

1 like to propose a change to the agenda. Since
2 I am involved with Item 3 -- E-3 through E-6, I
3 think we can propose to bring Items E-7 and E-8
4 prior to my project, so when I recuse myself,
5 there will be no --

6 CHAIRMAN AIZENSTAT: That's fine, unless
7 anybody has an objection on the Board? No?
8 We'll go ahead and proceed that way.

9 Let's go ahead and start first with Items
10 E-1 and E-2, which are related.

11 MR. COLLIER: Excuse me.

12 Item E-1, an Ordinance of the City
13 Commission of Coral Gables, Florida, amending
14 the Future Land Use Map of the City of Coral
15 Gables Comprehensive Plan pursuant to Zoning
16 Code Article 14, "Process," Section 14-213,
17 "Comprehensive Plan Text and Map Amendments,"
18 and small scale amendment procedures (Section
19 163.3187, Florida Statutes), from "Religious or
20 Institutional" to "Multi-Family Low Density"
21 for Lots 15, 16, 17 and 18, Block 33, Coral
22 Gables Biltmore Section (that's 627 and 635
23 Anastasia Avenue), Coral Gables, Florida,
24 providing for a repealer provision,
25 severability clause, and an effective date.

9

1 Item E-2, an Ordinance of the City
2 Commission of Coral Gables, Florida, making
3 zoning district boundary changes pursuant to
4 Zoning Code Article 14, "Process," Section
5 14-212, "Zoning Code Text and Map Amendments,"
6 from "Special Uses" to "Multi-Family 3 (MF3)"
7 for Lots 16, 17 and 18, Block 33, Coral Gables
8 Biltmore Section (627 and 635 Anastasia
9 Avenue), Coral Gables, Florida; providing for a
10 repealer provision, severability clause, and an
11 effective date.

12 Item E-1 and E-2, public hearing.

13 CHAIRMAN AIZENSTAT: Thank you.

14 Mr. Jimenez, welcome back.

15 MR. JIMENEZ: Thank you very much,
16 Mr. Chairman, and I know there's a slightly new
17 composition to the Board. There's a member
18 that was absent, and Alice, welcome.
19 Congratulations on your appointment.

20 Because I've seen Staff's presentation and
21 I know how thorough it was and you have seen
22 mine, I figured I would go through it very
23 quickly, in the interest of time, and then let
24 Staff have their opportunity, and, obviously,
25 be here for any questions.

10

1 So -- I'm sorry, for the record, Joe
2 Jimenez, JMC Group, 2020 Salzedo Street, and --
3 so the project -- I mean, even though we are
4 only here for a Rezoning and a Future Land Use
5 Map Amendment, I am telling you something about
6 the project that is proposed to go there
7 eventually. It's a small scale. It will not
8 be coming back to this Board for that, but it
9 will go through eventually DRC and then -- and
10 the BOA, concurrently.

11 What we are here for today -- and this
12 isn't -- there you go. What we are here for
13 today is to revert the Zoning, which was
14 changed a few decades ago, from Special Use,
15 because it was owned by the church across the
16 street, the Baptist Church across the street,
17 to Multi-Family 3, which is consistent with the
18 rest of the block and the surrounding blocks,
19 as well. The Land Use designation, again,
20 because of the church's ownership is religious
21 and institutional, and we are asking it to be
22 designated Multi-Family Low Density.

23 Next slide.

24 Just for the history of this, I wanted to
25 show you the Commission order that actually did

11

1 take that -- one of these properties is
2 still -- I don't know why, and it was unclear
3 as to why, of the four lots that Mr. Collier
4 described -- that Mr. Collier listed, one of the
5 lots is still actually Multi-Family 3. So it's
6 three of one, and then four of the other. So
7 that's more of the point of the consistency and
8 the compatibility of the request.

9 Next slide, please.

10 As you can see here, the property outlined
11 in red, with the church to the south, the Youth
12 Center -- the Youth Center there caddy-corner,
13 and then those six, seven total blocks of
14 Multi-Family, as you move towards Le Jeune.
15 This is one of those pockets -- I used to live
16 actually right off the Granada Circle, and it's
17 surrounded by single-family homes. You have
18 small three-story and two-story Multi-Family
19 that dates back to the '40s, as these do.

20 That's really what I wanted to bring to
21 this Board's attention. It is reverting back
22 to a long, long-standing classification, both,
23 in the Future Land Use Map and the Zoning
24 designation, and we ask for a positive
25 recommendation. I'm obviously here to answer

12

1 any questions you may have, and I look forward
2 to Staff's presentation. I've read their
3 recommendation, and needless to say, I agree.

4 CHAIRMAN AIZENSTAT: Thank you.

5 MR. JIMENEZ: You know, because you had
6 seen these, what is there today is a small
7 four-unit each, Multi-Family, and you can go to
8 the next slide, as well. This is from all
9 angles. One more. Go ahead.

10 And this is conceptual. This is
11 preliminary. Like I said, we're not here for
12 site plan, so I don't want to spend too much
13 time on it, but the unit count is eight -- no,
14 go back. Go back. Just stay there, please.
15 The unit count is eight for eight. We are
16 proposing eight townhomes, to replace eight
17 apartments, over the two lots, and each lot is
18 10,000 square feet. It's 20,000 square feet.

19 So, Craig.

20 CHAIRMAN AIZENSTAT: Thank you.

21 That was a quick presentation.

22 MR. JIMENEZ: Well, I was the first
23 conceptual --

24 CHAIRMAN AIZENSTAT: Thank you.

25 MR. SOUTHERN: Good evening, Planning &

13

1 Zoning Board. Craig Southern, Planning &
2 Zoning Department.

3 If we could please have the Staff
4 PowerPoint brought up, please.

5 All right. So, as Mr. Jimenez has just
6 indicated, we're here for both items; Future
7 Land Use Map Amendment, it's small scale
8 Comprehensive Plan Map Amendment and a Zoning
9 Map Amendment.

10 Maybe the battery is dead on this. Oh,
11 here we go.

12 So, to reiterate, the application request
13 is for, initially, the Future Land Use Map
14 Amendment from the existing
15 religious/institutional, to a proposed
16 Multi-Family Low Density Future Land Use Map
17 designation, and then, secondly, a Zoning Map
18 Amendment from the existing Special Use to a
19 proposed Multi-Family 3.

20 The subject properties are located at 627
21 and 635 Anastasia Avenue, within the four lots
22 of 15 through 18 of Block 33, in the Coral
23 Gables Biltmore Section. As Mr. Jimenez had
24 also indicated, back in 1983 is when the
25 rezoning actually happened, and that's the

14

1 hope, it's just to revert it back to the MF3.

2 Okay. If you take a quick look, you'll
3 take a view of the aerial map that's on there.
4 As was also indicated, there's currently two
5 existing structures, both containing a
6 collection of eight dwelling units, and they
7 were constructed in 1949.

8 All right. So we can take a look at what
9 the existing Future Land Use Map currently
10 looks like, on the left-hand side, and then
11 what the proposed Future Land Use Map looks
12 like, as well what -- the existing zoning with
13 Special Use, and as was indicated, it looks
14 like it's potentially a GSI error, where we are
15 MF3, as well, and then proposing to just clean
16 up the entire subject properties to MF3.

17 So Staff's recommendation -- hopefully
18 everyone took a look at the Staff report. It's
19 pretty detailed. I know we're trying to be
20 relatively concise with the PowerPoint
21 presentations tonight, but Staff definitely
22 recommends approval for the Future Land Use Map
23 Amendment from the existing
24 religious/institutional to the proposed
25 Multi-Family Low Residential Future Land Use

15

1 designation, and, secondly, the Zoning Map
2 Amendment from the existing Special Use to a
3 proposed Multi-Family, MF3.

4 Of course, with that approval, Staff does a
5 pretty detailed analysis and we have found that
6 the findings, they're consistent with the
7 Comprehensive Plan, and compatible with the
8 surrounding uses, that support housing
9 diversity and neighborhood character.

10 So the review time line, last month, as
11 everyone remembers, Mr. Jimenez came and gave
12 the Conceptual Planning & Zoning Board Review.
13 Right now, we're currently at the Planning &
14 Zoning Board for a recommendation to the City
15 Commission, and then there will be two
16 following City Commission Readings for both
17 ordinances.

