

CITY OF CORAL GABLES  
LOCAL PLANNING AGENCY (LPA)/  
PLANNING AND ZONING BOARD MEETING  
VERBATIM TRANSCRIPT  
WEDNESDAY, MARCH 9, 2022, COMMENCING AT 6:03 P.M.

Board Members Present:

Eibi Aizenstat, Chairman  
Luis Revuelta  
Venny Torre  
Wayne "Chip" Withers  
Claudia Miro  
Alex Bucelo

City Staff and Consultants:

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

Also Participating:

Joe Jimenez, Esq., on behalf of Items E-1 through E-5

1 THEREUPON:

2 (The following proceedings were held.)

3 CHAIRMAN AIZENSTAT: I would like to call  
4 the meeting to order. I'd like to ask  
5 everybody to please silence their phones and  
6 beepers at this time, if they still have  
7 beepers.

8 MR. TORRE: Is that in the script or you  
9 made that up?

10 CHAIRMAN AIZENSTAT: No, I didn't make that  
11 up.

12 MS. MIRO: Beepers?

13 CHAIRMAN AIZENSTAT: Good evening. This  
14 Board is comprised of seven members. Four  
15 Members of the Board shall constitute a quorum,  
16 and the affirmative vote of four members shall  
17 be necessary for the adoption of any motion.  
18 If only four members of the Board are present,  
19 an applicant may request and be entitled to a  
20 continuance to the next regularly scheduled  
21 meeting of the Board. If a matter is continued  
22 due to a lack of quorum, the Chairperson or  
23 Secretary of the Board may set a Special  
24 Meeting to consider such a matter. In the  
25 event that four votes are not obtained, an

1 applicant may request a continuance or allow  
2 the application to proceed to the City  
3 Commission without a recommendation.

4 Pursuant to Resolution Number 2021-118, the  
5 City of Coral Gables has returned to  
6 traditional in-person meetings. Accordingly,  
7 any individual wishing to provide sworn  
8 testimony shall be present physically in the  
9 City Commission Chambers. However, the  
10 Planning & Zoning Board has established the  
11 ability for the public to provide comments,  
12 non-sworn and without evidentiary value,  
13 virtually. Accordingly, only individuals who  
14 wish to provide public comment in this format  
15 may appear and provide these comments via Zoom.

16 Lobbyist Registration, any person who acts  
17 as a lobbyist pursuant to the City of Coral  
18 Gables Ordinance Number 2006-11 must register  
19 with the City Clerk prior to engaging in  
20 lobbying activities or presentations before  
21 City Staff, Boards, Committees and/or the City  
22 Commission. A copy of the Ordinance is  
23 available in the Office of the City Clerk.  
24 Failure to register and provide proof of  
25 registration shall prohibit your ability to

1 present to the Board.

2 As Chair, I now officially call the City of  
3 Coral Gables Planning & Zoning Board meeting of  
4 March 9th, 2022 to order. The time is 6:03.

5 Jill, please call the roll.

6 THE SECRETARY: Robert Behar?  
7 Alex Bucelo?

8 MR. BUCELO: Here.

9 THE SECRETARY: Claudia Miro?

10 MS. MIRO: Here.

11 THE SECRETARY: Luis Revuelta?

12 Venny Torre?

13 MR. TORRE: Here.

14 THE SECRETARY: Chip Withers?

15 MR. WITHERS: Here.

16 THE SECRETARY: Eibi Aizenstat?

17 CHAIRMAN AIZENSTAT: Here.

18 I'd like to ask, Robert Behar had a medical  
19 reason that he's not here, and I'd like for him  
20 -- to ask the Board if it's okay for him to be  
21 excused. Thank you.

22 Notice Regarding Ex Parte Communications,  
23 please be advised that this Board is a  
24 quasi-judicial board, which requires Board  
25 Members to disclose all ex parte communication

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1 and site visits. An ex parte communication is  
 2 defined as any contact, communication,  
 3 conversation, correspondence, memorandum or  
 4 other written or verbal communication that  
 5 takes place outside of a public hearing between  
 6 a member of the public and a member of a  
 7 quasi-judicial board regarding matters to be  
 8 heard by the Board. If anyone made any contact  
 9 with a Board Member regarding an issue before  
 10 the Board, the Board Member must state on the  
 11 record the existence of the ex parte  
 12 communication and the party who originated the  
 13 communication. Also, if a Board Member  
 14 conducted a site visit specifically related to  
 15 the case before the Board, the Board Member  
 16 must disclose such visit. In either case, the  
 17 Board Member must state on the record whether  
 18 the ex parte communication and/or site visit  
 19 will affect the Board Member's ability to  
 20 impartially consider the evidence to be  
 21 presented during the matter. The Board Member  
 22 should also state that his or her decision will  
 23 be based on substantial competent evidence and  
 24 testimony presented on the record today.  
 25 Does any Board Member have such a

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1 message to Jill Menendez stating which item you  
 2 would like to speak before the Board and  
 3 include your full name. Jill will call you  
 4 when it's your turn. I'd ask you to be  
 5 concise, for the interest of time.  
 6 Phone platform participants, after Zoom  
 7 platform participants are done, I will also ask  
 8 phone participants to comment on tonight's  
 9 agenda items. I will ask you to be concise,  
 10 for the interest of time.  
 11 Tonight, we don't have any approval of  
 12 minutes.  
 13 The procedure we will use tonight is,  
 14 first, the identification of agenda item by Mr.  
 15 Coller, presentation by Staff, then  
 16 presentation by applicant or agent. I'll go  
 17 ahead and open it for public comment, first in  
 18 Chamber, then Zoom participants and the phone  
 19 line participants. I will then close for  
 20 public comment. We'll have Board discussion,  
 21 motion, any further discussion, and a second of  
 22 the motion, if necessary, we'll have the  
 23 Board's final comments and vote. Thank you.  
 24 Mr. Coller, would you read the first item?  
 25 MR. COLLER: Okay.

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1 communication and/or site visit to disclose at  
 2 this time?  
 3 Swearing in, normally I would ask anybody  
 4 in the audience -- do attorney needs to be  
 5 sworn in, also?  
 6 MR. JIMENEZ: I may also be a fact witness.  
 7 CHAIRMAN AIZENSTAT: Okay. Swearing in,  
 8 everyone who speaks this evening must complete  
 9 the roster at the podium. For the record, we  
 10 do not have any individuals, outside of the  
 11 applicant, here tonight. We ask that you print  
 12 clearly, so the official record of your name  
 13 and address will be correct.  
 14 Now, with the exception of attorneys, all  
 15 persons physically in the City Commission  
 16 Chambers, who will speak on agenda items before  
 17 us this evening, please rise to be sworn in.  
 18 MR. COLLER: Staff, also.  
 19 CHAIRMAN AIZENSTAT: Staff also, please, if  
 20 you would rise. Thank you.  
 21 (Thereupon, the participants were sworn.)  
 22 CHAIRMAN AIZENSTAT: Thank you.  
 23 Zoom platform participants, I will ask any  
 24 person wishing to speak on tonight's agenda  
 25 item to please open your chat and send a direct

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1 CHAIRMAN AIZENSTAT: Thank you.  
 2 MR. COLLER: There are five items  
 3 applicable to this particular project, so I'm  
 4 going to read all five items in, we'll have one  
 5 hearing, and then we'll have separate votes on  
 6 each agenda item.  
 7 Item E-1, an Ordinance of the City  
 8 Commission of Coral Gables approving the  
 9 vacation of a public alleyway pursuant to  
 10 Zoning Code Article 14, "Process," Section  
 11 14-211, "Abandonment and Vacations" and City  
 12 Code Chapter 62, Article 8, "Vacation,  
 13 Abandonment and Closure of Streets, Easements  
 14 and Alleys by Private owners and the City;  
 15 Application Process," providing for the  
 16 vacation of the east-west public alleyway lying  
 17 between lots 1-12 and lots 35-46, Block 10,  
 18 Coral Gables Crafts Section, according to the  
 19 plat thereof recorded in Plat Book 10, Page 40  
 20 of the Public Records of Miami-Dade County,  
 21 Florida; providing for substitute perpetual  
 22 access and utility easement, setting forth  
 23 terms and conditions; providing for an  
 24 effective date.  
 25 Item E-2, an Ordinance of the City

<p style="text-align: right;">Page 9</p> <p>1 Commission of Coral Gables, Florida providing  2 for a Text Amendment to the City of Coral  3 Gables Zoning Code by amending Appendix A,  4 "Site Specific Zoning Regulations," Section  5 A-36, "Crafts Section," by removing the number  6 of stories and height limitations for the  7 property legally described as Lots 1-12 and  8 lots 35-46, Block 10, Coral Gables Crafts  9 Section, Coral Gables, Florida; providing for a  10 repealer provision, severability clause,  11 codification, and providing for an effective  12 date.</p> <p>13 Item E-3, an Ordinance of the City  14 Commission of Coral Gables, Florida granting  15 approval of a Planned Area Development (PAD)  16 pursuant to Zoning Code Article 14, "Process,"  17 Section 14-206, "General Procedures for Planned  18 Area Development" for a mixed-use project  19 referred to as "Regency Tower" on property  20 legally described as Lots 1-12 and lots 35-46  21 including the public alleyway lying in between,  22 Block 10, and lots 1-4, Block 15, Coral Gables  23 Crafts Section, which is 290, 272, 250, 244  24 Valencia Avenue, 247,297 Almeria Avenue, and  25 2701 Salzedo Street, Coral Gables, Florida;</p>	<p style="text-align: right;">Page 10</p> <p>1 including required conditions, providing for a  2 repealer provision, severability clause and  3 providing for an effective date.</p> <p>4 Item E-4, a Resolution of the City  5 Commission of Coral Gables, Florida approving  6 receipt of Transfer of Development Rights  7 (TDRs) pursuant to Zoning Code Article 14,  8 "Process," Section 14-204.6, "Review and  9 approval of use of TDRs on receiver sites," for  10 the receipt and use of TDRs for the Mixed-Use  11 project referred to as "Regency Tower", on  12 property legally described as Lots 1-12 and  13 lots 35-46 including the public alleyway lying  14 in between, Block 10, Coral Gables Crafts  15 Section, Coral Gables, Florida; including  16 required conditions; providing for a repealer  17 provision, severability clause, and providing  18 for an effective date.</p> <p>19 Item E-5, a Resolution of the City  20 Commission of Coral Gables, Florida granting  21 approval for Conditional Use Mixed-Use Site  22 Plan pursuant to Zoning Code Section 2-200  23 "Mixed-Use Districts" for a mixed-use project  24 referred to as "Regency Towers" on property  25 legally described as Lots 1-12 and lots 35-46</p>
<p style="text-align: right;">Page 11</p> <p>1 including the public alleyway lying between,  2 Block 10, and lots 1-4, Block 15, Coral Gables  3 Crafts Section, Coral Gables, Florida;  4 including required conditions; providing for a  5 repealer provision, severability clause, and  6 providing for an effective date.</p> <p>7 Items E-1 through E-5, public hearing.  8 CHAIRMAN AIZENSTAT: Thank you, sir.  9 Mr. Trias.  10 MR. TRIAS: Thank you, Mr. Chairman.  11 May I have the PowerPoint, please?  12 The Regency Tower, as the City Attorney  13 explained so clearly, has five requests. This  14 is fairly typical of this large mixed-use  15 projects. There are multiple things that need  16 to be done. And I'll try to explain them  17 briefly, and then the Applicant has a more  18 extensive presentation for you.</p> <p>19 The site includes about half of the block,  20 that is -- I'm sorry -- bound by Salzedo,  21 Valencia and Almeria, and then another parcel  22 that is on the other side of Almeria. So the  23 whole area is within the PAD, and the  24 building -- the mixed-use building is on the  25 northern half of that parcel, and then the</p>	<p style="text-align: right;">Page 12</p> <p>1 small parcel south of Almeria is to be a park.  2 That is, in general, the concept.</p> <p>3 Now, in terms of the Future Land Use and  4 the Zoning, they are MX2 and MX3, and the  5 Future Land Use is properly designated also for  6 this type of project.</p> <p>7 The alley vacation, as you can see, the  8 gray area is being vacated, and then the blue  9 is an alternative design for the circulation,  10 and the yellow remains as an alley.</p> <p>11 There's also, in this area, as you well  12 know, a Site Specific that limits the number of  13 stories and the height. This project is a PAD,  14 and is designed to be 18 stories and 204 feet  15 high and 6 inches. You had a chance to review  16 the amendment to the Zoning Code and the Comp  17 Plan that dealt with those issues last time,  18 and this is the project that could take  19 advantage of -- one of the projects that could  20 take advantage of that amendment. So the  21 elimination of that Site Specific would allow  22 the 18 stories and 204 feet in this site.</p> <p>23 The PAD, as you well know, it requires one  24 acre. They have more than an acre. It  25 requires 200 feet of width, a hundred feet of</p>

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1 depth, and one of the benefits is that it  
 2 requires additional open space. So that is one  
 3 of the reasons why the Applicant is proposing a  
 4 park, plus many improvements along the  
 5 sidewalk, that include landscape, et cetera,  
 6 and they'll explain that in detail.

