

CITY OF CORAL GABLES
LOCAL PLANNING AGENCY (LPA)/
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
HYBRID FORMAT
TUESDAY, MARCH 2, 2021, COMMENCING AT 5:41 P.M.

Board Members Present at Commission Chamber:
Eibi Aizenstat, Chairman (present via Zoom platform)
Robert Behar
Luis Revuelta
Wayne "Chip" Withers
Venny Torre
Rene Murai (present via Zoom platform)
Maria Velez (present via Zoom platform)

City Staff and Consultants:
Ramon Trias, Planning Director
Devin Cejas, Deputy Development Services
Director/Zoning Official
Jill Menendez, Administrative Assistant, Board Secretary
Jennifer Garcia, City Planner (via Zoom platform)
Ana Restrepo, Principal Planner (via Zoom platform)
Arceli Redila, Principal Planner
Craig Coller, Special Counsel (via Zoom platform)
Cristina Suarez, Assistant City Attorney (via Zoom platform)

Also Participating Via Zoom Platform:
Amy Beunza
Luis Palenzuela
Karelia Martinez-Carbonell
Jorge Arias
Maria Cruz

1 THEREUPON:

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

4 Good evening. This Board is comprised of
5 seven members. Four Members of the Board shall
6 constitute a quorum and the affirmative vote of
7 four members shall be necessary for the
8 adoption of any motion. If only four Members
9 of the Board are present, an applicant may
10 request and be entitled to a continuance to the
11 next regularly scheduled meeting of the Board.

12 If a matter is continued due to a lack of
13 quorum, the Chairperson or Secretary of the
14 Board may set a Special Meeting to consider
15 such matter. In the event that four votes are
16 not obtained, an applicant may request a
17 continuance or allow the application to proceed
18 to the City Commission without a
19 recommendation.

20 Tonight's meeting is hybrid in format,
21 where only Board Members and City Staff are
22 physically present in the Commission Chambers
23 at Coral Gables City Hall. Applicants and
24 members of the public will be participating via
25 Zoom.

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

12 As Chair, I now officially call the City of
13 Coral Gables Planning & Zoning Board Virtual
14 Meeting Hybrid of March 10th, 2021 to order.
15 Due to COVID-19, Zoom platform is being used,
16 along with a direct phone line. The time is
17 5:41.

18 Jill will now call the roll. When your
19 name is called, please unmute yourself to
20 acknowledge your presence.

21 Jill.
22 THE SECRETARY: Robert Behar?
23 MR. BEHAR: Here.
24 THE SECRETARY: Rene Murai?
25 MR. MURAI: Here.

1 THE SECRETARY: Luis Revuelta?
2 MR. REVUELTA: Here.
3 THE SECRETARY: Venny Torre?
4 MR. TORRE: Here.
5 THE SECRETARY: Maria Velez?
6 MS. VELEZ: Here.
7 THE SECRETARY: Chip Withers?
8 MR. WITHERS: Here.
9 THE SECRETARY: Eibi Aizenstat?
10 CHAIRMAN AIZENSTAT: Here.

11 Notice of Ex Parte Communications. Please
12 be advised that this Board is a quasi-judicial
13 board, which requires Board Member to disclose
14 all ex parte communications and site visits.
15 An ex parte communication is defined as any
16 contact, communication, conversation,
17 correspondence, memorandum or other written or
18 verbal communication that takes place outside
19 the public hearing between a member of the
20 public and a member of the quasi-judicial board
21 regarding matters to be heard by the Board.

22 If anyone made any contact with a Board
23 Member regarding an issue before the Board, the
24 Board Member must state on the record the
25 existence of the ex parte communication and the

1 party who originated the communication. Also,
 2 if a Board Member conducted a site visit
 3 specifically related to the case before the
 4 Board, the Board Member must also disclose such
 5 visit. In either case, the Board Member must
 6 state on the record whether the ex parte
 7 communication and/or site visit will affect the
 8 Board Member's ability to impartially consider
 9 the evidence to be presented regarding the
 10 matter. The Board Member should also state
 11 that his or her decision will be based on
 12 substantial competent evidence and testimony
 13 presented on the record today.

14 Does any Member of the Board have any such
 15 communication and/or site visit to disclose at
 16 this time?

17 MR. BEHAR: No.

18 CHAIRMAN AIZENSTAT: No? Having heard
 19 none.

20 As far as the swearing in process, the
 21 swearing in process for tonight will be a
 22 little different than normal. With the
 23 exception of attorneys, when we take up a
 24 quasi-judicial item, each member of the public
 25 will be sworn in before they speak. Also, I'd

1 ask you to please, before you speak, state your
 2 full name and address, for the record, prior to
 3 any speaking. Zoom platform --

4 MR. COLLER: Mr. Chairman, just a
 5 housekeeping measure on this issue. First of
 6 all, you read March 10th. I know you meant
 7 March 2nd. We would have been meeting March
 8 10th.

9 CHAIRMAN AIZENSTAT: I apologize.

10 MR. COLLER: But we are meeting March 2nd.

11 Because these items are related, although
 12 the first item is a Comprehensive Plan change,
 13 which would be legislative, because my
 14 suggestion is, we read them all in, then we
 15 should be swearing everyone in at the beginning
 16 of the meeting for all of the items.

17 CHAIRMAN AIZENSTAT: Okay. Thank you. And
 18 thank you for correcting it. It is March 2nd.
 19 I appreciate that.

20 To proceed, with the Zoom platform, I will
 21 ask any person wishing to speak or testify on a
 22 specific agenda item, to please open your chat
 23 and send a direct message to Jill Menendez,
 24 stating the agenda item you would like to speak
 25 about and include your full name. Jill will

1 call you when it's your turn. Depending on the
 2 number of speakers, I ask you to limit your
 3 remarks to three minutes, but if you need
 4 longer, that's fine, but I'd ask you not to
 5 repeat what other speakers have already said.

6 Phone platform participants, after the Zoom
 7 platform participants are done, I will ask
 8 phone participants to comment on the agenda
 9 item. I'd also ask you to not repeat yourself,
 10 and if possible, to limit your remarks to three
 11 minutes, but, of course, if you wish to
 12 continue further, please let us know. The way
 13 to contact Jill is *9 for the phone
 14 participants.

15 I will also ask the clerk to read any
 16 comments or e-mails received. The clerk will
 17 be asked to read them into the record, since
 18 we're -- Craig, if we're going ahead and having
 19 all of the agenda items together that you're
 20 going to read, let's go ahead and read any
 21 e-mails or items, in general, at the very
 22 beginning. Are you okay with that?

23 MR. COLLER: That's perfectly fine to do.

24 CHAIRMAN AIZENSTAT: Okay. Thank you.
 25 The first item is the approval of the

1 minutes of February 10th, 2021. Is there a
 2 motion?

3 MR. BEHAR: I make a motion for approval.

4 MS. VELEZ: So moved.

5 CHAIRMAN AIZENSTAT: We have a motion --

6 MS. VELEZ: Second.

7 CHAIRMAN AIZENSTAT: -- we have a second.
 8 Any comments or questions? No? Having heard
 9 none, Jill, please call the roll.

10 THE SECRETARY: Rene Murai?

11 Rene Murai?

12 Luis Revuelta?

13 MR. REVUELTA: Yes.

14 THE SECRETARY: Venny Torre?

15 MR. TORRE: Yes.

16 THE SECRETARY: Maria Velez?

17 MS. VELEZ: Yes.

18 THE SECRETARY: Chip Withers?

19 MR. WITHERS: Yes.

20 THE SECRETARY: Robert Behar?

21 MR. BEHAR: Yes.

22 THE SECRETARY: Rene Murai?

23 Eibi Aizenstat?

24 CHAIRMAN AIZENSTAT: Yes.

25 The procedure that we'll use tonight is as

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1 follows: First, the identification of the item
 2 by Mr. Collier, then will be the presentation by
 3 Staff, as they will be doing -- they are
 4 considered the applicant and will be doing
 5 their presentation, then I'll go ahead and open
 6 it up to the public comment, first to Zoom
 7 platform, then the phone line platform. We'll
 8 go ahead then and close the public comment,
 9 have Board discussion, and motion and
 10 discussion and second motion and vote, if any,
 11 as we proceed.

12 Mr. Collier, would you please read the first
 13 item into the record?

14 MR. COLLIER: I'll be reading all three
 15 items in and we'll hold one public hearing on
 16 all three items and then take a separate vote
 17 on each of the items.

18 Item E-1, an Ordinance of the City
 19 Commission of Coral Gables, Florida, amending
 20 the Future Land Use Map of the City of Coral
 21 Gables Comprehensive Plan pursuant to Zoning
 22 Code Article 14, "Process", Section 14-213, and
 23 Comprehensive Plan amendment procedures,
 24 Section 163.3187, Florida Statute, changing the
 25 land use designation for all lots in Block 36,

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1 Crafts Section, Coral Gables, Florida from
 2 either Single-Family High Density or
 3 Multi-Family Duplex Density to Residential
 4 Multi-Family Medium Density; providing for a
 5 repealer provision, severability clause and
 6 providing for an effective date.

7 Item E-2, an Ordinance of the City
 8 Commission of Coral Gables, Florida providing
 9 for a text amendment to the City of Coral
 10 Gables Official Zoning Code by amending
 11 Appendix A, "Site Specific Zoning Regulations",
 12 Section A-36, "Crafts Section," by revising the
 13 height restriction for Block 36, Crafts
 14 Section, Coral Gables, Florida; providing for a
 15 repealer provision, severability clause and
 16 providing for an effective date.

17 Item E-3, an Ordinance of the City
 18 Commission of Coral Gables, Florida making
 19 zoning district boundary changes for all lots
 20 in Block 36, Crafts Section, Coral Gables,
 21 Florida from either Single-Family Residential
 22 Density or Multi-Family 1 Duplex (MF1) District
 23 to Multi-Family 2 (MF2) District; and making
 24 the appropriate zoning map amendments to
 25 effectuate these changes, pursuant to Zoning

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1 Code Article 14, "Process", Section 14-212
 2 "Zoning Code Text and Map Amendments";
 3 providing for a repealer provision,
 4 severability, and providing for an effective
 5 date.

6 Items E-1, E-2 and E-3, public hearing.
 7 CHAIRMAN AIZENSTAT: Thank you.
 8 Mr. Trias.
 9 MR. TRIAS: Thank you, Mr. Chairman.
 10 May I have the PowerPoint, please? Thank
 11 you.

12 Today we have three items -- three items
 13 related to the Crafts Section. As you may
 14 recall, you looked at this some time ago and
 15 recommended for a change of Land Use and a
 16 change of Zoning for two and a half blocks of
 17 the Crafts Section. What we're dealing with
 18 today is just one block.

19 I don't think I'm able to change the
 20 slides. If you don't mind, television, could
 21 you change the slide to the next one please?
 22 Okay. Now it's working.

23 All right. The block that we're looking at
 24 is the southern most block, which is Number 36,
 25 it's highlighted in red. The block to the

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1 north and the half block to the north of that
 2 one, those were changed by the Commission to
 3 MX1, as originally requested. However, as the
 4 discussion took place at the Commission
 5 Meeting, the recommendation was to do something
 6 a little bit different, which is what we're
 7 bringing to you today. Currently, the land, as
 8 you know, Block 36, is Single-Family and also
 9 Duplex.

10 The request has three items, a
 11 Comprehensive Plan Amendment, a Zoning Code
 12 Text Amendment to the Site Specifics and then a
 13 Zoning Code Map Amendment. Change of Land Use
 14 is to Multi-Family Medium Density, which is
 15 what would allow MF2 to be located there.

16 The Site Specifics amendment is probably
 17 the most significant, because it limits the
 18 height to 45 feet; 45 feet and three stories.
 19 Currently there are some Site Specifics. We're
 20 striking through those and instead it's a
 21 45-foot limit.

22 The change of Zoning is to MF2. I wanted
 23 to compare MF2 and MF3, because the MF3 is the
 24 Zoning designation for the San Sebastian
 25 Apartments immediately to the south. And as

1 you can see, the biggest difference is the
 2 density. The density in MF2 can go up to 50
 3 units per acre with Med Bonus Level 2. And
 4 also the biggest difference will be the height,
 5 except for the fact that the Site Specifics
 6 make it the same. So that's the conceptual
 7 idea behind the request.
 8 Public notifications were mailed and
 9 posted, letters were sent within 1,500 feet,
 10 which is the area depicted in this map. And
 11 Staff recommends approval to the -- for the
 12 three requests.
 13 Thank you.
 14 MR. BEHAR: Can I? I have two questions.
 15 MR. TRIAS: Yes. Yes.
 16 MR. BEHAR: To be clear, can you go back
 17 to the comparison that you had, the MF2 and the
 18 MF3 slides, a second?
 19 MR. TRIAS: Sure. Could we have the slide
 20 back?
 21 MR. BEHAR: And if I understood correctly,
 22 you are saying that we are going to have a
 23 limit -- even though, in the MF2, you allow a
 24 big lot to go up to 97 feet with Med Bonus --
 25 MR. TRIAS: Yes.

1 MR. TORRE: Quick question, I know that
 2 there's some changes to the parking
 3 requirements as it relates to MF2 for lots
 4 under 10,000 feet, correct?
 5 MR. TRIAS: Not exactly, because the
 6 Commission decided not to change the
 7 Multi-Family parking requirements.
 8 MR. TORRE: So that change did not happen?
 9 That's why I'm confused.
 10 MR. TRIAS: That has remained the same.
 11 MR. TORRE: Okay. I'm trying to figure out
 12 what happened --
 13 MR. TRIAS: Or will remain the same, should
 14 the Commission pass Second Reading.
 15 MR. TORRE: Okay. So what would normally
 16 be built here if we go to MF2? What will the
 17 typical built environment look like? Is it
 18 going to be, the minimum size is 5,000 square
 19 feet to build?
 20 MR. TRIAS: Yes.
 21 MR. TORRE: Curb cuts on the front, parking
 22 -- parking for these units will be from the
 23 front required on-site?
 24 MR. TRIAS: Yes. Yes. Parking will be
 25 outside.