18 As always, there were multiple public
19 notifications, but we like to be transparent
20 and let everybody know, that within the 1500
21 radius, there are 703 properties that were
22 noticed.

23 Next please.

24 And you'll see a listing of all of the
25 notifications that happened from August 13th to

16

1 most recently, the legal advertisement in the
 2 City website posting earlier this month.
 3 So, once again, Staff recommends approval
 4 for both, the Future Land Use Map change and
 5 the Zoning Map Amendment.
 6 So if you have any questions, Staff and the
 7 applicant are here.
 8 CHAIRMAN AIZENSTAT: Thank you.
 9 Jill, how many speakers do we have for this
 10 item?
 11 THE SECRETARY: We have two in the Chambers
 12 and -- actually, no one's signed up on Zoom.
 13 CHAIRMAN AIZENSTAT: One on Zoom or none?
 14 THE SECRETARY: No.
 15 CHAIRMAN AIZENSTAT: Nobody?
 16 Let's go ahead first --
 17 MR. BEHAR: Can I ask the Staff a question?
 18 CHAIRMAN AIZENSTAT: Yes.
 19 MR. BEHAR: Can you go back to the maps
 20 that you had -- the existing Future Land Use
 21 and the proposed?
 22 MR. SOUTHERN: Of course.
 23 If we could please bring the -- thank you.
 24 Okay. So, initially, here, we've got the
 25 existing Future Land Use and the proposed.

17

1 MR. BEHAR: All right. Go to the next
 2 slide a second, and show the green there.
 3 MR. SOUTHERN: Okay.
 4 MR. BEHAR: We're taking the subject
 5 property and we're going to propose to go --
 6 revert back to the 1980s --
 7 MR. SOUTHERN: MF3.
 8 MR. BEHAR: MF3.
 9 The corner -- and I was looking at the
 10 Google Earth, the corner property looks like to
 11 be a Multi-Family duplex or something. Why are
 12 we keeping that -- you know, I know it's not
 13 the applicant. Why is the City not trying to
 14 maybe correct and make the whole block to be
 15 consistent?
 16 MR. SOUTHERN: From my understanding, it's
 17 currently a private property. So, I mean, that
 18 would be up to the property owner to approach
 19 the City and make a request, but for future
 20 reference, I honestly am not familiar -- I
 21 don't remember that subject property. Let me
 22 see here real quick.
 23 CHAIRMAN AIZENSTAT: Mr. Jimenez, can you
 24 answer that question?
 25 MR. JIMENEZ: If I may. Just to understand

18

1 the question, do you mean the other green
 2 property?
 3 MR. BEHAR: Yeah.
 4 MR. JIMENEZ: That's also owned by the
 5 church.
 6 MR. BEHAR: Okay.
 7 MR. JIMENEZ: That's my understanding, and
 8 according to the Property Appraiser. I thought
 9 the same thing, because it ruined my
 10 completeness of the block. So it's still owned
 11 by the church.
 12 MR. BEHAR: Because it would be more
 13 appropriate to get the whole block to be
 14 consistent.
 15 MR. JIMENEZ: Obviously my guys didn't buy
 16 it, but, yeah, that's why it's that way,
 17 because it's still owned by the church.
 18 MR. BEHAR: Okay. Thank you.
 19 CHAIRMAN AIZENSTAT: Thank you.
 20 MR. SOUTHERN: Sorry.
 21 CHAIRMAN AIZENSTAT: Jill, let's go ahead
 22 and call the first individual, please.
 23 THE SECRETARY: Pamela Pierce.
 24 MS. PIERCE: Hello, Board. I'm Pamela
 25 Pierce.

19

1 CHAIRMAN AIZENSTAT: Can you please speak
 2 into the microphone? Thank you, ma'am.
 3 MS. PIERCE: Sorry.
 4 I'm Pamela Pierce, and I spoke on the 13th,
 5 last month, and --
 6 CHAIRMAN AIZENSTAT: Could you state your
 7 address, for the record, please?
 8 MS. PIERCE: Yes. I have three addresses,
 9 724 Camilo, 704 Camilo and 701 Aledo.
 10 I spoke last time. I was concerned that
 11 there was no phase from what I call the looming
 12 facade that's proposed to the single-family
 13 homes that are on -- across the street and on
 14 the other -- west of Cardena and across the
 15 street, being across Anastasia, and there are
 16 two houses that are 70-foot, but they will all
 17 be impacted, I would imagine, value-wise, by
 18 having the looming facade which is just a step
 19 -- a few steps back, and I know this is new
 20 European style that may be appropriate in
 21 apartment -- you know, pure apartment areas,
 22 but I feel that it is -- there's just the phase
 23 of stepping down, from something that will be
 24 looming, to one story family homes that are
 25 right there, right there, and it seems to me --

20

1 I just drove by the property, since my address,
2 as you can see, it's easy to drive here by
3 those properties, that we drove across
4 Anastasia, headed toward Le Jeune, and there is
5 a large set of the similar design of this
6 facade, and since, over the summer, they seem
7 to have put very -- additional handrails that
8 are, I feel, sort of inappropriate, and, again,
9 bring the facade -- I mean, they're this high
10 and they're big and they're wide and it makes
11 it even more urban than, I think, the final
12 entrance towards our historic Biltmore Hotel,
13 and I know that was brought up by neighbors,
14 you know, that it is the entrance through the
15 single-family homes to the Biltmore Hotel, one
16 of our proudest and most revered buildings.

17 So that was -- again, I'm just reiterating
18 what I said last time, that those are my
19 concerns. Although it's not right across from
20 my properties, it still seems that, in other
21 areas, the City has made an effort to go from
22 multi story to one story duplex, something
23 less, with more green space, because there's
24 lots of green space around the buildings that
25 are there now, and looking at the design, where

21

1 will the green space be in the beginning? No,
2 it will be something other than replanting
3 grass and it will feel looming.

4 And, yes, I think that the house that's
5 across Anastasia right from these two, it may
6 be originally the church's pastor's house,
7 which is often, you know, the case with a
8 church property, but it's still a single-family
9 home. So that makes three, really four,
10 single-family homes that are right against
11 something that's a looming facade. I'm sorry
12 to see it.

13 Thank you very much, Pamela Pierce. Bye.

14 CHAIRMAN AIZENSTAT: Thank you, ma'am.

15 THE SECRETARY: Michael Pierce.

16 CHAIRMAN AIZENSTAT: Welcome, Mr. Pierce.

17 MR. CHENOWETH: Thank you.

18 Actually, my name is Michael Chenoweth. My
19 wife was a modern woman, who didn't change her
20 name when we got married.

21 Anyway, yeah, so I have the same address as
22 Pam.

23 CHAIRMAN AIZENSTAT: Could you state it,
24 please, for the record?

25 MR. CHENOWETH: Yes.

22

1 CHAIRMAN AIZENSTAT: One address is fine.

2 MR. CHENOWETH: 724 Camilo Avenue, 704

3 Camilo Avenue and 701 Aledo Avenue. This -- I
4 have been out of town, sort of, for most of the
5 preliminary stuff for this, and I'm not exactly
6 sure how your zoning and the building approval
7 process works, but I want to express my concern
8 with the slow destruction of our neighborhood
9 by McMansions and buildings that take up the
10 entire lot and eliminate the green space that
11 is -- that makes the area more friendly and
12 welcoming and more sort of family-oriented.

13 I hadn't really been aware of the buildings
14 that are east of this property on Anastasia, on
15 the other side of Segovia, but we drove by just
16 now, and I was struck by how they reminded me
17 of being in Europe, in some of the towns where
18 they don't have -- they don't have a society
19 that was built on automobiles. They don't have
20 a situation where there is no public
21 transportation to speak of. As much as we try
22 to do it, we still don't have it.

23 I'm worried that we're moving towards a
24 situation where we're having house after house
25 torn down and replaced by McMansions that

23

1 virtually take up the whole lot. There's
2 houses -- two houses, right now, under
3 construction, on Cardena, between Aledo and is
4 it Alcazar -- Escobar, and the house that's on
5 the corner of Aledo and Cardena, on the
6 northeast corner, was rebuilt and takes up the
7 whole lot. There's a house at 740 something on
8 Camilo, that has four lots, and takes up the
9 whole thing.

