

1 the matter has been continued three or four
 2 times and we're going to be sued, because the
 3 matter is -- I'm not raising it with you, but
 4 let's say that that happens, at some point, I
 5 need to be able to bring it to the Commission.
 6 MS. MENENDEZ: Can I suggest that the
 7 applicant be provided the opportunity to just
 8 ask for a vote? You know, maybe at some point,
 9 they're the ones that need to say, "You know
 10 what, this is the best we can do, just give us
 11 a vote."
 12 Personally, I don't have a problem with
 13 that.
 14 MR. WU: They can always do that, at the
 15 meeting.
 16 MS. MENENDEZ: They can always do that,
 17 because, to me, that makes a lot more sense.
 18 CHAIRMAN FLANAGAN: Right.
 19 And, Craig, I think, if we ever got to a
 20 point where something was continued, continued,
 21 and you had a due process issue, I'm pretty
 22 sure you would bring that our attention --
 23 MR. LEEN: I would.
 24 CHAIRMAN FLANAGAN: -- and that would help
 25 guide us to deal with it, one way or the other.

1 MR. BELLIN: Yes.
 2 THE SECRETARY: Julio Grabiell?
 3 MR. GRABIEL: Yes.
 4 THE SECRETARY: Jeff Flanagan?
 5 CHAIRMAN FLANAGAN: Yes.
 6 THE SECRETARY: Maria Menendez?
 7 MS. MENENDEZ: Yes.
 8 CHAIRMAN FLANAGAN: Thank you.
 9 All right. Next item on the agenda is Item
 10 Number 10, an Ordinance of the City Commission
 11 of Coral Gables, Florida providing for a text
 12 amendment to the City of Coral Gables Official
 13 Zoning Code, Article 4, "Zoning Districts,"
 14 Division 1, "Residential Districts," Section
 15 4-101, "Single-Family Residential District;"
 16 adding parks as a permitted principal use for
 17 properties zoned single-family residential;
 18 providing for repealer provision, severability
 19 clause, codification, and providing for an
 20 effective date.
 21 Mr. Trias.
 22 MR. TRIAS: Mr. Chairman, it's a very minor
 23 amendment. It has to do with neighborhood
 24 parks that have been acquired recently in
 25 neighborhoods. Right now we don't have it in

1 MS. MENENDEZ: To just closing it. I mean,
 2 it --
 3 MR. LEEN: Well, maybe what it could be,
 4 then, is, this could be changed to say
 5 something like, if a matter is continued at the
 6 request of the Board, perhaps three or more
 7 times or two or more times, or it's going to
 8 be, then the party has the option, the
 9 applicant, of asking for a vote, and the Board
 10 must vote it up or down.
 11 MS. MENENDEZ: Right. Absolutely. I mean,
 12 to me, they always have that option, from what
 13 I'm hearing.
 14 CHAIRMAN FLANAGAN: Yeah. I know. I think
 15 they always do. And we, like Maria says --
 16 MS. MENENDEZ: They have that option, and
 17 I think they should exercise it, if they think
 18 we're being unreasonable.
 19 MR. LEEN: I understand.
 20 MS. MENENDEZ: There's a motion and there's
 21 a second. May I have a roll, please? Call the
 22 roll, please.
 23 THE SECRETARY: Robert Behar?
 24 MR. BEHAR: Yes.
 25 THE SECRETARY: Marshall Bellin?

1 the Code. We would like to have that use --
 2 MS. MENENDEZ: I move it.
 3 CHAIRMAN FLANAGAN: Is there a reason to
 4 not re-zone those?
 5 MR. TRIAS: That's the preference of Staff.
 6 That's the other way to do it, certainly, to
 7 re-zone it to Special District.
 8 MR. WU: Mr. Chair, the City Attorney has
 9 taken the position --
 10 CHAIRMAN FLANAGAN: I'm sorry, Charles?
 11 MR. WU: If I may, the City Attorney has
 12 taken the position, and Craig can elaborate,
 13 that for the City to put in a proprietary use,
 14 as we own the property, and can put in the use
 15 of a park, is not required to meet the Zoning
 16 Code requirements, per se.
 17 What we would like to do is just a
 18 housekeeping matter, to require -- to allow
 19 parks as a permitted use in Single-Family
 20 Districts. For intents and purposes, these
 21 will be like a government use passive park in
 22 Residential Districts.
 23 And, Craig, would you like to add anything?
 24 CHAIRMAN FLANAGAN: Is there any thought to
 25 -- I mean, a park, it just says, it's

1 non-commercial, if they're in a Single-Family
2 District. Is there any thought to making sure
3 it's a passive park?