1 MR. BEHAR: -- but we're going to limit
 2 here, no matter what, to 45 feet?
 3 MR. TRIAS: Yes. Yes.
 4 MR. BEHAR: So the maximum height that
 5 you'd be able to do in this block, Block 36,
 6 will be 45 feet?
 7 MR. TRIAS: And then there's Request Number
 8 2, which is the Site Specifics. Yes.
 9 MR. BEHAR: Okay. Thank you.
 10 MR. TRIAS: Yes.
 11 CHAIRMAN AIZENSTAT: Thank you.
 12 MR. TORRE: Mr. Trias, just to get my head
 13 to wrap around it, to -- I know it changed
 14 recently in the Code -- changes that happened
 15 recently to MF2 --
 16 MR. TRIAS: MF2 has not changed in the
 17 Code. It's the same.
 18 MR. TORRE: Changes that you did recently,
 19 did they not have a few tweaks to that MF2
 20 Code?
 21 MR. TRIAS: Some minor tweaking in the
 22 sites --
 23 MR. TORRE: Parking, for example, in this
 24 case.
 25 MR. TRIAS: Yeah. Yeah.

1 MR. TORRE: So how would you deal with, if
 2 everybody wanted to do 5,000 square feet, put a
 3 curb cut, provide parking on the street that
 4 right now has lateral parking for both sides?
 5 You would be removing all of the lateral
 6 parking.
 7 MR. TRIAS: That would be problematic, to
 8 do the small scale increment, because of what
 9 you're saying. Yes, you're right. You're
 10 correct.
 11 MR. TORRE: But it's possible that that
 12 would be what could happen?
 13 MR. TRIAS: Yes.
 14 MR. TORRE: Okay. So going back, the
 15 parking requirement removal was not approved --
 16 will not be approved?
 17 MR. TRIAS: The parking -- the Second
 18 Reading for the parking is coming up in the
 19 next Commission meeting, and at this point, the
 20 parking is not changing for Multi-Family, which
 21 includes MF2. So it's the same parking
 22 requirements that we've had in the Code until
 23 recently.
 24 MR. TORRE: Would you not agree that these
 25 blocks could face removal of parking for that

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1 typology to happen here, because typically this
 2 sort of urbanized sort of area, that would
 3 be --
 4 MR. TRIAS: I mean, I think the parking is
 5 going to be difficult to fit within the
 6 parameters that we're talking about.
 7 MR. TORRE: Of these units --
 8 MR. TRIAS: Yes.
 9 MR. TORRE: -- to be able to raise the
 10 unit -- to get parking on the ground floor, be
 11 able to put units above you, it's going to be
 12 that type of typology.
 13 MR. TRIAS: It's going to limit the number
 14 of units and the density significantly, also.
 15 MR. TORRE: Yeah.
 16 MR. BEHAR: So, Venny, if that happens,
 17 realistically it's not feasible to do it.
 18 MR. TORRE: Correct.
 19 MR. BEHAR: You know, what's going to
 20 happen, those restrictions is going to
 21 practically eliminate any small development.
 22 MR. TRIAS: Well, they're going to be very
 23 small -- very small, a few units here and
 24 there, basically. I mean, that's the way I see
 25 it.

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1 MR. TRIAS: Thank you.
 2 CHAIRMAN AIZENSTAT: Jill, could you please
 3 read the e-comments into the record that we
 4 have to date?
 5 THE SECRETARY: Sure.
 6 Brett Gillis, I respectfully recommend that
 7 you vote no to the proposal to upzone Block 36,
 8 Malaga and Santander Avenue. This proposal
 9 will just push other low scale residential
 10 neighborhoods up against massive buildings.
 11 The P&Z Board should be for education and input
 12 and resident participation. This entire
 13 process has been too rushed and is curtailing
 14 education and participation by the residents.
 15 No comprehensive impact studies or neighborhood
 16 workshops on this specific proposal have
 17 occurred. When is this going to happen? I
 18 would like to be able to plan to go.
 19 I would also like to remind you that one of
 20 the ring leaders of the proposal to upzone the
 21 Crafts Section is a former Assistant City
 22 Manager that appeared before the Historic
 23 Preservation Board to convince them to declare
 24 333 Catalonia as not historic, stating that as
 25 a 1920s two-story apartment building, it was an

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1 MR. TORRE: Or you gather a large swath of
 2 property and you build the building and you
 3 provide parking on the ground floor.
 4 MR. WITHERS: Let's not encourage.
 5 MR. TORRE: Yeah, and I'm for smaller
 6 development and not these blocks full of huge
 7 buildings from one end to the other. So I'm
 8 just trying to figure out if it's possible we
 9 maximize the smaller -- or can get some smaller
 10 lots.
 11 I have another question. When we have the
 12 north side of this block, which will be facing
 13 MX1, are these typical side-by-side Zoning that
 14 happens every once in a while, where we have
 15 one Residential block facing these Commercial
 16 blocks?
 17 MR. TRIAS: Certainly it's not the best
 18 planning practice. You would prefer to have
 19 both sides of the street have the same Zoning.
 20 But we do have that once in a while in the
 21 City. For example, Le Jeune is like that. On
 22 one side, you have Single-Family and on the
 23 other side, you don't.
 24 MR. TORRE: I'll reserve my comments for
 25 later. Thank you.

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1 out of scale context with their low scale
 2 family neighborhood.
 3 Now they turn around, once it has been
 4 declared not historic, to request that the
 5 neighborhood be upzoned to allow these massive
 6 buildings. I think it's terrible. There has
 7 been a height restriction in this area for many
 8 years to protect the atmosphere around the San
 9 Sebastian building. Therefore, no more than
 10 two stories should be built on Block 36, no
 11 higher. Two stories would be consistent with
 12 the other beautiful historic buildings located
 13 at 357 Santander Avenue, as well as recent
 14 development in the area at 356 Malaga, 311
 15 Santander and 315 Santander.
 16 It would not be fair to go higher than two
 17 stories, because the new buildings would tower
 18 over the expensive construction that these
 19 people have built, that is in scale with the
 20 neighborhood, to be fair. Upzoning this area
 21 will just push crime, traffic and parking
 22 overflow issues into the abutting
 23 neighborhoods. The residential areas of Bird,
 24 Red and Le Jeune Roads face much busier
 25 corridors. What are you planning to tell these

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1 residents if you upzone the Crafts Section?
 2 It's just not fair.
 3 Please stop eroding our neighborhoods.
 4 Thank you, Brett Gillis.
 5 CHAIRMAN AIZENSTAT: Thank you.
 6 THE SECRETARY: There's another one from
 7 the Coral Gables Neighborhood Association.
 8 Dear Members of the Planning & Zoning Board
 9 and City Commission: Please accept this letter
 10 in opposition to the proposal to upzone Block
 11 36 of the Crafts Section. The area proposed
 12 for upzoning is comprised mostly of houses and
 13 a few two-story residential buildings and has
 14 been zoned residential since at least 1963. As
 15 such, this has been an in-town residential
 16 neighborhood for over 50 years and offers
 17 valuable housing diversity to the Coral Gables
 18 real estate market.
 19 Upzoning will not solve the problems that
 20 some residents are concerned about, as this is,
 21 by definition, an in-town neighborhood.
 22 Upzoning would only shift the problems to the
 23 residential neighborhoods that abut. We
 24 encourage the City to help the residents of the
 25 Crafts Section and surrounding area by

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1 Apartment building and to be consistent with
 2 the historic building located at 357 Santander
 3 Avenue, as well as recent development of the
 4 area of 356 Malaga Avenue, 311 Santander Avenue
 5 and 315 Santander Avenue.
 6 A maximum zoning for Malaga and Santander
 7 Avenues, Block 36, should be MF1, maximum of
 8 two stories, to provide a transition to the
 9 surrounding Residential neighborhoods of one
 10 and two stories Residential buildings.
 11 Sincerely, Sue Kawalerski, President of the
 12 Coral Gables Neighborhood Association.
 13 We also received another e-mail from Rhonda
 14 Anderson. Honorable Planning and Zoning Board
 15 Members: With regard to the proposed rezoning
 16 of Block 36, the Crafts Section, which is the
 17 portion of the Crafts Section closest to the
 18 historic San Sebastian Hotel, based upon the
 19 review of the attached photograph, the
 20 undersigned submits that the height of no more
 21 than two stories, with an MF1 designation,
 22 would be appropriate for Block 36. An MF1
 23 designation with two stories height limitation
 24 would be consistent with the new duplexes in
 25 the attached photograph on the east end of the

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1 providing anti-crime initiatives, traffic
 2 calming, transportation enhancements, parking
 3 mitigation, green infrastructure and other
 4 measures that will improve the quality of life.
 5 After careful review of the proposal, our
 6 organization respectfully objects to the
 7 upzoning for several reason: No clear benefits
 8 to the City as a whole have been identified.
 9 This proposal represents an unnecessary policy
 10 change for the City of Zoning a Residential
 11 neighborhood. No comprehensive realistic
 12 crime, traffic, transportation or parking
 13 impact studies have been conducted to assess
 14 the potential overflow effects on the
 15 surrounding areas.
 16 The City has not held workshops regarding
 17 the specific proposal for the surrounding
 18 neighborhoods. MF2 zoning would eclipse the
 19 historic fabric of the area. Changing the
 20 height restriction from one to two stories on
 21 Santander Avenue is reasonable, but no more
 22 than two stories. A height restriction has
 23 been in place all of these years for a reason
 24 and should remain in place to protect the Board
 25 (sic), based on the historic San Sebastian

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1 block, would properly transition from the
 2 surrounding Residential neighborhood and would
 3 best compliment the historic building.
 4 Thank you for your time and consideration,
 5 Rhonda Anderson.
 6 Those are the comments.
 7 CHAIRMAN AIZENSTAT: Thank you. And how
 8 many speakers do we have?
 9 THE SECRETARY: We currently have two
 10 speakers -- actually, three.
 11 CHAIRMAN AIZENSTAT: Three speakers.
 12 Once again I ask, anybody that would like
 13 to speak on the items, if you're on Zoom, to
 14 please go ahead and send a direct message to
 15 Jill Menendez, and if you're participating by
 16 phone, to please push *9, and that will get you
 17 on the queue.
 18 Jill, will you please call the first
 19 individual?
 20 THE SECRETARY: Amy Beunza.
 21 You can speak now. Unmute.
 22 MS. BEUNZA: Hi, Good afternoon, everybody,
 23 soon to be good evening. My name is Amy Beunza
 24 or Amalia Beunza, and my husband --
 25 CHAIRMAN AIZENSTAT: Would you mind please

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1 raising your hand so you can be sworn in?
 2 MS. BEUNZA: Sorry.
 3 (Thereupon, the participant was sworn.)
 4 CHAIRMAN AIZENSTAT: Thank you. If you
 5 could proceed again with your name and address
 6 first. Thank you.
 7 MS. BEUNZA: My name is Amalia Beunza, and
 8 my husband and I own 300 Malaga Avenue. It's
 9 the corner house. We've owned it for a couple
 10 of years now. And unbeknownst to some of the
 11 neighbors, apparently, in Coral Gables, we have
 12 been working alongside with all of the
 13 neighbors in the Crafts Section to talk about
 14 the rezoning. So this is not a surprise to us.
 15 We are actually excited about it. We've been
 16 supporting it, and we've been doing it for the
 17 last couple of years. We've attended quite a
 18 few meetings and I think the City has done
 19 quite a few meetings to advise us of what was
 20 going on with the rezoning.
 21 The question for us comes with -- it's
 22 questions. We were under the impression that
 23 we were going to be part of the MX1. We had
 24 papers that said that it was approved, that it
 25 was going up to vote, and then there was a

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1 that hard to believe, when the properties
 2 behind us are selling at 1.2 and 1.5 million
 3 for a 2,000 square foot property. That does
 4 not necessarily make it more affordable.
 5 So we'd like clarification as to why our
 6 side and Malaga was pulled out and then why
 7 removal or adding the amendment that the
 8 Mediterranean portion of the Code won't be
 9 applied to us.
 10 So what we're respectfully asking is that
 11 you let us go up to the allowable Code for the
 12 Mediterranean height and apply the full MF2
 13 coding, without the amendment. That's it.
 14 Thank you for your time.
 15 CHAIRMAN AIZENSTAT: At the end of the
 16 public comments, I'll ask Ramon to come up and
 17 answer some of your questions. Thank you.
 18 Next speaker, please, Jill.
 19 THE SECRETARY: Next speaker is Luis
 20 Palenzuela.
 21 CHAIRMAN AIZENSTAT: Mr. Palenzuela.
 22 MR. PALENZUELA: Good evening. I'm here.
 23 CHAIRMAN AIZENSTAT: Would you please
 24 raise your right hand to be sworn in?
 25 MR. PALENZUELA: Yes, sir.