7 Request Number 3 is a TDR, Transfer of  
 8 Development Rights, and by that -- the  
 9 practical effect of that is that the FAR of the  
 10 project can go up to 4.375. There's some minor  
 11 issues that are not completely resolved yet,  
 12 because that applies to the area in the Central  
 13 Business District, and this is a small area, as  
 14 I said before, that is outside of the Central  
 15 Business District, but I believe that that can  
 16 be resolved prior to the First Reading by the  
 17 Commission.

18 The request -- the other request that we  
 19 have is the Conditional Use for the Site Plan,  
 20 which deals with the design issues, and as you  
 21 can see, at the ground level, there's a  
 22 courtyard in the building, there's landscape  
 23 along the sidewalks, there's that park in the  
 24 lower area of the image. So there are many,  
 25 many very good, very interesting futures, from

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1 MR. JIMENEZ: Good evening, Mr. Chair,  
 2 Members of the Board. Joe Jimenez, Executive  
 3 Vice-President and General Counsel for Codina  
 4 Partners, address at 2020 Salzedo Street, here  
 5 in Coral Gables.

6 First of all, I'd like to thank you for  
 7 having me here. I know that I've been before  
 8 you on a different item that didn't pertain  
 9 specifically to me, but that we've always been  
 10 open about us intending to apply under, and  
 11 that is the Ordinance that you considered the  
 12 last time you met and that Ramon mentioned  
 13 today.

14 So if I could please have the PowerPoint  
 15 that we provided. I'll take you through a  
 16 brief presentation, and obviously I'm here for  
 17 any questions.

18 In order to fully understand this project,  
 19 I think it's important to understand the  
 20 history of the project. This is not a  
 21 standalone building that just came up with an  
 22 idea and everything else. This is a year's  
 23 long process, between three different property  
 24 owners, including the City, that involves four  
 25 different properties throughout Downtown.

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1 an urban design point of view, that the  
 2 Applicant will explain in more detail.

3 The Site Plan information, it shows you  
 4 that the project is less than a hundred -- or  
 5 is a hundred units per acre, as allowed by the  
 6 proposed language in the new Zoning Code, and  
 7 parking is provided in the -- provided and  
 8 there are 18 stories in height.

9 The conceptual renderings are here for your  
 10 information. The project was reviewed by the  
 11 Board of Architects and was awarded Med Bonus  
 12 Level 2.

13 And the review time line include the DRC in  
 14 October, the Board of Architects multiple  
 15 times, as most projects this size do, the  
 16 Neighborhood Meeting that is required, and  
 17 Planning & Zoning tonight. Letters were sent  
 18 to property owners within a thousand feet twice  
 19 and there were three postings at the property,  
 20 and three website postings and one newspaper  
 21 advertisement.

22 Staff recommends approval, with the  
 23 conditions, and after the presentation, we  
 24 could discuss the details.

25 CHAIRMAN AIZENSTAT: Thank you.

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1 Those four properties are put here.

2 The Sofia, at 2020 Salzedo, which you see  
 3 on the left of the screen, is our current  
 4 building, and it is the end -- the north end of  
 5 the Central Business District. It's a  
 6 mixed-use development, with an office building  
 7 and an apartment building, restaurant and  
 8 office on the ground floor. At the time that  
 9 we built that, we had -- we owned the lot  
 10 caddy-corner to us. And that wound up in a  
 11 swap, with the City, for the Public Safety  
 12 Building, as it used to exist, in order to  
 13 build the new Public Safety Building, and then  
 14 Mercedes got involved, so why the swap.

15 And I'll let you know, as we started, this  
 16 was the site that we originally controlled,  
 17 just to the west -- excuse me, just to the east  
 18 of the Sofia. We had fully intended to build  
 19 basically a Phase 2 to the Sofia, fewer units,  
 20 that fit on the site, but that we could  
 21 co-manage with the Sofia, making it perfect to  
 22 share amenities, share management. It was just  
 23 a good business deal.

24 Right there, as you can see, to the south  
 25 of it was the "L" at grade parking lot that the

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1 City owned. This was going to be our plan,  
 2 surrounded by the City parking lot at grade.  
 3 It was a permit lot used for the surrounding  
 4 businesses to park their employees and anybody  
 5 else who wanted a monthly parking.  
 6 So the City came to us and said, hey,  
 7 listen, if we combine our lots, we can square  
 8 this off, build a new Public Safety Building,  
 9 and build a new needed municipal parking garage  
 10 on what you see as the non-rectangular piece of  
 11 that site.  
 12 I think you all know what happened  
 13 eventually. Now you have the Public Safety  
 14 Building. It's caddy-corner to our office. We  
 15 traded. We were going to get the Public Safety  
 16 building. The City was able to stay in the old  
 17 Public Safety Building all the while, because  
 18 it's impossible to move all of that,  
 19 considering that Public Works is outside of the  
 20 City of Coral Gables. Emergency Management and  
 21 everybody else was never going to be able to  
 22 stay. We said, "Build it. Go ahead." We  
 23 stayed there. We struck a deal. We traded,  
 24 essentially, and waited for them to finish.  
 25 In the meantime, since we knew we were

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1 Public Safety Building on, but now another  
 2 building that is refurbished and beautifying  
 3 Downtown Coral Gables.  
 4 So, now as the can keeps getting kicked  
 5 down the road, we wind up with the current  
 6 Mercedes used car lot. These are the two lots  
 7 in comparison to each other. So we move a  
 8 couple of blocks to the north. As Ramon said,  
 9 now we are inside the CBD. It also comes with  
 10 that little lot on Almeria, which has currently  
 11 a 1,200 square foot little office building,  
 12 surrounded by at grade parking of about maybe  
 13 10 or 11 cars. This is where we are proposing  
 14 Regency Tower, that Ramon took you through.  
 15 The reason that I bring all of this up is  
 16 because, especially to a Planning Board, I  
 17 think it's important for the history to be,  
 18 this is not one project that we think does  
 19 improve Downtown Coral Gables. It's about  
 20 three projects that have, objectively speaking,  
 21 at least the other two, improved Coral Gables.  
 22 You have a decades long corporate citizen, that  
 23 is now re-investing in the site and beautifying  
 24 a headquarter. You have a vastly upgraded  
 25 municipal Emergency Management, Emergency

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1 going to acquire this, we were approached by  
 2 Mercedes. Now, you don't -- this doesn't  
 3 require your memory. This, you know it now,  
 4 the at grade Mercedes used car lot is a very  
 5 intense use. They've been there for I think  
 6 it's fifty, sixty years. And between the  
 7 deliveries and the cars being parked and  
 8 everything else, it was a very intense use.  
 9 There's no parking on that site, so the  
 10 employees are parking all over the  
 11 neighborhood, and Mercedes wanted to be a good  
 12 corporate neighbor and said, "Wow, this is  
 13 actually a perfect solution, because what we  
 14 can do is, you guys are going to tear this  
 15 building down. It's got a 400-car garage.  
 16 It's got what we can turn into a showroom.  
 17 It's got everything we need to have a better  
 18 facility for our site. So why don't we now  
 19 trade?"  
 20 So even before we acquired the Public  
 21 Safety Building, we entered into a deal with  
 22 Mercedes to trade. Now they own this, and this  
 23 is what they've planned. This is what they're  
 24 in for the City. So now it's a second site.  
 25 Not only the at grade lot the City put its

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1 Services Building, Public Safety Building, and  
 2 now we plan to provide a use that, quite  
 3 frankly, does not exist in Coral Gables, to my  
 4 knowledge, does not exist in Miami-Dade County.  
 5 So Ramon took you as to why we're here.  
 6 I'm not going to -- some of it is  
 7 extraordinarily simple. The site consist of  
 8 1.74 acres. It is up to 174 units. I will  
 9 tell you now, that is -- for an entitlement  
 10 purpose, I think our last Site Plan put us at  
 11 about 145, 150. There's over 20,000 square  
 12 feet of open space, the courtyard, the loggias  
 13 and obviously the park across the street. We  
 14 intend to have world class dining, and all I  
 15 ask of you is to look at our track record.  
 16 Antonio Bachour is established as the greatest  
 17 pastry chef in the world. Armando Codina --  
 18 I'd be remised if I didn't repeat his joke,  
 19 that he chased Antonio Bachour more than he  
 20 chased his wife. So he intends to chase an  
 21 equally -- and we've got somebody that we're  
 22 already talking to for world class dining,  
 23 commensurate with this building, and as our  
 24 public benefit, we worked with Mercedes to  
 25 acquire this lot, and upon approval, this will

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1 be dedicated as a 10,000 square foot municipal  
 2 urban pocket park, which I will tell you, I  
 3 lived in the Sofia for four years. I have two  
 4 young daughters, who were younger when I lived  
 5 there, and I would have really enjoyed a pocket  
 6 park, because if it wasn't for the lot on  
 7 Minorca and Salzedo, that's -- excuse me,  
 8 Majorca and Salzedo, which is private property,  
 9 and luckily nobody presses charges, that's  
 10 where I could play Frisbee with my kids and  
 11 throw it around and let the dog run around.  
 12 So, this, I personally believe, and I would  
 13 have benefited from it myself, is an excellent  
 14 amenity to Downtown, and I hope to see more of  
 15 this come around as more residents move into  
 16 the area.

17 As Ramon mentioned, the alley, it's a  
 18 simple request. It's happened throughout  
 19 Downtown Coral Gables. It runs straight  
 20 through. What this does not shows you is that  
 21 this alley on the east side "Ts" behind  
 22 Anthony's Coal Fired and Canton, so it runs  
 23 east-west, as you see, but then the means of  
 24 egress and ingress are going north and south,  
 25 to Valencia and Almeria. We propose to bring

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1 then, about roughly a 1,500 square foot office  
 2 on the corner of Valencia and Salzedo.

3 As you go along Almeria, the valet car  
 4 court is there, with a valet holding area,  
 5 which will -- that, we intend to be one of the  
 6 entrances to the restaurant, so we would keep  
 7 all of that internalized. As you see, the  
 8 alley coming in from the right of the screen,  
 9 from the east to the west, the loading dock is  
 10 also internalized to allow services to the  
 11 building to not affect neighboring streets, and  
 12 then continue north and exit onto Valencia.

