir.
 25 MR. BEHAR: It says, "Current number of

1 stories," you're at 14, 16 -- 14 with Med I, 16
 2 stories with Mediterranean Level II bonus.
 3 This will have no limit on the number of
 4 stories.
 5 MR. TRIAS: For a PAD.
 6 MR. BEHAR: For a PAD.
 7 MR. TRIAS: Yeah. So there's a few moving
 8 parts here. One of them is, this does not
 9 affect the current regulations. If you are not
 10 taking advantage of this, you can still do
 11 unlimited density, within the rules. Clearly,
 12 there's a limit eventually. But the second
 13 issue is that it only applies to PADs.
 14 MR. WITHERS: Wait. Say that again. What
 15 did you say about height?
 16 MR. BEHAR: If you are doing a PAD in which
 17 you're limiting it to a hundred units per acre,
 18 you could go up, from 190 feet 6 inches, to 205
 19 feet 6 inches. You get an extra 15 feet.
 20 MR. WITHERS: To the roof -- to the roof
 21 line, not to the --
 22 MR. BEHAR: Not to the architectural
 23 treatment or whatever.
 24 MR. TRIAS: Correct. Correct.
 25 MR. BEHAR: To the roof deck.

1 MR. WITHERS: Okay.
 2 MR. BEHAR: Okay. So, essentially, you're
 3 getting 15 feet more.
 4 MR. WITHERS: But I thought the argument
 5 for that was higher ceilings and grandeur
 6 spaces and higher retail -- two-story retail on
 7 the bottom and things like that. We talked
 8 about more pedestrian amenities in exchange for
 9 that. I think that was your thoughts on it,
 10 wasn't it?
 11 MR. BEHAR: Yeah. I mean, you're going to
 12 get -- you've got no limits. What I'm -- I'm
 13 okay going to 100 and -- I mean, going to 205
 14 feet. What about if somebody comes in and
 15 says, I want to do 19 stories now?
 16 MR. TRIAS: That's something that somebody
 17 could do. But in addition, in the update that
 18 we had recently, there was a minimum height for
 19 the ground level. So there are some other
 20 limits.
 21 MR. BEHAR: But if you do currently -- in
 22 190, you could do 17 stories at 10 feet, that's
 23 170.
 24 MR. TRIAS: Sure.
 25 MR. BEHAR: And you don't need it so much

1 for the parking. And then you could do 20 feet
2 for the ground floor, right?

3 MR. TRIAS: Right.

4 MR. BEHAR: What I think this is doing is
5 opening up the possibility to go for an extra
6 story, 19 stories.

7 MR. TRIAS: The other issue is that it's a
8 PAD, so it's discretionary, it's reviewed. The
9 Commission may say, yes; may say, no; so it's
10 not by right, by any means.

11 MR. TORRE: But what really matters is the
12 FAR. Truly, the impact of a property, a
13 project, is really because of the FAR. The
14 heights are not so impactable. The FAR is
15 what's here. The FAR is not being challenged
16 or changed by this. Basically, one particular
17 project could be 300,000 feet.

18 MR. TRIAS: Right.

19 MR. TORRE: To massage the size of the
20 units, you're reducing it, leaves the square
21 footage to go towards the office side. You're
22 shrinking the density. You're shrinking the
23 amount of units. You're not shrinking the FAR.
24 In a sense, what you're doing is, you're
25 creating more of an impact from the Commercial

1 part of the project than you are from the
2 Residential part of the project. And I think
3 the intent, from what I understand it, was
4 to -- in the guise of the proposal, was to
5 reduce impact on the streets and traffic, which
6 I don't believe that's the way I feel it about
7 it, but that's the objective.

8 If you take it, and don't reduce the FAR,
9 and you push it all over towards the
10 Commercial, in reality, you got people driving
11 in the morning, driving at five o'clock and
12 creating that middle day traffic, which is less
13 impactable -- or, I should say, more impactable
14 than the morning person that leaves at 7:00 or
15 8:00 and comes back at 5:00 and then parks her
16 car. So there's too much of an impact by
17 shifting towards the Commercial, if the FAR is
18 not affected.

19 So I think there was a motion here to help
20 a project, which I believe is a good project,
21 so I've been very voiced -- you know, my voice
22 has been loud, that density in the Downtown
23 should not be reduced. It's something that I
24 don't quite believe is the right way of doing
25 it.

1 I'm prepared to vote for this to go
2 forward. I don't think that the impact of this
3 change is going to make any real impact. You
4 have to have one acre, in the middle of
5 Downtown, to do a PAD. I think that the
6 overall impact is not going to be in any way,
7 shape or form impactable for us.

8 And, again, big units would be great. They
9 rent for more money. Economies change, and,
10 then, when you have three or four thousand
11 square feet, they sell for a lot more money.
12 Now, that may be good in an economy, but it may
13 not be good in another economy. So it doesn't
14 matter. These things may happen today, but
15 five years from now, nobody may want to build
16 bigger units. So it doesn't, to me, make a big
17 impact.

18 I've been against it. I'm prepared to make
19 this vote go forward. I'd like this project to
20 go forward and I know this is attached to one
21 particular project.

22 CHAIRMAN AIZENSTAT: If I may, what I'd
23 like to do is recognize that Luis has joined
24 our meeting, if you could please count him in.

25 MR. TRIAS: The project is scheduled for

1 next week.

2 MR. BEHAR: Look, and I agree with you. I
3 think this is a good project going forward, and
4 I don't have a problem -- and, Chip, going --
5 if you were to do higher ceilings, okay. I
6 think that would be -- if you have big units --
7 bigger units, you want to have higher ceilings.
8 We're all in favor of that.

9 I just don't want to see trying, you know,
10 to circumvent later and say, I want to do low
11 ceilings to get higher --

12 CHAIRMAN AIZENSTAT: Hire density.

13 MR. BEHAR: -- higher -- even though -- but
14 this only limits it to a hundred units per
15 acre, right. You can never do that. Look, I
16 answered my own question.

17 CHAIRMAN AIZENSTAT: What I'd like to do,
18 let's go ahead and open it to the public. Is
19 there anybody here that would like to speak on
20 Items E-1 or E-2?

21 Jill, do we have anybody on Zoom?

22 THE SECRETARY: Yes, we do.

23 CHAIRMAN AIZENSTAT: How many speakers?

24 THE SECRETARY: One.

25 CHAIRMAN AIZENSTAT: Go ahead, please.

1 THE SECRETARY: Mr. Gillis?
 2 MR. GILLIS: Hello, my name is Brett
 3 Gillis, and I'm calling because -- yes. Can
 4 you hear me?
 5 THE SECRETARY: Can you please state your name?
 6 MR. GILLIS: My name is Brett Gillis.
 7 CHAIRMAN AIZENSTAT: With your address,
 8 please.
 9 MR. GILLIS: 915 Ferdinand Street, Coral
 10 Gables.
 11 CHAIRMAN AIZENSTAT: Thank you. Go ahead,
 12 please.
 13 MR. GILLIS: Okay. Hello, everybody. I'm
 14 calling, because I have a question for Staff,
 15 because we're talking about how it seems like,
 16 you know, you're talking about the properties
 17 that are increasing from the Commercial
 18 High-Rise, that it could go up to 205.5 feet,
 19 but it looks like, within the Central Business
 20 District, there are properties that are still
 21 Zoned Low and Mid-Rise. So that's only 50 or
 22 70 feet. So I wanted to know how this would
 23 impact those properties, especially in the area
 24 bordering the Crafts Section.
 25 CHAIRMAN AIZENSTAT: We'll go ahead and ask

1 project -- the Zoning Codes evolve.
 2 As far as the Zoning and the Land Use, it
 3 has -- obviously, the Land Use has to allow for
 4 this, and if it doesn't, then it doesn't, and
 5 what happens is that this is for a very
 6 specific area in the Central Business District,
 7 for very Specific Conditions, for a PAD, which
 8 has to be an acre, and the idea is that the
 9 limited density could be seen as a benefit for
 10 development in that area. That is what the
 11 Commission believes.
 12 MR. WITHERS: When you say, "Limited
 13 density," you mean that instead of having three
 14 two-bedroom apartments, where there's six cars,
 15 you have one six-bedroom apartment, with two
 16 cars? Is that what you mean by limited
 17 density?
 18 MR. TRIAS: That's one way to look at it,
 19 yes.
 20 MR. WITHERS: No, I mean, was that the
 21 intent of the Commission? I mean --
 22 MR. TRIAS: That's the way I understand it,
 23 yes.
 24 MR. WITHERS: So the FAR is not changing.
 25 MR. TRIAS: The number of units is what's

1 those questions to Staff.
 2 Do you have any other comments based on E-1
 3 or E-2?
 4 MR. GILLIS: Mainly not a question, but my
 5 comment, just from a philosophical standpoint
 6 would be that we've just had a Zoning Code
 7 re-write or update that was supposed to resolve
 8 a lot of these Zoning issues, and it seems like
 9 every month the agendas keep getting bigger,
 10 with more amendments and more proposals. So
 11 I'd also like Staff to address that, why, after
 12 the Zoning update that was supposed to resolve
 13 these issues, why are we still having these
 14 cases come up and tailoring the Zoning Code to
 15 it, after we've had a complete overhaul that we
 16 paid a consultant a tremendous amount of money.
 17 Thank you.
 18 CHAIRMAN AIZENSTAT: Thank you, sir.
 19 MR. TRIAS: This was an idea proposed by
 20 the City Commission, discussed by the City
 21 Commission. It was approved by the City
 22 Commission. This is something that happened
 23 after the update. So that is normal. That
 24 happens all of the time. I mean, people come
 25 up with new ideas and that's the way the

1 used to quantify the impact usually, in terms
 2 of traffic, trips, in terms of parking, et
 3 cetera. So, less units, in theory, will be
 4 less impact. In fact, that's the thinking,
 5 yeah.
 6 MR. WITHERS: Right. That's the --
 7 MR. TRIAS: Yeah.
 8 MR. TORRE: My point is, if the units make
 9 up too much square feet, bigger units, smaller
 10 units, all of that goes to the Commercial.
 11 It's not changing the total map.
 12 MR. WITHERS: Correct.
 13 MR. BEHAR: I mean, technically you're
 14 right. You could do a hundred units, okay, and
 15 you could do 100,000 square feet of office,
 16 right?
 17 MR. TRIAS: Yeah. You could have TDRs and
 18 get to 4.375, and your scenario is realistic,
 19 yes.
 20 MR. BEHAR: And you're not going to
 21 decrease the intensity of that project. On the
 22 contrary, you're going to increase it.
 23 In theory, it's good, because you're
 24 reducing density in that area.
 25 MR. TRIAS: Just like anything, and this is

1 not a theoretical exercise, you are going to
2 get a project, based on that, next week, so
3 there's a way to test some of these ideas and
4 to see what -- if one of the intents could be,
5 and I think, in that case, in that project, the
6 idea was to do large units. So the number of
7 units was not the issue. The FAR will remain
8 large, but the number of units was decreased,
9 compared to some other Downtown projects.

10 MR. TORRE: The project, I feel, is fine,
11 and I think, the height issue, to me, doesn't
12 become a real issue. It's what's given as an
13 incentive and a trade.

14 MR. TRIAS: Yeah.

15 MR. TORRE: So the trade here, I think you
16 have it in your paperwork, is four or five
17 things that have to be provided for to get the
18 approval.

19 MR. TRIAS: There's additional green space
20 at the ground level, Med Bonus, and the 100
21 units per acre cap. I think that's basically
22 it.

23 MR. TORRE: Right. And I think that what I
24 would prefer, and, again, that's a proposal and
25 I disagree with it, that's fine, is that we

1 focus on the quality of what's on the ground
2 floor, that we provide for very interesting
3 places to walk by, places that are active, and
4 that should be more the incentive. And the
5 quality of what you see and touch on the ground
6 floor could be a real good incentive. It could
7 be product, it could just be other things.
8 That's just a different way of looking at it,
9 but, again, that's just the way I perceive it.

10 MR. TRIAS: And I think that, in Coral
11 Gables, in particular, most of the projects do
12 such a good job at the ground level that we
13 take it for granted, almost, that that stuff is
14 going to happen. You'll see what this project
15 is doing --

16 MR. TORRE: No. No. But here's where this
17 is going. So we're doing a lot of projects
18 that are a full block.

19 MR. TRIAS: Yes.

20 MR. TORRE: They just tend to be that way,
21 because the incentive is to do big projects.
22 Economically speaking, that's what's driving
23 the developments and so is our Code, it
24 incentivizes 200 feet plus, plus.

25 When you do that, the blocks become very

1 hard to make them as interesting as the smaller
2 parcels that we're knocking down, that are
3 interesting because you walk by an attorney,
4 you walk by different things. Here you have
5 one person creating a streetscape from end to
6 end, that has control of what that looks like,
7 and, again, it could be blank walls, it could
8 be -- I passed by Mercedes Benz, not that
9 that's a good example, but you wouldn't want to
10 be very bored walking past Mercedes Benz,
11 because there's nothing to look at. It's a
12 peril. It's a bad example. But the incentive
13 could be to have active, interesting ways to
14 walk down the CBD.

15 And it's not because of anybody else, this
16 is the Central Business District, that it
17 should be interesting to walk past the first
18 block or the second block, so Aragon or
19 Andalusia or Sevilla. It should be interesting
20 blocks, if you could make them so, versus not,
21 if you could make them so.

22 MR. TRIAS: We try. We try really hard.

23 MR. TORRE: Exactly. And that's all I'm
24 saying, is that that would be a great incentive
25 to try to continue to have that feeling of it's

1 interesting.

2 MR. TRIAS: The issue is whether or not the
3 Zoning Code is the right tool to do those
4 things, and in my view, the Zoning Code is very
5 limited in what it can do in terms of quality.
6 On the other hand, the review by the Board of
7 Architects or even the review of Staff, which
8 apparently no one takes into account anymore,
9 that really allows the projects to implement
10 the things that you're talking about. It's
11 about design, and design is a different set of
12 scales than what you find in the Zoning Code,
13 in terms of the Code, as you well know. I
14 mean, I'm not saying something new.

15 MR. TORRE: But here's the thing, when you
16 did the Design area, I forget the area that you
17 called -- the Design Innovation area --

18 MR. TRIAS: Innovation and Design District.

19 MR. TORRE: -- there are things you did
20 there to create -- glass had to be lower, you
21 have to have certain things like that, to make
22 sure that those things were being done. It
23 wasn't like -- this is not knew. You actually
24 did it.

25 MR. TRIAS: Certainly we can do more, and

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1 one of the things that we have been able to do
 2 is implement the minimum height, that is a
 3 little bit higher, for the ground level, which
 4 allows for the higher quality retail. So, I
 5 mean, this can be done, but as you well know,
 6 we went through the update -- you all went
 7 through the update also -- and my goal was to
 8 really create a lot of the tools that will be
 9 useful, and at end we ended up with many
 10 things, but not everything that I think will be
 11 needed.

12 So there's a point in which the process
 13 limits the ability to do many of those things.
 14 So that's just the way it is.

15 MR. TORRE: There's good intentions here
 16 and I appreciate the good intentions, right.
 17 So the project has some great aspects to it.
 18 The height is great and so forth. I think that
 19 the proposal, to give the incentive on density,
 20 is against what I believe -- I believe -- my
 21 personal opinion.

22 MR. TRIAS: And you made that very clear.

23 MR. TORRE: Right, and that's how I'm
 24 judging it. Otherwise, I think the project is
 25 fine and I think that this doesn't really

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1 massing around, which I thought was one of the
 2 big intentions of having it.

3 MR. TRIAS: And those are probably the best
 4 PADs, the one that have --

5 MR. WITHERS: Yeah, five or six buildings,
 6 yeah.

7 MR. TRIAS: Or twenty buildings.

8 MR. WITHERS: Or twenty, right.

9 MR. TRIAS: You know, yes, I like those.
 10 In fact, we had one recently, right, and what
 11 happens is that then there's the one that has
 12 three buildings, like the 2020 Salzedo --

13 MR. WITHERS: Right.

14 MR. TRIAS: -- and then there was that one
 15 building --

16 MR. WITHERS: Like the one we had over just
 17 north of the Youth Center there, that was
 18 probably a pretty good example of it.