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1 change at the last meeting, and we are curious
 2 about the change.
 3 We're also curious about the change -- why
 4 the addendum on removing the Mediterranean
 5 Bonus, if you will, considering that we've just
 6 done a rezoning and a new Code and now we're
 7 doing all exceptions. It just makes it
 8 disheartening to see that all our hard work and
 9 what we were trying to do and accomplish in the
 10 area, which is to get a nice area for the
 11 Gables and for us is -- now we're being
 12 bottlenecked between Commercial buildings in
 13 front of us and flanked by Duplexes behind us,
 14 with really no outlet.
 15 It can conceivably be an eyesore
 16 eventually, and certainly not family friendly,
 17 with all of the traffic coming now through
 18 University, it's been coming through, and, on
 19 our street, it just makes it much more -- less
 20 Residential looking and more, you know -- I
 21 can't foresee any children playing on the
 22 street, to be honest.
 23 And one of the comments in the agenda is
 24 that it's going to make it for more foot
 25 traffic and more affordable housing. I find

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1 (Thereupon, the participant was sworn.)
 2 CHAIRMAN AIZENSTAT: Thank you. If you
 3 would please now state your full name and
 4 address, for the record.
 5 MR. PALENZUELA: My name is Luis
 6 Palenzuela. I live in 310 Malaga Avenue. I've
 7 been a resident here since November 24th, 1998.
 8 I've been here quite a while.
 9 I agree with what Ms. Buenza said, and then
 10 hearing this evening what Mr. Torre said about
 11 the parking and all of that restrictions, my
 12 fear is that we will not have anybody attracted
 13 to us, and I'm going to have a seven-story
 14 building across the street from me, 50 feet
 15 from my front door. That's my concern.
 16 I believe the whole Board, through the
 17 whole process of the meetings we were in, all
 18 agreed unanimously that we should be included
 19 in the MX1 across the street, so that we were
 20 all together, as opposed to dividing us how
 21 they've divided the south side. We're going to
 22 get almost pigeonholed here on the south side.
 23 So thank you. Thank for your time and I
 24 appreciate you guys having this meeting. I
 25 look forward to getting the answers that you

1 said Ramon will be saying. Thank you all for
 2 being here. Thank you.
 3 CHAIRMAN AIZENSTAT: Thank you, sir.
 4 Jill, the next individual, please.
 5 THE SECRETARY: Yes. The next speaker is
 6 participating via phone.
 7 CHAIRMAN AIZENSTAT: What is their name,
 8 Jill?
 9 MS. MARTINEZ-CARBONELL: Hello? This is
 10 Karelia Martinez Carbonell.
 11 CHAIRMAN AIZENSTAT: Hi. Can you hold for
 12 one second, Ms. Carbonell?
 13 How do we swear in Ms. Carbonell, when we
 14 can't see her raise her hand? Craig?
 15 MR. COLLER: Yeah. We are not swearing in
 16 people that are on the phone. Their testimony
 17 can be considered in support of other
 18 testimony, but it can't stand alone.
 19 Now, of course, the Comprehensive Plan item
 20 is a legislative item, and, of course, the
 21 testimony can go to that, but I think that
 22 based upon what I'm hearing, I think she's
 23 going to be pretty much -- I think the Board
 24 can certainly take her comments into account,
 25 as long as they're supportive of other

1 future generations.
 2 So please keep in mind that this Plan or
 3 City Plan is a historic landmark and should not
 4 be tinkered with.
 5 Number Two, Merrick planned the San
 6 Sebastian Apartments at the existing height to
 7 set the boundaries for the Crafts Section. So
 8 anything above that height will adversely
 9 affect the historic area.
 10 Number Three, our organization, the
 11 Historic Preservation Association, would like
 12 to concur with the Coral Gables Neighborhood
 13 Association, which submitted a memo, which was
 14 read into the record, and, again, I just want
 15 to quote one section, which said, in opposition
 16 to the proposal to upzone Block 36 of the
 17 Crafts Section, quote, "The area proposed for
 18 upzoning is comprised mostly of a house and a
 19 few two-story Residential buildings and has
 20 been zoned Residential since at least 1963. As
 21 such, this has been an in-town Residential
 22 neighborhood for over 50 years and offers
 23 valuable housing diversity to the Coral Gables
 24 real estate market. Upzoning will not stop the
 25 problems that some residents are concerned

1 comments, since she can't be sworn in.
 2 CHAIRMAN AIZENSTAT: Thank you. Go ahead
 3 and proceed, please, by first stating your name
 4 and address.
 5 MS. CARBONELL: Okay. Thank you.
 6 My name is Karelia Martinez-Carbonell. I
 7 live at 532 Altera Avenue. I am representing
 8 the Historic Preservation Association of Coral
 9 Gables, and I will like to just state three
 10 points, from a historical perspective, on the
 11 Crafts Section.
 12 Point Number One is that the Crafts Section
 13 is part of the Merrick Planned Community. Any
 14 change will erode the foundational quality and
 15 historical integrity of the area.
 16 In June of 2018, the Historic Preservation
 17 Board adopted the Coral Gables Historic City
 18 Plan as a historical -- as a historic local
 19 landmark, and I just want to quote from that
 20 memo, which it says, "The Coral Gables Historic
 21 City Plan succeeded in harmoniously integrating
 22 planning, landscaping and architecture to
 23 create a City with a distinct sense of place,
 24 which we still honor today and we are please to
 25 aid in its protection and preservation for

1 about, as this, by definition, is an in-town
 2 neighborhood. Upzoning would only perpetuate
 3 and shift the problem to the Residential
 4 neighborhoods that abut it.
 5 So, with that, thank you for your time and
 6 I appreciate the meeting. Thank you.
 7 CHAIRMAN AIZENSTAT: Thank you very much.
 8 Jill, do we have any other speakers?
 9 THE SECRETARY: Yes. We have two more.
 10 Jorge Arias.
 11 (Thereupon, the participant was sworn.)
 12 CHAIRMAN AIZENSTAT: Thank you. Please
 13 proceed by stating your full name and address
 14 first.
 15 MR. ARIAS: Yes. Jorge Arias. I'm here at
 16 318 Malaga Avenue. I've been here 15 years.
 17 And I appreciate the Board taking the
 18 initiative to rezone the properties -- or the
 19 section to the north of us.
 20 So my question is very similar to Amy's,
 21 it's, why did the south side of Malaga stay out
 22 of MX1? And also referring back to Mr. Torre's
 23 comment about both sides of the street having
 24 the same Zoning, I do see that that is ideal
 25 and would make the most sense, because really

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1 what's at stake here is our quality of life.
 2 So if we're in front of Commercial, potentially
 3 there could be a bank, a restaurant, in our
 4 front yard, which doesn't make sense to me, if
 5 we're left at MF1 or MF2.
 6 And also referring to the housing
 7 diversity, that would be strange to have
 8 Commercial on one side of the street and then a
 9 Duplex on the other. Yes, we are an in-town
 10 neighborhood -- we were, I should say, but now
 11 there seems to be a struggle on the street and
 12 it should be uniform. That's makes sense, and
 13 maybe the Board can add some what clarity as to
 14 what's going on there.
 15 But I think the same height, at least,
 16 would make the most sense. So I believe what's
 17 proposed is the MF2, with the bonus. So that
 18 would make the height the same, which would
 19 make an ideal situation -- or a compromise, I
 20 should say.
 21 So thank you, Board. I appreciate your time.
 22 CHAIRMAN AIZENSTAT: Thank you, sir.
 23 Jill, next speaker, please.
 24 THE SECRETARY: Maria Cruz.
 25 (Thereupon, the participant was sworn.)

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1 lived here that long did it because of the way
 2 things are set up. I am concerned that the
 3 people on the other side of the Crafts area
 4 have not had a real say. They have asked for
 5 traffic studies, because, as you know, this is
 6 a domino effect. When you change one side, the
 7 other side is going to suffer, so eventually
 8 they're going to be looking at the same
 9 possibilities. That's Number One.
 10 Number Two, and everybody who has spoken so
 11 far, I didn't hear anybody that was here when
 12 the San Sebastian was built. That building was
 13 there. It's a historical building. We need to
 14 do whatever we need to do to make sure that it
 15 is what it was meant to be and that we're not
 16 changing the nature of that. The people
 17 that -- you know, I'm sorry that the other two
 18 streets were upzoned, but, you know, we need to
 19 protect this area and I would like you to
 20 consider the fact that, you know, when people
 21 buy properties, they buy it as is. They should
 22 not be expecting to convince people to change
 23 it, so they can make more money out of it.
 24 Thank you.
 25 CHAIRMAN AIZENSTAT: Thank you, Ms. Cruz.

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1 CHAIRMAN AIZENSTAT: Thank you. If you
 2 could please state your full name and address,
 3 for the record.
 4 MS. CRUZ: Maria Cruz, 1447 Miller Road. I
 5 am here. I'm not a neighbor. But I'm a
 6 resident of the City of Coral Gables, and I see
 7 this as a very dangerous, very dangerous,
 8 process, because we have -- the Crafts area is
 9 not just three blocks, it's several blocks.
 10 It's a section.
 11 What would happen if somebody in my
 12 neighborhood, four or five people on a block,
 13 decide that they want to sell their property to
 14 the best buyer and force the rest of us to do
 15 the same? I have -- I see it as extremely
 16 dangerous. I live right next to the
 17 University, and I can see -- because the
 18 University has been buying properties already,
 19 I can see people being offered more to sell
 20 their properties, because somebody else wants
 21 to build bigger and larger and will get more
 22 money for their property and force the rest of
 23 us to live in an area not where we wanted to.
 24 I've been in the City of Coral Gables since
 25 1976, and the people that moved here and have

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1 Jill, any other speakers?
 2 THE SECRETARY: No more speakers.
 3 CHAIRMAN AIZENSTAT: No more speakers? At
 4 this time, I'd like to go ahead and close the
 5 public comment and open it up for Board
 6 discussion.
 7 Maria, could you start us off?
 8 You're muted.
 9 MS. VELEZ: Yes.
 10 Hi. I believe that at some point, when we
 11 studied this whole area, the whole Crafts
 12 Section, we, as a Board, and I believe it was
 13 unanimous, approved MX1 for the entire area,
 14 including Block 36. Am I correct?
 15 MR. TRIAS: Yes. That was the
 16 recommendation, yes.
 17 MS. VELEZ: So what we're asked to do
 18 tonight is to basically down zone from what we
 19 had approved at a prior meeting; is that
 20 correct?
 21 MR. TRIAS: I would not characterize it as
 22 that. What happened is that the Commission
 23 changed the scope of the MX1, so now there's a
 24 request to change Block 36 by itself.
 25 MS. VELEZ: Well, I do not agree with

1 removing Block 36 from what we had done before.
 2 I can't see taking this one block and changing
 3 the Zoning on this block from what we had
 4 approved before and it would be different from
 5 the rest of that neighborhood.
 6 CHAIRMAN AIZENSTAT: Ramon, could you, for
 7 a few minutes, just speak on some of the
 8 concerns and questions that the speakers had,
 9 that they raised.
 10 MR. TRIAS: Yes. Yes, sir, Mr. Chairman.
 11 The discussion of the Commission was that
 12 this would be a good idea, because it provides
 13 a better transition. That was the opinion of
 14 several Commissioners, a better transition
 15 between the Commercial and the Residential
 16 areas to the south and to the west. And the
 17 scope for the size of the building, the height
 18 of the building, would be more similar to the
 19 San Sebastian Apartments, which right now is 35
 20 to 42, 43 feet high, depending on the area of
 21 the building.
 22 And that was the general discussion that
 23 took place, and there was a concern about MX1
 24 also creating some Commercial at the ground
 25 level that would be excessive for the area.

1 MR. WITHERS: So we're going from two to
 2 three stories to seven stories? So we're going
 3 from 40 feet to 90 feet or 100 feet with
 4 Mediterranean Bonus?
 5 MR. TRIAS: Not quite a hundred feet, but,
 6 yes. Yes, we could get to --
 7 MR. WITHERS: So what's the rationale
 8 behind that transitioning?
 9 MR. TRIAS: That was the rationale provided
 10 by the discussion. That was it. I mean, I
 11 don't think there's any other theory behind it.
 12 It's simply that the Commercial properties are
 13 Downtown, so the MX1 already is a transition
 14 from the higher intensity properties further
 15 north and --
 16 MR. WITHERS: So you're a Planning
 17 Director.
 18 MR. TRIAS: Yes, sir.
 19 MR. WITHERS: Does that sound -- I don't
 20 know if this is going to cause an issue, but, I
 21 mean, is that good planning going from --
 22 MR. TRIAS: I think it would be better
 23 planning to have the same Zoning on both sides
 24 of the street.
 25 MR. WITHERS: Yeah. Okay. Whether it's 70

1 That was the concern discussed publicly during
 2 the Commission meeting.
 3 CHAIRMAN AIZENSTAT: Any other discussion
 4 that raises any other questions?
 5 MR. TORRE: I'm going to have lots of
 6 things --
 7 MR. WITHERS: I don't quite understand. So
 8 the rationale was transitioning of height? I
 9 mean, that's --
 10 MR. TRIAS: Yeah, but also the use,
 11 eliminating the Commercial possibilities --
 12 MR. WITHERS: We weren't all excited about
 13 a lot of retail in that area anyway, but I'm
 14 trying to get a flavor of why we are here at
 15 this point. I mean, if it's -- so the
 16 transition of height is now going to have a
 17 three-story Residential across the street from
 18 a potential seven-story, that's the
 19 transitioning in height that we're looking at?
 20 I mean, that doesn't seem like a transitioning
 21 in height to me.
 22 MR. TRIAS: It's three stories.
 23 MR. WITHERS: I mean, am I wrong or am I --
 24 MR. TRIAS: Three stories is what would be
 25 allowed and then you could have -- yes.

1 feet both sides or 30 feet on both sides?
 2 MR. TRIAS: Yes. That would be my
 3 recommendation.
 4 MR. WITHERS: Thank you.
 5 CHAIRMAN AIZENSTAT: Thank you, Chip.
 6 Rene.
 7 MR. TORRE: I have a couple. Just to
 8 clarify, so we clarified 70 feet. That's with
 9 Med Bonus on the north side, Block 28, that's
 10 correct, Mr. Trias? It's to confirm what I
 11 guess you were discussing --
 12 MR. TRIAS: The Med Bonus Level 2 can go to
 13 97 feet with the larger parcels.
 14 MR. TORRE: And just to wrap around this,
 15 up to Le Jeune, you have a 45-foot height?
 16 MR. TRIAS: However, there is 100 feet that
 17 are limited to 45 feet, because of Le Jeune.
 18 MR. TORRE: On Le Jeune.
 19 MR. TRIAS: Yeah.
 20 MR. TORRE: All right. Okay. And the
 21 parking area is going to be on pedestals more
 22 than likely, if somebody gathers this much
 23 square footage? Is that the likelihood?
 24 MR. TRIAS: That's one option. That's one
 25 option, sure.