13 Just the floor plans, and I'll take you  
 14 through them very briefly, the Mezzanine is  
 15 nothing but storage lockers and the garage.  
 16 This is purposely intended for the style of  
 17 unit that we're going for, which I'll take you  
 18 more through later. We do feel that storage  
 19 will be an important amenity to these  
 20 residents.

21 There's the typicals two through six, as  
 22 you can see, on the same level as the garage,  
 23 as the floors go. The courtyard is open to  
 24 below for those units facing the interior of  
 25 the building. Once you get to the pool deck,

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1 it as -- to vacate the west portion of it,  
 2 grant the City an easement to turn it to the  
 3 north, and exit onto Valencia.

4 The open space, it's well-established we  
 5 far exceed everything that the City Code  
 6 requires. Obviously, a lot of that has to do  
 7 with the park, but that is not the only thing  
 8 that we are relying on. Our courtyard, if you  
 9 are familiar with the building at the Sofia,  
 10 this courtyard is approximately twice the size,  
 11 maybe a little less, but right in that  
 12 ballpark. There's much more green space on the  
 13 west side of this building than there is at the  
 14 Sofia or 2020 Salzedo. And all of this, we  
 15 would like admitted, just to show compliance  
 16 with the Zoning Code.

17 Our ground floor plan for a Mixed-Use down  
 18 at the bottom of that screen, on the bottom  
 19 left-hand corner, we have approximately a 5,000  
 20 square foot restaurant. As you move north, we  
 21 have a co-working space, that can be used by  
 22 both, the residents of the building and any  
 23 guest that come in from the outside. The  
 24 entrance, as you go further north, some inner  
 25 office -- inner building logistical areas, and,

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1 we have two pools, a lap pool and a regular  
 2 pool, cabanas throughout, green space, as well  
 3 as a fitness center and a clubhouse on the pool  
 4 deck.

5 As you go up the tower, eight through  
 6 thirteen, again, much larger units than are  
 7 currently on the market. To put it in  
 8 perspective, the Sofia has an average of 950  
 9 square foot units and it's 200 and some odd  
 10 units. The smallest unit in this building is  
 11 in the neighborhood of 1,300 feet, the largest  
 12 being in the neighborhood of about 10,000  
 13 square feet.

14 As we go up to the higher floors, as the  
 15 last floor of the step backs, these two patios  
 16 here would have above ground gardens, would  
 17 have a yoga area, outdoor barbecues, a Zen  
 18 garden and other amenities that would service  
 19 the higher floors, starting at floor fourteen,  
 20 fifteen through seventeen -- fourteen through  
 21 the penthouse, or what we call the sky homes.  
 22 At the moment -- and as I told you -- we're  
 23 asking for 174 units. That is very much up to  
 24 174. At the moment, some of these floors -- at  
 25 least one of them, for sure, and probably two,

1 aside from the penthouse, will be one unit per  
 2 floor. So that floor plate is in the  
 3 neighborhood of 10,000, 11,000 square feet.  
 4 The goal of this building, and this is why  
 5 I was saying I didn't -- I don't think  
 6 hyperbolically that this isn't something found  
 7 -- when we talk about right sizing, how we're  
 8 putting it is what some people mistakenly, I  
 9 think, call downsizing. If you have an eight,  
 10 9,000 square foot house, on an acre and a half,  
 11 on the water, you're not moving into a 1,300  
 12 square foot apartment. I lived in a 1,300  
 13 square foot apartment. I loved it. I didn't  
 14 have that house.  
 15 If we can get these people to get out of  
 16 those homes that they may no longer need, the  
 17 kids are gone, they're advancing in age, and  
 18 get into -- this is a rental building, this is  
 19 not a condo. This will be professionally  
 20 managed. This is not going to be managed by a  
 21 condo association, with potential conflicts and  
 22 everything else. This is a professionally  
 23 managed building, that something -- that now is  
 24 a right touch. It's something that you do see  
 25 in other cities. It's something you see in

1 to the north and the south. The image that you  
 2 see on the left of your screen, the reason  
 3 there's a dog there is because that would be a  
 4 dog spa for the building, not a retail dog spa.  
 5 It would be one managed by the building. So  
 6 we're able to not only put in a covered paseo,  
 7 but actually be able to activate it, as well,  
 8 with building amenities that would also be  
 9 available to the general public.  
 10 And I took you through that, just in  
 11 respect for your time, but I know that this  
 12 Board typically is engaged and has questions,  
 13 so obviously I am happy to answer any that you  
 14 may have.  
 15 CHAIRMAN AIZENSTAT: Thank you.  
 16 What I want to do, just, Jill, let me ask  
 17 you a question, how many people do we have on  
 18 Zoom that want to speak?  
 19 THE SECRETARY: We have two, but they  
 20 haven't indicated they wish to speak.  
 21 CHAIRMAN AIZENSTAT: Okay. Let's go ahead  
 22 and wait a little bit, then, to close. So does  
 23 anybody have any questions of --  
 24 MR. WITHERS: I do.  
 25 CHAIRMAN AIZENSTAT: Could you turn your

1 cities like New York, where you have the large  
 2 penthouses, you have the larger units, that I'm  
 3 simply not aware of here, to this level, and  
 4 certainly not in a rental -- in the rental  
 5 market.  
 6 And, then, obviously, the penthouse, being  
 7 the last floor, and I think that plate is about  
 8 8,000 square feet, with balconies on both  
 9 sides.  
 10 Again you've seen the renderings of the  
 11 building. We've addressed the issues, as Ramon  
 12 mentioned. We have gotten approval from the  
 13 Board of Architects not only for the  
 14 Mediterranean Bonuses, but also for design. A  
 15 lot of that -- a lot of the changes that they  
 16 had us do are here and we sincerely believe  
 17 that a lot of those comments made it a better  
 18 project.  
 19 From the front, from the street, to show  
 20 the activation, this is looking to the north,  
 21 along the loggia on Salzedo, that would be the  
 22 restaurant. Looking to the south, the  
 23 interruption that you see is the lobby going  
 24 in. The loggia goes around it, and the paseo,  
 25 on the east side of the building, looking both,

1 mike on, please?  
 2 MR. WITHERS: So how does the park swap  
 3 work? Obviously, that's counted in that 25  
 4 percent PAD requirement.  
 5 MR. JIMENEZ: It's not a swap. It's not a  
 6 swap. It's a gift.  
 7 MR. WITHERS: I'm sorry, either one. I  
 8 don't care who answers.  
 9 MR. TRIAS: Yeah, Mr. Withers --  
 10 MR. WITHERS: Because you mentioned that --  
 11 I thought you said that it helped with  
 12 compliance on the green space.  
 13 MR. JIMENEZ: It does help with compliance  
 14 on the green space. A PAD, under the City  
 15 Code, is permitted to have multiple ownership.  
 16 MR. WITHERS: Right.  
 17 MR. JIMENEZ: So that park is part of the  
 18 PAD.  
 19 MR. WITHERS: Right.  
 20 MR. JIMENEZ: And we will deed it to the  
 21 City to be managed municipally, programmed  
 22 municipally. It will just always be deed  
 23 restricted to be part of the PAD.  
 24 MR. TRIAS: Mr. Chairman -- I'm sorry,  
 25 Mr. Withers, the Condition of Approval will

1 have to be updated --  
 2 MR. WITHERS: Okay. Okay. That was my  
 3 question. Okay. I got that squared away.  
 4 Okay. So the City will -- they'll be some  
 5 kind of deed restricting -- unless the City  
 6 releases you from that requirement, that park  
 7 will belong to the City, but it will be  
 8 controlled, because it's inside the PAD, by  
 9 some kind of warranty deed or --  
 10 MR. JIMENEZ: To put it on the record,  
 11 Mr. Withers, Mercedes --  
 12 MR. WITHERS: Right.  
 13 MR. JIMENEZ: -- the Ussery family and the  
 14 current Mercedes ownership are the ones that  
 15 sold us that site.  
 16 MR. WITHERS: Okay.  
 17 MR. JIMENEZ: On the condition that it be  
 18 deed restricted for a park. So it's not  
 19 something that we can even restrict. They  
 20 wanted -- they're happy to donate something to  
 21 the City --  
 22 MR. WITHERS: Okay. So that was part of  
 23 that deal.  
 24 MR. JIMENEZ: -- but it's a park. It's a park.  
 25 MR. WITHERS: Okay. So did we ever look at

1 THE SECRETARY: No. They have not  
 2 requested to speak.  
 3 CHAIRMAN AIZENSTAT: So having nobody -- we  
 4 don't have anybody in Chambers that wants to  
 5 speak, so at this time I'm going to go ahead  
 6 and close it for public comment, and open it up  
 7 to the Board.  
 8 MR. TORRE: I had a couple of questions --  
 9 CHAIRMAN AIZENSTAT: Venny. Sure.  
 10 MR. TORRE: -- just to understand it a  
 11 little bit more.  
 12 So I'm happy with your project and I think  
 13 it's a great asset and I appreciate what you've  
 14 done. It's really well done.  
 15 MR. JIMENEZ: Thank you.  
 16 MR. TORRE: A couple of things, just to  
 17 make sure that the future -- and I know you  
 18 have it all figured out. One thing, the dog  
 19 spa, as you walk through, is this for an  
 20 amenity to the building or is it for lease to  
 21 the public, the dog spa?  
 22 MR. JIMENEZ: The plan right now is to have  
 23 sort of like an amenity to the building that  
 24 also takes clients, and as this Board is much  
 25 more aware than I am, sometimes you come in

1 making Valencia two ways instead of one way?  
 2 MR. TRIAS: Some of us have, yes.  
 3 MR. WITHERS: I mean, does it make sense?  
 4 I mean, as that develops --  
 5 MR. TRIAS: I believe it does, but it takes  
 6 some studying to implement it, yes.  
 7 MR. WITHERS: Okay.  
 8 MR. TRIAS: The long-term vision should be  
 9 two-way everywhere.  
 10 MR. WITHERS: Because it keeps people --  
 11 because otherwise you're going Andalusia,  
 12 Valencia and just making a loop and then  
 13 around.  
 14 MR. TRIAS: Yes.  
 15 MR. WITHERS: I think it creates more  
 16 traffic probably on Salzedo and on Ponce, I  
 17 guess.  
 18 MR. TRIAS: That's a very good point, yes.  
 19 MR. WITHERS: I was just -- okay. That's  
 20 all I have.  
 21 MR. JIMENEZ: It's not part of my  
 22 application, but I understand.  
 23 MR. WITHERS: Okay.  
 24 CHAIRMAN AIZENSTAT: Jill, is there anybody  
 25 that wants to speak tonight for this item?

1 here with aspirational goals and the market  
 2 simply doesn't allow it. So that is the plan  
 3 now, because we do want to provide -- and we've  
 4 done dog spa areas in less luxurious buildings,  
 5 for lack of a better word, I'm sorry, that's  
 6 sort of a do it yourself, and here we'd like to  
 7 maybe almost provide it, at a cost to the  
 8 residents, but also be able to supplement that  
 9 with service to the public, in general, for  
 10 certain services.  
 11 It's a goal, which is why we've activated  
 12 it somewhat, and in working with Ramon, at the  
 13 beginning of this process, we wanted to try to  
 14 activate that anyway.  
 15 MR. TORRE: Uh-huh.  
 16 MR. JIMENEZ: There wasn't the space to do  
 17 it fronting Almeria, so we were able to sort of  
 18 do it that way, sort of on the way that the  
 19 breezeway between the garage and Miracle Mile,  
 20 where the mobility hub is going to go, is sort  
 21 of activated -- you know that barber shop that  
 22 used to be there, and a few other things that  
 23 have been in there, but not something that  
 24 requires constant pedestrian traffic, because  
 25 you're probably not going to get it.