10 CHAIRMAN AIZENSTAT: But we're here
11 tonight --

12 MR. CHENOWETH: I understand that, but it's
13 a trend, and I'm not sure what the process is,
14 that those of us who live in neighborhood, have
15 the position to express our concerns, because
16 it should be of concern to everybody in the
17 City.

18 As far as changing the Zoning from
19 religious to MF3, it seems to me like that's a
20 non-issue. That shouldn't -- I don't have any
21 objection to that change specifically, and if
22 that's all you're doing today, fine, but you
23 need to be aware that there's something bigger
24 going on here, and if these buildings, which
25 currently are surrounded by grassy areas and

24

1 look compatible with the residential properties
2 that are near them, get replaced by something
3 like those buildings that are east of there, on
4 Anastasia, on the north side of the street, it
5 would be a disaster for the neighborhood.

6 So I thank you. That's my input, and I
7 appreciate the effort you put into it.

8 CHAIRMAN AIZENSTAT: Thank you for coming,
9 sir.

10 Do we have any more speakers?

11 THE SECRETARY: No.

12 CHAIRMAN AIZENSTAT: Nothing on Zoom?

13 THE SECRETARY: No.

14 CHAIRMAN AIZENSTAT: Nothing on the phone
15 platform?

16 THE SECRETARY: No.

17 CHAIRMAN AIZENSTAT: I'll go ahead and
18 close it, at this time, for public comment.
19 Mr. Jimenez, do you want to --

20 MR. COLLER: Except for rebuttal, of
21 course.

22 CHAIRMAN AIZENSTAT: Yes.

23 Mr. Jimenez.

24 MR. JIMENEZ: Thank you very much, Mr. Chair.

25 And I really would like to thank Ms. Pierce

25

1 to the next lowest. What is being proposed
2 here is a fee simple townhome, which is not a
3 Multi-Family building. These are a series of
4 townhomes, identical in use as the ones to the
5 north. So just to be clear, this is not
6 replacing a home. This is not building a
7 McMansion. I understand the gentleman's point,
8 and that's not for me to pass judgment on, from
9 a policy perspective or an architectural one,
10 for that matter.

11 So, just with that clarified, we do ask for
12 your recommendation of approval of the Rezoning
13 and the FLUM amendment.

14 MR. MENENDEZ: Mr. Chair --

15 CHAIRMAN AIZENSTAT: Can I ask you a
16 question?

17 MR. MENENDEZ: Sorry, go ahead.

18 CHAIRMAN AIZENSTAT: Normally, when an
19 applicant comes before this Board, they bring a
20 site plan.

21 MR. JIMENEZ: Uh-huh.

22 CHAIRMAN AIZENSTAT: In your case, you
23 stated that it's a preliminary site plan, but
24 you don't bring a site plan, and you've stated
25 that the site plan will be for other Boards to

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1 and Mr. Chenoweth, because as Staff pointed
2 out, 703 notices went out, and those envelopes
3 aren't easy to stuff. So I actually do
4 appreciate when there are people that come out
5 and speak. I appreciate everything you've
6 said. The issue here is a simple request. It
7 is a rezoning. The next Board, which you'll
8 also get notified for, will review the design,
9 review the site plan, review the architecture
10 and everything of the sort.

11 Just a couple of things that I want to make
12 clear, this is not a house that's being torn
13 down and replaced with a Multi-Family. This is
14 a Multi-Family block. The building immediate
15 to the north of it, that abuts it, on its back
16 property line, is a Multi-Family building.
17 Across from that are a series of townhomes that
18 stretch down the next block. There is no house
19 directly across Anastasia from this. It's the
20 church. It's caddy-corner over the
21 intersection. And then there's the side yards
22 of the houses immediately to the west.

23 So, as we spoke about last time, as with
24 all things Zoning, you do step up and step down
25 as it goes. This is going from Single-Family,

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1 review.

2 MR. JIMENEZ: Uh-huh.

3 CHAIRMAN AIZENSTAT: Why do you feel that?
4 Why do you feel that --

5 MR. JIMENEZ: Because of the size of this
6 property -- when this Board -- and I've come to
7 you before with my site plan, when you are
8 recommending approval of site plan. My site
9 plan is administratively approved for this
10 project, so -- and it is not developed -- I'm
11 not in for site plan approval yet. I don't
12 have that application developed, to the extent
13 necessary to file, but it will go to Staff, the
14 site plan, and the architectural will go to the
15 Board of Architects.

16 And a few of you -- I know you served on
17 the Board of Architects before. That's where
18 that will be. Those plans, simply, they were
19 going to be ready, and then some higher ups in
20 project said, "Wait a minute. Let me" -- so
21 they're not. They're not ready. I chose not
22 to slow it down, because much like we discussed
23 last month, BOA doesn't talk planning policy
24 and I'm not here -- unlike I have been for
25 other projects, where this Board does have

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jurisdiction over the site plan and a recommendation, this just isn't one of them, so I didn't want to confuse the issue.

I'll show you a simple one.

MR. BEHAR: Yeah, I understand, and to the Chairman's point, it's been a policy of this Board to always look at a site plan.

And I want to ask a question to the attorney, our attorney, is this something that we are allowed to do, we should be doing or should we be requesting a site plan?

I personally don't have a problem reverting back to the original Zoning. That's not an issue, and I think I stated that in your last meeting with us, but I do feel that, you know, like the Chairperson mentioned, we should have a site plan.

MR. JIMENEZ: Well, I'm more than happy to put that one up again. My only concern, that --

MR. BEHAR: Mr. Collier, is this something that we should be doing without a site plan?

MR. COLLIER: Well, in this unique case, because the -- ordinarily, over, what is it, 20,000 square feet, it would come to you as a

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because I think it's perfect, it's a unique situation, because -- and the reason I want to avoid -- I can show a site plan, but I'm going to stress, it's conceptual, because as I go through DRC and BOA, if it changes -- even if it changes dramatically from what I show you today, I don't want anybody to say, "Well, you showed us something. That wasn't what the approval was based on, and now you've changed it," and I wouldn't have to come back here. But I don't want the lack -- seeming lack of transparency.

MR. BEHAR: Mr. Jimenez, you know, you showed us a very conceptual site plan there, just an exhibit. If I saw it correctly, your parking, your garages, are on the back.

MR. JIMENEZ: Yes.

MR. BEHAR: And, then, you know, if I'm saying, you know, we're going to approve this, revert back to the original Zoning, and then you come back and says, "You know, the garage is going to be in the front," that, to me, changes my -- maybe my thinking about what I'm doing, and that's the problem that I'm -- the only problem that I'm having.

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Conditional Use, but because it doesn't meet that threshold, there isn't a site plan. I believe what the Board could do, in your recommendation, you can indicate that you have concerns about compatibility and effort should be made so that the open space is protective of surrounding homes. I think you can indicate that, which would be available to the Boards that have jurisdiction over the site plan, but, technically, your jurisdiction -- because this is less than 20,000 square feet, you don't have the ability to require them to provide a site plan, but I think you can certainly make, as part of your motion, comments on how the site plan should be done.

MR. BEHAR: See, I'm sure -- I'm confident that, when the time comes and they're going to present a site plan, it's going to meet all of the requirements. I'm not -- you know, this is not something that you're going to be able to submit something that doesn't meet it. For me, it's just a comfort level to have something that we're approving, and today we're just approving a Zoning change, essentially.

MR. JIMENEZ: And to use Mr. Collier's word,

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MR. JIMENEZ: And Mr. Behar, I completely appreciate that, and like I said, if this was coming back, as projects that I have brought here before -- I will be very honest with you, I've never brought a project of this size to the Planning Board, so I found myself in a unique position to say, "Well, okay." Usually you're going to recommend approval or denial, so I'm going to sit here and take all of the comments, but if I've got to take these comments, which, of course, I'm happy to take, and, then, before it has even been presented to the Board of Architects and to the DRC, it simply isn't, in my opinion, legally relevant to a rezoning, because what you do there eventually is not one of the criteria used to judge the compatibility and -- the compatibility and the consistency with the site plan and everything else. Is the zoning compatible, which it clearly is, given that's it's reverting.