1 MR. TORRE: Okay. So did the Commission
 2 ever discuss Commercial on Block 36 just height
 3 restricted?
 4 MR. TRIAS: They were concerned about not
 5 having Commercial. That's the way I understood
 6 the discussion. That was their preference.
 7 MR. BEHAR: Not to have Commercial?
 8 MR. TRIAS: Not to have Commercial on Block
 9 36.
 10 MR. TORRE: And was a discussion ever had
 11 to have Residential on the side facing the
 12 University Apartments and then the back
 13 Commercial at all, even with the height
 14 restriction? Was that ever discussed?
 15 MR. TRIAS: Very briefly. I don't think
 16 that was discussed in any length.
 17 MR. TORRE: Is that something that would be
 18 even feasible in your point of view?
 19 MR. TRIAS: Yes. I think that's one
 20 option. Sure.
 21 MR. WITHERS: On the parking, what would
 22 you need, 10,000 -- what size lot would you
 23 need to make parking feasible, 10,000, 15,000?
 24 What would you need?
 25 MR. TRIAS: I think 10,000 would be a

1 Where?
 2 MR. TRIAS: At Block 36.
 3 MR. MURAI: Which is Block 36?
 4 MR. TRIAS: The last block. The southern
 5 most block of the Crafts Section that you
 6 looked at the last time.
 7 MR. MURAI: Can you show it to me, please?
 8 MR. TRIAS: Yes. If I could have the
 9 PowerPoint presentation.
 10 We'll have it soon. The clicker is not
 11 working. Maybe I have it backwards. I don't
 12 think so.
 13 MR. WITHERS: There you go.
 14 MR. TRIAS: It's the block that is
 15 highlighted with the red rectangle. It's
 16 immediately north of the San Sebastian
 17 Apartments.
 18 MR. MURAI: San Sebastian Apartments.
 19 MR. TRIAS: San Sebastian Apartments is the
 20 triangle and then right north of it is Block
 21 36.
 22 MR. MURAI: North or east?
 23 MR. TRIAS: It's north.
 24 MR. MURAI: Just north.
 25 MR. BEHAR: Tell him the San Sebastian is

1 reasonable size, yeah.
 2 MR. WITHERS: 10,000.
 3 CHAIRMAN AIZENSTAT: Rene, are you there?
 4 You're on mute.
 5 MR. MURAI: Can you hear me now?
 6 CHAIRMAN AIZENSTAT: Yes, we can. Thank
 7 you.
 8 MR. MURAI: Ramon, I'm trying to focus.
 9 What are we here to opine on or decide?
 10 MR. TRIAS: Well, you have to give a
 11 recommendation to the Commission on whether or
 12 not this is a good idea and whether or not you
 13 support it. The Commission --
 14 MR. MURAI: Wait. What is "this"? That's
 15 what I'm trying to figure out, "this." What is
 16 the "this"?
 17 MR. TRIAS: "This" is an amendedment to the
 18 Comprehensive Plan, a Zoning Text Amendment of
 19 the Site Specifics and also a Zoning Code Map
 20 Amendment. I think the most critical issue is
 21 Number 2, which is that limit of 45 feet. I
 22 think that's the biggest -- the one that makes
 23 the biggest difference, in terms of
 24 recollection.
 25 MR. MURAI: Okay. Limit 45 feet where?

1 that triangle.
 2 MR. WITHERS: Tell him the San Sebastian is
 3 that brown triangle. That might help him.
 4 MR. TRIAS: The San Sebastian is the brown
 5 triangle.
 6 MR. MURAI: I'm sorry, but I -- wait a
 7 minute. Where is Santander, that we were
 8 talking about two seconds ago?
 9 MR. TRIAS: Santander is the street right
 10 north of the San Sebastian Apartments, and
 11 that's the southern edge of the block that
 12 we're looking at, which is Block 36. Malaga is
 13 the street on the north of the block.
 14 Right now the block is mostly Single-Family
 15 and Duplex, Single-Family in the north, Duplex
 16 in the south.
 17 MR. MURAI: Okay. Yeah, I got it now. I
 18 can see San Sebastian, that triangle in brown.
 19 I was getting confused. Block 36, the one on
 20 the south, faces San Sebastian. What are we
 21 trying to do to this block?
 22 MR. TRIAS: Change the Zoning from the
 23 Single-Family and Duplex to MF2, which is
 24 Multi-Family.
 25 MR. MURAI: And that would be on both? So

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1 it would be on Santander and Malaga?

2 MR. TRIAS: Yes, sir.

3 MR. MURAI: And so the Malaga side would be

4 facing Single-Family homes?

5 MR. TRIAS: The Malaga side will be facing

6 MX1. MX1 is the Zoning that was changed

7 recently. Today it's Single-Family homes, yes,

8 but in terms of the Zoning, it's MX1.

9 MR. MURAI: I mean, that block of Malaga,

10 that is changing to something else?

11 MR. TRIAS: It already -- that's something

12 that you reviewed as a Board some time ago and

13 then the Commission looked at it and they

14 changed it to MX1. MX1 is the lowest mixed-use

15 that we have.

16 MR. MURAI: So that, with time, may become

17 something other than Single-Family homes?

18 MR. TRIAS: Yes.

19 MR. MURAI: The north side of Malaga?

20 MR. TRIAS: Yes.

21 MR. MURAI: And how high would the north

22 side of Malaga be?

23 MR. TRIAS: It could go to six stories.

24 The maximum height would be six stories and 77

25 feet.

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1 today, would change to MF2. MF2 is

2 Multi-Family. However, it wouldn't be -- as

3 Mr. Behar mentioned, it could be very tall;

4 however, another one of the requests, Number 2,

5 is to limit the height to 45 feet.

6 MR. MURAI: So, basically, both sides of

7 Malaga would be similar, no?

8 MR. TRIAS: One side will be six stories or

9 77 feet. The other side will be three stories

10 and 45 feet. So they will be different. At

11 least, from my perspective, they will be

12 different.

13 MR. MURAI: Okay. And is there any

14 controversy on -- let's see, the north side of

15 Santander? I mean, do people want to keep that

16 Single-Family limited?

17 MR. TRIAS: Well, that's what we're here

18 for, to listen to different ideas, and you

19 heard some people objecting to it. We also had

20 some e-mails objecting to it. So the purpose

21 of today's meeting is to listen to all of the

22 different opinions, and then you, as a Board,

23 will make a recommendation.

24 MR. MURAI: And what's your recommendation?

25 What is it that the Planning Director wants to

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1 MR. MURAI: Wait. Can you not take it to

2 97 feet with all of the Med Bonuses?

3 MR. TRIAS: Not MX1. MF2, you could. So

4 that's one distinction between the two.

5 MR. MURAI: So that's the south side of

6 Malaga, not the north, right?

7 MR. TRIAS: That's the -- yes. Yes.

8 MR. MURAI: The north side is still

9 limited -- is basically Single-Family homes?

10 MR. TRIAS: No. No. No.

11 MR. BEHAR: That will change. He's not

12 understanding that.

13 MR. TRIAS: Currently they're Single-Family

14 homes. That's the existing condition. That is

15 true. However, the Zoning has changed. The

16 Zoning has changed in the north, in the

17 northern side of Malaga, that whole block,

18 Block 28. The Zoning is no longer

19 Single-Family. The zoning is MX1.

20 MX1 is mixed-use, which means some

21 Commercial may be downstairs, Residential

22 upstairs, up to six stories. So it's different

23 than the existing condition. So that's the

24 north.

25 Now, the south, what you are reviewing

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1 do?

2 MR. TRIAS: The recommendation is approval,

3 and when I asked about some of the details of

4 the plan, I just expressed a preference, from a

5 planning point of view, that it's better to

6 have the same Zoning on both side of the street

7 facing each other.

8 MR. MURAI: On which block?

9 MR. TRIAS: In the whole City. In general,

10 that is just good planning practice. In this

11 case, that probably applies to Malaga more than

12 anything else, and that's just simply a

13 planning theory discussion.

14 MR. MURAI: So you're saying that it would

15 be better that Malaga doesn't have Commercial,

16 the north side of Malaga?

17 MR. TRIAS: The north side of --

18 MR. MURAI: Sorry, the south side --

19 MR. TRIAS: (Unintelligible) In the future,

20 should buildings be built according to MX1.

21 MR. MURAI: I'm pretty dense, but you're

22 saying that the north side of Malaga can have

23 Commercial?

24 MR. TRIAS: The north side of Malaga can

25 have Commercial on the ground level with the

1 current -- the new Zoning, MX1, that was
 2 approved.
 3 MR. MURAI: So where is the disparity
 4 between one side being Commercial and one side
 5 being Residential? Where does that occur?
 6 MR. TRIAS: That is the distinction. That
 7 is exactly the distinction, and that's up to
 8 you to consider whether or not it's the best
 9 approach.
 10 MR. MURAI: What, because the south side of
 11 Malaga could not have Commercial?
 12 MR. TRIAS: That's one of the distinctions,
 13 and then the other distinction is the height.
 14 MR. MURAI: Okay.
 15 MR. TRIAS: Do you have any other
 16 questions?
 17 MR. MURAI: No. I'm just totally confused,
 18 but other than that, no, sir.
 19 MR. TRIAS: I'm sorry. I'll try to clarify
 20 it.
 21 Mr. Revuelta, you had a question?
 22 MR. REVUELTA: MX1 is controlled by FAR and
 23 it can go up to 50 feet, Block 28?
 24 MR. TRIAS: The MX1, it can go to 77 feet.
 25 Six stories, 77 feet, if there's 10,000 square

1 77 feet.
 2 MR. TRIAS: Yes. MX1, that is correct.
 3 MR. REVUELTA: Block 39 is what we looked
 4 at, at the last meeting, right?
 5 MR. TRIAS: I need to verify the numbers.
 6 When you ask me those kinds of questions, sorry
 7 -- one needs to look at the map.
 8 MR. REVUELTA: I'm sorry, Ramon. 29 is
 9 immediately to the east of that.
 10 MR. TRIAS: 29 is immediately to the
 11 east --
 12 MR. REVUELTA: It's shaded pink, so it's
 13 got to be MX1.
 14 MR. TRIAS: Yes.
 15 MR. REVUELTA: Block 35 is MX1, 77 feet.
 16 MR. TRIAS: Right.
 17 MR. REVUELTA: Block 34 is MX1 and is
 18 that -- another question for another time --
 19 but outright it can go up to 150 feet. I can
 20 never figure that one out.
 21 37 is the San Sebastian Apartments which
 22 can go to up 70 feet, but it's a historic
 23 building. What are the chances of that being
 24 demolished? I guess it would be --
 25 MR. TRIAS: It's a historic building.

1 feet in --
 2 MR. REVUELTA: It can go seven stories, 77
 3 feet, you said?
 4 MR. TRIAS: Six and 77 feet.
 5 MR. REVUELTA: Six and 77 feet. And if it
 6 goes --
 7 MR. TRIAS: If the parcel is 10,000 square
 8 feet.
 9 MR. REVUELTA: And if it has Mediterranean
 10 Bonuses?
 11 MR. TRIAS: Yes, and if it has
 12 Mediterranean Bonuses.
 13 MR. REVUELTA: How high --
 14 MR. TRIAS: No, that's it.
 15 MR. REVUELTA: That's it. So six stories
 16 77 feet?
 17 MR. TRIAS: Yes.
 18 MR. REVUELTA: And that would be Block 28.
 19 Block 29 is the block that we've been
 20 looking at, correct?
 21 MR. TRIAS: 36, I think it is.
 22 MR. REVUELTA: It's kind of up in the air
 23 right now, because we've been looking at that
 24 in other meetings and other applications.
 25 Block 35 is MX1 and it can go up to 70 --

1 However, with the MF3, which is the new Zoning
 2 designation, it can only go to 45 feet. Right
 3 now, the very top of the ornamental areas of
 4 the building are up to 45 feet.
 5 MR. REVUELTA: So 37 will go from MF2 down
 6 to something? I'm trying to understand --
 7 MR. TRIAS: I'm beginning to get confused
 8 with the different --
 9 MR. REVUELTA: I'm trying to understand the
 10 current status for 37. What is the current
 11 status and what is the future of 37 in terms of
 12 height and density?
 13 MR. TRIAS: Let me make it easier. Maybe
 14 if we can have the map again on the screen. It
 15 will probably be the easiest way.
 16 MR. REVUELTA: The whole 37 is San
 17 Sebastian.
 18 MR. BEHAR: Not unless a major catastrophe,
 19 that's not going --
 20 MR. REVUELTA: No, I would agree with you.
 21 It will never change. I'm not proposing it.
 22 But I'm saying, the reality is, you have a
 23 historic building that is Zoned for whatever,
 24 up to 70 feet, chances are hopefully for our
 25 lifetime and our children's and

1 grandchildren's, will stay at 45 feet,
 2 although --
 3 MR. TRIAS: Why are you saying that, when
 4 the Zoning allows 45 feet? I mean, the new
 5 Zoning allows 45 feet for the San Sebastian
 6 Apartments.
 7 MR. REVUELTA: For the San Sebastian
 8 Apartments, I think I heard you say that they
 9 were 40 to 45 feet in height.
 10 MR. TRIAS: The existing height is that,
 11 and in addition, MF3, the new Zoning
 12 designation, is 45 feet.
 13 MR. REVUELTA: Okay. So the reality is
 14 that their request to have Block 36, that is
 15 going to be surrounded by either 77 feet and 45
 16 feet, purely from an urban standpoint, a
 17 45-foot height restriction for life is
 18 compatible --
 19 MR. TRIAS: The additional limitation that
 20 I want to make clear is that, for the first
 21 hundred feet from Le Jeune, in the three
 22 blocks, you also have a 45-foot maximum height,
 23 because of the fact that it's facing the MF1.
 24 MR. REVUELTA: No, but I thought the whole
 25 block was going to 45 feet.