1 MR. TORRE: And the area in front looks  
 2 like a double -- looks like a ramp, a double  
 3 ramp. What is the purpose of that particular  
 4 slot?  
 5 MR. JIMENEZ: It's the ramp into the garage.  
 6 MR. TORRE: Into?  
 7 MR. JIMENEZ: It's the garage.  
 8 MR. TORRE: That goes down or it goes up?  
 9 The one in front of the dog spa is the ramp?  
 10 It looks like --  
 11 MR. JIMENEZ: If you turn it -- I'm sorry,  
 12 that's the ramp up into the garage.  
 13 MR. TORRE: Okay. I couldn't figure that  
 14 one out.  
 15 CHAIRMAN AIZENSTAT: Jill, sorry to  
 16 interrupt, but I'd like to make a note that  
 17 Mr. Revuelta has joined us.  
 18 THE SECRETARY: It's noted.  
 19 CHAIRMAN AIZENSTAT: Thank you.  
 20 MR. BUCELO: This will probably be the  
 21 simplest question of the night, in regards to  
 22 parking for the restaurant, is it simply  
 23 valet --  
 24 MR. JIMENEZ: Yes.  
 25 MR. BUCELO: -- is there guest parking?

1 example, we have an office that goes the entire  
 2 length of the ground floor, almost, along west  
 3 on Minorca. There's one entrance to that, and  
 4 then it's window, window, window, window. It  
 5 satisfies -- it's all office. We would design  
 6 this so that the pedestrian experience feels  
 7 like that would be what it is, but we are  
 8 planning certain doors, both, so that if  
 9 anybody's using that theater, because they've  
 10 got a big enough TV upstairs, like a lot of  
 11 people do, or whatever, hey, maybe it is a way  
 12 to activate the space more.  
 13 But from the pedestrian point of view,  
 14 there would be no difference if that were a  
 15 full on office as opposed to resident  
 16 amenities.  
 17 CHAIRMAN AIZENSTAT: Venny, are you --  
 18 MR. TORRE: That's it. Thank you.  
 19 (Simultaneous speaking.)  
 20 MR. WITHERS: Yes. So I'm in the  
 21 transportation business, and I'm trying to  
 22 figure out how you're going to get anything  
 23 larger than a box truck into the loading dock  
 24 here.  
 25 MR. JIMENEZ: Huh --

1 Simply valet?  
 2 MR. JIMENEZ: Yes. It would be valet,  
 3 which is why we wanted to do such a large valet  
 4 area internalized, that not only could it stack  
 5 around that circle, but we've put parking in  
 6 there, just in case valet is busy, they can  
 7 store and avoid the queue to come out onto  
 8 Almeria, so -- because we noticed that that was  
 9 an issue when we had valet at Bachour, that it  
 10 was just that three parking space ramp. So  
 11 this would be able to hold ten, twelve,  
 12 thirteen cars.  
 13 CHAIRMAN AIZENSTAT: Venny, were you done?  
 14 MR. TORRE: I have one more question.  
 15 CHAIRMAN AIZENSTAT: Sorry.  
 16 MR. TORRE: So the areas in the Valencia  
 17 side that are, I guess, amenities, theater,  
 18 library, rooms, could those -- I'm sure you  
 19 have these as amenities, as I described, could  
 20 these be, in the future, turned the other way,  
 21 to become activated as cafes or anything or is  
 22 that something you really don't want to do?  
 23 MR. JIMENEZ: It absolutely could, and  
 24 obviously the market's going to dictate a lot  
 25 of things. In our current office building, for

1 MR. WITHERS: I mean, you're not going to  
 2 be able to get tractor-trailers or --  
 3 MR. JIMENEZ: Well, we don't --  
 4 MR. WITHERS: -- to move people in and out  
 5 or daytime deliveries --  
 6 MR. JIMENEZ: No, a moving truck could,  
 7 and, again, having lived in the Sofia myself  
 8 and been there on weekends and been there  
 9 during the week, because I also work in the  
 10 building, that loading dock doesn't hold a  
 11 tractor-trailer, either.  
 12 MR. WITHERS: No. No. I'm trying to  
 13 figure out, what's the access? How do you get  
 14 into that? You come off of Valencia --  
 15 MR. JIMENEZ: Into the loading dock? You  
 16 would come in from the alley, and then, as you  
 17 are going out to Valencia, you would back it  
 18 out, but you're right, a tractor-trailer would  
 19 never get in.  
 20 MR. WITHERS: Yeah, it's not going to make  
 21 it. So the alley is going to come off of --  
 22 you're saying you're going to come down the  
 23 alley with a truck?  
 24 MR. JIMENEZ: I wouldn't --  
 25 tractor-trailers --

1 MR. WITHERS: No.  
 2 MR. JIMENEZ: Tractor-trailers don't go  
 3 down the alleys in Coral Gables usually, in my  
 4 experience.  
 5 MR. WITHERS: Yeah.  
 6 MR. JIMENEZ: But a box truck and moving  
 7 trucks, because -- and I can tell you that the  
 8 loading dock at the Sofia is actually lower  
 9 than -- if you bring in too big of a moving  
 10 truck, it won't fit. The auto turn that we run  
 11 here, that Public Works has been very diligent  
 12 in making sure that this is a functioning  
 13 alley -- and remember something, the alley on  
 14 the other side is actually -- I think ours, on  
 15 the west side, the one that we're proposing, is  
 16 actually easier to get in and out of than the  
 17 existing alley on the east side that "Ts",  
 18 because it doesn't go straight out to Ponce.  
 19 This alley "Ts."  
 20 So the condition also lends itself to maybe  
 21 a little bit smaller trucks, because they can't  
 22 get in anyway.  
 23 MR. WITHERS: No, it shows a 25-foot truck.  
 24 MR. JIMENEZ: Uh-huh.  
 25 MR. WITHERS: I guess, how big are the --

1 and those two gray rooms that are directly west  
 2 of the --  
 3 MR. WITHERS: I'm looking at A-3. Which  
 4 one are you looking at?  
 5 MR. JIMENEZ: Yes, I'm looking at A-3, as  
 6 well.  
 7 MR. WITHERS: Okay.  
 8 MR. JIMENEZ: So if you go directly west --  
 9 if you were a parked truck in the loading  
 10 dock --  
 11 MR. WITHERS: Right.  
 12 MR. JIMENEZ: -- directly west of that --  
 13 MR. WITHERS: Right.  
 14 MR. JIMENEZ: -- you'll see two rooms.  
 15 MR. WITHERS: Right.  
 16 MR. JIMENEZ: That's the dumpster. That's  
 17 the garbage room.  
 18 MR. WITHERS: Right. Okay. So are those  
 19 little white things the dumpsters?  
 20 MR. JIMENEZ: Yes.  
 21 MR. WITHERS: Okay. So to get to that, you  
 22 have to take them out of that door and across  
 23 that surface and then onto the loading dock,  
 24 right?  
 25 MR. JIMENEZ: Yes.

1 how big are the Waste Management trucks that  
 2 get in there? Do we know?  
 3 MR. JIMENEZ: These are specifically --  
 4 this alley is specifically designed and  
 5 approved by Public Works to accommodate both, a  
 6 fire engine and Waste Management truck. Those  
 7 are their -- those are their standards.  
 8 MR. WITHERS: I'm looking at the resident  
 9 trash, is that where the dumpsters are going to  
 10 be?  
 11 MR. JIMENEZ: Yes. The Waste Management  
 12 truck would go into the loading dock, yes.  
 13 MR. WITHERS: So where is the dumpster  
 14 going to be located, and where is the -- I  
 15 mean, it's great that it's all interior and  
 16 you're not going to hear the clanging and the  
 17 banging and beeping and stuff like that, but  
 18 I'm just curious to know where the actual  
 19 dumpsters are located.  
 20 MR. JIMENEZ: Sure. So --  
 21 MR. WITHERS: Are all of these little white  
 22 things the dumpsters?  
 23 MR. JIMENEZ: Yes. Yes.  
 24 MR. WITHERS: Okay.  
 25 MR. JIMENEZ: So that little yellow room

1 MR. TORRE: So you're really not going to  
 2 have any kind of a big trash compactor in  
 3 there? You're just going to have --  
 4 MR. JIMENEZ: Those -- we have a compactor.  
 5 That's the bottom of the chute, it compacts,  
 6 and then it gets rolled up.  
 7 MR. WITHERS: Okay.  
 8 MR. JIMENEZ: That's how we operate our  
 9 current building.  
 10 MR. WITHERS: So the deliveries for the  
 11 restaurant and the other amenity areas are  
 12 going to be by the central loading dock here?  
 13 MR. JIMENEZ: It would be there, and, then,  
 14 if you see, there's a hallway that runs  
 15 essentially completely down the middle --  
 16 MR. WITHERS: Yeah.  
 17 MR. JIMENEZ: -- north to south --  
 18 MR. WITHERS: Yes.  
 19 MR. JIMENEZ: -- that is a covered --  
 20 MR. WITHERS: Yeah.  
 21 MR. JIMENEZ: -- and blocked hallway and  
 22 that would go straight to the back of the  
 23 restaurant.  
 24 MR. WITHERS: So that trash chute at the  
 25 other service corridor, I guess they're going

1 to wheel the dumpsters down that service  
 2 corridor to pick them up, I guess, or --  
 3 MR. JIMENEZ: Yes, sir.  
 4 MR. WITHERS: Okay. How about the folks  
 5 that want to be dropped off on Salzedo to come  
 6 through the foyer entrance there?  
 7 MR. JIMENEZ: What we are proposing, and  
 8 there's a back and forth -- we would like to  
 9 recreate the condition on Salzedo, on this  
 10 block, that exists on every block to the south  
 11 and many, many blocks to the north, including  
 12 across the street. Right now, Salzedo, on this  
 13 block, is the first time that Salzedo  
 14 northbound is two lanes.  
 15 MR. WITHERS: Right in front of the Post  
 16 Office there.  
 17 MR. JIMENEZ: Before.  
 18 MR. WITHERS: I understand. I know where  
 19 we're talking about.  
 20 MR. JIMENEZ: All right. 'Cause you  
 21 have --  
 22 MR. WITHERS: I know. I'm following.  
 23 MR. JIMENEZ: Right.  
 24 MR. WITHERS: Okay.  
 25 MR. JIMENEZ: So what we would like to do

1 is take that second lane --  
 2 MR. WITHERS: And make it a --  
 3 MR. JIMENEZ: -- and make it bulb-outs,  
 4 green space, street beautification, and parking  
 5 spaces. We do not want it for our building.  
 6 MR. WITHERS: I mean, that sounds  
 7 reasonable. I don't know how the City feels --  
 8 MR. TRIAS: It sounds reasonable, and the  
 9 final design has to be prepared. It hasn't  
 10 been done yet.  
 11 MR. JIMENEZ: So we are in discussion with  
 12 Public Works about it. Because a traffic study  
 13 is not required for this project, because we  
 14 are not increasing our peak trips by fifty. We  
 15 do -- they may very well want a traffic study  
 16 to show that this can work, given that it's one  
 17 street that goes for two blocks --  
 18 MR. TRIAS: You can make recommendations on  
 19 that and I think it will be helpful, because  
 20 the final design is still --  
 21 MR. WITHERS: It just seems practical to  
 22 me.  
 23 MR. TRIAS: Sure.  
 24 MR. TORRE: Are these the bulb-outs you  
 25 show here now? You show them, right?