19 MR. TRIAS: Yeah. And some of them have
 20 been Residential mostly, and some of them have
 21 been large buildings. So that is the nature of
 22 the process. And what happens is that, in this
 23 case, this emphasizes or this leads to larger
 24 buildings. I believe that's true. And that's
 25 something that we all need to consider.

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1 change a lot.

2 MR. TRIAS: I think that's the role of the
 3 Planning and Zoning, to make those points.

4 MR. TORRE: Yeah.

5 MR. TRIAS: And, equally, the Commission
 6 has made it very clear that this is what they
 7 support.

8 MR. TORRE: Understood.

9 MR. WITHERS: I have a philosophical
 10 question, kind of picking up on what Brett
 11 said. I always thought that a PAD was always,
 12 when you had a site, you had multiple buildings
 13 on it, and you wanted to move massing to one
 14 side of it to make it more accommodating either
 15 for traffic flow or design. So how does a PAD
 16 really work when you only have one building?

17 MR. TRIAS: Well, it --

18 MR. WITHERS: I mean, why don't we just
 19 give a variance? I mean, I'm serious about
 20 that. I mean --

21 MR. TRIAS: What are the public benefits?
 22 Well, the extra open space at the ground level
 23 and the ability -- and maybe the ability to
 24 design --

25 MR. WITHERS: But you're not really moving

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1 Now, large buildings in the context of
 2 Coral Gables, not in the context of, let's say,
 3 Brickell Avenue.

4 MR. WITHERS: I understand.

5 MR. TRIAS: So, you know, within the rules --

6 MR. WITHERS: So, as a tool, is the PAD a
 7 good use for a single building site?

8 MR. TRIAS: I don't think it's the ideal.
 9 I mean, I think that what happens with a PAD is
 10 that it may give you some breaks, as far as the
 11 setbacks or step backs, which, if done
 12 skillfully, is wonderful, but if it's not done
 13 skillfully, then you have the issue that, okay,
 14 what is the public benefit, in terms of design?

15 That is why we have a process that focuses
 16 only on design, which is the Board of
 17 Architects. If properly applied, I think
 18 that's the best way to address those issues,
 19 but we all need -- it's a team effort. I mean,
 20 everybody has to work on it, and each of the
 21 Boards has a role to play.

22 So what I'm bringing to you is what the
 23 Commission has --

24 MR. WITHERS: I know. I read their
 25 minutes, and I understand.

1 CHAIRMAN AIZENSTAT: Jill, do we have any
 2 other speakers?
 3 THE SECRETARY: No, we don't.
 4 CHAIRMAN AIZENSTAT: Okay. At this time,
 5 let's go ahead and close it for public comment.
 6 Chip, do you want to continue?
 7 MR. WITHERS: I'm done.
 8 CHAIRMAN AIZENSTAT: Luis.
 9 MR. REVUELTA: I have a couple of
 10 questions. I'm sorry I was late.
 11 Is this -- Luis Revuelta -- is this 205.5
 12 change specific to this project only or this is
 13 a generic Code change?
 14 MR. TRIAS: It's a generic Code change that
 15 is inspired by an example that will be coming
 16 before you.
 17 MR. REVUELTA: So this is, in essence,
 18 reverse engineering, reverse Zoning. And I
 19 have expressed this before, I have a major
 20 problem when I read a Code and I see a number
 21 that I say, who came up with this number?
 22 Obviously, we know how this number is coming
 23 about, so I don't have a problem with the
 24 project. I think, like Venny, I don't have the
 25 same issue that he has of giving up density for

1 building have right now?
 2 MR. TRIAS: The one proposed for next week?
 3 MR. REVUELTA: The one proposed, yeah.
 4 MR. TRIAS: 18.
 5 MR. REVUELTA: 18?
 6 MR. TORRE: The project would have to be
 7 skinny, to go up, to the extent that the mass
 8 has to be --
 9 MR. REVUELTA: And, frankly, I think one of
 10 the things a Zoning Code should do is give some
 11 flexibility to an architect and developer to
 12 come up with a different massing. Like some
 13 guys say, "Well, I want to go 20 stories, but I
 14 want to do a shorter building." That would be
 15 a good thing, I think. As long as the FAR is
 16 not changing, as long as density is not
 17 changing -- density and intensity are not
 18 changing.
 19 I think, to put on the Ordinance, a number,
 20 that to me makes sense, and this one doesn't
 21 make sense, but a number of stories to guard
 22 ourselves from somebody going crazy or not
 23 sensitive or skillfully, but give that
 24 flexibility, that if somebody wants to do a
 25 smaller envelope, but a little bit taller, I

1 height, but I strongly feel that this should be
 2 a number, 200 feet, and I know that they can
 3 make this project work with 200 feet. This
 4 205.5 frankly is driving me nuts, but, you
 5 know, I might be the only one.
 6 Because I see this in Codes all of the time
 7 and it's like total reverse political urban
 8 planning or whatever, you know, it is. So
 9 that's one question that we can debate or put
 10 to death.
 11 The other one is what Robert mentioned, if
 12 this project is of height -- what is the
 13 maximum stories that you can put under this
 14 Zoning classification or a PAD? Is it 20
 15 stories, is it 21, is it 17? I don't know if
 16 everybody knows that. I'm sorry if I'm
 17 ignorant about it, but I'd like to know,
 18 because I think there also has to be, to your
 19 point, a certain limit that people don't decide
 20 to somehow squeeze --
 21 MR. TRIAS: Possibly you could add a
 22 maximum number of stories as part of the
 23 recommendation that you make, which in this
 24 case probably be will be 18.
 25 MR. REVUELTA: How many stories does this

1 would be comfortable with 20 stories and 200
 2 feet --
 3 MR. TRIAS: Right. That's --
 4 MR. REVUELTA: -- if you do X, Y and Z.
 5 MR. TORRE: You're the architects, right.
 6 You both would know if is this best. If you
 7 have the same FAR and you're not putting more
 8 floors, you do have to cram it. You have to
 9 squeeze it, right. So, as long as it looks
 10 right, is there a problem? I mean, I'm not
 11 saying --
 12 MR. TRIAS: But the issue is that the FAR
 13 really becomes 4.375. Really, that's what
 14 happens, because of a TDR. So it's a
 15 significant amount of FAR. If it was limited
 16 to 2, for example, it's different, which is not
 17 the case. I mean, the case is 3, 3.5, 4.375.
 18 MR. REVUELTA: Those are my comments.
 19 CHAIRMAN AIZENSTAT: I agree with Venny,
 20 that I think the streetscape is very important,
 21 especially when you're taking such large areas
 22 and creating, from block to block, one building
 23 or one project. For example, in the last
 24 project that we saw, there were some elements
 25 to the ground floor that created a nice

1 division, that created sort of like a
 2 streetscape.
 3 MR. TRIAS: Sure.
 4 CHAIRMAN AIZENSTAT: And I like that, but
 5 there were a lot of people that were against
 6 that, didn't like that. It wasn't part of
 7 their way of looking at it.
 8 You know, I would leave it up to the Board
 9 of Architects as to whether it needs to be 20
 10 feet high for the Commercial and 10 feet or
 11 leave it up to the architects that are with us,
 12 but I do feel that it's important to do a
 13 streetscape, especially in a project of this
 14 magnitude, from the way it sounds. I think
 15 that's critical.
 16 You've got to see what you give to the
 17 public that walks by. And Venny gave a really
 18 little good example. I mean, it's not to pick
 19 on Mercedes or anything like that, but you want
 20 to have an element, and an element not only of
 21 design, but something that gives back to the
 22 neighborhood, whether it's an open space, it
 23 benefits the public also, and so forth. I
 24 mean, that would be something very nice.
 25 MR. TRIAS: No, absolutely, and like I

1 architects. Are there any recommendations,
 2 that you see, that we could make at this point
 3 with this project?
 4 MR. REVUELTA: I would make it maximum 200
 5 feet, maximum 20 stories, and if Venny or
 6 anyone wants to add something about additional
 7 public benefits to the --
 8 MS. MIRO: Streetscape?
 9 MR. REVUELTA: -- ground level, I'd be
 10 willing to --
 11 MR. TORRE: I'm not sure of the wording,
 12 brings forth exceptional ground level
 13 architecture and streetscape appeal? I don't
 14 know what the right term is, but --
 15 MR. TRIAS: I mean, if you think about the
 16 two streetscapes that we have that are nice,
 17 Miracle Mile, I would say, and Giralda, those
 18 were projects, those were not Zoning language.
 19 So there's a distinction or a range, from a
 20 project, to Zoning, and somewhere in between.
 21 Certainly we can have some more
 22 recommendations, but, I mean, at this point, 20
 23 stories, I think that would be too many, I
 24 mean, frankly.
 25 MR. BEHAR: I would agree. I

1 said, right now we have five percent in
 2 addition to the PAD of 20 percent. So that's
 3 one of the public benefits.
 4 CHAIRMAN AIZENSTAT: Okay.
 5 MR. TRIAS: Now, clearly this is not a
 6 solution for quality. Obviously, there's much
 7 more that could be here in the Code, but
 8 there's a point in which micromanaging through
 9 Zoning doesn't work, either. So, I mean, we
 10 need to find some balance.
 11 CHAIRMAN AIZENSTAT: We have two items.
 12 E-1 is legislative and E-2 is quasi-judicial.
 13 MR. TRIAS: Yeah. I mean, technically the
 14 Comp Plan is the one that we need a vote for
 15 real, whether it's positive or negative, one
 16 way or the other.
 17 CHAIRMAN AIZENSTAT: Which would be,
 18 really, E-1, in this case.
 19 MR. TRIAS: Yeah.
 20 MS. MIRO: Mr. Chair, I have a question.
 21 CHAIRMAN AIZENSTAT: Yes, sir -- sorry,
 22 Claudia.
 23 MS. MIRO: It's okay.
 24 So Mr. Revuelta was talking about making
 25 some recommendations, since they are the

1 respectfully -- Luis, I think that 20 stories,
 2 you're going to --
 3 MR. REVUELTA: You want to make it 18?
 4 MR. BEHAR: I would cap it at 18 stories.
 5 That way I would -- if I want to give the
 6 incentive to have less units, bigger units,
 7 they need to be taller and that was the
 8 whole --
 9 CHAIRMAN AIZENSTAT: That's the whole
 10 purpose.
 11 MS. MIRO: So 18 stories, how many feet?
 12 MR. BEHAR: I would do 18 stories. The 200
 13 feet, I mean, I'm okay with that, too. I don't
 14 know how everybody else feels. You know, 205
 15 feet 6 inches, obviously there is -- you
 16 know -- I'm okay with your recommendation of
 17 200 feet, but I would cap it at 18 stories.
 18 MR. REVUELTA: I would be fine with that.
 19 MR. TRIAS: Yeah, and in terms of process,
 20 this has to be sent to the State, so it takes a
 21 while for it to come back and go to Commission.
 22 So there's a chance to have any kind of
 23 conversation you may want to have.
 24 MR. REVUELTA: I have one last question.
 25 If the project applied for a PAD and is getting

1 some benefits and giving something back, what's
2 going to be the overall length that they can
3 develop the tower?

4 MR. TRIAS: Right. We don't have that
5 level of detail in the Code, as you know, and
6 other Codes do. I mean, that's something that
7 Staff has been working on some ideas, because
8 of your idea, your leadership in this, but, I
9 think, at some point, that would be very
10 helpful, to have a maximum increment. That's
11 why many of the European cities we like so
12 much, it's because they have a lot of
13 relatively small buildings. I mean, they may
14 be tall, but they're not big, in terms of the
15 floor plate, and then that's what gives a lot
16 of the quality of the architecture.

17 MR. REVUELTA: As much as I said that I
18 have a problem with the way that length was
19 determined by another municipality in town, I
20 think that, even the fact that the Gables has
21 no limit, I think there's got to be a middle
22 point somewhere, where you can break up
23 building mass lengths, that would be good. No,
24 I don't want to stir the pot here, throw a
25 monkey wrench in the whole process here, but I

1 that basically needs to be the size that it
2 needs to be, given the current Zoning
3 regulations, and that's understandable, but
4 then the tower that goes on top of it, that
5 doesn't necessarily need to be the same length
6 as the pedestal, that's where I think the
7 overmassing begins to create problems for
8 architects, neighbors and Board Members.

9 MR. TRIAS: Yes.

10 MR. TORRE: I disagree, in this sense, that
11 what you're talking about, the parking
12 pedestal, is what's on the ground floor and
13 it's what you perceive the most.

14 MR. TRIAS: Yeah. And that is not what
15 this project is, and maybe I should be more
16 clear. Even though the project, yeah, it takes
17 the whole site, some of it is parking, some of
18 it is courtyard, open space, some of it is
19 arcade. There's a variety of things --

20 MR. BEHAR: Correct. This has a
21 freestanding garage, right?

22 MR. TRIAS: Yeah. So what happens is that
23 the actual building -- again, I'm just using it
24 for illustration, because they're going to have
25 it -- it's already a public record and it's

1 think it's -- I think we should talk about it
2 every once in a while --

3 MR. TORRE: I think it's called out on
4 Section 5.100, that 150 feet, have to have a
5 break. This is on the --

6 MR. TRIAS: In the facade, yes, but then
7 the building could continue to be, yes. So
8 we're talking about an architectural
9 articulation more than different massing.

10 MR. REVUELTA: But this building,
11 essentially, could go from street to street.

12 MR. TRIAS: Yes.

13 MR. REVUELTA: In terms of --

14 MR. BEHAR: It could.

15 MR. TRIAS: You'll see it next week.

16 MR. TORRE: You guys know this better than
17 anybody else, what's driving that is the
18 parking. You have to have a parking garage big
19 enough to make it worth to build a parking
20 garage, plus then you have multiple elevator
21 cores and multiple stairs. So the issue of the
22 large building is to be able to --

23 MR. REVUELTA: No, I understand that, but
24 what happens in many municipalities and
25 project, is that you have a parking pedestal

1 been submitted, so the building actually goes
2 all of the way to the ground, which is nice. I
3 mean, if you have the ability -- that may be
4 the answer to your question.

5 The PAD, in those cases, allows for parking
6 to be here and the building actually be on the
7 other end of the design, all of the way to the
8 ground, for example, which is, I think, a good
9 thing.

10 MR. WITHERS: I understand.

11 MR. REVUELTA: And that's a good thing.
12 That is a good thing.

13 MR. TRIAS: Every time we've been able to
14 do that, which has been a couple of times, I
15 mean, or more than that, actually, the results
16 are very good, because you end up with a
17 building that has no pedestal, and that, to me,
18 is the difference between, let's say, Coral
19 Gables and Brickell, for example.

20 MR. BEHAR: But it depends at what cost
21 it's a good thing, because if you have a blocky
22 six-story parking garage by itself, it may not
23 be a good thing either.

24 MR. TRIAS: No. It has to be designed
25 properly, obviously.

1 MR. BEHAR: I mean, you really -- it's all
 2 contextually how it's done correctly.
 3 CHAIRMAN AIZENSTAT: Would anybody like to
 4 make a motion?
 5 MR. TORRE: I'll make it. We have a couple
 6 of recommendations that I want to make sure we
 7 either agree, disagree on. You had a 200 --
 8 both of you guys had a 200-foot cap and an
 9 18-floor max.
 10 MR. REVUELTA: Correct.
 11 CHAIRMAN AIZENSTAT: I don't know if Robert
 12 -- Robert, did you have a 200 or --
 13 MR. BEHAR: No. I was just following Luis.
 14 I don't have a problem with either/or. 18
 15 stories would be my recommendation.
 16 MS. MIRO: Do you we have to go as high as
 17 200? Can we go lower?
 18 MR. BEHAR: My opinion, if you are going to
 19 do bigger units and you're going to do 18
 20 stories, I think just mathematically you could
 21 say, okay, the ground floor will be 20 feet,
 22 you know, each floor after that is a little bit
 23 over -- like 11 feet. You know, that will be
 24 appropriate. I think that's the intent.
 25 So I think 200 would be the minimum to make

1 say.
 2 MR. COLLER: But just to understand your
 3 role in the Comp Plan, you're designated as the
 4 LPA, and so in order to either yay or nay on
 5 this, in order to move forward, they need a
 6 recommendation, one way or another, from the
 7 Land Planning Agency, which is you. So that's
 8 why this -- we advised in the last vote that we
 9 needed a recommendation. So that's kind of
 10 where we are with this.
 11 MR. TORRE: But does that Land Comp Plan
 12 change depend on a yes vote?
 13 MR. COLLER: No. You can have a no vote.
 14 MR. TRIAS: Yeah, that's fine.
 15 MR. COLLER: As long as you have a
 16 recommendation, whether it's yes or no, it
 17 doesn't matter, just as long as you have a
 18 recommendation from the LPA, which is what
 19 you're sitting as for the Comp Plan amendment.
 20 The second item, you can choose to wind up
 21 with a recommendation or you could choose --
 22 let's say we're a tied vote, that's okay, but
 23 it's really the first item that is where we
 24 need a recommendation, in order for it to go
 25 forward, one way or the other.