So that's what I didn't want to freeze myself into or seemed to be offering something up that isn't designed yet. I can tell you what the conceptual is. It's in the back, like

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every other townhouse community in the area, whether off of Biltmore Way, whether off of Granada and the Circle, that they have garages in the back. And so that is the plan.

MR. BEHAR: It sounds like, from Mr. Collier's comment, nothing that we could do to request a site plan.

MR. JIMENEZ: It's that I don't want to come back -- sir, it's just, the Code doesn't do it. I have fun when I come here, But it's just, the site plan just doesn't come back to you guys, and it was a weird situation. It was a unique situation.

CHAIRMAN AIZENSTAT: Alice, you had a comment?

MS. BRAVO: Yes, and I want to thank everyone for -- in our Staff for the due diligence in presenting the information, and I think the Land Use change that's being proposed is consistent with the rest of the block, and it seems that we have the safeguards and the procedures and the additional reviews and Boards that would assure this type of features are consistent with what are desirable in Coral Gables. So it would be an administrative

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approval, and also DRC?

MR. JIMENEZ: The site plan would go through an administrative site plan approval, Board of Architects will approve the architecture, and DRC, which is a City -- it's everybody, it's Public Works, it's Art in Public Places, it's --

MS. BRAVO: So there are safeguards to ensure that the quality of the ultimate project are built in?

MR. JIMENEZ: In my experience. The process doesn't change. This is the first time for me not having to be here with a site plan. Going forward, the process stays the same, and it is an exhaustive review, in a good way.

MR. SOUTHERN: So, again, just for Staff to reiterate what we keep saying, is that the Zoning Code does not require the site plan, given the zoning districts and the -- you know, the subject property's area. So, of course, he's going to have go in front of the Development Review Committee, all different divisions and disciplines within the City will be reviewing it, and he'll also have to go in front of the Board of Architects.

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MR. BEHAR: And I'm confident that will be taken care of through that process.

CHAIRMAN AIZENSTAT: Felix, do you want to start us off with some comments, please?

MR. PARDO: Yeah.

MR. MENENDEZ: Can I address Mr. Jimenez for a second?

CHAIRMAN AIZENSTAT: Yes.

Sorry, Felix.

MR. MENENDEZ: Can I address Mr. Jimenez?

MR. PARDO: Sure.

MR. MENENDEZ: So I think it's important that we thank you for coming, and I think it's important that we address the residents' concerns, and so I think you've done a good job of it, but just to kind of get a clearer picture, I think, it would be beneficial, given the slides that you showed.

So, Number One, I know the gentleman's concern was -- he doesn't -- he fears an overdevelopment, and, please, correct me if I'm wrong, and so, Number One, would I be right in assuming that the church, which it's Zoned for religious purposes right now, could rip down the buildings and then built something existing

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that would be much bigger than the buildings that are there today and build out the lot?

MR. JIMENEZ: I would defer to Staff on what they could do as of right, but they currently use the property as a Multi-Family. So I don't represent them, and I don't know the specifics of religious and institutional zoning, to be honest with you. I see your point and it is developable. It's not like it couldn't be developed.

MR. PARDO: Mr. Chairman, I'd like to be able to say something about this. The "S" use, which is the Special Use specifically for religious, it doesn't give you the ability to tear down that church and all of a sudden, say, I'm going to do what I want there.

MR. JIMENEZ: I don't think he meant the church, sir.

MR. PARDO: No. No. I'm not saying you did. I'm clarifying, because we're going -- I think we're going down a different lane. We talked about your site plan. We talked about this. Now we're talking about tearing down the church.

MR. MENENDEZ: No, my question and my

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1 concern --

2 MR. PARDO: I'm trying to complete, you
3 know, the answer to that specifically. If that
4 building were torn down, under the Special Use
5 specifically for that site, you could only
6 build what would be allowed under the "S" use
7 of that time, and, in fact, when you go to the
8 Comprehensive Land Use Plan, then you have
9 additional issues that you have to deal with,
10 because in the Comprehensive Land Use Plan,
11 then it's not removed from that particular
12 site. So, therefore, you have to be very
13 careful, when -- you know, no, it can't just be
14 developed. You have to go through quite the
15 process to be able to develop it into something
16 other than the "S" use.

17 "S" use, by the way, is not just religious.
18 It's Special Use. That's what the "S" stands
19 for. And specifically, the "S" use is because
20 of institutional, because of all sorts of
21 things. In fact, the Coral Gables War Memorial
22 Youth Center is an "S" use, and, again, you
23 can't just tear it down and say, "We're going
24 to build whatever."

25 MR. MENENDEZ: I think my question was more

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1 to address the concern of the resident in
2 saying, there's something that's there now, but
3 there's nothing stopping the church, who owns
4 the property, if they needed to build out a
5 bigger --

6 MR. JIMENEZ: And Mr. Pardo, I want to make
7 sure that we're talking about the same thing.

8 MR. MENENDEZ: Yeah.

9 MR. JIMENEZ: I took his question to mean,
10 627 and 635, not the church.

11 MR. MENENDEZ: Right.

12 MR. PARDO: Right. I was talking about --

13 MR. JIMENEZ: If they would want housing
14 for their Pastor of for -- that's what I took.

15 MR. PARDO: Mr. Jimenez, the only thing I
16 could say, is that there's more than one "S"
17 use including the church. There are two of
18 them, one on Segovia and one on your
19 application right now. Those are "S" uses.
20 And, also, there are "S" uses across the
21 street, across Segovia, at the War Memorial
22 Youth Center.

23 MR. JIMENEZ: Uh-huh.

24 MR. PARDO: And there is a reason for that,
25 because the Special Use that was created back

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1 then, was specifically for institutions that
2 were going to serve the community, and I think
3 that the residents the came up were more
4 concerned about incompatibility with the
5 single-family use, with whatever gets built
6 there not specifically the "S" use or what that
7 would be.

8 MR. MENENDEZ: Let me segue that into my
9 second question or concern, which I hope
10 addresses the citizens -- the residents'
11 questions and concerns, which is, as I
12 understand it, we're reverting back to MF3,
13 correct?

14 MR. JIMENEZ: From 1983.

15 MR. MENENDEZ: Okay.

16 MR. JIMENEZ: So it was --

17 MR. MENENDEZ: Actually, the rest of the
18 block is MF3.

19 MR. JIMENEZ: Those buildings were built in
20 1949, and they were rezoned for the church in
21 1983, but they've been -- those two
22 Multi-Family buildings have been there since
23 1949.

24 CHAIRMAN AIZENSTAT: What I'd like to do
25 is, I'd like to go in order. I'd like to ask

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1 Felix if you would continue with your comments.

2 MR. PARDO: And pardon me for jumping in.

3 MR. MENENDEZ: Sorry.

4 MR. PARDO: So the City is a hundred years
5 old, and Zoning did not start on that
6 particular parcel in 1946. It started in 1926.
7 Can you show us the same slide, if you will,
8 that you showed for Mr. Behar's request, that
9 showed the zoning, the present and the other?
10 Would that be possible?

11 MR. SOUTHERN: That would be on the Staff's
12 PowerPoint. It would be the existing and
13 proposed, please.

14 MR. PARDO: Yeah. Can you please do that?

15 So what you can't quite see, where the
16 black line is on the north side there, is --
17 you can see that the existing zoning is
18 single-family, just you can't see it there,
19 because it's cut off, just -- you could see it
20 clearly down below. You can't see it up above,
21 but that's yellow. That's a single-family
22 home.

23 I think that what the residents are
24 concerned with clearly is, you know, what do
25 you put right up against that. When you look

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1 at single-family zoning, the front setback is
2 25 feet, the side street setback is normally 25
3 feet, unless it was done way, way back and it
4 could be 15 feet. But what they're concerned
5 with is that -- and based on what the lady
6 expressed, was that, well, you have this very
7 big building there, and it looks like it's
8 like, you know, right on top of the
9 single-family uses.

10 Clearly, when you look at the zoning
11 between Segovia and Le Jeune Road, there you
12 see the multi-use buildings, apartment
13 buildings. One of the block is being developed
14 as we speak, and they have duplexes as the
15 buffer from Segovia inward, on both, the east
16 side and the west side. It goes back, again,
17 to the very simple concepts of planning, where
18 you have buffering for major streets and major
19 traffic and major speed. That's Planning 101.
20 You have the same thing on Le Jeune Road, and
21 you have it throughout the City, corridors on
22 Ponce, south of the big commercial projects,
23 and north of Bird Road.