1 owners getting?
 2 MR. TRIAS: Well, MF2 allows up to 50.
 3 However, because of parking and because of the
 4 dimensions of things, I think it's unlikely
 5 that you can reach that.
 6 MR. REVUELTA: Although the Zoning will
 7 allow a density, the size of the apartments,
 8 the market will dictate that --
 9 MR. TRIAS: And the height of the 45 feet.
 10 I mean, between that, plus parking, plus
 11 everything else, it's very unlikely, yeah.
 12 CHAIRMAN AIZENSTAT: The parking is what's
 13 going to dictate.
 14 MR. TRIAS: Yes.
 15 Luis, do you have any other comments?
 16 MR. REVUELTA: That's it for now.
 17 MR. BEHAR: Okay. If I may, Mr. Chairman.
 18 CHAIRMAN AIZENSTAT: Yes, Robert.
 19 MR. BEHAR: Typically, I'm not a proponent
 20 of trying to limit, but I do see this block as
 21 a transition between, you know, the northern
 22 portion that has been -- and we did, we upzoned
 23 that to MF1, six stories. I think this could
 24 be a very good transition, to allow it to stay
 25 within the same height as the San Sebastian

1 MR. BEHAR: It is. It's being proposed for
 2 the entire block, but what Mr. Trias is saying,
 3 for the first hundred feet, because you're
 4 fronting Single-Family, automatically limits
 5 you -- caps you at 45 feet, no matter what. So
 6 this is being proposed for the entire block to
 7 stay at 45.
 8 MR. REVUELTA: It's just making it
 9 compatible with that --
 10 MR. BEHAR: Okay. From the urban point of
 11 view, open planning, this is a transition
 12 between Block 28, that currently is MF1, but
 13 could potentially go up to six stories, to the
 14 San Sebastian Apartment, which is MF3, which is
 15 maximum of 45 feet. So you're right, this is a
 16 transition between Block 28 and the San
 17 Sebastian Apartments at 45 feet.
 18 MR. REVUELTA: And eventually the
 19 Single-Family homes south of University.
 20 MR. TRIAS: Yes. Yes.
 21 MR. BEHAR: Correct.
 22 MR. TRIAS: South of University is
 23 Single-Family.
 24 MR. REVUELTA: So with this change of
 25 Zoning, what kind of density benefits are the

1 Apartments, and, you know, not continue to, you
 2 know, encroach on something more on this block.
 3 The only thing -- and I like -- by the way,
 4 I like a lot, you know, not to have Commercial
 5 in the ground floor on this block. I think
 6 this could be purely a Residential block, and I
 7 think it will be more advantageous to do that.
 8 The only thing that I'm looking at, if we're
 9 doing Residential, I think that if we're going
 10 to limit to 45 feet -- and I agree with the 45
 11 feet -- perhaps we don't limit the number of
 12 stories to three, because if you're doing
 13 residential in 45 feet, you can comfortably put
 14 four stories, and I think that will be -- you
 15 still keep the transition of 45 feet, but if
 16 I'm going to encourage Residential only, I
 17 think four stories will be more beneficial than
 18 three stories.
 19 Personally, I think this is a good
 20 compromise from the MF1, but, again, I think we
 21 should -- you know, and I don't know if there's
 22 a provision that we could, you know, recommend
 23 or we could recommend in lieu of three stories,
 24 take it to four stories, at 45 feet.
 25 MR. TRIAS: Yes. Yes, it can, because

1 that's in the Site Specifics. So whatever you
 2 want to regulate, stories, height or both, you
 3 could choose.
 4 MR. REVUELTA: I'm in agreement with what
 5 you said.
 6 MR. BEHAR: Those are my comments.
 7 MR. REVUELTA: I'm sorry for my ignorance,
 8 but the Code I believe controls height and
 9 stories?
 10 MR. TRIAS: Sometimes. It depends.
 11 MR. BEHAR: With the Site Specifics, you
 12 do.
 13 MR. TRIAS: Yes.
 14 MR. REVUELTA: With Site Specifics. Well,
 15 I would be in agreement with that position,
 16 four stories, 45 feet.
 17 MR. TRIAS: The Code also does that with
 18 the Med Bonus. For example, in some cases,
 19 that's done. In this particular case, given
 20 the fact that Med Bonus is not applicable, et
 21 cetera, it's being done through Site Specifics.
 22 CHAIRMAN AIZENSTAT: And the idea is to
 23 have, like I said before -- so the parking lot
 24 will control the smaller size lots. It will
 25 actually restrict them.

1 thought, given this change of Land Use and
 2 Zoning Map, to make 35 with a similar Site
 3 Specific classification than 36, because it
 4 seems like 35 and 36 hopefully will become a
 5 natural boundary when it hits University Drive?
 6 MR. TRIAS: You could make a recommendation
 7 on that, if you choose to.
 8 MR. REVUELTA: Because, you know, at that
 9 point, you basically have a natural band
 10 between 35 and 36, all Zoned the same
 11 classification, and 35 by itself is a very
 12 small block, so I'm wondering if it makes any
 13 sense to the Board or to the Planning
 14 Department.
 15 I had one question that I forgot to ask.
 16 When a property gets upzoned, do the residents
 17 and owners have to pay taxes based on the new
 18 Zoning classification or only after they sell
 19 the property?
 20 MR. TRIAS: The City doesn't deal with tax
 21 valuation, so I don't know the answer to that.
 22 That's a County role.
 23 MR. REVUELTA: Many times, when I was
 24 working with Mayor Diaz in Winton (phonetic) --
 25 Tony Winton on Miami 21, in terms of

1 MR. TRIAS: It will control the density on
 2 those parcels.
 3 CHAIRMAN AIZENSTAT: Correct. Correct.
 4 MR. REVUELTA: You said something about
 5 Commercial, and I am in agreement with you,
 6 although I don't think Commercial will succeed
 7 in here, unless it's an office of some sort,
 8 but what was the reason -- is it because it's
 9 automatic with the Zoning classification that
 10 Commercial being permitted on the ground floor
 11 on the north side?
 12 MR. TRIAS: The MX1, yes. That's what it
 13 allows.
 14 MR. BEHAR: Yeah, that's the difference
 15 between MF1 and MF2, correct?
 16 MR. TRIAS: Yes.
 17 MR. BEHAR: In MF1, it allows it; in MF2,
 18 you would not allow it, basically.
 19 MR. TRIAS: Yes.
 20 MR. REVUELTA: So the south side of 36 will
 21 have Commercial, as you said, but the north
 22 side will not have Commercial -- will not be
 23 allowed Commercial?
 24 MR. TRIAS: That's correct.
 25 MR. REVUELTA: Okay. Was there given any

1 transition, and one of the arguments that I was
 2 given and I never checked it, was that when you
 3 implement -- I was applying for a change of
 4 Zoning from 27th Avenue down -- similar like
 5 the paperwork here, one of the arguments I was
 6 given is, well, you know, people don't want
 7 that, because they're going to get that and
 8 they're going to pay more taxes. I never
 9 checked that, but I am wondering if whatever we
 10 do or we recommend is going to have a tax
 11 consequence, good or not, for the residents or
 12 owners of the property, and I don't know the
 13 answer to my question.
 14 MR. BEHAR: I'm not sure either, so I don't
 15 know.
 16 CHAIRMAN AIZENSTAT: I would think that
 17 mainly the homes -- obviously the homes which
 18 are homesteaded will have a cap and so forth.
 19 I think the question would be on the Commercial
 20 ownership of any of the properties or the
 21 acquisition at the time.
 22 MR. TORRE: Mr. Chair, can I go ahead? Can
 23 I proceed with some comments?
 24 CHAIRMAN AIZENSTAT: Yes.
 25 MR. TORRE: So, you know, my thought on

1 that is, we're sort of stuck between a rock and
2 a hard place. We already did the changes to
3 the north. We did the changes -- we didn't do
4 a change, but we know that the San Sebastian
5 Apartment is done MF3, limited to 45 feet, so
6 now we're sort of sandwiched in the middle. So
7 the process that I'm thinking is, we're not
8 doing these things with a goal in mind, in my
9 view. I think we're doing a little bit of
10 reactive planning.

11 I mean, my view is that we do this with a
12 goal in mind, with a final thought of what
13 should be happening in these areas, and we have
14 a vision and we sort of create these changes or
15 these neighborhoods in line with the vision.

16 So I don't know if -- first of all, the
17 vision for this area that was upzoned already
18 was to have six and seven-story buildings. I'm
19 not sure that's the answer or that was what was
20 intended. Was there a thought process to lead
21 to something that was desirable for the
22 community or was it just, hey, that's pink, and
23 we need to get it to pink and we just make it
24 to pink, and that's what happened?

25 So you're already sort of stuck with

1 seven-story buildings, traffic across the
2 street, which may not create --

3 MR. TRIAS: Six.

4 MR. TORRE: Six which may have some bonus.

5 So now you have this sort of reactionary
6 process, and I'm not sure I'm, you know, happy
7 with that, but the first thing, I think, is to
8 say, what would happen -- if we were to think,
9 what would be best across from the San
10 Sebastian Apartment and lead with the
11 discussion, is what would be best across from
12 something that's historic and you can't change?

13 Is it Residential or is it Multi-Family? And I
14 think that the Commission is trying to lead to
15 say, it could be Multi-Family. I don't know
16 that that's what they rationalized, but --

17 MR. TRIAS: That is what --

18 MR. TORRE: Is that the right answer for
19 what should go right across San Sebastian?
20 That's the first question.

21 MR. TRIAS: That was the discussion that
22 took place at the Commission, yes, sir.

23 MR. TORRE: But that doesn't mean that the
24 back of the block has to be equal to the front
25 of the block.

1 MR. TRIAS: No. No.

2 MR. TORRE: Should that lead to the fact
3 that Residential should be the other side of
4 the block? You know, again, this is a
5 reactionary process of one leads to the next,
6 and the next thing you know, you get what you
7 get, but the thing is --

8 MR. TRIAS: That's the nature of the
9 process, as you know.

10 MR. TORRE: Understood, but why not lead
11 with incentives that creates what you want by
12 leading the Zoning with incentives to do more
13 of something or do -- so that's just the way I
14 think.

15 So I don't know if this, by itself, okay,
16 fine, Residential, Multi-Family, three stories.
17 Now you get a bunch of parking pedestals and
18 you have people parking on the ground floor,
19 and you lift up the buildings and the entire
20 block looks like -- that's what you're
21 currently creating, because what else would you
22 be doing with three stories of Multi-Family, if
23 not parking the people on the ground floor and
24 then doing two floors above you? Is that any
25 good? Is that what we want?

1 So it's not, this is the right answer.

2 What do we want this to look like? And maybe
3 that leads to other things that should follow
4 to create what we want. So I'm not sure
5 Residential here tucked in would incentivize
6 people to come in and develop these properties
7 or leave them behind as houses. Is that going
8 to leave this as a Residential block because
9 nobody wants to do three stories with a parking
10 underneath? Chances are it could happen, and
11 nothing happens. Or somebody has to gobble up
12 the entire block and find a way to park cars.

13 Again, that's leading by reaction, so it's
14 not leading by vision.

15 MR. BEHAR: But Venny, a Zoning Code is a
16 live item that continuous to evolve, and, you
17 know, just because something was conceived a
18 year ago, ten years ago, whatever, doesn't mean
19 there's not maybe a better way to address it
20 and change it. I know we're reacting to it --

21 MR. TORRE: That's called spot zoning and
22 that continues to be a spot zoning situation,
23 where we continue to be reactive, as opposed to
24 having a more better vision. I mean, this was
25 sort of missed -- or maybe it wasn't.

1 MR. TRIAS: The recommendation was MX1 for
2 this block. When it got to Commission, they
3 decided to change the map and not include the
4 block on MX1. So that was the original
5 discussion that took place. So the Commission
6 said, no, they wanted to do only the block
7 north and the half a block north of that with
8 MX1.

9 The reason they explained was, a better
10 transition, in terms of the size of the
11 buildings and also there was some concern about
12 having Commercial downstairs. Those are the
13 two main topics.

14 MR. WITHERS: Was it Commercial or retail?
15 I think it was retail downstairs.

16 MR. TRIAS: It could be retail, yes. As
17 you know, live-work is one of the Commercial
18 activities that one can do. So there are many
19 things that are not retail, but could be done
20 on MX1.

21 MR. WITHERS: I understand.

22 So it really wasn't used -- was it
23 transition of height?

24 MR. TRIAS: I think it was both. To be
25 fair, the discussion had both topics, yes.

1 MR. WITHERS: You know, MX1 kind of has a
2 tendency to suck up whatever is smaller around
3 it. You know, that's what we see happening.
4 The smaller ones just get sucked up into the
5 big one.

6 MR. TRIAS: Yes.

7 MR. WITHERS: I think that's what's going
8 to happen here. Eventually, all of the lots
9 are going to get combined and they're going to
10 be sucked up into a larger lot. I don't see
11 how you're protecting the integrity of 5,000
12 square foot lots by doing this.

13 MR TRIAS: That is the way the Code has
14 been for a very long time and the changes of
15 the Code that we're trying to implement attempt
16 to correct that slightly, but clearly it's a
17 work in progress.

18 MR. WITHERS: But who's going to really
19 want to live in a Residential area in the
20 middle of all this, in a 5,000 square foot
21 Single-Family home?

22 MR. TRIAS: Right.

23 MR. WITHERS: That train has already left
24 the station, as far as I'm concerned.

25 CHAIRMAN AIZENSTAT: Chip, also, a 5,000

1 square foot lot is barely -- I mean, the
2 minimum buildable lot in the City is a 5,000
3 square foot lot.

4 MR. WITHERS: Right, but what I'm saying
5 is, the area has already pretty much gone
6 through a lot of its transition. I mean, we've
7 already accommodated that, probably 75 percent
8 of it, so I'm not quite sure --

9 MR. TORRE: I think you're sort of
10 renegating this to be one large project, in a
11 sense. That's what you're kind of doing.

12 MR. TRIAS: I mean, your role is to make a
13 recommendation to the Commission. If you don't
14 think this is a good idea, recommend something
15 else.

16 MR. BEHAR: But guys -- Chip, I agree with
17 you, that train left the station a long time
18 ago, and potentially, yes, chances are somebody
19 will try to assemble -- get a big assemblage,
20 so you're going to do -- whether it's MF1, MF2,
21 you're going to try to do the maximum project
22 that you could develop on that particular site.
23 The 5,000 square foot lot, gone. Gone.

24 MR. TORRE: And the 10,000 is gone.

25 MR. BEHAR: Gone, you know. So what's

1 going to happen now? In my eyes, in my vision,
2 is that instead of having live-work units on
3 the ground floor and potentially go up to six
4 stories, you limit it to purely Residential.
5 It doesn't mean that the parking is going to be
6 on the ground floor, Venny, and you're going to
7 raise it up. You could have units, Residential
8 units. If you do a project of 20,000 square
9 foot size, you know, you're still going to have
10 some units on the ground floor. The idea is
11 not to see the parking. We don't want to see
12 parking on a street like this. We want to make
13 sure they're concealed completely in the back.