1 MR. JIMENEZ: We do. We show them.  
 2 MR. TRIAS: The way I would describe them  
 3 is that they're a placeholder and the final  
 4 design is still being worked out. So any  
 5 recommendations, any ideas that you have, I  
 6 think now is the time.  
 7 MR. WITHERS: The last question, so how  
 8 does the valet park the car? I'm assuming you  
 9 drop it in the drop-off area, right?  
 10 MR. JIMENEZ: Uh-huh. It would be a left  
 11 onto Almeria and a left back into the building.  
 12 MR. WITHERS: It would be a left on  
 13 Almeria --  
 14 MR. JIMENEZ: So once you come out of that  
 15 circle --  
 16 MR. WITHERS: Right.  
 17 MR. JIMENEZ: -- to the south --  
 18 MR. WITHERS: And then another -- and then  
 19 another --  
 20 MR. JIMENEZ: A left and a left.  
 21 MR. WITHERS: So you're going across -- oh,  
 22 I got you. And then a left into the parking  
 23 garage where Venny was talking about.  
 24 MR. JIMENEZ: Yeah. If Valencia, whenever,  
 25 would become two ways, and traffic were to

1 increase, they would go around the block.  
 2 MR. WITHERS: Yeah. Yeah. Go it. Okay.  
 3 It's a nice project.  
 4 MR. JIMENEZ: Thank you very much.  
 5 CHAIRMAN AIZENSTAT: Thank you, Chip.  
 6 Claudia.  
 7 MS. MIRO: My question was also on parking,  
 8 and thank you for asking the follow-up valet  
 9 question. So how many units do you have in  
 10 this building?  
 11 MR. JIMENEZ: We are asking for approval of  
 12 up to 174. We are probably going to wind up at  
 13 south of 150.  
 14 MS. MIRO: And you had mentioned, how many  
 15 parking spaces per unit would be allocated?  
 16 MR. JIMENEZ: At least two, but we're way  
 17 overparked here from required.  
 18 MS. MIRO: I'm sorry?  
 19 MR. JIMENEZ: There is at least two, but we  
 20 are incredibly overparked here from required,  
 21 because then we have the valet.  
 22 She is going to get me the exact count and  
 23 I'll let you know exactly how many we have.  
 24 MR. TRIAS: There were 389.  
 25 MR. BUCELO: And guests for the residents

1 would also valet or do they have their own --  
 2 MR. JIMENEZ: Yes. Guests for the  
 3 residents would valet. This would be -- we  
 4 would like to keep that garage secured, so it  
 5 would be valet.  
 6 MS. MIRO: Thank you.  
 7 MR. JIMENEZ: Thank you.  
 8 CHAIRMAN AIZENSTAT: Any other question?  
 9 Mr. Coller, could you -- since this is a  
 10 quasi-judicial meeting and Luis came late,  
 11 would you give an explanation to the Board as  
 12 to what the procedure would be, and so forth,  
 13 at this time, please?  
 14 MR. COLLER: Yes, I've already advised the  
 15 member that because he wasn't here from the  
 16 beginning of the hearing, because this is  
 17 quasi-judicial, that he can't participate in  
 18 this hearing and vote on it, and he understands  
 19 that. That is different from had this been a  
 20 legislative item, then you're not -- then you  
 21 don't have the same requirements, but in a  
 22 quasi-judicial item, which this is, you do have  
 23 to be here from the beginning of the hearing --  
 24 the beginning of the testimony.  
 25 CHAIRMAN AIZENSTAT: When you say he can't

1 he need to be excused from the meeting --  
 2 MR. COLLER: Well, he doesn't have a  
 3 conflict, so he doesn't need to be excused.  
 4 CHAIRMAN AIZENSTAT: Okay.  
 5 MR. COLLER: But I've spoken with the City  
 6 Attorney and she says the member should not  
 7 participate.  
 8 CHAIRMAN AIZENSTAT: Okay. It's the first  
 9 time that I've seen it and that's why I'm  
 10 asking.  
 11 MR. COLLER: Right. And so I had reminded  
 12 you, in case this occurs in the future, if we  
 13 have a situation where we have a quasi-judicial  
 14 hearing and it gets continued over to the next  
 15 meeting, and one of you were not here, you need  
 16 to read the transcript --  
 17 CHAIRMAN AIZENSTAT: Correct.  
 18 MR. COLLER: -- so that at the next meeting  
 19 I will ask you, "Did you have an opportunity to  
 20 read the transcript," hopefully you will say,  
 21 "Yes," and then I will say, "Then you can  
 22 participate, because you were -- although you  
 23 weren't present at that meeting, you did read  
 24 the entire transcript and can participate," and  
 25 we've actually had this happen at the Board

1 participate, can he ask questions, can I call  
 2 on him?  
 3 MR. COLLER: Actually, I spoke with the  
 4 City Attorney and her -- she says he really  
 5 should not participate or in any way influence  
 6 the proceedings.  
 7 CHAIRMAN AIZENSTAT: And the last question  
 8 on that from me is, seeing as he is the only  
 9 architect here today, if any of us have any  
 10 questions, then we cannot ask him?  
 11 MR. COLLER: I think you have to rely on  
 12 your own knowledge --  
 13 CHAIRMAN AIZENSTAT: Okay.  
 14 MR. COLLER: -- and within the members of  
 15 the Board.  
 16 MR. REVUELTA: Can I make a statement or  
 17 that would be --  
 18 MR. COLLER: Well, I think the preference  
 19 is that you not participate, since you weren't  
 20 here from the beginning. Obviously, the rest  
 21 of the agenda -- and some of the items on the  
 22 rest of the agenda are purely legislative. Had  
 23 we done those first, then there wouldn't have  
 24 been a problem, but --  
 25 CHAIRMAN AIZENSTAT: So, in that case, does

1 from time to time.  
 2 MR. REVUELTA: Is it appropriate if I ask  
 3 you a question?  
 4 MR. COLLER: A general question, not  
 5 relating to this item? Sure.  
 6 MR. REVUELTA: It's a joke. This is the  
 7 205 feet 6 and a half inches building, right?  
 8 MR. COLLER: Okay.  
 9 CHAIRMAN AIZENSTAT: Thank you.  
 10 A couple of questions, were you --  
 11 MS. MIRO: I just want to ask one more  
 12 question that just came to mind. I know that  
 13 you mentioned earlier that the smallest unit  
 14 was going to be about roughly 900 square feet.  
 15 MR. JIMENEZ: No. The average unit in the  
 16 Sofia is 950. The smallest unit here is in the  
 17 neighborhood of 1,200 to 1,300.  
 18 MS. MIRO: 1,200 to 1,300, and the largest,  
 19 you said, was 10,000?  
 20 MR. JIMENEZ: Yeah, approximately.  
 21 MS. MIRO: Thank you.  
 22 MR. TORRE: One follow-up after you.  
 23 CHAIRMAN AIZENSTAT: Sure. Go ahead,  
 24 Venny.  
 25 MR. TORRE: Okay. My thought is that, one

1 suggestion, and you may have thought about it  
2 is, if you can provide a grease trap for the  
3 north side, including, you know, even that  
4 corner, in the future things change and then  
5 you don't have to come back. We're doing that  
6 in another property. So I'd like to see this  
7 activation happen. In the future, as things  
8 progress, you may want to do that.

9 MR. JIMENEZ: And the way that we have it  
10 here is that our grease trap is actually in the  
11 loading dock. So it actually wouldn't be hard  
12 to run a grease trap to that site and then have  
13 it come out on the loading dock, which is  
14 probably where we're going to run this one  
15 anyway. So I will bring it up, because it  
16 actually -- you never know.

17 MR. TORRE: Better now than never.

18 MR. JIMENEZ: You never know, and I don't  
19 want to put in a grease trap later on. So,  
20 thank you, that's actually --

21 CHAIRMAN AIZENSTAT: A couple of questions,  
22 comments, and so forth.

23 When we were here for this area, we did go  
24 to 205.6.

25 MR. TRIAS: Yes, sir.

1 habitable. Maybe that wasn't explained clearly  
2 enough, but --

3 CHAIRMAN AIZENSTAT: Okay.

4 MR. JIMENEZ: Unless Ramon corrects me,  
5 even without that Ordinance, this tower doesn't  
6 even come close to the tallest tower in  
7 Downtown.

8 MR. TRIAS: Right. Right.

9 CHAIRMAN AIZENSTAT: No, I understand.

10 MR. JIMENEZ: So we could do this tower  
11 without that Ordinance. It was the habitable  
12 space that we wanted.

13 MR. TRIAS: Right.

14 CHAIRMAN AIZENSTAT: The other question  
15 that I have is, for me, having served, you  
16 know, a long time, at different interims, on  
17 the Board, this is actually the first project  
18 that I'm seeing with a garage that's on the  
19 side, as opposed to a pedestal.

20 MR. TRIAS: The Sofia was the same, and you  
21 were on the Board.

22 CHAIRMAN AIZENSTAT: In this type?

23 MR. TRIAS: Yes, sir.

24 CHAIRMAN AIZENSTAT: It didn't stand out  
25 like this does to me.

1 CHAIRMAN AIZENSTAT: When I'm seeing this  
2 come in at the project, to the top, it's 239.8.  
3 I understand that the tower is the difference,  
4 but we're now at 239, 8 inches. Can you  
5 explain how that's okay based on what we did?

6 MR. TRIAS: Yes, sir. The height in the  
7 Downtown is measured to the top of the  
8 habitable floor. So what happens is that, the  
9 top of the habitable floor is 204, 6 inches.

10 In addition, the Med Bonus allows non-habitable  
11 decorative towers and other features. So  
12 that's allowed already. And the height is not  
13 unusual, actually, what's being proposed.

14 CHAIRMAN AIZENSTAT: I think, when we were  
15 discussing this, actually, one of the  
16 statements, if I recall, that I made or a  
17 question we made was, when we were doing --  
18 there was discussion between 200, 205 feet 6  
19 inches and so forth, and the 5 feet didn't make  
20 a difference, but I think there was a question  
21 that was raised at some point, that was, that  
22 includes all of the bonuses, the towers and so  
23 forth? And my understanding or my impression  
24 was that it did.

25 MR. TRIAS: No, sir. That was simply the

1 MR. TRIAS: Same developer, by the way.  
2 Same developer.

3 MR. JIMENEZ: The east elevation of this  
4 building is actually nicer -- I'm sorry to the  
5 current owners of the Sofia, I don't mean to  
6 insult you, really, 'cause we've sold that  
7 building, but when we went to the Board of  
8 Architects, we went with essentially our same  
9 east elevation for that -- in that case, it's  
10 the west elevation, and they had us do more  
11 work to it, but that garage runs from Navarre  
12 to Minorca right up against the hotel parking  
13 lot. It's an almost identical --

14 MR. TRIAS: But it's a very good  
15 observation. It's a very good feature, very  
16 unusual.

17 CHAIRMAN AIZENSTAT: Yeah.

18 Can you talk about how you're doing your  
19 protection, in other words, not to see the  
20 garage or to make it blend in more?

21 MR. JIMENEZ: Yes. And we've -- that was  
22 also one of the comments from the Board of  
23 Architects, and I think that screen will be  
24 evolving.

25 CHAIRMAN AIZENSTAT: Okay.

1 MR. JIMENEZ: We've gone to the Board of  
 2 Architects three times. The first -- let's not  
 3 count the first time, because there was a  
 4 miscommunication there, but the second time,  
 5 they brought up the screening. We worked on  
 6 it. We came back. We showed them different  
 7 examples of screens that we liked and screens  
 8 that we were going to try to emulate, and as  
 9 you all are more aware than me, the Board of  
 10 Architects is an evolving -- as we finalize  
 11 that plan, they will go approving or  
 12 disapproving, but we have a general approval  
 13 for what we're looking to do, based on things  
 14 that have already been done elsewhere and our  
 15 rendering.