4 MR. TRIAS: We could certainly have that
5 language. And in the definition, they're City
6 parks. It's not intended to be anything else,
7 but a passive City park.

8 MR. COLLER: Let me just say that with
9 respect to government property, that it's
10 not -- the City is not regulating someone's
11 private property. So it's the position of the
12 City Attorney that the Zoning Code, which is
13 directed towards the regulation of -- City's
14 regulation of private property, it would not
15 apply.

16 So the City has the discretion, whether it
17 wants to place a park in a particular area, and
18 I think the purpose of this is just to put
19 people on notice that indeed parks could be
20 placed in residential areas.

21 CHAIRMAN FLANAGAN: I think there's
22 unintended consequences, but if we're talking
23 about some of the smaller lots that were just
24 acquired, and trying to kind of conform
25 those --

1 MR. WU: Yes.

2 CHAIRMAN FLANAGAN: -- that the thought of
3 doing a passive park in some of those smaller
4 lots is probably appropriate.

5 MR. TRIAS: Yeah. If you would feel more
6 comfortable with the word, passive park, and
7 then maybe having a definition in the Code,
8 perhaps that would be appropriate at this
9 point.

10 MR. BEHAR: I agree with that thought.

11 MR. TRIAS: Okay. It is not meant to be
12 anything other than that. That's the only
13 thing that we're thinking.

14 CHAIRMAN FLANAGAN: Any further discussion?
15 Anybody want to move it?

16 MR. BELLIN: I'll move for approval.

17 CHAIRMAN FLANAGAN: I'm sorry? How about
18 your microphone?

19 MR. BELLIN: Approval. Move for approval.

20 MR. BEHAR: I'll second it.

21 CHAIRMAN FLANAGAN: A motion and a second.
22 All of those -- oh, sorry. Jill, call the
23 roll, please.

24 THE SECRETARY: Julio Grabiell?

25 MR. GRABIEL: Yes.

1 THE SECRETARY: Maria Menendez?

2 MS. MENENDEZ: Yes.

3 THE SECRETARY: Alberto -- Robert Behar?

4 MR. BEHAR: Yes.

5 THE SECRETARY: Marshall Bellin?

6 MR. BELLIN: Yes.

7 THE SECRETARY: Jeff Flanagan?

8 CHAIRMAN FLANAGAN: Yes.

9 That was the last item on the agenda.

10 Oh, no it's not. One more discussion item,
11 the North Ponce -- Number 12, North Ponce
12 Mixed-Use Overlay District.

13 MR. TRIAS: Thank you, Mr. Chairman. I
14 have a PowerPoint. If I can have it up. The
15 North Ponce Overlay PowerPoint.

16 MS. MENENDEZ: Any changes from the last
17 time we talked about this, which was a month
18 ago?

19 MR. TRIAS: Yes. We didn't really talk
20 about this in detail. We talked about the
21 Conservation Districts, which are the areas
22 immediately to the east and west of the central
23 core, Ponce de Leon.

24 This is for discussion purposes, again just
25 trying to conceptualize some of the ideas.

1 As you know, we've had several public
2 meetings going back to 2014, Commission
3 discussions about what to do with North Ponce,
4 and there's a reason why there have been so
5 many meetings and so many discussions, and they
6 go back even 20, 25 years.

7 It's very difficult to deal with the area,
8 because of the multiple uses, and the fact that
9 it's not a very large area. We're talking
10 about a few blocks, either way, to the east,
11 and just one block to the west of Ponce de
12 Leon.

13 So as we said before, the areas to the east
14 and west, we were trying to propose
15 Conservation Districts, and you have a chance
16 to discuss that. The area in the center is a
17 much more urban type of development already.
18 And one thing that I would like to change,
19 instead of calling it the Mixed-Use Overlay
20 District, Ponce de Leon Mixed-Use, just simply
21 calling it Ponce de Leon Overlay District, so
22 to avoid confusion with some of the Mixed-Use
23 regulations that we already have in place.

24 Anyway, one of the main issues of
25 discussion is the map, and this is the map that