24 My concern, really, when I look at the
25 Staff recommendation, which all of us read and

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1 we weigh, is that the Comprehensive Plan
2 Amendment -- keep in mind that there was no
3 Comprehensive Plan here until the mid or late
4 '80s. In fact, we were one of the first ones
5 that came up with a Master Plan, and, then,
6 based on the Growth Management Act by Governor
7 Graham, then, all of a sudden, we had to look
8 at compatibility for all of the infrastructure,
9 water, sewer, traffic, et cetera, et cetera, et
10 cetera.

11 So when that was done, it was set as a
12 limit, but before that, historically, before
13 the '80s, none of that existed, as far as a
14 Comprehensive Land Use Plan. It's become, in
15 this City, that it's almost interchangeable,
16 Comprehensive Land Use Plan, with Zoning, and
17 it's not necessarily that way. One is the
18 ceiling, the other one is the ultimate limit,
19 to support the infrastructure. So this is
20 where I'm concerned.

21 So this is where I'm concerned. So when
22 I'm reading the analysis, it says -- this is
23 Staff speaking, "The requested amendment would
24 restore the residential designation
25 historically associated with the site and align

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1 it with the adjacent Multi-Family properties to
2 the north and east." I'm sorry, but the north
3 and east, that is not recent. It's not
4 historical. You're talking about the mid '80s,
5 and those areas there were single-family, and
6 then they morphed into these little apartment
7 buildings, on both side of Segovia.

8 There's still, all of the way up to the
9 north there, it's all single-family, except for
10 the duplex strip. When you take the duplex
11 strip, and you say, "We're going to make it
12 into Multi-Family," it's not duplexes anymore.
13 Duplexes are limited to height, to FAR, to
14 setbacks that are completely foreign to the
15 proposed Zoning for this area.

16 MR. SOUTHERN: I'm sorry, would it be
17 helpful if we please change the slide to the
18 Future Land Use --

19 MR. JIMENEZ: But if you go back -- go back
20 to the Zoning one. This is the one that I was
21 talking about, that of the four lots, one of
22 them is still MF3. So --

23 MR. PARDO: I'd like to be able to finish
24 my comments --

25 MR. JIMENEZ: No. No. I just wanted to

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1 point that out, before he changed the slides.
2 Sorry, Mr. Pardo.

3 MR. PARDO: -- because I'm just starting.

4 MR. JIMENEZ: Go ahead.

5 MR. PARDO: So the point was that this was
6 single-family and this would not restore
7 anything to this Multi-Family use at all.

8 Then, when we get into the Future Land Use
9 Plan, the FLUM amendment, it advances --
10 according to Staff, it advances the objectives
11 and policies for reinvestment in underutilized
12 sites, maintaining residential neighborhoods.
13 Well, we have two people that live there, and
14 they're saying, you're not going to maintain,
15 you're destroying the neighborhood. This is
16 what the people that live there are saying, but
17 there's a difference of opinion between Staff
18 and the people that are here that live in the
19 area.

20 So the compatible mix of use housing types,
21 well, let's talk that. Right now, those little
22 apartment buildings are basically affordable
23 housing.

24 Sorry, is this on?

25 CHAIRMAN AIZENSTAT: Perfect. Thank you.

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1 MR. PARDO: Thank you. Sorry about that.
2 So what I'm saying is that, as far as the
3 housing types, the compatible mix of housing
4 types, you're taking basically affordable
5 housing away, and now you're going to build a
6 project that, you know, those units will
7 probably go, you know, multi-million dollar
8 projects. So, you know, you are and you're
9 not.

10 And then you have the single-family homes,
11 where there is an encroachment, as you could
12 see, going now toward the west, into the
13 single-family area, or the potential -- not
14 this applicant, but the potential of someone
15 else. Why, because everybody then says, "Well,
16 there's more of the same product in the same
17 area."

18 So the question is, do single-family homes
19 count, and the infill argument, which is also
20 part of the Staff recommendation, this is not
21 an infill area. All of Coral Gables is not
22 infill. Single-family areas are not infill
23 areas. I consider infill areas, areas that
24 have been designated legally throughout the
25 City.

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1 within the "L" of the Palmetto Expressway.
2 That was determined by Miami-Dade County's
3 Commission years ago.

4 So you have someone saying, you know, the
5 roads, the congestion, the traffic, that's all
6 part of the infrastructure. So -- and I know,
7 by the way, that the applicant eventually will
8 have to pay impact fees and will receive
9 credits for some of the areas that are already
10 built there, that's fine, but that drop in the
11 bucket doesn't come back on a one to one dollar
12 back to the community.

13 CHAIRMAN AIZENSTAT: Felix, I'm sorry, but
14 that seems to be a point or an argument for an
15 individual, such as yourself, to make to the
16 City or to Staff or to Commission, in other
17 words, for the dollar for dollar and so forth,
18 as opposed to what's being presented before us.

19 MR. PARDO: Right. Mr. Chairman, the
20 reason I'm bringing this up is because this is
21 a Future Land Use Map Plan Amendment, and all
22 of these components are in the recommendations
23 that Staff gave us. I think it's fair for me
24 to be able to question and ask these questions.
25 May I continue?

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1 MR. SOUTHERN: Just Staff wants to
2 reiterate, again, that this subject -- the two
3 subject properties, since 1949, have been --
4 the use has actually been Multi-Family.

5 MR. PARDO: Right. The difference is, the
6 size of the units and the amount of green
7 space.

8 MR. BEHAR: But Felix --

9 MR. PARDO: The apartments that are there,
10 if you looked at the photographs that the
11 applicant brought in, it's all green.

12 MR. SOUTHERN: Right.

13 MR. PARDO: But when you build the new
14 product, you have a ten-foot setback in the
15 front. You have a ten-foot setback on the side
16 street. It doesn't even -- it's less than half
17 of the single-family homes that are directly
18 across the street. My opinion, only my
19 opinion, is that I don't think that's right,
20 and I think it's not compatible.

21 Now, the other thing is that, again, I read
22 the words, because words mean things, and it
23 says, Staff, "Redevelopment at Multi-Family
24 scale would not exceed adopted level of service
25 standards." Well, road traffic is an exception

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1 CHAIRMAN AIZENSTAT: Please.

2 MR. PARDO: Okay. So, one of the things is
3 that, it has to comply with landscaping open
4 space and sustainability standards. The new
5 open space requirements are a fraction of what
6 was required back in the day, because that's
7 how they built these particular buildings. So
8 now you go from areas that had large trees on
9 the lot, to developments where they have to
10 place the trees on the public right-of-way,
11 because they don't fit. I think that's wrong,
12 and I have a conceptual disagreement with
13 Staff's recommendation.

14 On the loss of the diversity we discussed,
15 and the property size is not the issue, the
16 applicant is correct in saying that it's
17 consistent with the property size that was
18 there for those two apartments that had the
19 eight units. That's absolutely 100 percent
20 right. What is not being said is that the
21 property does not have -- because of the square
22 footage, does not have the massing, anything
23 that gets built there to the maximum, that is
24 going to be proposed, and it will be, I'm sure,
25 the maximum, without any type of separation

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1 from the Zoning and the Comp Plan change of the
2 single-family right next door.

3 So, the last thing, which, really, I found
4 amazing, was that it said that the requested
5 Zoning change supports the Comprehensive Plan's
6 objectives for maintaining residential
7 neighborhood and promoting compatible
8 redevelopment. In my opinion, and the two
9 people that spoke here today, that are
10 neighbors, they disagreed with Staff's
11 statement that it's compatible.