16 CHAIRMAN AIZENSTAT: Also, just a comment  
 17 on the Mediterranean Bonuses. This is actually  
 18 one of the first times that I've seen a  
 19 building that doesn't have any tile on the roof  
 20 or so forth. To me, I like that, because it  
 21 makes no sense -- it's a discussion that we've  
 22 had -- to put tile at 200 feet or to put tile  
 23 at 190 feet. And I just think that, that  
 24 process needs to be carried throughout the  
 25 City, in all projects, not just, you know, one

1 address that, that just because you don't do  
 2 what everybody else did doesn't mean you didn't  
 3 legally meet it, and we did.

4 CHAIRMAN AIZENSTAT: Understood. That's  
 5 the comment I wanted to make, so it's on the  
 6 record.

7 Did you look, when designing this building,  
 8 at trying to step back at certain points for  
 9 the building, from the sidewalk or from the  
 10 main street, as opposed to going vertical or  
 11 how did you come to the determination --

12 MR. JIMENEZ: We did, and we went with what  
 13 the Code suggested. The step backs aren't as  
 14 pronounced in the front, but the way we looked  
 15 at it was, there is a huge step back from --  
 16 when you get out of your car or when you're  
 17 walking, there's not only the sidewalk, there's  
 18 the arcade, and we can point you to our  
 19 building. So, at that level, where there's a  
 20 covered arcade right at street level, as you  
 21 get out of your car, as you're walking down the  
 22 street, you're not going to notice the rest of  
 23 that, it was our opinion.

24 So we took it in, at the most impactful  
 25 place, for the people that are going to be

1 project or two projects.

2 MR. TRIAS: Sure.

3 MR. JIMENEZ: And I'm glad you mentioned  
 4 that, because so far -- knock on wood -- the  
 5 only, only, opposition that we've had to this  
 6 is one person who submitted a letter to the  
 7 Board of Architects saying this wasn't  
 8 Mediterranean, and if you look through the  
 9 Mediterranean Code, and you don't -- I'm sorry  
 10 Mr. Revuelta is not able to participate and  
 11 Mr. Behar isn't here, because architects are  
 12 valuable to it, but there is the Board of  
 13 Architects, but the Code allows Mediterranean  
 14 Bonus, given the objective meeting of certain  
 15 criteria, and there's a cheap way to meet that  
 16 criteria and there is a not cheap way to meet  
 17 that criteria, and sometimes it doesn't go.

18 For example, it also doesn't give you bonus  
 19 points for exceeding the minimum criteria,  
 20 with, let's say, pavers or natural stone, which  
 21 this building does. So that just was not the  
 22 way we chose to do it. You don't have to meet  
 23 them all. You have to meet a certain number,  
 24 of a certain number, and that was not --  
 25 because we agree with you, but I do want to

1 there. So as you see it from a distance, where  
 2 the building literally does -- and there isn't  
 3 one up there, but if you look at it from either  
 4 the north or the south, it obviously moves  
 5 as --

6 CHAIRMAN AIZENSTAT: Correct, but not --  
 7 what I'm talking about is other projects or  
 8 other buildings that are going to be built  
 9 eventually around there, they're not going to  
 10 see that step back or that setback, and I'm  
 11 looking more at that.

12 MR. JIMENEZ: Understood, and if I had that  
 13 presentation, I would show it to you. There is  
 14 a lot more step back there than you initially  
 15 see in these renderings, because it was  
 16 exhaustively discussed at the Board of  
 17 Architects, because there is that -- and my  
 18 associate is an architect, so she can tell me  
 19 the word -- what is it?

20 Yes, so -- and I'm happy to admit it into  
 21 the record, if you'd like, but if you see the  
 22 different colors and -- and I will tender this  
 23 into the record, but if anybody wants to see  
 24 the video and see it, and it's part of your  
 25 submittal --

1 MR. TRIAS: It is part of the record, sir.  
 2 MR. JIMENEZ: A3.3.  
 3 CHAIRMAN AIZENSTAT: That was there, yes.  
 4 MR. JIMENEZ: So it does -- there is --  
 5 that was taken into consideration, from a  
 6 general -- I'm sorry to whoever turned the  
 7 camera, that I had it up, and now they've  
 8 zoomed in on me -- it may be subtle, but it is  
 9 there.  
 10 CHAIRMAN AIZENSTAT: Correct.  
 11 MR. JIMENEZ: And from a distance, what  
 12 you're seeing --  
 13 CHAIRMAN AIZENSTAT: I would like to see it  
 14 more from the front part.  
 15 MR. JIMENEZ: Okay. And that is something  
 16 that we will have -- okay, and whether that  
 17 could be done --  
 18 CHAIRMAN AIZENSTAT: It's just a comment.  
 19 The other question, the FAR that you are  
 20 getting on this is, what?  
 21 MR. TRIAS: Well, it's 4.375, as proposed  
 22 by the Applicant. We're still working on the  
 23 final details, but it's nothing beyond --  
 24 beyond what's reasonable in this area.  
 25 CHAIRMAN AIZENSTAT: So what is that, 3.5

1 the park across the street. Now, does the park  
 2 across the street allow you to have more FAR in  
 3 your building because of it or it has nothing  
 4 to do with it at all?  
 5 MR. JIMENEZ: Yes.  
 6 MR. TRIAS: It is part of the PAD project,  
 7 so all of that is used, yes, sir. Yes, sir.  
 8 CHAIRMAN AIZENSTAT: Okay. So that's used  
 9 into this building?  
 10 MR. JIMENEZ: It is.  
 11 CHAIRMAN AIZENSTAT: And how many square  
 12 feet are you getting based on the FAR? That's  
 13 a 10,000 square foot lot?  
 14 MR. JIMENEZ: Depending on the final  
 15 interpretation, anywhere between 35 or 43,750.  
 16 CHAIRMAN AIZENSTAT: Okay.  
 17 MR. TRIAS: So that is the only issue that  
 18 is still being discussed in detail. I don't  
 19 think it's significant enough for you to worry  
 20 about the approval.  
 21 CHAIRMAN AIZENSTAT: Okay. So what you're  
 22 saying is that this Site Plan can change?  
 23 MR. TRIAS: Slightly. Slightly. There's a  
 24 very minor discussion that's going on. I think  
 25 we're talking about, what, five, six thousand

1 plus TDRs?  
 2 MR. TRIAS: Plus the TDRs, yes, sir.  
 3 CHAIRMAN AIZENSTAT: Is that the way you  
 4 would --  
 5 MR. JIMENEZ: The maximum allowed TDRs  
 6 takes you -- it's 25 percent of allowed FAR,  
 7 with bonus, which equals .875, which equals  
 8 4.375.  
 9 CHAIRMAN AIZENSTAT: And the alley that's  
 10 being vacated, how much FAR are you getting  
 11 based on that vacation of the alley? Do you  
 12 have a calculation for that?  
 13 MR. TRIAS: I don't. The Applicant  
 14 probably does.  
 15 MR. JIMENEZ: I don't know the exact square  
 16 footage of the alley being vacated.  
 17 MR. TRIAS: Staff is going to look for it.  
 18 MR. WITHERS: Chip, did you have a comment?  
 19 MR. TRIAS: 6,000 times 4.375.  
 20 CHAIRMAN AIZENSTAT: So you're getting an  
 21 additional 26,250 square feet based on the  
 22 vacating of the alley?  
 23 MR. JIMENEZ: Yes, sir.  
 24 CHAIRMAN AIZENSTAT: Okay. So what benefit  
 25 does the City get? I understand they've got

1 square feet?  
 2 MR. JIMENEZ: Yeah, but it wouldn't change  
 3 with respect to the alley, curb cuts, design,  
 4 none of that would change.  
 5 MR. TRIAS: I mean, in terms of massing, in  
 6 terms of the design, in terms of any of that,  
 7 that wouldn't change, no.  
 8 MR. JIMENEZ: That wouldn't change. We're  
 9 talking about interior floor plans that we'd  
 10 have to get rid of some FAR.  
 11 CHAIRMAN AIZENSTAT: And you mentioned --  
 12 you made a note of it to say that it's a rental  
 13 building.  
 14 MR. JIMENEZ: Yes.  
 15 CHAIRMAN AIZENSTAT: Is that better, as  
 16 opposed to a condo? I'm just curious why --  
 17 I'm not asking the business sense of it. I'm  
 18 just asking, how does that make a difference in  
 19 the project, if it's a rental building or if  
 20 it's a condo project?  
 21 MR. JIMENEZ: No. No. And let me be  
 22 careful here, because I don't want to -- I  
 23 don't want to misspeak. I'll start with  
 24 Armando's joke, the only thing worse than  
 25 living in a building you built is living in a

1 condo building you built, because you've got a  
2 few hundred owners, and to the darkest part of  
3 what this becomes is, people don't necessarily  
4 vote in the best interest of the building, they  
5 vote in the best interest of themselves, things  
6 are not maintained. We all know where -- I  
7 think you know where I might be going with  
8 this.

9 There are a lot of exit ramps in between  
10 the tragedy that occurred in Sunrise --

11 CHAIRMAN AIZENSTAT: Of course.

12 MR. JIMENEZ: -- and badly maintained  
13 buildings, where the condo association simply  
14 doesn't pay the landscaper, doesn't do this. A  
15 professionally managed building doesn't have  
16 that -- doesn't have that conflict. It's, when  
17 you have a vacancy, you want to make sure the  
18 place is pretty, because you want to make sure  
19 -- and they're spending the money that they  
20 collect and they're paying their taxes and  
21 they're doing everything else, and it's  
22 professionally managed, not politically  
23 managed, sometimes. There are very good condo  
24 boards, there are some bad ones, and there are  
25 mediocre ones.

1 CHAIRMAN AIZENSTAT: Okay.

2 MR. JIMENEZ: So that's why we think, in  
3 our experience, and given the market as it is  
4 today, if you're going to downsize, right size,  
5 out of a two, three, four, five, ten, twelve  
6 million dollar house, you put that money in  
7 your estate, you deal with your estate  
8 planning, you rent and you never have to deal  
9 with anything again.

10 CHAIRMAN AIZENSTAT: Okay.

11 MR. JIMENEZ: It's a lifestyle choice, one  
12 that I used to live before I got re-married. I  
13 enjoyed it, 'cause it was very easy. There  
14 were no responsibilities and it was a nice way  
15 to be. It's a choice, and it's a choice that's  
16 provided, and when you want to leave, you  
17 leave. Your lease runs out and you're gone.

18 CHAIRMAN AIZENSTAT: Right. But whether  
19 it's a rental or a condo, it doesn't affect any  
20 of our decisions.

21 MR. JIMENEZ: It doesn't affect any of your  
22 decisions. I was saying it just to say --

23 CHAIRMAN AIZENSTAT: That's what I  
24 wanted -- okay.

25 MR. JIMENEZ: Yeah. Yes, sir.

1 CHAIRMAN AIZENSTAT: I mean, to me the main  
2 thing is that it's going to 239 feet. You  
3 know, when I looked at these plans, and I will  
4 tell you that, when I got this, this was the  
5 first time I've seen the project. I had not  
6 seen this project before. And I've seen some  
7 buildings that were built, that the Board  
8 approved -- and I will be very specific -- it's  
9 where the Deel Ford is, for example, that  
10 project that's built there.

11 MR. TRIAS: It's the Gables Station, you're  
12 thinking.

13 CHAIRMAN AIZENSTAT: It's where the living  
14 -- whatever it's called.

15 MR. TRIAS: Yeah. That's the name that it  
16 was at that time.

17 CHAIRMAN AIZENSTAT: And that thing is just  
18 not right for me.

19 MR. TRIAS: Yes.

20 CHAIRMAN AIZENSTAT: I think I actually  
21 voted against it, but either way, that building  
22 is just not right for me.