14 MR. TORRE: You're the architect, how do
15 you do three stories, Multi-Family, how do you
16 park cars in that?

17 MR. BEHAR: That's why I said, my
18 recommendation, One, would be to do a fourth
19 story, in lieu of three stories, okay, because
20 it gives me a little bit good opportunity to do
21 something, the parking in the back, have
22 something in the front, and do three, four
23 floors above that ground level. Can it be
24 done? Yes, it could be done. I mean, every
25 site -- and Luis will tell you, every site is

1 different.

2 MR. REVUELTA: I am in agreement with what

3 Venny was saying, not to planning by reaction

4 (unintelligible.)

5 And you mentioned, spot zoning. I think

6 what has happened by default here, for whatever

7 reason, is kind of reverse spot zoning. I

8 think the Commission had a chance to allow MX1

9 here and kind of basically said, I pass the

10 buck on this.

11 Did they say to Planning, go back and

12 review and make another recommendation, in Lot

13 36?

14 MR. TRIAS: Yes. Yes.

15 MR. REVUELTA: And this is your answer to

16 that Commission's request?

17 MR. TRIAS: Yes.

18 MR. REVUELTA: So, obviously -- again, I

19 need a psychologist. I'm not a psychologist.

20 But what I believe happened was that the

21 Commission felt, look, if we allow MX1 to

22 continue to go to San Sebastian, we really

23 don't want that, 77 stories, mixed-use, et

24 cetera, et cetera.

25 They went back -- apparently they told the

1 default. It's going to happen. So I

2 frankly -- I am willing to vote in favor of

3 this thing, with the condition that Robert

4 presented, and we can maybe have a little more

5 conversation about whether Commercial in the

6 north or the south. I don't have a problem

7 with Commercial on the north, because there is

8 already MX1. I believe that the market

9 eventually is going to dictate what is going to

10 happen there, and I don't know how much

11 Commercial you really can put on the north side

12 of Block 36. I think he is -- eventually this

13 is going to become a Single-Family -- not a

14 Single-Family, but a Residential development.

15 And is it inappropriate for me to ask if

16 these properties on Block 36 are now under one

17 ownership or different ownerships?

18 MR. TRIAS: There are multiple owners.

19 MR. REVUELTA: Multiple owners.

20 MR. TRIAS: Yes.

21 MR. REVUELTA: So this initiative is not by

22 a single company or entity or LLC?

23 MR. WITHERS: Not yet.

24 MR. REVUELTA: Not yet. And If I'm out of

25 order asking the question, please correct me,

1 Planning Department, give us another

2 recommendation. I do believe that the

3 recommendation that the Planning Department is

4 making is a sound one, and actually fixing what

5 I believe happened, which is reverse spot

6 zoning. And I'm in agreement with you that, in

7 the future, in other areas of the City, you

8 know, that kind of principle of planning, with

9 a goal, rather than by a kneejerk reaction, is

10 a hundred percent correct.

11 I think, in this case, actually, Staff is

12 right on target on fixing, but, again, it was,

13 by default, reverse spot zoning and it does

14 create a good transition from MX1 to San

15 Sebastian.

16 MR. TRIAS: If I could, please do not use

17 the term spot zoning, because that doesn't

18 apply here and it has --

19 MR. REVUELTA: My apologies.

20 (Simultaneous speaking.)

21 MR. WITHERS: But we know what you're

22 talking about.

23 MR. REVUELTA: Okay. So what I'm saying is

24 that this property, if it's left like this, is

25 going to be surrounded by higher buildings by

1 everybody.

2 MR. TRIAS: No. Mr. Revuelta, this is a

3 City initiated application. So no one is

4 applying from the land owners.

5 MR. REVUELTA: And, again, if I'm out of

6 order with the question, my apologies. I just

7 wanted to know.

8 MR. MURAI: And Luis, you said something --

9 currently it was rezoned to MF1. We're going

10 to go back now is to change it to MF2?

11 MR. TRIAS: The recommendation was to

12 change it to MX1, but it was never rezoned.

13 They changed the Map. They removed this block.

14 MR. MURAI: They removed. When it came

15 through us, we looked at it. When it went to

16 Commission, they stopped the boundary to the

17 north on Malaga.

18 MR. TRIAS: Yes, sir.

19 MR. BEHAR: Now what we're doing is trying

20 to say, okay, the whole area that we looked at,

21 to the north of Malaga, is going to stay the

22 MF1, to the south of Malaga, it's going to do

23 the transition to get to the San Sebastian

24 Apartment.

25 MR. TRIAS: An if nothing happens, it

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1 remains Single-Family and Duplex.
 2 MR. BEHAR: To me, I think, Chip Wither's
 3 comment, that that train left the station, this
 4 is no longer a Single-Family.
 5 MR. TORRE: So the entire North Ponce is
 6 made up of MF1, most of it.
 7 MR. TRIAS: Mostly, yes.
 8 MR. TORRE: Is this not going to be the
 9 same as what's in North Ponce?
 10 MR. TRIAS: The same Zoning, yes.
 11 MR. TORRE: Same Zoning. We're leaving one
 12 block behind here, tucked in between the
 13 townhouse only and San Sebastian -- townhouse
 14 Zoning and all of this Commercial, and then you
 15 have this one block sort of left there as -- I
 16 don't know. It seems a little weird and it
 17 seems a little bit out of place there to me.
 18 MR. TRIAS: Certainly you can have that
 19 view, and I think the Commission, for whatever
 20 reason, thought that that was an appropriate
 21 transition.
 22 CHAIRMAN AIZENSTAT: Maria, you had a
 23 question?
 24 MS. VELEZ: Along the lines of what Venny
 25 just said, I mean, we do have the 100 feet on

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1 Particularly -- I don't see splitting the block
 2 to the north and the south, because what are
 3 you going to do, leave the south facing the San
 4 Sebastian Apartments as a no man's land and
 5 basically taking the north part, facing Malaga,
 6 and making that MX1? That doesn't work either.
 7 If we want to talk about height
 8 restrictions throughout the area, I'm all for
 9 it -- this block from the equation.
 10 CHAIRMAN AIZENSTAT: Would anybody like to
 11 make a motion?
 12 MR. REVUELTA: Can somebody clear this for
 13 me, we recommended MX1. The City rejected it.
 14 So by the rejection of the City and the City
 15 asking the Planning Department to come up with
 16 another option, the City made this block
 17 already different than the other surrounding
 18 blocks.
 19 MR. TRIAS: Not yet. I mean, they have to
 20 pass the First and Second Reading.
 21 MR. WITHERS: Ramon, did they discuss about
 22 the Central Business District coming and
 23 dropping down further, all of the way down to
 24 University?
 25 MR. TRIAS: No.

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1 Le Jeune at 45. Did the Commission ever
 2 consider just taking everything to -- taking
 3 Block 36 and Block 28 and the south half of 27
 4 to MF3? Was that discussed?
 5 MR. TRIAS: Yes, briefly, we did talk about
 6 MF3, yes.
 7 MS. VELEZ: And that did not go over?
 8 MR. TRIAS: Not for the whole area, but
 9 only for Block 36.
 10 MS. VELEZ: So it was not discussed for the
 11 whole area? So either, in my view, we stay to
 12 MX1 for the whole thing, because I don't
 13 particularly see a big transition.
 14 I think what we could do, if the concern is
 15 height and the San Sebastian Apartments, maybe
 16 put some limit on the MX1 as to how high it can
 17 go. I don't like the idea of taking one block
 18 in this whole area and making it different from
 19 the rest of that area. I don't think that's
 20 the way to go with that.
 21 We discussed it. We said that we were
 22 changing the entire Zoning for that whole area,
 23 and I just don't see taking one block out of
 24 that equation, making it different from
 25 everything else to the north of that.

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1 MR. WITHERS: No discussion at all?
 2 Where does it end now? Where does it come
 3 to now, the middle of Almeria?
 4 MR. TRIAS: The CBD, yes.
 5 MR. WITHERS: There was talks about
 6 extending it.
 7 MR. TRIAS: I haven't had any discussions
 8 on that.
 9 MR. MURAI: Ramon, 28 can go up to seven
 10 stories now?
 11 MR. TRIAS: Six stories.
 12 MS. VELEZ: I'm having trouble with the
 13 Zoom now.
 14 MR. TORRE: So I'm sensitive to what
 15 happens across San Sebastian. That's very much
 16 a concern and I hear that. Two is, I hear the
 17 concern about the height across from San
 18 Sebastian and then maybe choosing to do three
 19 stories. But at the same time, having this
 20 block of Residential only to me seems a little
 21 problematic. So how do thread the needle for
 22 these two things to happen? Is there a way to
 23 have restrictions that are favorable to the San
 24 Sebastian side and still be MX1, with
 25 restrictions, or with some things that allow a

1 better product or products that meets the
 2 criteria of what we're trying to do and yet
 3 gets you MX1?
 4 MR. TRIAS: Yes, you can.
 5 How could I explain it? The other option
 6 would have been to do, let's say, an Overlay
 7 with a lot of different regulations and many
 8 detailed things. What I would advise you and
 9 what I would advise the Commission, is that
 10 keep in mind this is Zoning. Zoning can only
 11 do so much. Sometimes we overthink the
 12 possibilities of controlling the future through
 13 Zoning. Not really. I mean, Zoning can only
 14 do a few things, and what happens is that then
 15 we have other processes, the Board of
 16 Architects, we have obviously the design review
 17 that goes on and so on. That also takes place.
 18 So, Zoning, from my perspective, is limited
 19 in many ways. I think that we can limit the
 20 use, yes, and that's something that the
 21 Commission wanted to do. They didn't want to
 22 have Commercial at the ground level. That's a
 23 valid Zoning concern. We can limit the height
 24 to 45 feet. That's also a valid Zoning
 25 concern. So those are the issues that they

1 were looking at.
 2 Beyond that, I don't really know if Zoning
 3 is the best tool.
 4 MR. MURAI: And what is the concern if you
 5 leave it so that Commercial can go on 36? How
 6 does that affect the San Sebastian Apartments?
 7 MR. TRIAS: The concern is, San Sebastian
 8 is a historic property and if we change the
 9 environment excessively, then it may be
 10 detrimental to that area.
 11 MR. MURAI: I mean, so the six stories
 12 there, if it were that, with perhaps
 13 Commercial, somehow or another, that's going to
 14 impact negatively San Sebastian?
 15 MR. TRIAS: That's the opinion that some
 16 people had, yes.
 17 MR. MURAI: Some people, meaning?
 18 MR. REVUELTA: If I may, I would be one of
 19 those people, because when you have Commercial,
 20 you have services, delivery, traffic. If they
 21 happen to be successful, which I don't think
 22 they'll succeed on Santander, I think it's
 23 Street, then you have people parking, looking
 24 for parking. All of a sudden, people are
 25 parking on the San Sebastian parking spaces.

1 So I am in full agreement that not allowing
 2 Commercial, on the south, to San Sebastian, is
 3 a sound planning advice, and I would endorse
 4 that. And it's debatable to me whether -- I
 5 was not clear -- again, I'm not clear if he
 6 wants Commercial -- to allow Commercial on the
 7 south side or not. I believe this block will
 8 be a perfect transition Zoning, if it's all
 9 Residential, maxed out, as you said, at 45
 10 feet, four stories, and allow the market to do
 11 what they will do, and I think it will be good
 12 for the City to have Residential there. It's
 13 going to be dictated by the (unintelligible.)
 14 MR. MURAI: But Luis --
 15 MR. REVUELTA: I don't see the negative --
 16 MR. TORRE: Mixed-use allows Residential
 17 above. It doesn't have to be, but it allows
 18 it. So there's a chance that this will be a
 19 Residential project. It's a matter of, again,
 20 what happens on the San Sebastian side, more
 21 than it does --
 22 MR. REVUELTA: I'm going deaf and the siren
 23 is still here.
 24 MR. MURAI: Let me ask you this, do both
 25 sides of 36 have to be the same?

1 MR. TRIAS: No.
 2 MR. MURAI: I mean, couldn't we make 36
 3 south Residential and the north the same as 28?
 4 MR. TRIAS: Yes.
 5 MR. MURAI: And would that make sense, from
 6 your point of view?
 7 MR. TRIAS: Yes.
 8 MR. MURAI: Because then you accomplish
 9 both things, don't you? You have Commercial --
 10 MR. REVUELTA: But does Rene understand
 11 that by making -- the north side of 36 would
 12 allow six stories, 77 feet? Is he clear on
 13 that, Rene?
 14 MR. TRIAS: Yeah. No, I think Rene
 15 understands, because the way I see it, he's
 16 saying the same thing happens on the both sides
 17 of the street. 99 percent of the time, that's
 18 good planning practice, because what really
 19 matters from the point of view of the City is
 20 what you can see from the public spaces, from
 21 the street, right.
 22 MR. MURAI: But, Ramon, what I'm saying is
 23 that you want to protect San Sebastian and the
 24 environment there.
 25 MR. TRIAS: Yes.

1 MR. MURAI: So you make the south side of
2 36, Block -- I mean, Lots, whatever it is, 16
3 through 30, you make that subject to the -- you
4 know, Residential, subject to the 45 feet,
5 whatever, and you make the north side, 1
6 through 16, the same as what's in Malaga and
7 everywhere else.

8 MR. BEHAR: But, Ramon, doing Zoning
9 through the middle of a block, is that really
10 good practice?

11 MR. TRIAS: Yes.

12 MR. BEHAR: The middle of the block.

13 MR. TRIAS: Absolutely. I mean, I don't
14 have any question on that, as long as you have
15 the same Zoning on both sides of the street. I
16 mean, you don't do it randomly. You do it in a
17 way that is symmetrical.

18 MR. MURAI: I'm prepared to make a motion.

19 MR. REVUELTA: I would like to hear what
20 you said, because with the siren and the mask,
21 I could not hear from you.