1 it quality spaces inside, because it's not like
 2 you have -- in this particular project, you
 3 don't have a podium parking, then the building
 4 on top. You've got 18 stories or whatever, and
 5 a detached garage. So, I mean --
 6 CHAIRMAN AIZENSTAT: Remember we are not
 7 looking at --
 8 MR. TRIAS: It's attached to the building,
 9 but it's on a different part of the site.
 10 MR. BEHAR: But it's not underneath the
 11 building.
 12 MR. TRIAS: Right.
 13 MR. BEHAR: It's next to it.
 14 MR. TRIAS: Right.
 15 MR. TORRE: Now, these are just
 16 recommendations. The Commission can just, you
 17 know, do it the way --
 18 MR. REVUELTA: They're going to do whatever
 19 they want.
 20 MR. TRIAS: Well, like I said, this has to
 21 be sent to the State for a comment.
 22 MR. TORRE: Correct.
 23 MR. TRIAS: And they will tell us. What I
 24 anticipate is that they'll say it's a good idea
 25 to limit density. That's probably what they'll

1 CHAIRMAN AIZENSTAT: Robert, do you want to
 2 make the recommendation?
 3 Luis?
 4 MR. REVUELTA: Yes, I'll make a
 5 recommendation.
 6 CHAIRMAN AIZENSTAT: Go ahead, please.
 7 MR. COLLER: This is going to be a motion;
 8 is that correct?
 9 MR. REVUELTA: Well, I make the motion to
 10 approve the item, with the Staff
 11 recommendation, and with the two
 12 recommendations of capping the building at 200
 13 feet and no more than 18 stories.
 14 MR. COLLER: So it's really a motion to
 15 approve, on a modified basis, from the
 16 Department recommendation, which is a maximum
 17 18 stories and 200 feet?
 18 MR. BEHAR: Luis, before I vote, I want to
 19 say something else. If you -- I'm thinking, if
 20 you're going to do an 18-story building, and
 21 you're going to have 20 feet on the ground
 22 floor, and if I want to have --
 23 MR. REVUELTA: 11 feet?
 24 MR. BEHAR: -- 10-foot clear, right --
 25 MR. REVUELTA: You're going to have a slab

1 that is 10 or 11 inches, you're going to have
 2 218 high building.
 3 MR. BEHAR: No. No. No. If you do a post
 4 tension building, and we're talking, you know,
 5 architect here, 10.67 --
 6 (Simultaneous speaking.)
 7 MR. BEHAR: Post-tension slab eight inches,
 8 it gives me 181 feet 4 inches, plus 20 feet --
 9 MR. REVUELTA: That's 121 feet and 4 and a
 10 half inches.
 11 MR. BEHAR: No. No. No. No.
 12 MR. REVUELTA: I'm reading your calculator.
 13 MR. BEHAR: And I'm going to go slow, so
 14 you can read it slowly. 17 stories at 10
 15 point --
 16 MR. REVUELTA: No, 18.
 17 MR. BEHAR: No. No. Because the 18th
 18 floor is the ground floor. So if you 10.67,
 19 times 17, it's 181.
 20 MR. REVUELTA: Plus 20 feet.
 21 MR. BEHAR: It's 201.
 22 MR. REVUELTA: .39 inches --
 23 MR. BEHAR: Right. So I think 200 feet is
 24 not going to give you that 10-foot ceilings.
 25 MR. REVUELTA: Well, they could do the

1 ground level at 18 feet and that would not make
 2 a hell of a difference.
 3 MR. BEHAR: Oh, no, you're right, that
 4 could happen.
 5 MR. REVUELTA: And, again, if you guys want
 6 to vote for 205.5, you know what --
 7 MR. BEHAR: The motion has been made, 200
 8 feet, 18 stories. That's the motion. Anything
 9 else to that motion?
 10 MR. REVUELTA: I'd like some rationality in
 11 the Code, right, and sometimes you read these
 12 Codes, that are totally arbitrary, and this is
 13 just -- coming up with those numbers is reverse
 14 engineering, specifically to this project, that
 15 when you're making Code changes, I believe they
 16 should be generic to the City, to the
 17 municipality and to other properties and to
 18 other projects.
 19 CHAIRMAN AIZENSTAT: But let me ask you a
 20 question, if you're looking at a building
 21 that's 200 feet or you're looking at a building
 22 that's five-foot bigger or three-foot bigger,
 23 do you see a difference at all?
 24 MR. REVUELTA: No, zero. As a matter of
 25 fact, urbanists will tell you that the most

1 important part of the building is the first 50
 2 feet. After that, you know, it could be 180
 3 feet, that you will not able to --
 4 CHAIRMAN AIZENSTAT: So if that's the
 5 case -- I'm not an architect, but if that's the
 6 case, and you cap it at 200, aren't you
 7 sacrificing on the design of the project by
 8 doing that?
 9 MR. REVUELTA: As an architect, I can tell
 10 you, absolutely not, but if you guys are
 11 comfortable with 205.5, go at it. I'll vote
 12 yes.
 13 MR. TORRE: Is there a motion on the table?
 14 MR. REVUELTA: Yeah, I made a motion with
 15 those two recommendations, 200 feet max, 18
 16 stories, and staff recommendations. Now, if
 17 you guys --
 18 CHAIRMAN AIZENSTAT: So we have a motion.
 19 Is there a second?
 20 MS. MIRO: No, but I wanted to ask a
 21 question. I thought -- Venny, didn't you have
 22 a recommendation, as well, for how the
 23 streetscape --
 24 MR. TORRE: Well, let's see if this gets a
 25 second --

1 MR. REVUELTA: No, I'm finished.
 2 MR. TORRE: If it goes forward or not --
 3 MR. REVUELTA: If you want to add to that
 4 recommendation your concerns --
 5 MR. TRIAS: Mr. Revuelta, what I would
 6 propose is that 200 is equally arbitrary as
 7 205. There's no real distinction, in terms of
 8 whether it's arbitrary or not.
 9 MR. REVUELTA: As we are two Spaniards, we
 10 would -- I would rest. It's okay. Frankly, I
 11 don't want to make a big deal about it. I
 12 already did, so it's whatever you guys want.
 13 MR. TORRE: I'll make a motion. So the
 14 motion is 205.5 --
 15 MR. BEHAR: The motion is 200.
 16 MR. TORRE: No. I'm making a different
 17 one. I'm waiting for a second, otherwise I'll
 18 make one. Is there going to be a second?
 19 MR. BEHAR: I'll second it.
 20 MS. MIRO: Now I'm not sure what it is that
 21 the motion is. Can you please make it -- is it
 22 200 or 205?
 23 MR. BEHAR: 200.
 24 MR. TRIAS: It's 200.
 25 MS. MIRO: 18 stories?

1 MR. TORRE: Before we all vote, so what I
2 was going to ask was to change it to 205.5,
3 based on the point that you are not going to
4 notice, to improve the ground floor amenities
5 to the highest degree, and cap it at 18
6 stories.

7 MR. BEHAR: So --

8 MR. TORRE: The 18 stands. The 205, I
9 think, is irrelevant. I think, at the end of
10 the day, more important to me is what happens
11 on the first three floors, first, second and --

12 MR. BEHAR: See, let me tell you what --
13 and we're going to -- you know, that's the
14 motion and we're going to -- to me, it's more
15 important how the relationship of that building
16 is to the sidewalk; that you're going to have a
17 big building on a five-foot sidewalk. To me,
18 that's the biggest concern. Maybe that should
19 be pulled back further --

20 MR. TORRE: I think that's all part of the
21 same I'm trying to make. I think what happens
22 on the ground floor, whether it's a setback,
23 whether it's a great 10, 15 feet of space --

24 MR. BEHAR: But if you give an arcade --
25 you know, they're proposing a 12-foot arcade,

1 but at the end of the day, that -- and we see
2 some example right here on LeJeune Road, where
3 the building is right up to the property line.

4 MR. TRIAS: Not anymore, because now you
5 have to set back 10 feet from Le Jeune.

6 MR. BEHAR: That's my concern. That's
7 where you give the public benefits, where the
8 building's -- you know, you have some relief.
9 To me, those are more beneficial urbanistically
10 than -- the additional five feet, you're
11 absolutely right, 200 or 205 feet, nobody is
12 going to see that.

13 MR. TORRE: See, the thing is that the
14 approval of all of these projects is
15 subjective. So one person's green space is
16 another person's setback is another person's
17 colonnade. All of these things are somewhat,
18 you know, subjective.

19 I think, overall speaking, that the intent
20 of the streetscape, that's a very generic
21 statement. I'm not trying to tell you how to
22 do it. I'm just saying, we should be watchful.
23 We should be cognizant of what happens on the
24 ground floor, as a general rule, and that
25 should be the law of the land.

1 In other words, we should be focusing on
2 the ground floor and not --

3 CHAIRMAN AIZENSTAT: Is there a way to add
4 a recommendation as to what happens on the
5 ground floor?

6 MR. REVUELTA: I don't see any -- the
7 market is going to dictate who leases those
8 spaces, right. So as much as I agree with him,
9 you cannot control the supply and demand. So
10 whether you get a restaurant or a bicycle --
11 who knows -- I think it's a matter of, as what
12 Robert was saying, what are the setbacks. I
13 happen to believe that the arcade is an
14 environmentally friendly architectural device
15 that works. I don't know if -- 12 feet seems
16 like a big arcade, I mean, but I don't know how
17 to address that, other than the fact that when
18 you have big building masses, somehow,
19 architecturally, they need to be broken up a
20 little bit, without sacrificing the project's
21 success.

22 MR. TORRE: Here's the question, shouldn't
23 we be proposing or asking the Board of
24 Architects to start taking a closer look at
25 what happens on the ground floor, as a general

1 rule? And, again, I'm not suggesting that one
2 rule is the next rule is the next. It's just a
3 proposal that this is what should be guiding
4 the approvals.

5 MR. BEHAR: I'm not sure that's the Board
6 of Architects, because every project is
7 different.

8 MR. TORRE: They're all subjective.

9 MR. BEHAR: Yeah. You know, I'm not
10 sure --

11 MR. TORRE: It's all -- there's no specific
12 rule here that says, this is what you must do.
13 It's all subjective.

14 MR. BEHAR: Look, for example, if you have
15 a retail on Miracle Mile -- let's not use
16 Miracle Mile -- on Ponce or something, an
17 arcade is not always a good thing to do,
18 because the retail spaces suffer when you have
19 an arcade.

20 MR. TORRE: But the Code says that's not
21 allowed. It's already in the Code. It's says
22 that you're not supposed to do it.

23 MR. BEHAR: You know --

24 MR. TORRE: That one specifically is
25 blocked.

1 MR. BEHAR: Every project is different. I
2 don't know if -- and Ramon, you could, you
3 know, maybe confirm this or not, you know, the
4 Board of Architects, to give them prescribed
5 direction, I don't know if that's a good thing
6 to do.

7 MR. TRIAS: Look, we've been talking about
8 this for a long time recently, and the bottom
9 line is that you need to have flexibility,
10 otherwise you do not get quality. I mean, the
11 easiest thing to do is to have design
12 guidelines that I can check, check, check,
13 check, we're done. Does that give you a
14 beautify city? No. No. And I don't want to
15 mention some of the cities that do that, in
16 other counties, and so on, where I have worked,
17 but frankly that's not Coral Gables.

18 Coral Gables is very professional, it
19 expects a lot of expertise. That's why we have
20 all of the Boards and things. And even then,
21 the citizens have an opportunity to give their
22 opinions and explain how everybody is doing a
23 bad job. So all of that eventually leads to
24 quality, I think, you know, eventually. It's
25 just that that's the way the process is.

1 To think that you can micromanage that at
2 the Zoning Code level is not realistic.

3 MR. BEHAR: Yeah.

4 Could I make a friendly amendment to your
5 motion, that we do go with the 205 feet 6
6 inches, cap it at the 18 stories and follow the
7 Planning Department's recommendation?

8 MR. REVUELTA: One quick question. Is
9 there a minimum or a maximum depth of an arcade
10 in the Code? Does it have to be a minimum of 3
11 feet, 5 feet and no more than 15, 12? I'm
12 sorry for my --

13 MR. TRIAS: We use a 12-foot ideal
14 standard, if we can.

15 MR. REVUELTA: As a maximum?

16 MR. TRIAS: Yeah -- well, as a standard.

17 MR. BEHAR: As a standard.

18 MR. REVUELTA: But if somebody says, like
19 Robert is saying --

20 MR. TRIAS: Robert never does six-foot
21 arcades, okay, and I want to say that clearly.
22 You've always done very nice wide arcades,
23 properly.

24 MR. BEHAR: Thank you. Repeat that again
25 one more time.

1 MR. TRIAS: Robert has always done arcades
2 that are about 12-feet wide, which is the ideal
3 dimension. Some architects have tried to do
4 less than the --

5 MR. REVUELTA: But he was bringing up a
6 good point, that if you're going to do retail,
7 you don't want the retail -- if it's a
8 restaurant, great, because you can have outside
9 seating, but if it's --

10 MR. TRIAS: For restaurants, it's great,
11 yes.

12 MR. REVUELTA: What I'm wondering and my
13 questions, is there a minimum -- in order to
14 get the bonuses, a minimum depth of an arcade?
15 Is it six feet or eight? Is there a number, I
16 guess, is the question?

17 MR. BEHAR: Six feet is not really --

18 MR. REVUELTA: No, I'm not suggesting six
19 feet. I'm asking if there is in the Code
20 something.

21 MR. BEHAR: There used to be something. I
22 remember, years ago, something, you know,
23 limiting the minimum you could do, for that
24 particular reason.

25 MR. TRIAS: Yeah. No, that's a big issue,

1 for obvious reasons. My only advice is that
2 we're here to deal with a very specific issue.
3 We're not here to brainstorm today, brainstorm
4 about many things that we can do in the Code.
5 We can do many things in the Code. We spent
6 three years working on that, and we were able
7 to implement some things, and at the same time,
8 we also were not able to do many other things.

9 So I don't think it's a good use of our
10 time right now, but if you want to have a
11 structural way to deal with those ideas, we
12 could do that, certainly.

13 MR. REVUELTA: I was just asking a
14 question.

15 MR. BEHAR: So we did -- we had a motion.
16 I suggested -- I recommended a friendly
17 amendment to that motion of going up to the 205
18 feet --

19 CHAIRMAN AIZENSTAT: The way it's written.

20 MR. BEHAR: The way it's written, limiting
21 it only to 18 stories, and not as the maker of
22 the motion, but as the second, I welcome any
23 other input into it.

24 MR. COLLIER: Just one question, just so I
25 know where we are in the motion. Have we

1 gotten an agreement from the person whose made
 2 the motion to the 205?
 3 MR. BEHAR: Not yet.
 4 MR. REVUELTA: Let me tell you, I'll
 5 withdraw my motion. Let me make it easier,
 6 I'll withdraw the motion, okay.
 7 MR. COLLER: Okay. So now we have no
 8 motion on the floor at this time.
 9 CHAIRMAN AIZENSTAT: So we have no motion.
 10 MR. BEHAR: So I'm going to make a motion
 11 to approve with the 205 feet 6 inches, capping
 12 it at 18 stories, and with all of the Staff
 13 recommendation, and I'll welcome if there's any
 14 friendly amendment that wants to be put in.
 15 CHAIRMAN AIZENSTAT: Let me ask you a
 16 question, Robert. Can this height increase
 17 with bonuses of any type or can the 18 stories
 18 increase with any bonuses of any type?
 19 MR. TRIAS: The Mediterranean Level II
 20 would be required. That's one of the
 21 requirements. So it cannot be increased beyond
 22 that, but you do have to meet the requirements.
 23 CHAIRMAN AIZENSTAT: But you have to meet
 24 those requirements?
 25 MR. TRIAS: Yes.