23 A concern I have is, the discussion that we  
24 had was at 205 feet. Mr. Codina is a great  
25 developer. The park is great. There's nothing

1 wrong with it. Just taking that about 40  
2 feet -- it's less than 40 feet, it could be 35  
3 feet, having that feature, to me, you're going  
4 past what we spoke about at the meeting where  
5 we said, all right, we're going to cap at 205-6  
6 or whatever it is.

7 I understand the roof line or the line of  
8 the property is 204 and change.

9 MR. TRIAS: And there's a tower in the  
10 middle and that's the only area that exceeds.

11 CHAIRMAN AIZENSTAT: Correct.

12 MR. JIMENEZ: Mr. Chair, just to be clear,  
13 that Ordinance aside, if this was 190.5, we are  
14 nowhere near the tallest building in the  
15 neighborhood. And to give you some  
16 perspective, we were actually at 230 and the  
17 Board of Architects made us take it up to 240  
18 and elongate the tower. So we actually came in  
19 a little lower.

20 CHAIRMAN AIZENSTAT: No, I understand that.  
21 It's just now you're coming in based on what we  
22 approved at the last meeting.

23 MR. JIMENEZ: But only for the 205. I  
24 didn't need that Ordinance for the 239.

25 CHAIRMAN AIZENSTAT: Okay. Right. But



1 that's where I'm having a hard time. I'm not  
 2 speaking for anybody else, any other members.  
 3 I'm just voicing what I'm seeing.  
 4 MR. TRIAS: Sure. I understand. I  
 5 understand.  
 6 CHAIRMAN AIZENSTAT: You know, and it makes  
 7 sense, the rental, all of that is great. The  
 8 park is amazing. Do you need to vacate the  
 9 alley? I don't know if you do. That would be  
 10 more for the Board of Architects' decision.  
 11 You know, I'd like to know -- my concern  
 12 would be, what benefit is the City getting or  
 13 the residents getting for the additional 26,250  
 14 square feet. I do see that for the 43,750  
 15 square feet, they're getting a park. So I do  
 16 see a benefit in that area.  
 17 You lived there and you specifically said  
 18 yourself, you know, just as a resident, that  
 19 would have been amazing to you. So I'm good  
 20 with that.  
 21 MR. TRIAS: But, Mr. Chairman, I wouldn't  
 22 underestimate the fact that they're doing a  
 23 courtyard in the middle, they're doing really  
 24 nice sidewalks. There are many benefits in  
 25 addition to the park, I believe.

1 the County, School and City.  
 2 I mean, to me, the screening is important  
 3 for the garage.  
 4 MR. JIMENEZ: Agreed.  
 5 CHAIRMAN AIZENSTAT: And a really clear  
 6 example to me is the screening that's being  
 7 done, for me, over where The Collection is  
 8 doing the Jaguar on US-1 right next to the  
 9 building we just discussed.  
 10 MR. TRIAS: Sure.  
 11 MR. JIMENEZ: That's one you like?  
 12 CHAIRMAN AIZENSTAT: Well, it's irrelevant  
 13 whether I like it or not, but it doesn't look  
 14 like it's a garage where they're going to keep  
 15 cars.  
 16 MR. JIMENEZ: No. No, but we're looking at  
 17 different examples.  
 18 CHAIRMAN AIZENSTAT: I mean, that's more of  
 19 -- it's a certain style. I'm not saying that  
 20 will fit your style. I don't think it's up to  
 21 me or the Board to tell you what style to do  
 22 the screening at. I think it's more the Board  
 23 of Architects and the City Staff, but I would  
 24 just encourage you to really screen that, so it  
 25 doesn't look -- you know, that blueprint

1 CHAIRMAN AIZENSTAT: Yeah, there are. I'm  
 2 not saying --  
 3 MR. JIMENEZ: A cynical answer is, ad  
 4 valorem --  
 5 CHAIRMAN AIZENSTAT: I'm sorry?  
 6 MR. JIMENEZ: A cynical answer is, ad  
 7 valorem, because that is obviously all square  
 8 footage -- all square footage that we build is  
 9 obviously taxed by the Property Appraiser, but  
 10 an optimistic answer is, a building with an  
 11 alley running down the middle is not a great  
 12 building, and I don't think that that is  
 13 what -- as you're walking down that sidewalk,  
 14 you want cars -- my girls are currently 16 and  
 15 14. They were 10 and 7 when we moved here.  
 16 And they will not walk by an alley without  
 17 saying, "Alley," because of all of the blind  
 18 alleys that you walk through along Salzedo --  
 19 CHAIRMAN AIZENSTAT: I don't disagree with  
 20 you.  
 21 MR. JIMENEZ: So that's the optimistic  
 22 answer, that it provides for a better product  
 23 to improve Downtown Coral Gables, but it does.  
 24 Every square foot that we build here will  
 25 eventually get taxed and find its way back into

1 doesn't look like a garage.  
 2 MR. JIMENEZ: Agreed.  
 3 MR. TRIAS: And that's a requirement of the  
 4 Code, and the final design usually happens at  
 5 the end of the process; however, the  
 6 requirements, we're talking about them now.  
 7 CHAIRMAN AIZENSTAT: Okay. Venny?  
 8 MR. TORRE: Just a final -- I'm going to  
 9 talk about parking. I just want to make sure I  
 10 understand, and also for me to learn. You  
 11 talked about reducing the unit count from 174  
 12 to the 150s maybe?  
 13 MR. JIMENEZ: That's possibly. It's  
 14 fluctuating every day.  
 15 MR. TORRE: Will you be bringing the  
 16 parking numbers down if you did or would you  
 17 keep it --  
 18 MR. JIMENEZ: No. No.  
 19 MR. TORRE: You'd still keep the numbers to  
 20 the 389?  
 21 MR. JIMENEZ: Yes. The parking is provided  
 22 for up to what I'm asking --  
 23 MR. TORRE: To what, now?  
 24 MR. JIMENEZ: Up to what I'm asking for at  
 25 174 and we are complying with what we're asking

1 for.

2 MR. TRIAS: Keep in mind, also, that it

3 gives more flexibility for future uses.

4 MR. TORRE: I'm going there, and that's why

5 I'm saying to you, you know, the Merrick Park

6 Village has a surplus of parking, maybe it

7 doesn't do so much good over there, but here

8 surplus parking would be helpful for

9 re-development of the area. So are you

10 providing maybe some surplus that may go back

11 to --

12 MR. JIMENEZ: We may have it. I can't

13 speak to that right now. In order to do that,

14 and the only way that it even comes to mind,

15 because obviously security in a building like

16 this would be important, is to do a double gate

17 system, where -- and it would be a retrofit

18 later. That is not in the plan today. Is it

19 something that could conceivably happen later,

20 if half the thing is empty? Sure, a double

21 gate system, with a security consultant, which

22 I am not, but it can certainly be looked at

23 later, but we will have the space. The garage

24 does not get any smaller if we make the units

25 bigger and make fewer units. It doesn't go

1 for. We're not going to build that many,

2 according to our plans today, and I can tell

3 you unequivocally, it doesn't change at all the

4 heights. We're putting the pool there. That's

5 the garage.

6 CHAIRMAN AIZENSTAT: Understood.

7 MR. JIMENEZ: And those are amenity decks.

8 I mean, it's the garage.

9 CHAIRMAN AIZENSTAT: Chip.

10 MR. WITHERS: Yeah. The number of units is

11 174. Is that what I understand?

12 MR. JIMENEZ: The proposed number of units,

13 I am saying -- I don't think it says it

14 anywhere in the application, I'm saying it on

15 the record, up to 174.

16 MR. WITHERS: Okay. Because I didn't see

17 it anywhere.

18 Okay. How many could they build? How many

19 units could they build?

20 MR. JIMENEZ: Without this Ordinance?

21 MR. WITHERS: Yeah, I mean, on this site,

22 just regular by Code.

23 MR. JIMENEZ: If it was a normal building,

24 at 190.5, I penciled it out at 313.

25 MR. WITHERS: How many?

1 down.

2 MR. TORRE: In those numbers, you're going

3 to put the valet? So in those 389 unit spaces,

4 you're going to valet those cars in that space?

5 MR. JIMENEZ: Yes. Yes, as we now. Our

6 office building and our apartment building now

7 share a garage, and when we had valet, it was

8 all in the same building.

9 CHAIRMAN AIZENSTAT: And I also would think

10 that they'd want to maintain those parking

11 spaces based on the use on the ground floor,

12 which would maybe require at some point greater

13 parking in order to be able to get that

14 Certificate of Use or that use for that

15 business.

16 MR. JIMENEZ: Yes. And because the

17 City allows you to satisfy that with valet, we

18 have an interest in keeping those spaces

19 available for valet. And there are some tandem

20 spaces in the garage, which are only good for

21 valet.

22 CHAIRMAN AIZENSTAT: Correct.

23 MR. JIMENEZ: And like I said, we're way

24 overparked. I think we're overparked -- the

25 numbers can bear me out -- at what we're asking

1 MR. JIMENEZ: 313.

2 MR. WITHERS: 313.

3 CHAIRMAN AIZENSTAT: Which would create a

4 nightmare.

5 MR. WITHERS: Oh, no, I agree. I mean,

6 that's the reason I -- you know --

7 MR. JIMENEZ: That's what we penciled it

8 out at, at a 950 normal distribution, with

9 studios, ones, twos and threes.

10 CHAIRMAN AIZENSTAT: Without the Ordinance,

11 sorry.

12 MR. JIMENEZ: Yeah, at 190.5. At 190.5,

13 standard -- the Sofia, just on a bigger lot.

14 MR. WITHERS: So ten years from now, this

15 could not be subdivided into additional units?

16 MR. JIMENEZ: Not at 205 feet, it can't.

17 MR. COLLIER: There would have to be an

18 amendment to what has been approved.

19 MR. TRIAS: The approval under the new Code

20 caps it at 100 units per acre, which is 174.

21 MR. WITHERS: Okay. So the last question I

22 have is, because I'm a little confused, the

23 sending site on the TDRs is, what?

24 MR. JIMENEZ: We do not have that

25 established yet.

1 MR. WITHERS: I'm sorry?  
 2 MR. JIMENEZ: We don't have that locked  
 3 down yet.  
 4 MR. WITHERS: You don't?  
 5 MR. JIMENEZ: No.  
 6 MR. WITHERS: Okay. Don't we have to have  
 7 that approved before we approve a TDR transfer?  
 8 We have to know the sending site, don't we?  
 9 MR. COLLER: I think you have to know the  
 10 receiving site. They might get the sending  
 11 sites from various different places.  
 12 MR. WITHERS: So that's how it is? I mean,  
 13 I don't know --  
 14 MR. TRIAS: The Commission has approved it  
 15 as a condition at least once, prior to finding  
 16 out the sending site, so it's been done before  
 17 we have known the sending sites.  
 18 MR. WITHERS: I'm sorry, I totally didn't  
 19 understand what you said.  
 20 MR. TRIAS: Ideally you know the sending  
 21 site, yeah, ideally, and at least once it has  
 22 been approved without knowing.  
 23 MR. WITHERS: Okay. So we're allowed to do  
 24 that?  
 25 MR. TRIAS: Yes.