22 MR. TORRE: No, what I was going to say is,
23 I think what Robert is seeing, because I think
24 that's what he sees as the architect he is, is
25 that when you do the two sides equal, you can

1 get the parking to go side by side and then all
2 of a sudden you get ramps and you get there.
3 When you split it down the middle, I get that,
4 you cannot do the ramps. You cannot do the
5 things, therefore you've --

6 MR. TRIAS: That's the other aspect of
7 this, yes.

8 MR. TORRE: I understand that. So I think
9 that where he's trying to go there is, if you
10 do that, then basically my positions of getting
11 the parking structure is gone, and I get that,
12 but at the same time, you can do three stories
13 possibly on the Residential side or the San
14 Sebastian side. I'm not sure what you could do
15 on the other side. Again, back to parking,
16 it's going to drive the whole thing again.

17 But what we're doing here, I think, is
18 providing a pedestal, no matter what we do,
19 unless we create an incentive for something
20 small to happen.

21 MR. TRIAS: Parking pedestal or parking on
22 the ground level.

23 MR. BEHAR: That will be detrimental.

24 MR. MURAI: Venny, worse case basis --

25 MR. WITHERS: What if you did like 45-foot

1 townhomes facing San Sebastian with zero lot
2 line and zero setback, kind of an urban
3 apartment, and did behind that going all of the
4 rest of the way through?

5 MR. TRIAS: And that would be MF3, and then
6 MX1.

7 MR. WITHERS: Behind. Because right now on
8 Valencia you have Gables -- 600 Biltmore and
9 they're right up against -- one street against
10 three-story apartments, and that way you
11 maintain the integrity of at least the
12 Residential facing San Sebastian.

13 MR. COLLER: Ramon, just a technical
14 question, since the proposal -- the title
15 doesn't indicate MX1 at this point -- I mean,
16 you can make the recommendation. It may have
17 to go back -- it may have to be -- the title
18 may have to be different than --

19 MR. TRIAS: Well, it would be different for
20 the Commission, when it's advertised. Yes. It
21 will be a different title.

22 MR. COLLER: Yes. Okay.

23 CHAIRMAN AIZENSTAT: Rene.

24 MR. REVUELTA: The Commission already
25 rejected MX1. So we're going to go back to

1 them and recommend one more time -- we
2 recommended MX1 in the whole lot. They
3 rejected it. They asked Planning to look at
4 it. Planning came to us and now we're saying,
5 okay, give us half a lot. I agree with what
6 Robert is saying, sometimes when you do this
7 different -- change of Zoning in blocks, you
8 get a Frankenstein, in my opinion.

9 MR. TORRE: Well, again, it depends what
10 you're trying to incentivize to happen. This
11 is, again, what do you want to come out on the
12 other side. That's what I think happens. But
13 the townhouses facing San Sebastian is a match
14 to match, across the street, and the other one
15 is a match to match. The only thing that
16 happens is, you're forcing small buildings to
17 happen, versus this big building, and, again, I
18 know that --

19 MR. MURAI: There's nothing wrong with
20 that. I will recommend that we split 36 and
21 only the south side of 36 gets this
22 designation.

23 MR. TORRE: We haven't heard from the
24 Chair. Chair, do you have any comments so far?

25 CHAIRMAN AIZENSTAT: Yeah. It's a little

1 difficult Chairing away from the dais and I
 2 apologize.
 3 To me, the main question is, if you go
 4 ahead and split the property, I like the idea
 5 of splitting the property, but I think you're
 6 creating a different problem with the parking
 7 and what do you with the other half of those
 8 lots, and that goes into, I think, it.
 9 As far as doing the townhouses on the south
 10 side, I think that's a really good idea, but I
 11 don't know how you would handle the parking. I
 12 would like to ask, actually, the architects.
 13 How do you do that, if you split that block,
 14 Robert?
 15 MR. BEHAR: Mr. Chairman, that right now is
 16 a very complicated question, not knowing how
 17 big of a parcel we're looking at and all of the
 18 different program requirements that will come
 19 along. I believe -- look, I believe that you
 20 will get a much better development, more in the
 21 scale of the Residential, if the whole entire
 22 block is kept at the same height. I do not --
 23 I don't know how, because Venny started
 24 alluding to it, and he's a hundred percent --
 25 that was my concern, you're correct, if I'm

1 to the six stories.
 2 MR. TRIAS: As you very well know, the
 3 number of stories provides for the parking, and
 4 then the FAR remains the same.
 5 MR. REVUELTA: The problem that you have
 6 with a hundred foot deep lot, that you can only
 7 park either on a basement or on the ground
 8 level, because you will never be able to
 9 develop enough distance to create ramps on a
 10 second level.
 11 MR. TRIAS: That is correct.
 12 MR. REVUELTA: So your parking is either
 13 ground level, or if somebody has enough money,
 14 ground level and a basement. That's it.
 15 MR. TRIAS: That's correct. What I'm
 16 saying is, the way that the Code is written,
 17 because of the fact that parking doesn't count
 18 towards FAR, the height actually means that you
 19 have enough room to do whatever parking you
 20 need to do, because you don't get the extra
 21 FAR. You have the 3 or the 3.5 with Med Bonus.
 22 MR. REVUELTA: I guess that's what Robert
 23 is saying, that you'll never achieve whatever
 24 you can achieve, because your parking may be
 25 limited by geometry, lot size, and -- it will

1 going the allow one side of the block to go six
 2 stories and the other one to three, let's say
 3 we could go to the fourth, you're never going
 4 to be able to get a continuous project on both
 5 sides. It's going to be very difficult for
 6 that to happen, and I think, in my mind, just
 7 quickly looking at it, we could be facing, what
 8 do you call it, a Frankenstein.
 9 So I'm not sure that's the right --
 10 MR. TORRE: Okay. So what --
 11 MR. REVUELTA: It would be a lot more
 12 difficult to develop parking -- these lots are,
 13 what, a hundred feet in depth?
 14 MR. BEHAR: Yes.
 15 MR. TRIAS: Yes.
 16 MR. REVUELTA: So if you have MX1 on the
 17 south side, we're going to have people here
 18 asking for parking variances. You will not be
 19 able to develop proper parking for an entity
 20 that is -- I'm hearing your opinion --
 21 MR. BEHAR: What's the FAR in this area?
 22 MR. TRIAS: MX1 is 3 and 3.5. It's 2 and
 23 2.5 for MF1.
 24 MR. BEHAR: 2.5. You know, at 2.5, you can
 25 even achieve -- you know, you may not even get

1 never happen, but if you have the --
 2 MR. MURAI: But Luis --
 3 MR. REVUELTA: With respect to what we're
 4 talking about, you can develop much better
 5 parking and actually a much better street
 6 frontage, in my opinion.
 7 CHAIRMAN AIZENSTAT: Rene, you had some
 8 comments that you wanted to make?
 9 MR. TRIAS: Better parking, yes. I would
 10 leave it at that.
 11 MR. REVUELTA: But I'm saying, if you can
 12 park on a lot that is all of a sudden 200 feet,
 13 because you acquire front and back, the fact
 14 that you will do better parking is going to
 15 translate to have a better Residential
 16 treatment --
 17 MR. BEHAR: At the street level.
 18 MR. REVUELTA: I have experienced that.
 19 MR. TRIAS: If both of you are the
 20 architects, yes.
 21 MR. TORRE: Can I ask, if you split the
 22 baby, okay, can you do Residential on one side,
 23 MX on the other side and still combine the two
 24 and still have the shared parking?
 25 MR. TRIAS: Yes.

1 MR. TORRE: And I'm not forced to do
 2 offices on the San Sebastian side, I can do
 3 Residential three story and park in the back?
 4 And I have to split Zoning and still combine
 5 one building? Is that possible?
 6 MR. TRIAS: That's possible, yes.
 7 MR. BEHAR: If you get --
 8 MR. TRIAS: In the perfect world, yes.
 9 MR. BEHAR: In the perfect world.
 10 MR. REVUELTA: Right.
 11 CHAIRMAN AIZENSTAT: Rene, you wanted to
 12 say something?
 13 MR. MURAI: Yes. I mean, I think at this
 14 point I would recommend that we only do MF2 on
 15 the south side of Block 36, leave the north
 16 side the way it is. Luis said that, you know,
 17 if you're Residential on one side, you don't
 18 want Commercial on the other side. So if you
 19 did Residential only on the north side of Block
 20 36, you have Commercial on the other side, that
 21 Luis says it doesn't lead to a good environment
 22 because of trucks coming in for delivery and so
 23 forth.
 24 So the best solution, I think, is to split
 25 Block 36, so that Residential faces Residential

1 that wasn't acted upon by the Commission.
 2 MR. MURAI: Is that the case, Ramon?
 3 MR. TRIAS: Maria is correct. You would
 4 have to recommend MX1 for the north half and
 5 then MF2 for the south half.
 6 MR. MURAI: So that's my motion.
 7 CHAIRMAN AIZENSTAT: Venny, is that okay
 8 with you?
 9 MR. TORRE: Yes.
 10 CHAIRMAN AIZENSTAT: It is?
 11 Any other discussion?
 12 MR. COLLER: Just so everyone is aware,
 13 and, Ramon, I don't know how you work it out,
 14 but when it goes to the Commission, it's going
 15 to go with a title and the title is going to be
 16 inconsistent with the Planning Advisory Board's
 17 recommendation. So what the Commission would
 18 have to decide is, well, we're going to accept
 19 it and we're going to re-advertise with a new
 20 title or they're going to say, no, we're going
 21 to reject this and we're going to go with what
 22 we originally wanted. That's, I think,
 23 procedurally, how it would work.
 24 MR. TRIAS: I agree with you, and it could
 25 be advertised for the Second Reading with the

1 and Commercial the Commercial.
 2 CHAIRMAN AIZENSTAT: Rene, is that a motion
 3 that you want to make?
 4 MR. MURAI: Yes, I do.
 5 CHAIRMAN AIZENSTAT: So let's go ahead.
 6 Rene has a motion to go ahead and split it as
 7 he has just done so -- said so. Is there a
 8 second?
 9 MR. TORRE: I'll move a second.
 10 CHAIRMAN AIZENSTAT: I cant see. Who moved
 11 the second, please? Was it Venny?
 12 MR. TRIAS: Mr. Torre.
 13 CHAIRMAN AIZENSTAT: It was Venny. Thank
 14 you.
 15 Any discussion? Yes, Maria?
 16 MS. VELEZ: I said Rene said to leave the
 17 north side as it is. If we leave it as it is,
 18 it's Single-Family. So that needs to be
 19 clarified. But I need him to clarify his
 20 motion. The way I understand it is, he wants
 21 the south side to be MF2 and the north side of
 22 Block 36 to be MX1; is that correct?
 23 MR. MURAI: I thought that the north side
 24 of 36 is already zoned for Mixed-use.
 25 MS. VELEZ: That was a recommendation, but

1 correct title, I think, which ever way they
 2 want to do it.
 3 MR. COLLER: We'll have to look at that.
 4 CHAIRMAN AIZENSTAT: Okay. And, Craig,
 5 we're going to need three separate votes,
 6 correct?
 7 MR. COLLER: Right. So I don't think --
 8 Ramon, on the -- and this may actually change
 9 things, but on the Comp Plan -- I think the
 10 Comp -- is the Comp Plan changed if they're
 11 going to --
 12 MR. TRIAS: It will be different. It would
 13 to be split down the middle just like the
 14 Zoning, yes.
 15 MR. COLLER: So E-2 needs to be amended,
 16 the Comp Plan, to reflect, I guess, a different
 17 category.
 18 MR. TRIAS: Yes. The one that is more
 19 critical is whether or not the Site Specific at
 20 45 feet is kept. That's a different --
 21 CHAIRMAN AIZENSTAT: Craig, should we do
 22 E-1 first, as proposed, and then tweak what we
 23 need on the next items?
 24 MR. COLLER: Well, I think ordinarily you
 25 do the Comp Plan first, but the Comp Plan is

1 going need to be -- your recommendation is
 2 to --
 3 MR. TRIAS: There's a motion on the floor.
 4 CHAIRMAN AIZENSTAT: There's a motion, but
 5 no vote.
 6 MR. TRIAS: If it passes, I think it means
 7 that the Comp Plan has to be amended to be
 8 consistent with that.
 9 MR. COLLER: We have to take three separate
 10 votes. So the first one is on the Comp Plan
 11 and whether the item is to be amended to
 12 reflect MX1 to the north, and, I guess, MF2 to
 13 the south.
 14 CHAIRMAN AIZENSTAT: That will be based on
 15 E-1.
 16 MR. COLLER: But, actually, the designation
 17 is going to change. I don't know what the
 18 designation would be, Ramon, for the north and
 19 the south, but whatever --
 20 MR. TRIAS: It will be otherwise Commercial
 21 and the Medium Density Residential.
 22 MR. COLLER: Okay.
 23 MR. TRIAS: Those will be the two
 24 designations.
 25 MR. COLLER: Right.

1 a motion and a second, so, you know --
 2 MR. TRIAS: Yeah. I mean, we need to
 3 follow --
 4 CHAIRMAN AIZENSTAT: Let's go ahead and
 5 call the roll. Go ahead, Craig.
 6 MR. COLLER: Okay. So the motion on E-1,
 7 which is the Comprehensive Plan, is to
 8 recommend approval on a modified basis, with
 9 the appropriate Land Use designation on the
 10 north to allow for MX1 and an appropriate Land
 11 Use Designation on the south to allow for MF2.
 12 CHAIRMAN AIZENSTAT: Correct.
 13 MR. COLLER: Did I mess that up or I think
 14 I got it right?
 15 MR. TRIAS: No, that's correct. That's
 16 correct.
 17 CHAIRMAN AIZENSTAT: That's what the motion
 18 is. No further discussion?
 19 Jill, call the roll, please.
 20 THE SECRETARY: Rene Murai?
 21 MR. MURAI: Yes.
 22 THE SECRETARY: Luis Revuelta?
 23 MR. REVUELTA: No.
 24 THE SECRETARY: Venny Torre?
 25 MR. TORRE: Yes.