1 MR. TRIAS: Yeah, 205.5 -- I mean, 6
 2 inches, and 18 stories is the new --
 3 MR. WITHERS: We haven't even talked about
 4 Mezzanines or amenity floors or anything in
 5 that --
 6 MR. TRIAS: That's separate in the Code,
 7 yes.
 8 MR. COLLER: So, at this point, we have a
 9 motion, but we don't have a second.
 10 CHAIRMAN AIZENSTAT: That is correct.
 11 MR. WITHERS: I will second the motion.
 12 CHAIRMAN AIZENSTAT: Chip second the
 13 motion. Any discussion?
 14 MS. MIRO: I just wanted to ask, whatever
 15 happened with the ground floor recommendations
 16 about the streetscape that we were discussing?
 17 Is that out the window or do we still want to
 18 -- and I know we asked the City Attorney if
 19 there was a way that we can do that. I guess
 20 I'm just not sure, if we say maximum -- what
 21 was the word that you used, Venny?
 22 MR. TORRE: Excellent.
 23 MS. MIRO: Excellent architectural
 24 streetscape --
 25 MR. TORRE: Yeah. There is not an easy way

1 CHAIRMAN AIZENSTAT: I just want to be
 2 clear on that.
 3 MR. BEHAR: On Level II Med Bonus.
 4 CHAIRMAN AIZENSTAT: On Level II, okay.
 5 MR. TRIAS: Yes.
 6 CHAIRMAN AIZENSTAT: Okay. We have a
 7 motion by Robert. Anybody want to make a
 8 second?
 9 MR. TORRE: I'm going to say that we won,
 10 the discussion was had. We had an hour of this
 11 discussion. These things matter. These
 12 discussions do go a long way, and I believe
 13 people listen, so I believe that we win by
 14 doing this. And if it doesn't carry forward, I
 15 still think there's a lot to be gained from
 16 what we discussed here. So I'll leave it as
 17 is, but I think we did discuss what I believe
 18 was important and I'll leave it at that.
 19 MR. BEHAR: Are you seconding --
 20 MR. TORRE: I'm not making a motion -- I
 21 mean, I'm not seconding it.
 22 MR. WITHERS: So what is the motion, 205.5
 23 feet, with 18 stories, that's basically --
 24 CHAIRMAN AIZENSTAT: 205.6, if I'm not
 25 mistaken --

1 to describe it, but we're trying to achieve a
 2 better streetscape. I'm not sure how that's
 3 described.
 4 MR. WITHERS: And we'll see next week what
 5 it looks like, I guess.
 6 MR. COLLER: Well, first, as you know,
 7 we're not dealing with a specific project here.
 8 So this is being written -- it's difficult,
 9 with the term excellent, because -- the problem
 10 with the Zoning Code is, there needs to be
 11 certain concrete terms. Compatibility is an
 12 acceptable term, actually, in Zoning, but to
 13 say, Excellent, is just -- beyond having a
 14 definition to it --
 15 MR. BEHAR: Look, let's not kid ourselves.
 16 This project is coming next week. This is
 17 specifically written for that project. That's
 18 it.
 19 MR. COLLER: Yes, but it does apply, and
 20 the point I'm making is, it's no secret that
 21 this applies to any project within this area.
 22 There may never be another project.
 23 MR. BEHAR: There's a motion and a second.
 24 MS. MIRO: I was just going to say, I would
 25 feel more comfortable if we had that added on,

1 but I don't know what the wording is,
 2 Mr. Attorney, for some kind of streetscape --
 3 CHAIRMAN AIZENSTAT: You'd have to ask the
 4 gentleman --
 5 MR. BEHAR: I said, on the record, I
 6 welcome any friendly amendment to that motion.
 7 MS. MIRO: I'm just not sure what the
 8 wording is. I'd be happy to make that friendly
 9 amendment -- suggest it.
 10 CHAIRMAN AIZENSTAT: Is there a way to word
 11 it, what Claudia --
 12 MR. COLLER: I'll yield to the Planning
 13 Director.
 14 MR. TRIAS: I don't know why they ask the
 15 attorney to come up with the language, as they
 16 don't practice this line of work. What happens
 17 is, like I said, we have two ways of doing
 18 this. We can have very prescriptive language,
 19 meaning every sidewalk will have a bulb out,
 20 every "X" number of feet to plant a shade tree
 21 that is at least this size, et cetera, et
 22 cetera. We can have something like that, and
 23 we do have some of that language already in the
 24 Landscape Code, et cetera. There's some
 25 minimum standards and so on, materials. We can

1 for.
 2 MR. COLLER: So I just want to make one
 3 comment. Because a PAD is a Conditional Use,
 4 and when you get PADs, you get the opportunity
 5 to evaluate them, specifically what they have
 6 designed for the first floor, you will be able
 7 to look at that and make a judgment whether you
 8 feel that, in fact, the PAD has accomplished --
 9 MR. TRIAS: And you're not the first ones
 10 to look at it. I mean, because when things are
 11 said like this, it appears that everything
 12 comes to you for the first time. No. No. No.
 13 There's DRC. There's months -- I mean,
 14 Mr. Behar knows how many months it takes
 15 sometimes to deal with these issues. All of
 16 that is done prior to you being able to take a
 17 look at it.
 18 So I think that's part of the process
 19 already, but certainly we can come up with some
 20 additional language if you --
 21 MR. BEHAR: Claudia, I'm not sure that we
 22 really have a tool, a mechanism, to do that. I
 23 think, and Ramon is correct, that goes through
 24 a process, an evolution, that I think is --
 25 there's enough check points where that could be

1 have that.
 2 We can have some aspirational language,
 3 like Mr. Torre was talking about, in terms of,
 4 you know, we'll try to come up with a more
 5 compatible design, that incorporates the
 6 sidewalk and the private areas, et cetera. We
 7 can say all that and we can come up with some
 8 language, but that is being done right now. I
 9 mean, I've been working here for ten years
 10 trying to make this City as beautiful as I can,
 11 and I get very frustrated by the lack of
 12 appreciation that goes on for the process.
 13 There's a lot of people that work very hard to
 14 do all of that. I mean, every time we have
 15 this discussion, it appears that, oh, anybody's
 16 ever thought about that, like, oh, you know, a
 17 sidewalk, how do you -- we spend hours working
 18 on those things.
 19 Now, is there a way to have a Code that
 20 explains that better, possibly, but we will
 21 need to think about it a little bit and we can
 22 come up with some language, maybe for a future
 23 meeting, but right now, to add a couple of
 24 words, that are aspirational, I don't know if
 25 that's going to accomplish what we're looking

1 looked at.
 2 CHAIRMAN AIZENSTAT: And, also, a project
 3 would have to come before us, so we can make
 4 some recommendations based on that Site Plan
 5 that comes before us or that project that comes
 6 before us.
 7 MR. TRIAS: Absolutely.
 8 MR. BEHAR: All PADs have to come through
 9 here.
 10 MR. TRIAS: And that's the way it's done
 11 typically. We could come up with a more
 12 prescriptive process, but I'm not sure that's
 13 going to result in better projects.
 14 MR. BEHAR: No. And to Luis' point, when
 15 you start doing that, you start, you know,
 16 making the project more --
 17 MS. MIRO: I understand.
 18 MR. TORRE: I just came up with a word. I
 19 mean, I know what you guys have said. Focuses
 20 on the improvement of the public realm or
 21 provides more focus. And I'm reading what the
 22 PAD is supposed to do already. The PAD, by
 23 itself, encourages broader development, public
 24 benefits and promotes compatibility with the
 25 architectural and urban design characteristics

1 surrounding the area. So that's kind of doing
 2 some of it.
 3 But in terms of focusing on the improvement
 4 of the immediate public realm, I'm not sure,
 5 can a sentence of aspiration --
 6 MR. TRIAS: I think an amendment of the
 7 Code that describes the PAD intent, that's a
 8 very good place to do it, to explain it.
 9 MR. TORRE: All I'm trying to do is bring
 10 focus to this issue. Again, we live with these
 11 pedestals, we live with these garages, and they
 12 get built and the little buildings come down
 13 and we lose the fabric of the City, and all I'm
 14 saying is, let's do that, but with an intent
 15 and not lose it completely. Let's focus on
 16 what happens as you walk down these streets.
 17 MR. TRIAS: I think, a recommendation to
 18 enhance the intent of the language that deals
 19 with the intent of the PAD and focuses toward
 20 public space may be a way to do this.
 21 MS. MIRO: I understand the comments that
 22 you made, Mr. Trias, and also my colleagues,
 23 Mr. Behar, and I will echo what Mr. Torre said,
 24 that I appreciate the fact that we're having
 25 these conversations and that we're being

1 THE SECRETARY: Claudia Miro?
 2 MS. MIRO: Yes.
 3 THE SECRETARY: Luis Revuelta?
 4 MR. REVUELTA: Yes.
 5 THE SECRETARY: Eibi Aizenstat?
 6 CHAIRMAN AIZENSTAT: Yes.
 7 THE SECRETARY: We need a motion for E-2.
 8 MR. TRIAS: We have the second --
 9 CHAIRMAN AIZENSTAT: We have to do E-2.
 10 MR. COLLER: And I might suggest a similar
 11 amendment, I think, is the intent for E-2, as
 12 well, or do we need them for E-2?
 13 MR. TRIAS: E-2 is really where we will do
 14 the amendments, because of the Zoning Code, as
 15 far as the aspirational language, I think
 16 that's a more appropriate place.
 17 MR. COLLER: Well, I'm not sure that the
 18 language in E-2 is -- the title is expansive
 19 enough that it would apply to all PADs. It's
 20 something we would have to look at. I think
 21 the important thing is, what the Board is
 22 saying is some general language, with regard to
 23 what we've discussed, to be included in all
 24 PADs, not just necessarily related to these
 25 PADs.

1 vigilant and that we're bringing these things
 2 to the surface. I also echo the sentiment of
 3 maybe adding that one liner. I think it would
 4 make me feel better, that we're trying to make
 5 sure that we're in deed keeping and making the
 6 City beautiful.
 7 MR. TRIAS: I think that's the easiest and
 8 most effective way, to edit the intent language
 9 in the Code. I think that's a very good idea.
 10 CHAIRMAN AIZENSTAT: So, Mr. Behar, would
 11 you add that?
 12 MR. BEHAR: I'm going to withdraw my
 13 motion -- whatever the Board feels, I'm okay
 14 with it.
 15 CHAIRMAN AIZENSTAT: And --
 16 MR. WITHERS: Yes, I'll accept it.
 17 CHAIRMAN AIZENSTAT: You'll accept it. Any
 18 other discussion? No?
 19 Call the roll, please.
 20 THE SECRETARY: Venny Torre?
 21 MR. TORRE: Yes.
 22 THE SECRETARY: Chip Withers?
 23 MR. WITHERS: Yes.
 24 THE SECRETARY: Robert Behar?
 25 MR. BEHAR: Yes.

1 MR. TRIAS: Yeah, which my thinking is,
 2 that means an amendment to the PAD language in
 3 the Zoning Code.
 4 MR. COLLER: Exactly.
 5 MR. TRIAS: That's what that means.
 6 CHAIRMAN AIZENSTAT: So your suggestion is
 7 to parallel it or not?
 8 MR. COLLER: Yes, but they probably will
 9 not be able to act on your -- that language on
 10 this item, because of the narrow scope of this
 11 item, but it gives to the City Commission, that
 12 consider an amendment to all PADs with regard
 13 to the focus on the first floor --
 14 MR. TORRE: Public realm.
 15 MR. COLLER: -- public realm focus.
 16 MR. BEHAR: I like that.
 17 MR. TRIAS: Yeah, we could come back with
 18 some language that deals with the Zoning intent
 19 of the PAD that addresses some of those issues.
 20 CHAIRMAN AIZENSTAT: So how do we resolve,
 21 then, E-2?
 22 MR. COLLER: E-2, I think, is the same
 23 amendments, right --
 24 MR. TRIAS: Yes.
 25 MR. COLLER: -- 18 stories and the

1 requested feet, with the recommendation of
 2 consideration of the focus on the public realm
 3 in the general PAD Ordinance.
 4 MR. TRIAS: Yeah.
 5 CHAIRMAN AIZENSTAT: Is there a motion?
 6 MS. MIRO: I'll make a motion.
 7 CHAIRMAN AIZENSTAT: We have a motion. Is
 8 there a second?
 9 MR. TORRE: I'll second it.
 10 CHAIRMAN AIZENSTAT: Venny second it. Any
 11 discussion?
 12 Call the roll, please.
 13 THE SECRETARY: Chip Withers?
 14 MR. WITHERS: Yes.
 15 THE SECRETARY: Robert Behar?
 16 MR. BEHAR: Yes.
 17 THE SECRETARY: Claudia Miro?
 18 MS. MIRO: Yes.
 19 THE SECRETARY: Luis Revuelta?
 20 MR. REVUELTA: Yes.
 21 THE SECRETARY: Venny Torre?
 22 MR. TORRE: Yes.
 23 THE SECRETARY: Eibi Aizenstat?
 24 CHAIRMAN AIZENSTAT: Yes.
 25 The next item, which is the New Business,

1 get the project approved or denied.
 2 Those are the two changes. After
 3 significant discussion, I think the conclusion
 4 was that these were appropriate and that they
 5 enhance the Ordinance. Staff recommends
 6 approval.
 7 CHAIRMAN AIZENSTAT: Do we have any --
 8 before we proceed, do we have any speakers for
 9 this item, Jill?
 10 THE SECRETARY: Not on Zoom.
 11 CHAIRMAN AIZENSTAT: Not on Zoom.
 12 Anybody here that would like to speak on
 13 this item? No?
 14 At this time, I'll go ahead and close the
 15 floor, and open it up for discussion.
 16 MR. TORRE: I do have a few questions,
 17 first for Staff, just to clarify.
 18 CHAIRMAN AIZENSTAT: Sure.
 19 MR. TORRE: My understanding is that
 20 Section 5-100 and beyond has two level of
 21 bonus, which basically this is what it's
 22 getting to, the meat of the bonuses. One is
 23 the Level I bonus and one is the Level II
 24 bonus.
 25 MR. TRIAS: Yes.

1 is E-3.
 2 MR. COLLER: Okay. Item E-3, an Ordinance
 3 of the City of Commission of Coral Gables,
 4 Florida, providing for text amendments to the
 5 City of Coral Gables Official Zoning Code,
 6 Article 5, "Architecture," Section 5-200,
 7 "Mediterranean Standards," to limit the
 8 Mediterranean Bonus program to Coral Gables
 9 Mediterranean Architectural Style and expand
 10 the Board of Architects review process to
 11 include an optional conceptual review;
 12 providing for severability, repealer,
 13 codification, and for an effective date.
 14 Item E-3, public hearing.
 15 MR. TRIAS: So, Mr. Chairman, there are two
 16 changes. One deals with the word, Coral Gables
 17 Mediterranean Style, which remains, and "Other
 18 Styles," is eliminated in certain areas. So
 19 it's a more targeted Ordinance towards Coral
 20 Gables Mediterranean style.
 21 The second important aspect of this is the
 22 creation of an optional conceptual review
 23 process, meaning somebody could go to the Board
 24 and have a more informal discussion and
 25 hopefully benefit from that, without having to

1 MR. TORRE: This is applying to a Level I
 2 bonus. The Level II bonus already has
 3 Mediterranean requirements. Is that factual?
 4 I think the biggest change will be a Level I,
 5 which before didn't have such a strict
 6 Mediterranean requirement.
 7 Right. So we're getting to -- the FAR
 8 increases to 3.2 with this level, and it gets
 9 to 3.5 when you get to Level II; is that
 10 correct?
 11 MR. TRIAS: That's correct, yes.
 12 MR. TORRE: Okay. And the big buildings,
 13 which have caused the majority of the issues
 14 that I think are causing this to come forth,
 15 are the ones that hit Level V -- I'm sorry,
 16 Level II, not Level V -- am I going to the
 17 right place?
 18 MR. TRIAS: Yes. Yes. And I think there
 19 was only one Level I in recent memory.
 20 MR. TORRE: Right. So when was the last
 21 time a Level I was proposed?
 22 MR. TRIAS: I think, when Robert Behar
 23 worked on that -- when was that, five years ago
 24 or something -- I mean, some time ago.
 25 MR. TORRE: Right.