12 Those are all of my comments, sir.

13 CHAIRMAN AIZENSTAT: Thank you, Felix.
14 Nestor.

15 MR. MENENDEZ: So I think it's important to
16 discuss some of the that points that Felix
17 made, in that, yes, the lots are zoned "S"
18 right now, but it's --

19 MR. JIMENEZ: I'm sorry, there I will
20 interrupt. Three of the lots.

21 MR. MENENDEZ: Three, I'm sorry. Correct.

22 MR. JIMENEZ: One of them is Multi-Family,
23 and I believe the gentleman said he had no
24 problem with the Zoning.

25 MR. MENENDEZ: Right.

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1 MR. JIMENEZ: I think that's what you
2 said. You have design concerns, which are
3 addressed by other Boards, but his exact words
4 were -- so I do want to --

5 MR. BEHAR: Mr. Jimenez, we heard him.

6 MR. MENENDEZ: Yeah. I think that's -- and
7 I think that's very clear, but -- and looking
8 at the map, it looks like the rest of the --
9 most of the rest, if not 90 percent of the rest
10 of the City block, is Multi-Family 3 already,
11 correct?

12 MR. JIMENEZ: With the exception of that
13 last parcel.

14 MR. MENENDEZ: That last parcel.

15 MR. JIMENEZ: Used for residential
16 purposes, but owned by the church, so it is
17 religious and institution.

18 MR. MENENDEZ: So, in essence, it's just a
19 continuity or a reversion back to the rest of
20 the City block?

21 MR. JIMENEZ: From what was done to the
22 property in 1983 by Ordinance of the City
23 Commission.

24 MR. MENENDEZ: And theoretically, if the
25 rest of the City block -- taking out the three

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1 lots that you are here to discuss, and the one
2 on the corner, everybody could do a project --
3 any owner could do a project that's proposed
4 right now?

5 MR. JIMENEZ: That's my understanding.

6 CHAIRMAN AIZENSTAT: Nestor, I would just
7 -- my suggestion would be to address the
8 questions to City Staff, as opposed to the
9 applicant for clarification.

10 MR. BEHAR: The same questions to Staff.

11 CHAIRMAN AIZENSTAT: The same questions.

12 MR. MENENDEZ: Sure. Same question.

13 MR. SOUTHERN: Exactly. If an applicant
14 came and proposed, they would have to go
15 through the exact same process.

16 So Staff just wants to reiterate, once
17 again, traffic, infrastructure, landscaping,
18 site design, all of that comes through the
19 Development Review Committee, a different
20 Board, and they are public hearings. So anyone
21 from the public is more than welcome. But we
22 still haven't even gotten a DRC application.

23 As we all know, last month, we came in for
24 the conceptual component and discussed that at
25 length, but in addition to when it comes to the

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1 architectural component, the massing, so forth,
2 that's why we've got the Board of Architects.

3 So when it comes to the Map Amendment
4 components of both, the Future Land Use and the
5 Zoning, and that's how we're looking at it,
6 with this very specific Staff report, we do
7 believe -- there's already eight dwelling units
8 there now. They're proposing eight units
9 again. They're not going to increase the
10 density. They're actually just requesting --

11 MR. PARDO: The only thing is that, Staff
12 said, would not exceed -- in other words,
13 they've already determined that it does not
14 exceed the level of service standards. It says
15 it specifically.

16 CHAIRMAN AIZENSTAT: Let's go ahead,
17 Nestor.

18 MR. BEHAR: Let's continue.

19 MR. MENENDEZ: Yeah. And I'm sorry if my
20 questions earlier caused any confusion, and I'm
21 sorry that I addressed them to you, Mr.
22 Jimenez, and not to Staff.

23 CHAIRMAN AIZENSTAT: Are you done, Nestor?

24 MR. MENENDEZ: Yes.

25 CHAIRMAN AIZENSTAT: Okay. Thank you.

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1 Alex.
 2 MR. BUCELO: Thank you, Mr. Chairman.
 3 As a personal opinion, I think it's
 4 compatible and consistent with the
 5 neighborhood. I mean, to your point, three of
 6 the four -- or one of the four is already
 7 Multi-Family, correct?
 8 MR. JIMENEZ: Right.
 9 MR. BUCELO: So my only question is, and I
 10 was pretty clear in the last meeting on my
 11 thoughts, was there any follow-up as to the
 12 litigation that one resident brought up? Was
 13 there any follow-up to that, that there was
 14 litigation on the property? I know it has
 15 nothing to do with the Zoning. I'm just
 16 curious as to any follow-up concerns as to
 17 that.
 18 MR. JIMENEZ: We met with -- I have not
 19 read any of the documents. I'm obviously not
 20 their lawyer, so -- and there's no relation.
 21 The issue, as has been told to me by the
 22 residents, and the residents came -- we had
 23 four come to a Town Hall -- you know, the
 24 Neighborhood Meeting that you have to have, we
 25 invited them to the office. Four people showed

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1 MS. BRAVO: I just wanted to clarify, the
 2 applicants that you represent are the current
 3 owners of the property?
 4 MR. JIMENEZ: Yes, they are.
 5 MS. BRAVO: Yes? And they are not any type
 6 of institutional use?
 7 MR. JIMENEZ: No. No. No. No. I mean,
 8 no. This is -- this is a proposed eight
 9 townhomes. Right now, they're fine tuning
 10 architecture, which is why we can't submit to
 11 BOA or DRC, but it's what I showed you the last
 12 time, in essence, is what we're --
 13 MS. BRAVO: My point is, in essence, by
 14 them acquiring the property and not being any
 15 type of institution, even if they left the
 16 properties that were there, the Multi-Family
 17 Zoning is more appropriate than that "S" use.
 18 MR. JIMENEZ: Yes. As a private property
 19 owner, I'd defer to Staff, but I would say so.
 20 I wouldn't want to own it --
 21 MR. SOUTHERN: That wouldn't be compatible
 22 with, you know, the Zoning.
 23 MS. BRAVO: Okay. And I appreciate the
 24 residents coming, and I hope you make notes of
 25 their comments, and take that as the project is

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1 up, mainly discussing that.
 2 That's an issue that they're having with
 3 the church and their student count at the
 4 school.
 5 MR. BUCELO: It doesn't affect your client
 6 or --
 7 MR. JIMENEZ: Oh, no. There will be no
 8 students being taught at our property. We're
 9 not building a school. So they have -- there's
 10 a long history of issues, as has been told to
 11 me. I haven't read it. But as it was told to
 12 me by the residents, the president of the
 13 neighborhood association, there's an issue with
 14 the cap on the number of students that are
 15 allowed at that charter school that is in the
 16 church.
 17 As I said that day, when I first heard of
 18 it, it's just got nothing to do with us. So it
 19 doesn't affect it, as far as I'm concerned.
 20 CHAIRMAN AIZENSTAT: Thank you. Anything
 21 else?
 22 MR. BUCELO: Thank you, Mr. Chairman.
 23 CHAIRMAN AIZENSTAT: Alice, I know you've
 24 made some comments already. Any further
 25 comments?

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1 moved, if it moves forward.
 2 CHAIRMAN AIZENSTAT: Thank you, Alice.
 3 Robert.
 4 MR. BEHAR: Thank you.
 5 I want to clear something. Felix was right
 6 about the existing Zoning of the church. You
 7 can't just tear it down and do anything.
 8 You've got to go through a whole process. So
 9 he was right about that.
 10 What I disagree with him is that, I
 11 understood that this subject property has never
 12 been single-family, right?
 13 MR. JIMENEZ: Not since 1949. That's all I
 14 can tell you.
 15 MR. BEHAR: Okay. As far as 1949, it has
 16 always been Multi-Family or MF3 or whatever, it
 17 was something similar?
 18 MR. JIMENEZ: It's what you see there.
 19 Those buildings were built in 1949.
 20 MR. BEHAR: Okay. In 1983, it was changed
 21 to the "S," because of the benefit of the
 22 church, but it has always three -- or one out
 23 of the four lots still remains Multi-Family.
 24 And that's where we're going back. It was
 25 never single-family. So it was always a -- you

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1 know, a Multi-Family, where it was a two-story.
2 Whatever was done at the time, it was allowed
3 to be a Multi-Family, and that was the way it
4 was developed in 1949.

5 So I just want to put -- because I don't
6 want no implication or any idea that this was
7 single-family and we're changing it. There was
8 one, maybe, lot across the street, that it was
9 single-family, but this whole block -- not only
10 this block, the block in the back, and the
11 block to the east and two other blocks, have
12 been Multi-Family forever and a day, correct?