1 CHAIRMAN AIZENSTAT: So, Craig, we're clear
 2 on --
 3 MR. REVUELTA: Can I ask one question
 4 before the vote from Ramon?
 5 MR. TRIAS: Yes, sir.
 6 MR. REVUELTA: I thought at the beginning
 7 of the explanation, I thought you said that
 8 your recommendation was that on the north side
 9 of 36 the Planning Department was recommending
 10 allowing Commercial. So, in reality, all that
 11 we're doing with this motion is allowing the
 12 north side to go to six stories, 77 feet,
 13 because I think that the Planning Department
 14 was already recommending Commercial --
 15 MR. TRIAS: Right. Let's not get confused
 16 here. There's a motion on the floor and that
 17 motion is to have MX1 on the north half and
 18 then MF2 on the south half. That's necessary,
 19 because right now the current situation is
 20 Single-Family and MF1, which is Duplex. So you
 21 need to take action, if you want to make it
 22 different.
 23 MR. REVUELTA: But I was clarifying what I
 24 thought your Staff was recommending.
 25 MR. BEHAR: That's already, too. There was

1 THE SECRETARY: Maria Velez?
 2 MS. VELEZ: Yes.
 3 THE SECRETARY: Chip Withers?
 4 MR. WITHERS: Yes.
 5 THE SECRETARY: Robert Behar?
 6 MR. BEHAR: No. And for the record, I
 7 don't think it's good practice to rezone in the
 8 middle of a block.
 9 THE SECRETARY: Eibi Aizenstat?
 10 CHAIRMAN AIZENSTAT: No. I agree, it
 11 should not be in the middle of the block.
 12 What's the -- Jill, what's the vote?
 13 THE SECRETARY: Four-three.
 14 MR. TRIAS: So the motion passed
 15 four-three.
 16 MR. COLLER: Okay.
 17 CHAIRMAN AIZENSTAT: Correct.
 18 Now, Item E-2, Craig, how should that --
 19 MR. COLLER: Well, I'm going to rely on
 20 Ramon. How do you want the Site Specifics to
 21 reflect on this?
 22 MR. TRIAS: If you agree with the 45 feet,
 23 then you should recommend 45 feet. If you
 24 agree with three stories and 45 feet, then
 25 recommend that. Or simply recommend, no, if

1 you don't agree.
 2 MR. COLLER: But, Ramon, just a question,
 3 since the Zoning is going to be MX1 on the
 4 front, then you're going to be having MX1 with
 5 a limit of 45 feet. Is that what you --
 6 MR. TRIAS: That's one option, but that's
 7 clearly up to debate and discussion.
 8 MR. COLLER: Okay.
 9 MR. BEHAR: See, if you're going to have
 10 MX1, why 45 feet?
 11 MR. TRIAS: The thing is that you're going
 12 to have 45 feet in the first hundred feet
 13 anyway already, so that already takes place.
 14 MR. BEHAR: But that defeats of purpose,
 15 right, of limiting the whole block to 45 feet?
 16 MR. TRIAS: I would agree with that
 17 statement.
 18 MR. MURAI: Ramon, my motion would be that
 19 the north side of 36 have the same Zoning and
 20 limitations that 28 has.
 21 MR. TRIAS: Okay. Then that's one issue.
 22 And then you want to have -- and I'm not saying
 23 you all agree, I'm just following the
 24 discussion, if you want to have the limitation
 25 of just the MF2, you can do that, and say only

1 CHAIRMAN AIZENSTAT: Well, Rene, would you
 2 want to change that to three stories?
 3 MR. MURAI: No. My motion is 45 feet.
 4 Whether it's three stories or four stories, you
 5 know --
 6 CHAIRMAN AIZENSTAT: It's 45 feet.
 7 MR. TORRE: I concur.
 8 CHAIRMAN AIZENSTAT: And Venny concurs.
 9 MR. TRIAS: I think there's a second
 10 suggestion.
 11 CHAIRMAN AIZENSTAT: Okay. Having no
 12 further discussion, Jill call the roll, please.
 13 THE SECRETARY: Luis Revuelta?
 14 MR. REVUELTA: No, for the same reasons as
 15 before.
 16 THE SECRETARY: Venny Torre?
 17 MR. TORRE: Yes.
 18 THE SECRETARY: Maria Velez?
 19 MS. VELEZ: Yes.
 20 THE SECRETARY: Chip Withers?
 21 MR. WITHERS: Yes.
 22 THE SECRETARY: Robert Behar?
 23 MR. BEHAR: No, for the same reason.
 24 THE SECRETARY: Rene Murai?
 25 MR. MURAI: Yes.

1 properties Zoned MF2, in Block 36, will be
 2 limited to 45 feet.
 3 MR. MURAI: I so move.
 4 MR. TORRE: I'll second.
 5 CHAIRMAN AIZENSTAT: Who second? Was it
 6 Venny?
 7 MR. TRIAS: Yes, Mr. Torre seconded.
 8 CHAIRMAN AIZENSTAT: Okay. Any discussion?
 9 No, from Craig? You're good with the motion
 10 the way it is, the legalities?
 11 MR. COLLER: The north side, which would be
 12 MF2, under Site Specifics --
 13 MR. TRIAS: Craig, the Site Specifics will
 14 only apply to the south side of the block,
 15 which is properties Zoned MF2.
 16 MR. REVUELTA: At what point does Robert
 17 want to introduce his suggestion of four --
 18 MR. TRIAS: I thought it was only 45 feet.
 19 MR. TORRE: We're not tying it to the
 20 floors, just height.
 21 MR. BEHAR: No, you are tying it to the
 22 feet.
 23 MR. TRIAS: No. I'm saying, 45 feet, not
 24 three stories. If you want to have three
 25 stories, you can.

1 THE SECRETARY: Eibi Aizenstat?
 2 CHAIRMAN AIZENSTAT: No, for the same as
 3 stated before.
 4 MR. TRIAS: Same four-three vote, so the
 5 motion passes.
 6 Okay. And then the last one will be the
 7 Zoning. Mr. Attorney.
 8 MR. COLLER: So the Zoning is a proposal,
 9 the north side of that block is going to be MX1
 10 and the south side is going to be rezoned to
 11 MF2.
 12 MR. MURAI: So moved.
 13 MR. TORRE: Second.
 14 CHAIRMAN AIZENSTAT: Rene made the motion.
 15 Venny second. Any discussion? No?
 16 Call the roll, please, Jill.
 17 THE SECRETARY: Venny Torre?
 18 MR. TORRE: Yes.
 19 THE SECRETARY: Maria Velez?
 20 MS. VELEZ: Yes.
 21 THE SECRETARY: Chip Withers?
 22 MR. WITHERS: Yes.
 23 THE SECRETARY: Robert Behar?
 24 MR. BEHAR: No. Same reason.
 25 THE SECRETARY: Rene Murai?

1 MR. MURAI: Yes.
 2 THE SECRETARY: Luis Revuelta?
 3 MR. REVUELTA: No, for the same reason.
 4 THE SECRETARY: Eibi Aizenstat?
 5 CHAIRMAN AIZENSTAT: No.
 6 MR. TRIAS: Motion passes four-three again.
 7 So this recommendation and discussion will
 8 go to Commission for First Reading next week.
 9 CHAIRMAN AIZENSTAT: Okay. Do we have any
 10 other items? We have no other items on the
 11 agenda, correct?
 12 MR. TRIAS: No. I would only inform you
 13 that the other item that we had talked about,
 14 which was the Ponce Towers, was withdrawn by
 15 the applicant, and I would expect that they
 16 will reschedule at some time in the future, but
 17 I don't know when at this point.
 18 CHAIRMAN AIZENSTAT: Thank you.
 19 MR. WITHERS: That was withdrawn before
 20 public comment.
 21 MR. TRIAS: Yes.
 22 MR. WITHERS: So are they going to
 23 re-present all over again, because if they do,
 24 I would like to make a suggestion.
 25 MR. TRIAS: We'll see when they submit

1 night. It's going to be on a case by case
 2 judgment, based upon the complexity of the
 3 case.
 4 I think that the Board could judge on an
 5 individual basis, but I would be concerned of
 6 you all saying, okay, initial presentations are
 7 going to be 20 minutes. So that's too
 8 formulated. It really needs to be based -- I'm
 9 not saying that you could not have limited a
 10 particular attorney or somebody presenting,
 11 saying, you know, I'm going to give you thirty
 12 minutes, but if you need additional time, you
 13 let me know, we're going to let you cover it,
 14 but we don't want you to be repetitious. We
 15 have all of the things that are in writing, so
 16 you do not needed to re-read things. You can
 17 do that.
 18 MR. MURAI: Yeah, but, you know, courts
 19 limit presentations, too. Judges do that all
 20 of the time. We are quasi-judicial. We should
 21 have the right to do the same thing.
 22 MR. COLLER: They have a double standard.
 23 We have a cases where the -- and I apologize,
 24 but we've had cases that have gone up, not in
 25 Coral Gables, where the Court has said, you

1 again, because I don't even know -- I mean, it
 2 may be months from now, so --
 3 MR. WITHERS: But I mean, you're going to
 4 have to start all over again, is what I'm
 5 saying.
 6 MR. TRIAS: I would think so, yes, sir.
 7 MR. MURAI: I have one item. Hello.
 8 CHAIRMAN AIZENSTAT: Yes, Rene.
 9 MR. MURAI: It was something that I wrote
 10 to you and I think the rest of our Board, is
 11 that we should have some limitation on the time
 12 that a presenter has, and it can always be
 13 expanded by a vote of the Board, but, you know,
 14 I thought that the presentation for the Ponce
 15 Tower, even though it was very comprehensive,
 16 it was also very repetitious and it took a long
 17 time, and, therefore, we adjourned without
 18 having heard anybody else, because it was very
 19 late. So I think it's something that we should
 20 consider.
 21 CHAIRMAN AIZENSTAT: Craig.
 22 MR. COLLER: Well, the issue is that,
 23 because it's quasi-judicial, you certainly have
 24 to give somebody a reasonable period of time.
 25 That doesn't mean they're entitled to all

1 didn't give enough time. So I can't tell you
 2 what enough time is. I can tell you, you have
 3 to give a reasonable period of time. What is
 4 reasonable is depending on the particular
 5 circumstances.
 6 MR. BEHAR: Unfortunately, we cannot limit
 7 the time.
 8 MR. MURAI: I don't agree. I think we can
 9 and we can say that generally, we can have a
 10 rule, let's says, 45 minutes, and if you think
 11 that you need more time, then, you know, ask
 12 for it and maybe we'll have to do a special
 13 setting. That's what courts do all of the
 14 time.
 15 I don't think that, on a night like the
 16 other night, we should have to prepare to be
 17 here five hours. So we should be limiting --
 18 MR. BEHAR: What about if the applicant
 19 have --
 20 MR. MURAI: Let me finish, please. We can
 21 limit it to 45 minutes, and, you know, we can
 22 say, if you think you need more time, then
 23 we'll have a Special Meeting of the Board, so
 24 that we're prepared, and, you know, so the
 25 public has a chance.

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1 The other day, they were here for three
 2 hours, I think, and they never got to speak.
 3 That's not fair. That's not right.
 4 CHAIRMAN AIZENSTAT: But also remember that
 5 the applicant now will have to start all over.
 6 MR. BEHAR: Rene, are you finished?
 7 MR. MURAI: Yes.
 8 MR. BEHAR: Okay. In the courts, you may
 9 have a different procedure. In a matter of a
 10 Zoning matter, you cannot limit the time frame.
 11 You know, do I agree with it? I did not like
 12 where the applicant took three hours or
 13 whatever he took and left seven minutes to try
 14 to get the public to speak. No, we don't like
 15 it, but I don't think legally there's a way to
 16 restrict those time frames. Do I like it?
 17 MR. MURAI: But, Robert, what I'm saying is
 18 that we have a general rule that says you have
 19 45 minutes, and if you think you're going to
 20 need more time to make your presentation, you
 21 know, we will have to have a Special Meeting
 22 and we'll do that.
 23 MR. BEHAR: I think the difference here is,
 24 we had one applicant, one attorney, who
 25 presented, that was completely, in my opinion,

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1 of people here tonight. We're going to give
 2 you 30 minutes to start. If you need
 3 additional time, please ask for it. You get
 4 through the 30 minutes and you say, listen, I
 5 need another 20 minutes to finish my side, and
 6 that's okay to do.
 7 So all I'm saying is, you have to be
 8 somewhat flexible, but a person doesn't have a
 9 right to speak for three hours. Absolutely
 10 not. You can limit their time. It has to be a
 11 reasonable period of time. What's reasonable
 12 depend on the circumstances of a case.
 13 MR. MURAI: I'm all for that.
 14 CHAIRMAN AIZENSTAT: Thank you. Thank you,
 15 Craig. Is there a motion to adjourn?
 16 MR. BEHAR: Motion to adjourn.
 17 MR. TORRE: Second.
 18 CHAIRMAN AIZENSTAT: We have a motion to
 19 adjourn and second. All in favor?
 20 MR. BEHAR: Off the record. I am very
 21 surprised that today we have two architects who
 22 have, you know, more experience and completely
 23 were disregarded, but with that, have a good
 24 evening.
 25 MR. TRIAS: Thank you very much.

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1 you know, deliberately trying to take the whole
 2 time in a very calculated manner. This is not
 3 the typical. In the last, I don't know, ten,
 4 twelve years that I've, you know, been involved
 5 off and on with this Board, that's the first
 6 time that that's ever happened. So this is not
 7 a typical, you know, thing that over and over
 8 we have to deal with. That's one instance,
 9 where that attorney, the applicant's attorney,
 10 took it upon himself to make sure we consumed
 11 every possible minute that we had available.
 12 MR. COLLER: Well, I just want to be clear
 13 on something. You can limit the time. There's
 14 not a problem in limiting the time. You can
 15 say to somebody, how long do you think you're
 16 going to need? Well, I think I'm going to need
 17 an hour. Well, we're going to give you 45
 18 minutes. Let's see where you are. Or we're
 19 going to give you 30 minutes, and let's see
 20 where you are, and you give them the
 21 opportunity to extend the time and you judge it
 22 on a case by case basis.
 23 I think you could have said to that
 24 attorney, if that's the will of the Board,
 25 okay, we're going to give you -- we have a lot

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1 CHAIRMAN AIZENSTAT: Thank you. Meeting's
 2 adjourned.
 3 (Thereupon, the meeting was adjourned at 7:42
 4 p.m.)
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CERTIFICATE

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

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

DATED this day 8th of March, 2021.

SIGNATURE ON FILE

NIEVES SANCHEZ