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1 MR. BEHAR: And we didn't go to the
 2 whole --
 3 MR. TORRE: Right. You know, again, we're
 4 trying to fix it through a method that deals
 5 with something that barely ever happens, and I
 6 just don't quite understand where we're headed.
 7 MR. BEHAR: Sure. Well, I'm going to tell
 8 you where, and I participated in the Blue
 9 Ribbon Commission, and, to me, the more that
 10 we -- the more meetings that took place, the
 11 more discussion, the more I think this is a bad
 12 thing, okay?
 13 MR. WITHERS: It's a, what?
 14 MR. BEHAR: It's not a good thing to do, to
 15 limit this. This, to me, is not --
 16 professionally, I don't think this is going
 17 to -- talking about prescribed, you know,
 18 architecture, this is going to lead to
 19 specifically that every building should be --
 20 and I'm sure that Mr. Trias and I will
 21 disagree, and that's okay, that's a good -- you
 22 know, as long as we're respectful of each
 23 other, it's a good thing -- I don't think this
 24 is good.
 25 I'm going to give you an example. You've

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1 the other part of the item is going for a
 2 preliminary voluntary review.
 3 MR. BEHAR: That's an option. You know,
 4 you know what, that's okay, because it's not a
 5 mandatory, it's optional.
 6 MR. TRIAS: It's optional, yes.
 7 MR. BEHAR: You know, is it a good thing
 8 that you go to the Board, to say, look, I'm
 9 going to bring this forward, give me your
 10 feedback unofficially, so I don't have to do
 11 the whole long presentation, come back and have
 12 problems. I don't have a problem with that. I
 13 think that could be a positive, you know, tool
 14 to do.
 15 I'm just opposed to the Med -- strictly
 16 Mediterranean looking style buildings.
 17 MR. REVUELTA: You're opposing to taking
 18 out, "Other styles" from Level I.
 19 MR. TRIAS: Correct.
 20 MR. REVUELTA: If I can understand --
 21 MR. BEHAR: I'm opposed to changing what we
 22 have. I think it's worked, okay. You have a
 23 Board of Architects that's going to give you --
 24 and, again, the example I'm using, I'm sure
 25 that that building, that old Regions Bank

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1 got two buildings, The Plaza, which
 2 incorporates all of the Med bonuses, and
 3 it's -- in recent years, that's one of the most
 4 talked about buildings, and across the street,
 5 you have a building that was done -- the old
 6 Regions Bank building. Today, that building,
 7 which I personally -- as an architect, I'm sure
 8 my colleague will agree, is a good building.
 9 It gives a lot of good public benefits along
 10 Ponce de Leon, but yet it is not in the spirit
 11 of what this is intended to be.
 12 So I think that going in this direction, to
 13 me, it's not the right thing to do. I am
 14 totally against it. And the same thing I
 15 expressed during those Blue Ribbon Committee
 16 meetings, I say it again, this is going to
 17 make -- you know, it's going to be more of a
 18 Boca. When you go up to Boca Raton and you see
 19 all of the architecture trying to do the same
 20 thing, this is what is -- in my professional
 21 opinion, what this is intended to do and will
 22 do. I'm not in favor of this.
 23 MR. REVUELTA: Are you in favor of --
 24 MR. BEHAR: Keeping what is there today.
 25 MR. REVUELTA: No. No. I understand. But

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1 building, on Ponce de Leon, did get a Level II,
 2 because I'm sure it did a lot of the public
 3 benefit -- incorporated the public benefit,
 4 that, at the end of the day, are more
 5 beneficial. Whether you put a tile roof, you
 6 know, as The Plaza, at 190 feet, you put a tile
 7 roof, and that's -- is that a good thing for
 8 the public? No, it's not, in my opinion, and
 9 you would probably have to agree with that.
 10 I think there's more important components,
 11 elements that are more important than having
 12 the building -- and I'm not taking away from
 13 that building. That building is, you know, a
 14 very good project, I'm sure. I don't agree
 15 with it, but, you know, it's a very good
 16 project, it does a lot. You know, that's my
 17 opinion.
 18 CHAIRMAN AIZENSTAT: Claudia?
 19 MS. MIRO: I feel the same.
 20 MR. TORRE: No, I just want to point out a
 21 couple of things. So, I mean, we're trying
 22 to -- we've been talking a lot about the
 23 Mediterranean bonus, and I just made a point
 24 that the buildings that we've made a big deal
 25 to discuss and bring up and have caused a lot

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1 of the angst are buildings that are way beyond
 2 3.5 and beyond, so the ones that are not
 3 falling into today's discussion. They're
 4 beyond the discussion.

5 And further to that, what makes a
 6 Mediterranean building, as is trying to be
 7 defined by the Code, there's a building, which
 8 I happen to like a lot, currently being
 9 finished, it's called Villa Valencia. I love
 10 it. It's selling for a lot of money. That
 11 building did get some bonuses. That building
 12 is not Mediterranean. It has really nice
 13 architecture. It doesn't have arches, it
 14 doesn't have anything that's not -- it's kind
 15 of modern, actually. Look at the reigns.

16 So I think there's more to say about
 17 architecture here than trying to define things
 18 from the specific that we've been trying to
 19 make it happen.

20 MR. TRIAS: If I could, just give me a
 21 minute. In terms of best practices of the
 22 1920s and in terms of the beautiful
 23 Mediterranean architecture that we like, I've
 24 written on that topic multiple times. The last
 25 time was my Ph.D. dissertation that went over

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1 the 1920s, which, if we follow them, we
 2 probably could do better architecture. It
 3 doesn't have to be Mediterranean only. It
 4 could be many things. But we don't follow
 5 them. We simply refuse to learn from the good
 6 example, for whatever reason, and you know I'm
 7 right, and I'm trying to rescue those things.

8 Now, the good news is that, today, all of
 9 those books from the '20s, all of those
 10 magazines, are PDFs. They're available online.
 11 It's much easier to find that information today
 12 than it was 10, 15 -- than it was when I was a
 13 student. There is no excuse.

14 CHAIRMAN AIZENSTAT: Ramon, let me ask a
 15 question, if I may. In the 1920s, how you
 16 built a building and how you designed a
 17 building was different than the components that
 18 are available today to design or build a
 19 building. So shouldn't an architect be able to
 20 follow or look at what is available today to be
 21 able to design it differently, if he's able to
 22 get those bonuses?

23 MR. TRIAS: Well, I mean --

24 CHAIRMAN AIZENSTAT: To me -- to me, for
 25 example, if you take the Biltmore and you say,

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1 the content and so on.

2 What happened in the 1920s is that there
 3 were very good books, and I have some of them
 4 in my office and at home, that dealt
 5 specifically with the architectural styles.
 6 For example, I have one that talks about
 7 northern Italian architectural details, there's
 8 another one that talks about lesser known
 9 architecture of Spain, no masterpieces, but
 10 lesser known. It's really funny how they're
 11 very specialized. And those books are picture
 12 books from the 1920s, multiple books.
 13 Everybody had them in their offices.

14 And those were the practices. They'd look
 15 at the books, they'd say, "Oh, I'm going to do
 16 a Mediterranean building today, so I'm going to
 17 learn from that book."

18 When I was -- many, many years ago, I
 19 worked in Palm Beach briefly, and somebody, an
 20 architect, showed me the Dutch South African
 21 book that was done by the architect that
 22 designed the South African Village. So that's
 23 how that happened. They'd look at the book and
 24 they'd learn from it and they did a great job.
 25 Those were the practices, the best practices of

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1 "Here's the Biltmore. Here's a plan of the
 2 Biltmore or here's a picture of the Biltmore.
 3 Every building within the City should look like
 4 the Biltmore." To me, I'd have a problem with
 5 that, and that's just my opinion. I have not
 6 asked anybody here.

7 MR. TRIAS: If you allow me, the Biltmore
 8 is a modern building. The Biltmore is a steel
 9 structure building, okay. It's a modern
 10 building. In the 1920s, some people would do a
 11 glass facade, such as Ludwig Mies van der Rohe,
 12 tried to come up with those ideas, at the very
 13 same time, with the same structure. So the
 14 aesthetics is a choice. It could be one or
 15 another.

16 All I'm saying is, I know why they did a
 17 good job in the '20s, because they had best
 18 practices that were based on research, research
 19 of design, of features, of details. I know
 20 that. It's not a secret. In fact, the books
 21 are in the library at the University of Miami
 22 and also the Coral Gables library. If we did
 23 that, if we had the educational process or the
 24 continuing education or whatever, I think we
 25 could raise the quality of the architecture.

1 And it could be many things. It doesn't have
 2 to be necessarily Mediterranean.
 3 Right now we're not doing any of that. My
 4 message is that we need to start doing that,
 5 instead of trying to think that the Zoning Code
 6 is going to solve all of our problems through
 7 micromanagement, which was my take with some of
 8 the discussion that took place in the
 9 Committee. To believe that that's going to
 10 work its way into quality is just not a good
 11 approach.
 12 MR. TORRE: But to say that a brand,
 13 because we can call it the brand of the Coral
 14 Gables, which is Mediterranean, I would prefer
 15 to say that the brand of Coral Gables is high
 16 quality architecture or high quality design.
 17 It's a much better aspirational goal for us to
 18 have. Again, a building that's not properly
 19 scaled can be Mediterranean, but if the windows
 20 are too wide, and not tall enough, you know
 21 they're not going to look Mediterranean, and
 22 those things are just good design practices.
 23 If it goes down to us being rigorous and
 24 the Board of Architects doing their job and
 25 just being, you know, on top of it, but that's

1 MR. TRIAS: You could do it or not do it.
 2 MR. WITHERS: Right.
 3 MR. TRIAS: Now, the City, at different
 4 points, has decided to do that, and it has
 5 worked fairly effectively. We can do better,
 6 sure, but I think that The Plaza certainly
 7 complies. Mr. Behar, I don't think anybody
 8 would object to the fact that it complies. And
 9 the question is whether the Regions Bank would
 10 comply with the changes that we're making.
 11 MR. BEHAR: Or the other project, the Villa
 12 Valencia one.
 13 MR. TRIAS: Or Villa Valencia.
 14 MR. BEHAR: I mean, I --
 15 MR. TRIAS: I think that's the discussion,
 16 the narrow discussion we're having.
 17 MR. WITHERS: No. I mean, you know, my
 18 point is that, you know, I hear what Venny is
 19 saying, the standards is really what we should
 20 at least in my mind focus on a little bit more
 21 than the actual style. I mean, I don't know.
 22 MR. TRIAS: Could be.
 23 MR. TORRE: To prove the point a little
 24 bit, so there's a building that now is
 25 applauded for being saved and that is the old

1 what it boils down to.
 2 MR. WITHERS: So, Mr. Chairman --
 3 CHAIRMAN AIZENSTAT: Please.
 4 MR. WITHERS: So when does a standard
 5 become a style, because if you look at the 550
 6 building, those have architectural standards,
 7 but they certainly don't have Mediterranean
 8 style.
 9 MR. TRIAS: Right.
 10 MR. WITHERS: So what makes a balcony go
 11 from a standard to a style?
 12 MR. TRIAS: From a Zoning point of view --
 13 MR. WITHERS: Yeah, from what we're talking
 14 about.
 15 MR. TRIAS: Yeah, the way we have it in the
 16 Zoning Code, which these are the eight
 17 buildings that you need to learn from and then
 18 apply similar elements and so on. That's the
 19 way the Zoning Code --
 20 MR. WITHERS: But then you never get out of
 21 your box.
 22 MR. TRIAS: Absolutely, that's the
 23 limitation of that. So that's really a policy
 24 choice.
 25 MR. WITHERS: Correct.

1 police and fire station building, which a
 2 brutalist building, which people were happy
 3 that it was saved, and that's a building from
 4 the '70s that completely goes against any
 5 Mediterranean style, and it's lauded to be
 6 saved. It's wanted.
 7 MR. TRIAS: Some people, yes.
 8 MR. TORRE: But I'm just saying, in the
 9 fabric of this City, there's a brutalist
 10 building that's lauded for being there. So we
 11 have different things that happen across the
 12 board that are good and they say it.
 13 MR. BEHAR: I think that diversity is
 14 always good.
 15 MR. TRIAS: Yeah. Like I said, this is a
 16 very narrow discussion. This was an issue,
 17 again, identified by the Commission. They set
 18 up a Committee, and the Committee discussed
 19 this multiple nights. At the end, we believed
 20 that some small changes, very small, from our
 21 point of view, were better than some bigger
 22 re-writes. So that's what was before you. If
 23 you agree with it, fine. If you don't, then
 24 that's a perfectly valid position also.
 25 CHAIRMAN AIZENSTAT: But eliminating all

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1 other styles, isn't that a big change?
 2 MR. TRIAS: Yes. For Level I, certainly, I
 3 think that will be a change, yes.
 4 MR. BEHAR: It's a big change.
 5 CHAIRMAN AIZENSTAT: Yes.
 6 MR. TRIAS: Yeah. No, it is a change, and,
 7 again, the prevailing view was, the
 8 Mediterranean style language needs to be
 9 targeted towards Mediterranean. That's where
 10 the discussion took place, and, of course,
 11 Mr. Behar had a different opinion.
 12 MR. BEHAR: I'm -- go ahead.
 13 MR. WITHERS: No. No, but, I mean, there's
 14 other standards. There's Green Buildings.
 15 Those standards are important to me. They
 16 might not be Mediterranean.
 17 MR. TRIAS: And we have the LEED
 18 requirement for buildings and so on.
 19 MR. WITHERS: Yeah.
 20 MR. TRIAS: Absolutely. All of this is
 21 policy. Again, it's a choice that we make, and
 22 the brand of the City depends on that choice,
 23 certainly, but I think that the Med Bonus
 24 program has served the City fairly well, and
 25 that we could make it better through some

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1 case, then shouldn't it come back written a
 2 different way?
 3 MR. COLLER: Well, Mr. Chairman, actually,
 4 the way it's written, you could bifurcate it,
 5 because the way the Ordinance is written,
 6 there's one section relating to the conceptual
 7 submission.
 8 CHAIRMAN AIZENSTAT: Correct.
 9 MR. COLLER: And the balance of the
 10 Ordinance is related to the Mediterranean style
 11 for Level I. So I think you could make a
 12 recommendation, if that's the desire of the
 13 Board, that you recommend approval of the
 14 conceptual, but recommend denial of the
 15 limitation on the Mediterranean style.
 16 CHAIRMAN AIZENSTAT: Is that your motion,
 17 Robert?
 18 MR. BEHAR: Yes, that's my motion.
 19 CHAIRMAN AIZENSTAT: Is there a second?
 20 MR. TORRE: I'll second it.
 21 CHAIRMAN AIZENSTAT: Venny seconds. Any
 22 discussion? No?
 23 Call the roll, please.
 24 THE SECRETARY: Chip Withers?
 25 MR. WITHERS: Yes.