13 MR. SOUTHERN: Since 1949. That's as far
14 back as --

15 MR. BEHAR: Okay. All right. That's far
16 enough for me.

17 I think this is -- you know, again, I would
18 like to have seen a site plan, but it's not
19 required. So I don't have an issue going back
20 to what this originally was zoned.

21 So, Mr. Chair, I'll let you -- your comment
22 and I will make a motion.

23 CHAIRMAN AIZENSTAT: For me, I've always
24 had a concern when projects come before this
25 Board without a site plan. While I understand

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1 it's not required, I like to see a site plan in
2 place for what I vote for.

3 MR. JIMENEZ: Would you like me to -- I
4 have a conceptual site plan.

5 CHAIRMAN AIZENSTAT: No, I understand. No,
6 I saw it.

7 MR. JIMENEZ: Okay. No problem.

8 CHAIRMAN AIZENSTAT: And I like it. I have
9 no problem with it. But, to me, it's a
10 conceptual -- or, in this case, you called it
11 preliminary. So it's not actually a site plan
12 to me.

13 The concern for me is, for example, I know
14 that the City and this Board has continuously
15 looked at doing garages in the back, when
16 there's an alley, and how to bring them in and
17 so forth. Realistically, you can go ahead and
18 change that, put the garages in the front of
19 this. I'm not saying the Board of Architects
20 or other Boards would allow you to do it. I'm
21 not saying that. But that has always been
22 something that we have reviewed at this level.

23 Projects have always gone first to the
24 Board of Architects and the DRC, that I can
25 recall, and then come to us. This is a very

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1 unique situation, because it's coming to us
2 first, and to be honest with you, I don't like
3 that. I have no issue whatsoever with
4 reverting the Zoning for the MF3. I have
5 absolutely no issue whatsoever. I think it
6 merits it. I'm good with it.

7 I have a problem not having a site plan for
8 it, and my question would be, to the City
9 Attorney, can I state that I want to have a
10 site plan to make a determination or under --
11 because we're quasi-judicial, am I not allowed
12 to do that?

13 MR. COLLIER: Well, these items are unique
14 in another way, in which these are really
15 legislative items. So -- well, the problem is,
16 it's in the Code, is what you're concerned
17 about. The Code doesn't provide for this Board
18 to have a site plan to approve, because it's
19 less than the required amount.

20 Now, you can, as a Board, since your
21 comments go to the City Commission, you can
22 approve, with a comment, that you would like to
23 see site plans be approved with respect to all
24 sizes of properties. I'm not suggesting that's
25 a good idea or not a good idea, but the Board

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1 has an ability to communicate your concerns
2 through your resolution.

3 Probably more appropriate with the Zoning
4 item than necessarily the Comprehensive Plan
5 item.

6 CHAIRMAN AIZENSTAT: Correct.

7 MR. COLLIER: But if you want to, as a
8 comment, or, alternatively, if the rest of the
9 Board doesn't want to go that way, your
10 thoughts, they get the transcript. They're
11 going to see what you have to say. So not
12 exactly what you would like, but there's a
13 couple of alternatives to express your concern
14 or the Board's concern.

15 CHAIRMAN AIZENSTAT: Okay. Because, for
16 example, I don't have an issue with the way
17 it's laid out. I don't have an issue with the
18 green space and so forth. But if you come back
19 and you change what you've shown us, and you
20 start putting the garages in the front, and you
21 start doing something else other than what you
22 intended and what I'm looking at, then I do
23 have an issue with it.

24 So a question which I would ask you, would
25 you be willing to say that what you're

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1 presenting to us today would be your site plan,
2 based upon the approval of the Board of
3 Architects and the DRC?

4 MR. BEHAR: With a minor modification, if
5 needed --

6 CHAIRMAN AIZENSTAT: If needed.

7 MR. BEHAR: -- but not a substantial
8 modification. The same way we gave you
9 conceptual approval, we want to have a
10 conceptual commitment that you're going --

11 MR. JIMENEZ: Look, all I can -- I'm
12 obviously not in a position to bind my clients,
13 but what I can say honestly to the Board is
14 that they have never, ever shown me anything
15 but this product. When we talk about the
16 nearby ones, when we talk about what the market
17 is expecting now, on what I'm sure will be an
18 expensive property, it is not the ones across
19 from City Hall, necessarily, with the garage in
20 the front, it is this house. So I can tell you
21 that what is being revised now is in
22 architecture, not in site plan.

23 CHAIRMAN AIZENSTAT: Right.

24 MR. JIMENEZ: Now, and just to point out
25 one thing, the reason that -- and I realize the

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1 level of discomfort. It's just, we're not here
2 for this project. This project isn't coming to
3 this Board. The Zoning is coming, and the FLUM
4 is coming, but the project goes to other
5 Boards. So I also want to say that if
6 somebody -- if the Board of Architects just
7 changes their entire philosophy and says,
8 "We're never going to approve this. Put those
9 garages in the front," their word is the one
10 that counts on this one and I'm bound by that.

11 It is not the intent of my client, nor has
12 it ever been brought up, when we talk about the
13 different kinds -- the other examples, these
14 garages go in the back, because that's what
15 makes this a little bit magical.

16 CHAIRMAN AIZENSTAT: Unique.

17 But that's why I'm uncomfortable, because
18 it hasn't gone before the Board of Architects
19 yet for the design. So you're coming to us for
20 a change of use and -- sorry, rezoning. We can
21 go ahead and approve it, and then you could do
22 whatever you want on that site, as long as the
23 Board of Architects approved it and so forth,
24 but it doesn't have to be anything to do with
25 what you have presented to us.

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1 MR. BEHAR: Well, I mean, I would feel
2 comfortable, and I don't know if we could do
3 this --

4 CHAIRMAN AIZENSTAT: And I know your client
5 is -- they're -- they do what they say, and I
6 understand that, but, for me, I have always --
7 in any of my votes throughout my tenure, I have
8 always asked for a site plan.

9 MR. BEHAR: And so have I. Do you feel
10 like it's necessary -- I don't know if we could
11 put there the condition that, the same site
12 plan that was shown to us, is what we would
13 recommend for approval? I mean, how do we tie
14 that site plan to my approval today?

15 MR. COLLIER: Well, the problem is, this
16 is --

17 CHAIRMAN AIZENSTAT: Mr. Jimenez said that
18 he can't speak for his client.

19 MR. JIMENEZ: I can't bind them. I can
20 tell you what the intent is, speaking honestly,
21 and every conversation that I've had regarding
22 this subject. I can't bind them, and --
23 because this -- and I don't know --

24 MR. BEHAR: Mr. Attorney --

25 MR. COLLIER: Well, the problem is, because

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1 it's a rezoning, you can't condition a
2 rezoning. So -- but this attorney has to
3 appear before the Board in the future. Your
4 indication -- his indication to you, that, you
5 know, he doesn't know what the Board of
6 Architects is going to do, but he's never been
7 provided a site plan that has the garages in
8 the front. They've all been in the back, you
9 can --

10 CHAIRMAN AIZENSTAT: Markets change.

11 MR. JIMENEZ: And if I may, Mr. Collier, and
12 I'd ask if you would confirm this, if this was
13 adopted -- if this was recommended for approval
14 and then it went to the City Commission for
15 approval, and they just did it all of the way
16 through, even with a site plan, I can turn
17 around, burn it, and apply for something else,
18 consistent with the City Code, and that's -- I
19 mean, a zoning and a FLUM is a zoning and a
20 FLUM.

21 The political reality of what Mr. Collier
22 said, I agree with him, but it's -- when you
23 have gotten these, it's because you've been
24 approving a project, and as part of that
25 approval, there's been a rezoning. You've done

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1 it for me. There's been a rezoning and there's
2 been a reFLUM and a site plan approval. If
3 I -- then, if I burn it, the zoning would stay
4 the same, but now the -- you would hold me up
5 on that, and that's a different story. That's
6 why I'm making the distinction that, the Code
7 doesn't allow me to bring a project like this
8 here.

9 So I can say it, but once it's rezoned,
10 it's rezoned, Mr. Collier.

11 MR. COLLIER: But the point is that, he
12 could walk away from a site plan and say, "I
13 can't build what I'm building."