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1 changes, I do believe that's the case.
 2 MS. MIRO: I wanted to say that I also lean
 3 towards the high quality, rather than marrying
 4 ourselves to one particular style. I think
 5 that limits us too much. And like my
 6 colleagues were saying, it's a big change.
 7 MR. TRIAS: Yeah, and I think what I would
 8 say is that, from practical issue of reviewing
 9 projects, it's easier if it's more targeted
 10 towards Mediterranean than if you open it up.
 11 If you open it up, we can argue for a long
 12 time. So that's just the practical issue here.
 13 CHAIRMAN AIZENSTAT: Any other comments?
 14 Anybody want to make a motion?
 15 MR. BEHAR: I'll make a motion not to -- to
 16 recommend not to approve this --
 17 CHAIRMAN AIZENSTAT: As written?
 18 MR. REVUELTA: -- item as written. The
 19 only thing I will maybe approve is the optional
 20 submittal to the Board of Architects.
 21 MR. TRIAS: The optional conceptual review,
 22 okay.
 23 MR. BEHAR: Yeah, but I don't think it's a
 24 good idea to get rid of all of the other --
 25 CHAIRMAN AIZENSTAT: But if that's the

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1 THE SECRETARY: Robert Behar?
 2 MR. BEHAR: Yes.
 3 THE SECRETARY: Claudia Miro?
 4 MS. MIRO: Yes.
 5 THE SECRETARY: Luis Revuelta?
 6 MR. REVUELTA: Yes.
 7 THE SECRETARY: Venny Torre?
 8 MR. TORRE: Yes.
 9 THE SECRETARY: Eibi Aizenstat?
 10 CHAIRMAN AIZENSTAT: Yes.
 11 We can move on now to E-4. Mr. Coller.
 12 MR. COLLER: Item E-4, an Ordinance of the
 13 City Commission of Coral Gables, Florida
 14 providing for a text amendment to the City of
 15 Coral Gables Official Zoning Code amending
 16 Article 14, "Process", Section 14-200,
 17 "Procedures", Section 14-202, "General
 18 Development Review Procedures", Section
 19 14-202.9, "Certificate of Use", to provide the
 20 City Manager or designee with authority to
 21 deny, suspend, or revoke a certificate of use
 22 under specific circumstances; providing for
 23 severability, repealer, codification, and an
 24 effective date.
 25 Item E-4, public hearing.

1 CHAIRMAN AIZENSTAT: Mr. Trias.
 2 MR. TRIAS: Mr. Chairman, this is to allow
 3 for a process to deny, suspend or revoke a
 4 Certificate of Use by the City Manager. The
 5 process is spelled out in great detail, but
 6 it's basically something that ostensibly will
 7 be used rarely, if needed.
 8 CHAIRMAN AIZENSTAT: Can you go through it
 9 a little bit and just give us some examples of
 10 why you'd want to use this, even if it's rare?
 11 MR. TRIAS: Well, if the applicant provides
 12 false information. If they said they're going
 13 to do something and then something else shows
 14 up.
 15 CHAIRMAN AIZENSTAT: And that's not already
 16 written in the Code?
 17 MR. TRIAS: It doesn't -- not in the
 18 Certificate of Use process. I mean, this
 19 allows for a very efficient way to deal with
 20 issues that otherwise you would have Code
 21 Enforcement and it would be a little bit more
 22 complicated. That's basically -- or if there's
 23 some criminal activity going on, those kinds of
 24 things.
 25 MR. BEHAR: But isn't that something that

1 maybe he can explain this further.
 2 MR. COLLER: Well, I think this provides an
 3 expedited process, and I believe the concern is
 4 that the process that exists for Zoning Code
 5 Enforcement didn't allow where there are
 6 exigent circumstances, where action needed to
 7 be taken immediately, and I believe there's
 8 actually a process for an expedited appeal
 9 and --
 10 MR. TRIAS: Yes.
 11 MR. COLLER: -- and it actually gives the
 12 applicant two choices. They can go with an
 13 expedited appeal, so it can be reviewed
 14 immediately, whether the action that's taken is
 15 appropriate, or it can go through the normal
 16 procedure for appeal. So there's a recognition
 17 that this is done when there's a situation that
 18 requires a certain immediate action and there's
 19 also a need to understandably protect the
 20 property owner, by giving them an expedited
 21 ability to have it reviewed.
 22 MR. BEHAR: Mr. Attorney, if the user is in
 23 compliance, and, you know, there's an
 24 application to revoke that Certificate of Use,
 25 that user has to come in on an emergency -- you

1 the Code already makes provision for?
 2 MR. TRIAS: Well --
 3 MR. BEHAR: When I read, revoke, you know,
 4 that seems to me that -- you know, I just don't
 5 want to have a capricious, you know, from the
 6 City Manager or designee to say, we're going to
 7 revoke something --
 8 MR. TRIAS: Well, there are five reasons.
 9 I mean, it's not capricious. I mean, if you
 10 look at it, it's the applicant provided false
 11 or misleading information. Okay, that's One.
 12 There's a failure to comply with the terms and
 13 conditions of the Certificate of Use, Number
 14 Two, okay. Number Three, there's a violation
 15 of the regulations of the Code. Number Four,
 16 the premises is allowed to be utilized for
 17 illegal activity. I mean, it's not open-ended.
 18 MR. BEHAR: But don't we have already set
 19 rules that the City could go back -- could go
 20 out and revoke a Certificate of Use? I would
 21 find it -- I'm sure that we have the mechanism
 22 today.
 23 MR. TRIAS: As you can imagine, this is not
 24 something that came from the Planning Staff. I
 25 think the City Attorney initiated this and

1 know, if they're in violation, they got to be
 2 revoked, suspend, whatever. I agree with that
 3 a hundred percent. I just -- are we putting a
 4 burden on those users that -- you know, how do
 5 we prove that they're not in compliance?
 6 MR. WITHERS: I mean, and I think the
 7 bigger question is, are we more concerned about
 8 people coming into compliance or are we more
 9 concerned with beating them over the head with
 10 something? I mean, isn't the whole Code
 11 Enforcement appeal process, ten days to
 12 correct -- I mean, what happens to that process
 13 now? Is that no longer honored?
 14 The thing that bothers me the most, the
 15 most important thing to me is the thing about,
 16 "Or activity not permitted under the Zoning
 17 Code of Coral Gables," not criminal activity,
 18 but under the Zoning Code of Coral Gables.
 19 So, you know, I remember -- there used to
 20 be a tuxedo shop where your favorite building
 21 is there on the Circle there, and every
 22 graduation, they would put a big banner up that
 23 said, "Rent your tuxedos here for prom." Well,
 24 that was obviously in violation of our banner
 25 Code, but by the time it went through the

1 process, the ten days, it was taken down and
 2 everything.
 3 So I guess my concern is, if we have a
 4 process for Code Enforcement, and it's going in
 5 front of the Code Enforcement Board and
 6 explaining what your issue is, is that now no
 7 longer -- is that taken away from the citizen?
 8 MR. TRIAS: Well, it's an additional
 9 process that may result in that.
 10 MR. WITHERS: But, I mean, is that taken
 11 away? Does the citizen no longer have the
 12 right to appeal?
 13 MR. TRIAS: No, the citizen has a right to
 14 an appeal. I mean, we have two types of
 15 appeals, as the City Attorney explained.
 16 MR. COLLER: So you have two avenues. It
 17 may be advantageous for a property user, who is
 18 found to be not in compliance, to do this
 19 expedited appeal process, so it gets heard
 20 essentially immediately.
 21 The appeal process -- there's another
 22 appeal process, which is significantly more
 23 time, which is also in the hands of the
 24 property owner. So the property owner really
 25 has a choice of whether they want to utilize

1 MR. WITHERS: But are you guilty and you
 2 have to prove yourself innocent or are you
 3 innocent and have to prove yourself guilty? I
 4 mean, what's the cart before the horse here --
 5 are you assumed that you're innocent and you're
 6 in violation and you have to prove that you're
 7 not or are you -- you know --
 8 MR. COLLER: Well, in the case -- if the
 9 City Manager determines to revoke -- let's say,
 10 in a particular case the City Manager
 11 determines to revoke your Certificate of Use,
 12 because you provided false or misleading
 13 information. Let's take that as an example.
 14 MR. WITHERS: That's a no brainer.
 15 MR. COLLER: No, but all of these have
 16 specific things. There's a failure to comply
 17 with the conditions of the Certificate of Use.
 18 If you're appealing it, then, as an appellant,
 19 it's your burden to say why the City Manager
 20 was wrong in his determination. As an
 21 appellant, it becomes your burden. This is not
 22 a criminal case, where there are certain
 23 presumptions of innocence that are attached to
 24 a criminal defendant. This is in the context
 25 of Zoning, where there's a failure to comply.

1 this expedited process for review or they want
 2 to go through the traditional process.
 3 MR. WITHERS: So it's a notice of, we're
 4 going to withdraw your certificate, it's not an
 5 immediate withdrawal of your Certificate of
 6 Use?
 7 MR. COLLER: No, I don't think that that --
 8 what this says is that --
 9 MR. BEHAR: And that's my fear.
 10 MS. MIRO: Exactly.
 11 MR. WITHERS: That's my whole point.
 12 MR. COLLER: Oh, no, and I want to make it
 13 very clear. I want to make it very clear.
 14 What it says is, under Section C, "The City
 15 Manager or designee may deny, suspend or revoke
 16 a Certificate of Use for good cause, including
 17 but not limited to one of the following
 18 reasons," and there are five reasons that
 19 qualify, that --
 20 MR. REVUELTA: I think the key word is
 21 "suspend."
 22 MR. COLLER: -- Mr. Trias mentioned.
 23 Further, there's two options upon the denial,
 24 under these circumstances, as I said, either
 25 the traditional --

1 You know, it's a policy issue of whether
 2 the City Manager should be given this authority
 3 and it's really up to the Board to decide how
 4 you feel about that.
 5 MR. BEHAR: Look, and I'm going to use the
 6 example, along Ponce de Leon there used to be
 7 these massage places. Obviously, those were
 8 not -- they were illegal, you know. Those have
 9 to go. I agree. And they should be a case,
 10 but I think that today that we have the
 11 necessary tool to do that.
 12 MR. TORRE: That's what I wanted to ask.
 13 So if you're selling CBD or vaping or alcohol
 14 near a school, what are the ramifications
 15 currently if this doesn't apply? Code
 16 Compliance comes and says --
 17 MR. TRIAS: Yeah.
 18 MR. TORRE: -- what, and gives you a fine?
 19 What can they do?
 20 MR. TRIAS: Not a fine.
 21 MR. TORRE: What will they do?
 22 MR. TRIAS: It depends on the violation.
 23 MR. TORRE: Let's say it's a strong
 24 violation.
 25 MR. TRIAS: But the process will be, Code

1 Enforcement, and speaking to the Board, and
 2 then the Board decides --
 3 MR. BEHAR: So this would immediately give
 4 the Manager or designee the right to revoke
 5 that Certificate of Use?
 6 MR. TRIAS: Yes. That's what it says.
 7 CHAIRMAN AIZENSTAT: Before we continue,
 8 just, Jill, do we have any speakers on this?
 9 THE SECRETARY: No, we don't.
 10 CHAIRMAN AIZENSTAT: Okay. I'm going to go
 11 ahead and close the public comment. Go ahead,
 12 please.
 13 MS. MIRO: I just wanted to say that, just
 14 by reading it, at face value, I'm not really in
 15 favor of this item, just because I know that it
 16 is such a difficult and drawn out process to
 17 get a Certificate of Use in the first place.
 18 And, then, all of a sudden, we're going to give
 19 the authority to revoke it, and I think that
 20 places an undue burden on the person who holds
 21 the Certificate of Use, because, yeah, they may
 22 get a speedy appeal, but maybe they're not
 23 ready to appeal that. Isn't there another
 24 process already in place, that allows them to
 25 remedy whatever the offense is, if any of these

1 both sides. If it takes long, it takes long.
 2 MR. BEHAR: And Claudia, I agree with you,
 3 to an extent, but if you do have an
 4 establishment that is doing illegal things, how
 5 do we secure that that could be revoked
 6 immediately, not go through a process?
 7 MS. MIRO: Well, aren't there other legal
 8 remedies, like the police, for instance? If
 9 you're selling drugs out of -- you know, out an
 10 establishment, there has to be another remedy,
 11 another avenue, to attack it. It doesn't have
 12 to be just, you know, pulling their Certificate
 13 of Use.
 14 MR. BEHAR: But -- I mean, and I'm trying
 15 to -- because I agree with you in many aspects,
 16 I'm trying to look at this as, okay, if
 17 somebody is conducting an illegal business,
 18 that by the time the police goes, by the time,
 19 you know, we get Code Enforcement, you're going
 20 to be selling or doing something illegal, that
 21 how do we -- is there -- again, Mr. Attorney,
 22 do we have the mechanism today to prevent that
 23 or no, and that's just the reason for this?
 24 MR. COLLER: I believe that the purpose of
 25 this, as I understand it, is to have a way that

1 give -- obviously, if it's criminal activity or
 2 something like that, but -- you know, Number
 3 Two, there is a failure to comply with the
 4 terms or conditions of the Certificate of Use,
 5 I think that's something that's very vague and
 6 that's something that can be, you know,
 7 interpreted differently by the City. The City
 8 can say, "Well, the terms" -- I mean, I've even
 9 heard of applicants for a Certificate of Use
 10 having responses from our cities and they've
 11 been citing Wikipedia as a reason to deny a
 12 Certificate of Use, which, for me, is just -- I
 13 can't believe that would even happen.
 14 So if it takes a long time to get a
 15 Certificate of Use, well, then, maybe it should
 16 take a long time to lose it, as well, and let
 17 it go through the process. I just don't want
 18 to be putting an undue burden, I agree -- you
 19 know, I understand if theres -- I think there's
 20 a process already in place, and I understand
 21 that in some cases it takes longer, but then
 22 that's what just has to happen, so that we
 23 don't unnecessarily burden these Certificate of
 24 Use holders and make sure that they're being --
 25 that everybody is going through the process on

1 the City Manager can expedite a process to deal
 2 with properties that fit within these
 3 categories. If the Board feels that the
 4 categories need to be narrower, then that is,
 5 of course, an option to you, or you could
 6 choose to recommend denial.
 7 MS. MIRO: I'm looking at it, I'm sorry,
 8 from the perspective of the greatest good,
 9 where can we do the greatest good. Now, you
 10 said yourself, when we started this item, that
 11 this is going to be a rare occasion. So I'm
 12 looking to protect the Certificate of Use
 13 holder, that maybe there was some kind of
 14 misinformation or misunderstanding or something
 15 that could easily be corrected. I don't think
 16 that their Certificate of Use should be pulled.
 17 And so if this is going to be something
 18 that's going to happen every once in a blue
 19 moon, and, you know, it's going to be an issue
 20 every once in a while, then I'm not -- you
 21 know, I'm not leaning towards being in favor of
 22 this item.
 23 MR. TORRE: Two things, you mentioned
 24 something limiting this. It begins by saying,
 25 "Any good cause, including but not limited to,"

1 so that completely opens it up.
 2 CHAIRMAN AIZENSTAT: I have that question,
 3 also.
 4 MR. TORRE: So that's out the window, but
 5 can there be a grace period, so that,
 6 basically, any discussions had within thirty
 7 days must be -- I don't know, something to give
 8 that buffer, so that you're not automatically
 9 on the street the next day, you have some --
 10 I'm just wondering how --
 11 MS. MIRO: And I think that when you're in
 12 business, 30 days is not a very long time.
 13 MR. WITHERS: So when does the clock start
 14 on misinformation? Is it during the review
 15 with Planning and Zoning? Does it start with
 16 the Commission voting on it? When does the
 17 misinformation -- because I'll give you an
 18 example. If someone says, we're not going to
 19 do this with this building, we're not going to
 20 have student housing in here, and it turns out
 21 that it is student housing and it was presented
 22 as not being student housing, is that a
 23 violation? Is that misleading information?
 24 MR. COLLER: You know, it's something
 25 that's going to have to be judged on a case by

1 MR. COLLER: Well, the remedy is for the
 2 condominium -- if it's a Certificate of Use,
 3 the remedy is to appeal the decision of the
 4 City Manager.
 5 MR. TORRE: But can the action be stayed
 6 while that is happening? Because the answer to
 7 that right now is not. So you're automatically
 8 on the street until you go back through the
 9 process, and I'm just --
 10 MR. COLLER: Yeah, there's no provision for
 11 a stay. The Board could, of course, recommend
 12 that there should be a stay pending the appeal.
 13 MS. MIRO: Again, I just wanted to say that
 14 I'm not here defending the criminal, I'm
 15 defending the businesses and the buildings, as
 16 Chip pointed out, you know. I just don't think
 17 that the City Manager should -- again, you're
 18 saying the intent is for this to be few and far
 19 between, but he could very well say, "Well,
 20 let's pull certificates here, here, here, and
 21 here," and what happens then? Well, it's
 22 legal, and I don't know, I'm just not
 23 comfortable with this.
 24 MR. TORRE: There's another place where
 25 this can go array and is that 50 percent rule

1 case basis.
 2 MR. WITHERS: By one person, the City
 3 Manager?
 4 MR. COLLER: The City Manager makes the --
 5 well, he's been given the authority here to
 6 determine whether it's misleading information.
 7 If that information was relied upon by the
 8 Commission in the approval and it's material,
 9 then, yes, he would have that authority to do
 10 that, and, then, there's, of course, the
 11 authority to appeal and the appeal would be,
 12 well, wait, I didn't -- what I did was not
 13 misleading. So that's the purpose for the
 14 expedited appeal.
 15 But, again, this is a policy decision of
 16 this Board. If this Board feels uncomfortable
 17 with this, that's why you all are here.
 18 MR. WITHERS: So let's say it was
 19 determined to be misleading. Now you have a
 20 condominium or an apartment with 300 people in
 21 it and they no longer have a Certificate of
 22 Use. What happens? I'm not just talking about
 23 a restaurant that can't flip burgers tomorrow,
 24 but you have a large building that houses 300
 25 people. What's the remedy for that?

1 for food and liquor. That's one of the big
 2 things for our City, that you can't sell
 3 liquor -- that's always been a gray spot.
 4 MR. WITHERS: Every valet guy in this City
 5 has violated their Certificate of Use, I
 6 guarantee you that much.
 7 CHAIRMAN AIZENSTAT: Yeah.
 8 MR. TRIAS: So if you feel that this is
 9 wrong, then vote against it --
 10 CHAIRMAN AIZENSTAT: Or would we want to
 11 ask them to come back with a more defined --
 12 MS. MIRO: I think we already have a
 13 process in place, and, you know -- and, again,
 14 since they said it was something that it was
 15 every once in a while, I don't see why we need
 16 to make a change for something that's every
 17 once in awhile, why they even brought to us.
 18 If it's something that's happening all of the
 19 time, and it's an issue, and it's a problem,
 20 then I can see why this would be an item in our
 21 agenda, but if it's something that's so few and
 22 far between, and there's already a process in
 23 place, and it opens the door to pulling
 24 people's Certificate of Use, you know, from one
 25 minute to the next, I'm not in the favor of

1 that.

2 MR. TORRE: What is the current

3 ramification under the Code for folks that are

4 breaking the rules? What is the process?

5 MR. TRIAS: Well, I mean, I am familiar

6 with a couple of cases in which there is no

7 Certificate of Use and the business is

8 operating. So, I mean, we're talking about

9 dealing with things that are black and white.

10 I mean, I don't think that the subtleties and

11 so on really apply to this, or at least that's

12 the way I understand the intent. There's a

13 process to it --

14 MR. TORRE: But here's my question, so Code

15 Compliance gets involved, and I don't know if

16 this is true or false, their process takes

17 three months of back and forth, with the \$100 a

18 day, and nothing happens for three months.

19 You've given nothing to the City Attorney -- I

20 mean, to the City Manager to take action on,

21 matters just drag out. If that's the case,

22 then you need to have a tool, and I'm not sure

23 that's true or false. But what are the

24 problems that just drag on and drag on? If

25 they do, then they have to have something.

1 City Attorney's Office.

2 MR. COLLER: It was drafted by the City

3 Attorney's Office. Actually, I was involved

4 somewhat in the draft. You know, I don't

5 know --

6 CHAIRMAN AIZENSTAT: The origin.

7 MR. COLLER: -- if it was generated by the

8 City Attorney or the City Manager, but the City

9 Attorney is very comfortable with the legality

10 of the Ordinance.

11 MR. BEHAR: And if we could give the City

12 Attorney or, you know, whoever, more tools,

13 there's a true violation, I'm all for it, you

14 know. And I'm going to use the example of that

15 massage parlor --

16 MR. WITHERS: What's the level of the sin?

17 What's the level of the violation? I mean,

18 there's certainly a difference between a

19 parking ticket and running a red light. So

20 where is the level of -- where is that point,

21 where you violated, now I'm going to revoke --

22 MS. MIRO: When does it become egregious?

23 MR. WITHERS: There's no standard as to

24 what's a violation and what's not a violation.

25 Yeah, I mean, you could be blocking a sidewalk

1 MR. TRIAS: Yeah, and I think that's the

2 tool. And I don't think there's any intention

3 of being arbitrary about this. I think there's

4 a real need to, in some extreme cases, to do

5 something.

6 MR. BEHAR: Yeah, but let me tell you, I'm

7 not -- it depends who is making those

8 determinations. If we go back, I don't know,

9 for lack of a number, seven, ten years ago, and

10 the City Manager that we had at the time

11 capriciously said, "You know what, I'm going to

12 revoke that," we're putting a burden on that

13 user to prove himself, you know, if he's not in

14 violation, okay, and that's my problem with

15 this.

16 CHAIRMAN AIZENSTAT: But I also think --

17 what I'm hearing is that it's actually the City

18 Attorney that's coming with this, that needs a

19 better tool; is that not correct?

20 MR. COLLER: I don't know, actually.

21 Maybe -- Ramon, do you know where -- is this

22 coming from the City Attorney, the City

23 Manager? It's probably a combination of the

24 two.

25 MR. TRIAS: Yeah, this was drafted by the

1 with your tables and chairs and be violating.

2 I just don't think there's any standard on the

3 violation, and it gives someone the right to

4 just --

5 MS. MIRO: The power. It gives them the

6 power, and that's what I'm uncomfortable with,

7 giving it to one person.

8 MR. WITHERS: And, listen, I'm a law and

9 order guy. I'm a purely law and order guy, but

10 I think individuals have to --

11 MR. TRIAS: If you're not comfortable with

12 it, then vote against it. I mean --

13 MR. TORRE: Can we defer and let the City

14 Attorney tell us where they're having

15 difficulty, why this is a needed -- I mean, I

16 don't want to take something that they

17 really --

18 MR. COLLER: I think you would be better

19 off making a recommendation and indicating that

20 as part of your comments.

21 CHAIRMAN AIZENSTAT: In other words, making

22 a recommendation of denial, with that as part

23 of the comments?

24 MR. COLLER: And then as part of the

25 comments, that the Board is concerned about the

1 -- you know, whatever it is that you
2 expressed -- you expressed, as far as why this
3 is needed and why the alternate process is not
4 available or you're concerned because it
5 doesn't indicate the level of how serious it is
6 or you can just say nothing and just do a
7 straight denial.

8 MS. MIRO: I'm in favor of that version.

9 CHAIRMAN AIZENSTAT: So would you like to
10 make a motion?

11 MS. MIRO: Sure. I'll make a motion to
12 deny.

13 CHAIRMAN AIZENSTAT: With any
14 recommendations?

15 MS. MIRO: No, no recommendations, just
16 deny. I mean, our discussion is on the record
17 as to why.

18 MR. REVUELTA: But I think that we need to
19 make a recommendation.

20 MR. TRIAS: You don't need to make a
21 recommendation, in the sense that the minutes
22 are included. So if you want to do that,
23 that's fine. If you want to make a
24 recommendation, that's fine, too.

25 MS. MIRO: I think the minutes will

1 spectrum -- why can't a recommendation be that,
2 Number One, we feel uncomfortable with putting
3 so much power in the City Manager's Office,
4 forgetting who the City Manager is, but that if
5 there is illegal uses going on, then the City
6 should be able to say, forget it, shut it down.
7 So why can't our recommendation be, provide a
8 list of the illegal uses, so we can give the
9 right to the City to shut something down, if
10 these are illegal uses, but there is a
11 consensus that there's illegal uses and then,
12 you know, at that point, maybe the City Manager
13 has the right to implement force, based on this
14 illegal uses? Anything else has to go
15 through --

16 MS. MIRO: But you're saying specific
17 illegal uses, like you want to define them,
18 because like I said, Number Two, failure to
19 comply with the terms or conditions, those
20 terms have to be looked at, those terms can be
21 argued over, those conditions can be argued
22 over.

23 MR. REVUELTA: Correct.

24 MS. MIRO: That's what I'm saying -- you
25 know, are you saying that they're going to say,

1 suffice.

2 CHAIRMAN AIZENSTAT: We have a motion.

3 MR. TORRE: I want to make an amendment. I
4 defer to the City Attorney. I think they know
5 what they're talking about. If there's a need,
6 I'd like to hear from that particular person
7 before we deny. So I would say to deny, but
8 tell us why you need it and we would
9 re-consider.

10 CHAIRMAN AIZENSTAT: But wouldn't that be a
11 deferral as opposed to --

12 MR. TORRE: Or maybe it could be a
13 deferral.

14 MR. TRIAS: Mr. Chairman, you have a
15 motion.

16 CHAIRMAN AIZENSTAT: We have a motion and
17 we -- Venny wants to make an amendment. Do you
18 accept his amendment or not?

19 MS. MIRO: No.

20 CHAIRMAN AIZENSTAT: So we don't --
21 (Simultaneous speaking.)

22 MR. REVUELTA: Mr. Chair, can I say
23 something?

24 CHAIRMAN AIZENSTAT: Yes.

25 MR. REVUELTA: To his point, there's a full

1 well, specifically for this, this, this and
2 this, because if we're not going to be able to
3 tell, if it's going to be such a broad blanket,
4 and then, what they're going to come back with
5 are also more generalized terms, then we're not
6 doing anything.

7 MR. REVUELTA: No, I thought you would like
8 for the City Attorney's Office to be specific.
9 I mean, there are things that come to my mind
10 right now that should be totally illegal. I
11 don't think we need any help on that. You make
12 a list of things that are absolutely illegal,
13 and then, at that point, the City Manager can
14 say, you know, this is absolutely illegal, shut
15 it down. Everything else has to go through a
16 normal process.

17 MR. COLLIER: I just wanted to read to you
18 one of the items. I don't know if this
19 satisfies the Board, 'cause maybe your
20 recommendation is limited to Item Number 4, but
21 Item Number 4 says, "The premises allowed to be
22 utilized for illegal, criminal activity or
23 activity not permitted under the Zoning Code or
24 City Code," I don't know if that's sufficient
25 enough.

1 MR. TORRE: Here's where I'm lost, okay.
 2 There's a Noise Ordinance that applies in
 3 certain places of the City. I know a place,
 4 that sits next to another place, and the noise
 5 is very objectionable to one party, totally a
 6 problem. The police gets called. Finally the
 7 Chief comes by and says, "You either be quiet
 8 or I'm going to shut you down." Under what
 9 terms can he shut them down? It's Zoning. All
 10 he can do is say, you're not following the
 11 Zoning Code, I'm going to shut you down.
 12 What does that mean? Until I know what
 13 that means, I can't tell you I'm going to go
 14 beyond that and give more power or less power.
 15 What does that mean?
 16 MR. TRIAS: You may recall the noise
 17 discussion. We had a scientist here playing
 18 noise and explaining, this is noise, et cetera.
 19 You can endlessly micromanage. I think that,
 20 at the end of the day, you know, my only advice
 21 to you is that we need a document that is
 22 practical and can be used. We cannot list --
 23 it's impossible to list all of the possible
 24 uses. That's just not realistic.
 25 MR. BEHAR: You can't.

1 order, that's the choice of the Board.
 2 MR. BEHAR: There's a motion to deny and a
 3 second.
 4 MR. COLLER: Right now there's a motion to
 5 deny.
 6 MR. WITHERS: Yeah.
 7 CHAIRMAN AIZENSTAT: Any other discussion?
 8 Call the roll, please.
 9 THE SECRETARY: Robert Behar?
 10 MR. BEHAR: Yes.
 11 THE SECRETARY: Claudia Miro?
 12 MS. MIRO: Yes.
 13 THE SECRETARY: Luis Revuelta?
 14 MR. REVUELTA: Yes.
 15 THE SECRETARY: Venny Torre?
 16 MR. TORRE: Yes.
 17 THE SECRETARY: Chip Withers?
 18 MR. WITHERS: Yes.
 19 THE SECRETARY: Eibi Aizenstat?
 20 CHAIRMAN AIZENSTAT: Yes.
 21 Next is E-5. Let's get moving.
 22 MR. COLLER: Item E-5, an Ordinance of the
 23 City Commission of Coral Gables, Florida
 24 providing for a text amendment to the City of
 25 Coral Gables Official Zoning Code by amending

1 CHAIRMAN AIZENSTAT: We have a motion.
 2 MS. MIRO: I just wanted to put on the
 3 record that I'm all for giving the City more
 4 tools to be able to do their job, but I would
 5 have felt more comfortable if they had a
 6 laundry list of, hey, this is an issue. But
 7 you're coming to me and you're telling me this
 8 is a once in a blue moon, and, then, you
 9 know -- you should have had that information to
 10 be ready to answer those questions as to why,
 11 you know, we're doing this, so that we don't
 12 have to ask the City Attorney why she's, you
 13 know, asking for this.
 14 CHAIRMAN AIZENSTAT: We have a motion. Is
 15 a there a second?
 16 MR. WITHERS: I'll second it.
 17 CHAIRMAN AIZENSTAT: Chip seconds. Any
 18 further discussion?
 19 MR. WITHERS: Oh, one last thing, I think
 20 it's a good idea what Venny said, though, of
 21 the City Attorney coming and saying what was
 22 the impetus to move this forward, is there an
 23 issue out there that we're not aware of. I
 24 mean, I don't know how the rest of you feel.
 25 MR. COLLER: A motion to defer is always in

1 Article 14, "Process," Section 14-103.2,
 2 "Membership; Terms; Vacancies; Removal," to
 3 allow certain percentage of the Board of
 4 Architects members to not be residents or have
 5 their principal place of business in the City
 6 of Coral Gables; providing for severability,
 7 repealer, codification, and an effective date.
 8 MR. TRIAS: Mr. Chairman, currently the
 9 Board of Architects has at least seven members
 10 and they all need to be residents or have their
 11 place of business in the City of Coral Gables.
 12 This amendment says that no less than five of
 13 the members will have to be residents or have
 14 their principal place of business in the City,
 15 and the idea is that that may open up the
 16 membership more widely than right now.
 17 CHAIRMAN AIZENSTAT: So two would be able
 18 to be from the outside.
 19 MR. TRIAS: Two or more, because we could
 20 add more.
 21 MR. BEHAR: I think this is a very good
 22 idea. I think that it gives us the ability to
 23 bring other architects to the Board, that may
 24 not be residing or practicing in Coral Gables.
 25 I think this is good.