14 CHAIRMAN AIZENSTAT: Correct.

15 MR. COLLIER: And then he wants to come back
16 with something else.

17 CHAIRMAN AIZENSTAT: But he has to come
18 back at that point.

19 MR. COLLIER: He's going to have to come
20 back to the Board of Architects.

21 MR. SOUTHERN: And the Development Review
22 Committee.

23 MR. COLLIER: Now, if he seeks to change the
24 zoning to a different zoning, then, yes, he's
25 going to have to come back, but if he walks

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1 conundrum that the Chair has.

2 CHAIRMAN AIZENSTAT: Alice.

3 MS. BRAVO: And this is a question for our
4 Director. The site plan that ultimately gets
5 developed will have to be consistent with the
6 zoning?

7 MR. SOUTHERN: Exactly.

8 MS. BRAVO: Correct?

9 MR. SOUTHERN: Yeah. That's why there's
10 multiple disciplines within the City that take
11 a look at it.

12 MS. BRAVO: So I don't feel comfortable
13 requiring more than what is our legal purview.

14 MR. BEHAR: And I'm going to do something.
15 I'm going to take his advice. At some point,
16 you're going to come back to us.

17 MR. JIMENEZ: Thank you.

18 MR. BEHAR: So I hope you follow through,
19 okay.

20 Look, I'm going to make a motion to
21 approve, with Staff recommendations and
22 conditions.

23 MR. MENENDEZ: I'll second.

24 THE SECRETARY: I'm sorry, we need two
25 separate motions.

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1 away from a site plan --

2 CHAIRMAN AIZENSTAT: That's a good point.

3 MR. COLLIER: If he walks away from the site
4 plan, he's got to come back to the Board of
5 Architects with a different design, and they're
6 going to have to review it, as well as the
7 administrative reviews.

8 CHAIRMAN AIZENSTAT: That's a very good
9 point.

10 MR. COLLIER: So there's quite a few checks
11 still left to go.

12 MR. PARDO: Mr. Chairman?

13 CHAIRMAN AIZENSTAT: Yes, sir.

14 MR. PARDO: May I suggest, if Mr. Collier
15 thinks it would work, why not split the
16 application, where you go through the FLUM
17 separately and then you come back with the
18 change of zoning with the site plan attached?

19 MR. JIMENEZ: Because I just don't have to
20 come back. At 20,000 square feet, it's an
21 administrative site plan approval. It's
22 Staff's jurisdiction.

23 MR. PARDO: I'm just trying to see if
24 there's a mechanism where we might be able to
25 add a site plan to be able to resolve the

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1 MR. COLLIER: Yes. We're going to first --
2 you're going to have two votes. The first vote
3 is on Item E-1, which is the Comprehensive Plan
4 vote. So we need a motion and a second
5 approving the -- or recommending approval of
6 the Comprehensive Plan, in accordance with
7 Staff's recommendation. That would be first
8 motion.

9 MR. BEHAR: And I make that --

10 CHAIRMAN AIZENSTAT: We have a motion and
11 we have --

12 MR. MENENDEZ: Second.

13 CHAIRMAN AIZENSTAT: -- a second from
14 Nestor.

15 At which point could we make a
16 recommendation to the Commission that projects
17 that come before us have a site plan attached?

18 MR. COLLIER: I think, when we get to the
19 rezoning --

20 CHAIRMAN AIZENSTAT: The second, okay.

21 MR. COLLIER: -- you can say that you would
22 prefer site plans -- conditional uses for all
23 site plans.

24 CHAIRMAN AIZENSTAT: Understood.

25 Okay. We have a motion. We have a second.

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1 Any comment? No?
 2 Call the roll, please.
 3 THE SECRETARY: Nestor Menendez?
 4 MR. MENENDEZ: Yes.
 5 THE SECRETARY: Felix Pardo?
 6 MR. PARDO: No.
 7 THE SECRETARY: Robert Behar?
 8 MR. BEHAR: Yes.
 9 THE SECRETARY: Alice Bravo?
 10 MS. BRAVO: Yes.
 11 THE SECRETARY: Alex Bucelo?
 12 MR. BUCELO: Yes.
 13 THE SECRETARY: Eibi Aizenstat?
 14 CHAIRMAN AIZENSTAT: Because it's not
 15 required under 20,000 square foot, I'm going to
 16 say, yes. Thank you.
 17 MR. COLLER: On --
 18 MR. BEHAR: On E-2.
 19 MR. COLLER: -- E-2, it can't be a
 20 condition, but you're welcome to make a comment
 21 related to this item, if you so choose to do
 22 so, but we need a motion and a second.
 23 MR. BEHAR: Mr. Chair, I'm going to make a
 24 motion to approve, and I'm going to welcome a
 25 friendly amendment from you, at the time that

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1 you, you know -- so I'll make a motion to
 2 approve, as presented by Staff.
 3 MR. COLLER: Right. It can't be a friendly
 4 amendment. It could be friendly comments.
 5 MR. BEHAR: A comment. I'll take it back.
 6 A friendly comment.
 7 CHAIRMAN AIZENSTAT: It's just a comment.
 8 We have a motion. Is there a second?
 9 MR. MENENDEZ: I'll second it.
 10 CHAIRMAN AIZENSTAT: Nestor seconds.
 11 I would ask that there be a comment in
 12 there that site plans be attached to all
 13 projects and rezoning that come before us. Is
 14 everybody okay with that, having it in there?
 15 MR. PARDO: Mr. Chairman?
 16 CHAIRMAN AIZENSTAT: Yes, sir.
 17 MR. PARDO: Wouldn't it be better to really
 18 just codify it?
 19 MR. COLLER: Well, that would up to your
 20 recommendation to the Commission --
 21 MR. PARDO: Codify it, so everybody knows
 22 what the rules of the game are, you know. Four
 23 balls you walk and three strikes you're out.
 24 MR. COLLER: Well, I think that I took from
 25 the friendly comment, that if you want to have

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1 site plans for all rezonings, it's going to
 2 require a Code Amendment, right.
 3 MR. SOUTHERN: Correct.
 4 MR. PARDO: I'm trying to get to your
 5 point --
 6 CHAIRMAN AIZENSTAT: That's a comment, yes.
 7 MR. PARDO: Yes.
 8 CHAIRMAN AIZENSTAT: Are you gentleman okay
 9 with that, as a comment?
 10 MR. BEHAR: I'm good, yes.
 11 MR. MENENDEZ: Yes.
 12 CHAIRMAN AIZENSTAT: Okay. Any other
 13 comments? No?
 14 Call the roll, please.
 15 THE SECRETARY: Felix Pardo?
 16 MR. PARDO: This is for the rezoning?
 17 THE SECRETARY: Yes.
 18 MR. PARDO: Correct?
 19 MR. COLLER: This is Item E-2, which is the
 20 change in the zoning from the "S" to MF3.
 21 MR. PARDO: Okay. I just want to say,
 22 friendly, no.
 23 MR. MENENDEZ: Friendly, yes.
 24 THE SECRETARY: Robert Behar?
 25 MR. BEHAR: Yes.

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1 THE SECRETARY: Alice Bravo?
 2 MS. BRAVO: Yes.
 3 THE SECRETARY: Alex Bucelo?
 4 MR. BUCELO: Yes.
 5 THE SECRETARY: Nestor Menendez?
 6 MR. MENENDEZ: Yes.
 7 THE SECRETARY: Eibi Aizenstat?
 8 CHAIRMAN AIZENSTAT: Yes.
 9 MR. JIMENEZ: Thank you very much for your
 10 time, and I will repeat those comments to --
 11 CHAIRMAN AIZENSTAT: Thank you, sir.
 12 Please.
 13 MR. JIMENEZ: No problem.
 14 MR. BEHAR: And we'll hold you to it.
 15 MR. JIMENEZ: I know. I know.
 16 CHAIRMAN AIZENSTAT: Thank you.
 17 MR. BEHAR: How about if we do 7 and 8 and
 18 then we'll take a break?
 19 CHAIRMAN AIZENSTAT: Correct. That's what
 20 we discussed at the beginning.
 21 MR. COLLER: Okay. Item 7, an Ordinance of
 22 the City Commission of Coral Gables, Florida,
 23 amending Article 16, "Definitions," City of
 24 Coral Gables Official Zoning Code, by amending
 25 the definition of freeboard to modify minimum

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