1 CHAIRMAN AIZENSTAT: Do we have any
 2 speakers?
 3 THE SECRETARY: No.
 4 CHAIRMAN AIZENSTAT: No speakers? I'll
 5 close it for public comment.
 6 Chip.
 7 MR. WITHERS: I'm going to defer it to the
 8 distinguished colleagues to my right that deal
 9 with this day to day, because I have really no
 10 opinion on this, because I don't know what the
 11 advantages or disadvantages are. I understand
 12 the advantage, that bringing in outside views
 13 is good. I understand that we might need more
 14 physical bodies. That's good.
 15 MR. BEHAR: And, Chip, I think that's
 16 probably one of the reasons, to be able to
 17 bring more, you know, opportunities, that not
 18 to just limit -- because you have the same
 19 Board Member year after year to serve, because
 20 there's not a bigger pool.
 21 MR. TRIAS: And the members are appointed
 22 by the City Manager, by the way.
 23 CHAIRMAN AIZENSTAT: Say that again,
 24 please.
 25 MR. TRIAS: The members are appointed by

1 something. So I hear what you're saying about,
 2 you know, opening up the pool to a larger, I
 3 guess, talent of architects, right, but at the
 4 same time, I also wanted to say that I think
 5 that those of us who live in Coral Gables live
 6 in Coral Gables because there's certain things
 7 about the characteristics of Coral Gables,
 8 whether it be, you know, the architecture or
 9 the quality of life that we enjoy, and so I
 10 tend to lean towards the side that I would like
 11 people who sit on the Board of Architecture to
 12 have that kind of affinity, but at the same
 13 time, I also see that limited real estate in
 14 Coral Gables can affect that, and I'm also --
 15 I'm open to some outside talent.
 16 MR. BEHAR: Claudia, and I'm going to use
 17 the example, you know, and this is -- Mr. Trias
 18 will probably agree with me, if you have a
 19 Robert Stern, you know, a very distinguished
 20 architect, who would want to serve on the Board
 21 today, and he does, you know, not reside, he
 22 wouldn't be able to do it.
 23 MS. MIRO: We're missing out. I
 24 understand.
 25 MR. BEHAR: And that's what this --

1 the City Manager. That's the process.
 2 CHAIRMAN AIZENSTAT: Understood.
 3 MR. BEHAR: If you close the public --
 4 CHAIRMAN AIZENSTAT: I already did.
 5 MR. BEHAR: I'll make a motion to approve
 6 it.
 7 MR. WITHERS: Second.
 8 MS. MIRO: I didn't get a chance to say
 9 anything.
 10 MR. TORRE: So we want to remove the
 11 provision of the City Manager being allowed --
 12 MR. BEHAR: That's the way it is today.
 13 CHAIRMAN AIZENSTAT: We have a motion by
 14 Robert. Who made the second?
 15 Venny made the second.
 16 MR. BEHAR: I'm going to accept --
 17 MR. REVUELTA: I don't know. Wait. Is
 18 this going to be open for discussion?
 19 CHAIRMAN AIZENSTAT: Yes. Claudia.
 20 MS. MIRO: Okay.
 21 MR. REVUELTA: Go ahead.
 22 Venny seconded it.
 23 CHAIRMAN AIZENSTAT: Claudia, you wanted
 24 to --
 25 MS. MIRO: Oh, yeah, I just wanted to say

1 MR. TRIAS: Maybe Robert Stern wants to
 2 move part-time to Coral Gables.
 3 MR. BEHAR: Maybe.
 4 MR. TRIAS: Maybe. No, but certainly
 5 that's an option that I think makes it easier
 6 to find people. Anybody who wants to serve on
 7 the Board should be commended, because,
 8 frankly, it's every week, it's several hours a
 9 week and so on and so on.
 10 MR. BEHAR: I did it for ten years and it's
 11 very difficult, you know, and takes a lot of
 12 time, and I think this just gives the
 13 opportunity to have a bigger pool.
 14 MR. REVUELTA: Is there a maximum right now
 15 of outside architects that can serve?
 16 CHAIRMAN AIZENSTAT: It's zero right now,
 17 so the idea is to have two out of the seven
 18 minimum.
 19 MR. TRIAS: Yeah, two or more, if needed.
 20 MR. REVUELTA: I think there should be a
 21 cap, because at some point, if you don't put a
 22 cap, there could be seven architects from
 23 somewhere else.
 24 MR. TRIAS: Well, five have to be from
 25 here.

1 MS. MIRO: Right, but he's saying, what if
 2 we have a hundred architects and only five are
 3 from here.
 4 MR. REVUELTA: Then there is an automatic
 5 cap.
 6 MR. TRIAS: Right.
 7 MR. REVUELTA: Five have to be from here
 8 and two --
 9 MR. TRIAS: You could have a hundred
 10 members, yes, that is true. So we don't have
 11 that, and the idea is that right now I think we
 12 have eight. I think that's the number. I
 13 mean, it's never been more than that. So we
 14 could change that if --
 15 MR. BEHAR: To fifty percent.
 16 MR. REVUELTA: I could see 50 percent --
 17 MR. TRIAS: Yeah. It's just that it was
 18 easier to say, five, so we can count, as
 19 opposed to fifty percent, because, oh, two of
 20 them resigned, so now it's not 50 percent
 21 anymore, so --
 22 MR. WITHERS: The Board of Architects has,
 23 what, a three person hearing and then a full
 24 Board hearing? Is that how it works?
 25 MR. TRIAS: Yes.

1 I'm in agreement with Robert, that it
 2 shouldn't be fifty percent, but I think a
 3 percentage, between 25 and 30 --
 4 MR. BEHAR: Listen --
 5 MR. TRIAS: When I bring something to you,
 6 it's from a point of view of making it easy to
 7 implement. That's why it's written that way.
 8 MR. BEHAR: I will go ahead -- for
 9 clarification, make a motion for approval with
 10 a condition as presented to us.
 11 MR. TORRE: Second.
 12 CHAIRMAN AIZENSTAT: We have a second.
 13 Okay. Any other discussion? No?
 14 Call the roll.
 15 THE SECRETARY: Claudia Miro?
 16 MS. MIRO: Yes.
 17 THE SECRETARY: Luis Revuelta?
 18 MR. REVUELTA: Yes.
 19 THE SECRETARY: Venny Torre?
 20 MR. TORRE: Yes.
 21 THE SECRETARY: Chip Withers?
 22 MR. WITHERS: Yes.
 23 THE SECRETARY: Robert Behar?
 24 MR. BEHAR: Yes.
 25 THE SECRETARY: Eibi Aizenstat?

1 MR. WITHERS: So is there going to be
 2 restrictions on the three? Does it have to be
 3 one of the three?
 4 MR. TRIAS: I don't think so, at this
 5 point.
 6 MR. WITHERS: So it could be, two of the
 7 three can be out of town?
 8 MR. TRIAS: Possibly, foreigners from other
 9 countries. Who knows. Maybe Robert Stern
 10 comes from New York over the weekend.
 11 CHAIRMAN AIZENSTAT: Any other discussion?
 12 We have a motion and a second. No?
 13 MR. BEHAR: I made a motion.
 14 CHAIRMAN AIZENSTAT: Right. We have a
 15 motion and a second.
 16 MR. REVUELTA: Is your motion saying that
 17 at least a certain percentage of the Board
 18 needs to be residents or we're leaving it up
 19 to --
 20 MR. TORRE: It says, "Five minimum."
 21 MS. MIRO: But then you guys just said 50
 22 percent.
 23 MR. REVUELTA: Sometimes it's seven and
 24 sometimes it's eight. There will never be a
 25 case that there's ten members.

1 CHAIRMAN AIZENSTAT: Yes.
 2 MR. BEHAR: Then, for the record, I want to
 3 nominate Mr. Revuelta to serve on the Board of
 4 Architects.
 5 MR. REVUELTA: What? There are no
 6 vacancies.
 7 MR. TRIAS: What a great idea that is,
 8 Robert.
 9 CHAIRMAN AIZENSTAT: Okay. Let's go on to
 10 the next item. The next item is E-6. Mr.
 11 Coller.
 12 MR. COLLER: Item E-6, an Ordinance of the
 13 City Commission of Coral Gables, Florida
 14 providing for a text amendment to Article 14,
 15 "Process," Section 14-214 "Protection of
 16 Landowners' Rights; Relief from Inordinate
 17 Burdens" of the City of Coral Gables Official
 18 Zoning Code to clarify procedures to resolve
 19 disputes and provide relief from the
 20 application of the Zoning Code, including the
 21 granting of variances; providing for
 22 severability, repealer, codification, and an
 23 effective date.
 24 Item E-6, public hearing.
 25 Ramon, do you want to explain this or I

1 can?
 2 MR. TRIAS: You can. I mean --
 3 MR. COLLER: This is really more of a
 4 housekeeping measure, just a slight
 5 modification in how we handle claims under Bert
 6 Harris, inordinate burdens, and it's really
 7 clarification that you have the authority to
 8 grant variances in order to provide relief. I
 9 don't think it's materially different than how
 10 it's being done now, but we received a decision
 11 from the Court, where we felt that it would be
 12 good to fine-tune this. So that's what's being
 13 done.
 14 CHAIRMAN AIZENSTAT: Any speakers on this,
 15 Jill?
 16 THE SECRETARY: No.
 17 CHAIRMAN AIZENSTAT: At this point, I'll go
 18 ahead and close it for public comment.
 19 Anybody on the Board have any questions or
 20 comments or does anybody want to make a motion?
 21 Anybody want to make a motion?
 22 MR. TORRE: I'll make a motion.
 23 CHAIRMAN AIZENSTAT: We have a motion from
 24 Venny. Second?
 25 MR. REVUELTA: Second.

1 residence regarding the use of covered open air
 2 walkways and location of porte-coches and
 3 carports; providing for severability, repealer,
 4 codification and an effective date.
 5 CHAIRMAN AIZENSTAT: Mr. Trias.
 6 MR. TRIAS: Mr. Chairman, some minor
 7 changes that relate to single-family houses.
 8 As you know, in the Code update, we didn't deal
 9 with single-family houses, so this is something
 10 a little bit separate. One of them is, we're
 11 just simply saying, single-family residences or
 12 duplex, so it's obvious. Another one is that
 13 the carport has to be attached to the house.
 14 Another one is that the porte cochere has to be
 15 in the front of the building. And, finally,
 16 that the connection of different areas of the
 17 house could be a walkway, as opposed to an
 18 enclosed air-conditioned space -- well, it's a
 19 roofed walkway.
 20 CHAIRMAN AIZENSTAT: What was the last one,
 21 please?
 22 MR. TRIAS: Sometimes you may have a house
 23 that has two sections, and those sections are
 24 connected, and we're saying specifically that
 25 there has to be a roof connection, but it

1 CHAIRMAN AIZENSTAT: Luis seconded it. Any
 2 discussion? No?
 3 Call the roll, please.
 4 THE SECRETARY: Luis Revuelta?
 5 MR. REVUELTA: Yes.
 6 THE SECRETARY: Venny Torre?
 7 MR. TORRE: Yes.
 8 THE SECRETARY: Chip Withers?
 9 MR. WITHERS: Yes.
 10 THE SECRETARY: Robert Behar?
 11 MR. BEHAR: Yes.
 12 THE SECRETARY: Claudia Miro?
 13 MS. MIRO: Yes.
 14 THE SECRETARY: Eibi Aizenstat?
 15 CHAIRMAN AIZENSTAT: Yes.
 16 And the last item on the agenda, E-7.
 17 MR. COLLER: Item E-7, an Ordinance of the
 18 City Commission of Coral Gables, Florida
 19 providing for a text amendment to the City of
 20 Coral Gables Official Zoning Code by amending
 21 Article 10, "Parking," Section 10-110, "Amount
 22 of required parking," and Article 16,
 23 "Definitions," to clarify parking requirements
 24 related to single-family building alterations
 25 and to update the definition of a single-family

1 doesn't have to be enclosed. You know, it
 2 could be just a covered walkway.
 3 CHAIRMAN AIZENSTAT: And does that -- does
 4 that have to be a continuous attachment? For
 5 example, what happens if you have a cantilever
 6 that is at one height and then a bottom part,
 7 for design purposes, that's a little bit lower,
 8 where they overlap?
 9 MR. TRIAS: There's some open space -- I
 10 think that would be fine.
 11 CHAIRMAN AIZENSTAT: You think that would
 12 be fine or would it --
 13 MR. TRIAS: I mean, if it's architecturally
 14 appropriate. Obviously, I mean, unless I see a
 15 design, I really can't tell, but the idea is
 16 that right now every square foot of the house
 17 has to be enclosed. So, sometimes, if you,
 18 let's say, have a big lot and want to have a
 19 separate pavilion and so on, so that doesn't
 20 count as part of your house. It's a technical
 21 thing. So we're saying, you know, as long as
 22 you're connected, you don't have to
 23 air-condition that connection.
 24 CHAIRMAN AIZENSTAT: Because, correct me if
 25 I'm wrong, before you were allowed a certain

1 percentage of your home to be, let's say, a
 2 storage room or auxiliary and you didn't have
 3 to connect that; is that correct?
 4 MR. TRIAS: That still remains. I don't
 5 think that's what we're talking about here.
 6 CHAIRMAN AIZENSTAT: Okay.
 7 MR. TRIAS: What we're talking about here
 8 is that --
 9 CHAIRMAN AIZENSTAT: But now somebody could
 10 make a bigger square footage, as long as they
 11 connect it and it doesn't have to be
 12 air-conditioned?
 13 MR. TRIAS: Yeah. Yeah.
 14 CHAIRMAN AIZENSTAT: So it basically allows
 15 for a more liberal design.
 16 MR. TRIAS: If you're doing a courtyard,
 17 for example, and that courtyard has a
 18 colonnade, and you have, let's say, two pods
 19 attached to it, that would be okay. Right now
 20 it's not okay.
 21 CHAIRMAN AIZENSTAT: Does it matter whether
 22 it's on the front exposure, does it matter if
 23 it's on the back, could be anywhere on the
 24 property?
 25 MR. TRIAS: Yes, within the review process

1 MR. TRIAS: Yeah. And if it were to be in
 2 the front, it would be a porte cochere. There
 3 you go.
 4 CHAIRMAN AIZENSTAT: Definition by
 5 location.
 6 MR. WITHERS: I don't know --
 7 MR. TRIAS: The main issue is that, for
 8 whatever reason, some architects were saying,
 9 well, I don't have to attach it. It could
 10 be -- and that's where it creates some
 11 problems.
 12 MR. WITHERS: I understand.
 13 MR. TORRE: Is there more discussion or can
 14 I make a motion?
 15 CHAIRMAN AIZENSTAT: Anybody for discussion
 16 on this item from the public?
 17 THE SECRETARY: No, not on Zoom.
 18 CHAIRMAN AIZENSTAT: No? I'll go ahead and
 19 close the floor to the public.
 20 MR. TORRE: I would like to make a motion
 21 to approve this item.
 22 MS. MIRO: Second.
 23 CHAIRMAN AIZENSTAT: We have a motion to
 24 approve. We have a second. Any discussion?
 25 No?

1 that we have, obviously.
 2 CHAIRMAN AIZENSTAT: Okay.
 3 MR. WITHERS: So is the carport on the side
 4 of the home that goes through and goes into a
 5 parking structure behind it, is that considered
 6 a carport or a porte cochere?
 7 MR. TRIAS: That's a carport. A porte
 8 cochere has to be in the front.
 9 MR. WITHERS: So, on the side, you can have
 10 a carport and you can drive through it, you
 11 just can't have a porte cochere that you can
 12 drive through on the side?
 13 MR. TRIAS: Yes. Yes. Right. What was
 14 happening is that sometimes people would do a
 15 detached porte cochere and say, "Well, you
 16 know, the porte cochere doesn't say that it has
 17 to be attached."
 18 MR. WITHERS: Yeah, I understand. But what
 19 I'm saying is, instead of calling it a porte
 20 cochere, why not just call it a carport?
 21 MR. TRIAS: No, a carport is fine and that's --
 22 MR. WITHERS: I know. That's what I'm
 23 saying, if I want to have a porte cochere in
 24 the back of my house, why don't I just call it
 25 a carport?

1 Call the roll, please.
 2 THE SECRETARY: Venny Torre?
 3 MR. TORRE: Yes.
 4 THE SECRETARY: Chip Withers?
 5 MR. WITHERS: Yes.
 6 THE SECRETARY: Robert Behar?
 7 MR. BEHAR: Yes.
 8 THE SECRETARY: Claudia Miro?
 9 MS. MIRO: Yes.
 10 THE SECRETARY: Luis Revuelta?
 11 MR. REVUELTA: Yes.
 12 THE SECRETARY: Eibi Aizenstat?
 13 CHAIRMAN AIZENSTAT: Yes.
 14 I want to thank everybody for coming
 15 tonight. It's an extra meeting. And I'm sure
 16 the City appreciates it as much --
 17 MR. TRIAS: Don't forget, we're doing it
 18 again next Wednesday.
 19 CHAIRMAN AIZENSTAT: Thank you.
 20 MR. BEHAR: Motion to adjourn.
 21 CHAIRMAN AIZENSTAT: Motion to adjourn. Is
 22 there a second?
 23 MR. TORRE: Second.
 24 CHAIRMAN AIZENSTAT: All in favor say aye.
 25 (All Board Members voted aye.)

1 CHAIRMAN AIZENSTAT: Thank you very much.
 2 (Thereupon, the meeting concluded at 8:15
 3 p.m.)
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1 CERTIFICATE
 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7
 8
 9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
 10 Public for the State of Florida at Large, do hereby
 11 certify that I was authorized to and did
 12 stenographically report the foregoing proceedings and
 13 that the transcript is a true and complete record of my
 14 stenographic notes.
 15
 16 DATED this 9th day of March, 2022.
 17
 18
 19 SIGNATURE ON FILE
 20 _____
 21 NIEVES SANCHEZ
 22
 23
 24
 25