1 to please confirm --  
 2 MR. TRIAS: Keep in mind, you're making a  
 3 recommendation. You're not approving the  
 4 project tonight.  
 5 CHAIRMAN AIZENSTAT: Say that again, Ramon.  
 6 MR. TRIAS: This Board does not approve  
 7 projects. This Board makes a recommendation.  
 8 CHAIRMAN AIZENSTAT: Understood. But it's  
 9 unusual -- normally we do have a sending site,  
 10 as Chip said.  
 11 MR. TRIAS: Yes.  
 12 CHAIRMAN AIZENSTAT: It's okay. As long as  
 13 the City Attorney tells us, I'm good with it.  
 14 MR. JIMENEZ: Just because I happened to be  
 15 the only one that was in the room that day, so  
 16 I could just -- Miriam, through her Assistant  
 17 City Attorney, who was advising the Historic  
 18 Preservation Board -- Dona Spain,  
 19 coincidentally, sitting exactly where you are,  
 20 brought this up and we had a long conversation  
 21 about it. The City Attorney gave a legal  
 22 opinion. I obviously got that legal opinion  
 23 from them before walking out of the room. So,  
 24 by all means, you know --  
 25 MR. COLLER: Well, he is a Member of the

1 MR. JIMENEZ: I can only tell you what was  
 2 said at the Historic Preservation Board, where  
 3 this question came up. I discussed this with  
 4 the City Attorney, and if you read the Code, I  
 5 know I need to get them and I know I need to  
 6 get some. I don't need to tell you where I'm  
 7 going to get them --  
 8 MR. TRIAS: He has to follow the rules and  
 9 he has to be able to --  
 10 CHAIRMAN AIZENSTAT: What I'd like to do is  
 11 actually ask the City Attorney that's here with  
 12 us, is it okay for us to approve this project  
 13 without the sending sites?  
 14 MR. COLLER: Well, I believe it is, but I'm  
 15 going to confirm it, so give me a little bit of  
 16 time just to go through it.  
 17 CHAIRMAN AIZENSTAT: That's important.  
 18 MR. JIMENEZ: And if I could just tell the  
 19 City Attorney, through the Chair --  
 20 CHAIRMAN AIZENSTAT: Please.  
 21 MR. JIMENEZ: -- if he were to communicate  
 22 with Assistant City Attorney -- I don't  
 23 remember Gus' name -- he gave the Historic  
 24 Preservation Board, I was sitting right over  
 25 there, that exact legal advice. So I'd ask him

1 Bar, so it's obviously -- he can't make  
 2 representations that are not true.  
 3 CHAIRMAN AIZENSTAT: Of course. I mean,  
 4 sometimes there are mistakes made as to what is  
 5 said that can be done and then it can't be  
 6 done. I just want to make sure.  
 7 MR. JIMENEZ: Understood.  
 8 CHAIRMAN AIZENSTAT: That's my only reason.  
 9 MR. JIMENEZ: This was a very long part of  
 10 the Historic Preservation hearing.  
 11 CHAIRMAN AIZENSTAT: I'm not saying he  
 12 didn't say it.  
 13 MR. JIMENEZ: So it was abundantly clear,  
 14 but I'd absolutely defer to Mr. Coller and  
 15 Ms. Ramos and Gus. It's been made clear. It's  
 16 my onus and my risk to acquire them, to acquire  
 17 the TDR certificate, from a sending site, but  
 18 once they are approved to be one, my project,  
 19 it doesn't matter where they come from, so long  
 20 as they are valid when they get to me.  
 21 MR. WITHERS: Okay. That's not a hang-up  
 22 for me. I was just curious, because I tried to  
 23 find it and I didn't see it.  
 24 And then the last question I had, and I'm  
 25 sorry, I don't have a page, on the art in

1 public places, what public art -- or where are  
 2 you putting that one percent or that whatever  
 3 that --  
 4 MR. JIMENEZ: The art in public places, we  
 5 have a couple -- we will go obviously go  
 6 through the art in public places process. We  
 7 have been in conversation with certain people  
 8 about, does the City want us to donate that to  
 9 the park? So we're waiting to speak to the  
 10 Commission on that, when this goes forward. If  
 11 they want us to put it on the building, we  
 12 will. I have no problem saying that Armando  
 13 Codina has often exceeded the minimum  
 14 requirements.  
 15 MR. WITHERS: Yeah.  
 16 MR. JIMENEZ: So while nothing is designed  
 17 at the moment, because we don't know if it's  
 18 going to go on the building or maybe in the  
 19 park, in a truly public place, we will comply  
 20 with whatever is approved by the Commission.  
 21 MR. TRIAS: So, Mr. Chairman, as far as the  
 22 TDRs, you're not making a recommendation to the  
 23 TDR process.  
 24 CHAIRMAN AIZENSTAT: Right.  
 25 MR. TRIAS: However you're looking at the

1 identify who they are. But I also can't be  
 2 locked into that, because if I get locked into  
 3 that, without having them locked up, they're  
 4 going to be like, "Oh, I was going to charge  
 5 you a dollar a square foot. It's a thousand  
 6 dollars a square foot," and then I've got to  
 7 come back.  
 8 CHAIRMAN AIZENSTAT: Of course.  
 9 MR. JIMENEZ: What the purview of this  
 10 Board is, is to approve me as a receiving site.  
 11 The Historic Preservation Board would approve a  
 12 sending site. The memorandum and the  
 13 maintenance covenants would be -- because, for  
 14 example, and I'll tell you why this exactly  
 15 plays out, one of the -- a block of TDRs that I  
 16 have under contract is a property that has sold  
 17 some of theirs. They're approved. Let's call  
 18 it, they had ten square feet, they sold five.  
 19 I can buy the other five. Where they come from  
 20 doesn't make me a better or a worse receiving  
 21 site.  
 22 So I've still got to go get them. I  
 23 understand that. It's my risk. If I can't  
 24 find them, I've got to amend this.  
 25 MR. TRIAS: Mr. Chairman --

1 project as a whole, in terms of the FAR --  
 2 CHAIRMAN AIZENSTAT: But we're looking at  
 3 it based on the Site Plan that's provided to  
 4 us. Normally --  
 5 MR. TRIAS: Yeah. So you don't have to  
 6 take action on the TDR if you don't feel  
 7 comfortable; however, the Site Plan is what it  
 8 is and that's what the Applicant has  
 9 recommended -- I mean, has represented.  
 10 CHAIRMAN AIZENSTAT: But isn't the Site  
 11 Plan based on the TDR?  
 12 MR. TRIAS: It is, and if they don't get  
 13 it, it will be modified. And the issue is that  
 14 when there is a modification of the Site Plan,  
 15 it could be a major amendment or it could be a  
 16 minor amendment. There's a process to deal  
 17 with those issues. And if it's a major  
 18 amendment, it goes back to the Commission.  
 19 MR. JIMENEZ: And if I may, because this is  
 20 very important -- this was very important to me  
 21 coming in. TDRs are not abundant, as people  
 22 think.  
 23 CHAIRMAN AIZENSTAT: Correct.  
 24 MR. JIMENEZ: If this Board were to tie  
 25 me -- I have some under contract. I can't

1 CHAIRMAN AIZENSTAT: Claudia had a  
 2 question.  
 3 MS. MIRO: I have a question for Mr. Trias.  
 4 With experience comes knowledge and I'm  
 5 definitely trying to gain knowledge here, as,  
 6 actually, both me and Mr. Bucelo are new to the  
 7 Board, and I apologize in advance for not  
 8 knowing the term, so that I can fully  
 9 understand what it is that we're discussing.  
 10 Can you please clarify to me the sending site  
 11 and the receiving site, so that I understand  
 12 what it is?  
 13 MR. TRIAS: Yeah. What you're really  
 14 discussing right now is that this building is  
 15 going to receive up to 4.375 in FAR from any  
 16 TDRs that the applicant, at some future date,  
 17 identifies. So you're looking at the receiving  
 18 site. That's the significant --  
 19 CHAIRMAN AIZENSTAT: If I may interject.  
 20 If I understand correctly, I think what she'd  
 21 like for you to explain is the process. For  
 22 example, the TDRs come from what type of  
 23 properties, as the sending site, if I  
 24 understand you, and just a quick synopsis of  
 25 what it is. And, then, the receiving site can

1 only be in what district, for example.  
 2 MR. TRIAS: Let me try it again.  
 3 CHAIRMAN AIZENSTAT: At 30,000 square feet.  
 4 MR. TRIAS: Let me try it again.  
 5 MR. JIMENEZ: Height, not square feet.  
 6 CHAIRMAN AIZENSTAT: Height. Sorry about  
 7 that.  
 8 MR. TRIAS: We have a process that is able  
 9 to transfer square footage from one parcel to  
 10 another. Now, that process is only for  
 11 historic buildings. So there are some historic  
 12 buildings that have extra development rights,  
 13 because, let's say, they're only one story and  
 14 you could do a ten-story building, for example.  
 15 So the extra area can be transferred.  
 16 And the issue is that it has to be  
 17 transferred to an approved receiving site. So  
 18 that's the difference. There's a sending site,  
 19 which is a historic building. There's a  
 20 receiving site, which is this building, as  
 21 proposed.  
 22 MS. MIRO: I get it.  
 23 CHAIRMAN AIZENSTAT: Thank you, Mr. Trias.  
 24 Good?  
 25 MS. MIRO: Yeah.

1 what number would they get to?  
 2 MR. TRIAS: 190.  
 3 CHAIRMAN AIZENSTAT: With the tower?  
 4 MR. TRIAS: No, that's for the habitable --  
 5 the tower can be up to a third of the height.  
 6 CHAIRMAN AIZENSTAT: So at 190, what would  
 7 the height of the tower be?  
 8 MR. JIMENEZ: A third of 266, so it would  
 9 be about 256 feet.  
 10 MR. TRIAS: Yeah, exactly.  
 11 MR. JIMENEZ: Give or take. Call it 250.  
 12 CHAIRMAN AIZENSTAT: So you could be at 250  
 13 feet with Mediterranean Bonuses on this  
 14 project?  
 15 MR. JIMENEZ: Even though the habitable  
 16 space were at fifteen feet lower.  
 17 CHAIRMAN AIZENSTAT: Yeah.  
 18 MR. TRIAS: Yeah. And that was in the Code  
 19 prior to any changes. So the only change is  
 20 that the habitable went up another 15 feet or  
 21 so, but the upper limit remained the same.  
 22 MR. JIMENEZ: And to be clear to anybody  
 23 watching, that height didn't increase the FAR,  
 24 because that calculation is based on the lot  
 25 size.

1 CHAIRMAN AIZENSTAT: Okay. Any other  
 2 questions or comments?  
 3 I'm just going to ask one last question, if  
 4 you drop it to 150 units --  
 5 MR. JIMENEZ: Uh-huh.  
 6 CHAIRMAN AIZENSTAT: -- down the road or  
 7 after you see your -- whether it's a  
 8 feasibility study or whatever study you do,  
 9 does that drop the height at all?  
 10 MR. JIMENEZ: No. The reasons the units  
 11 are numbering fewer is because the units are  
 12 getting bigger.  
 13 CHAIRMAN AIZENSTAT: Because they're  
 14 getting combined? Okay.  
 15 MR. JIMENEZ: Yeah. So like the top floor  
 16 that I showed you was programmed at five units.  
 17 There's a very real chance there's going to be  
 18 one. So we didn't lose any, it's just --  
 19 CHAIRMAN AIZENSTAT: And the 190.5 that you  
 20 could do as of right, correct, is that what I  
 21 understand?  
 22 MR. JIMENEZ: Uh-huh.  
 23 MR. TRIAS: Well, yes, with Med Bonus Level  
 24 2.  
 25 CHAIRMAN AIZENSTAT: With Med Bonus Levels,

1 CHAIRMAN AIZENSTAT: Understood.  
 2 MR. JIMENEZ: We were very clear, we wanted  
 3 the height for this project, for higher  
 4 ceilings.  
 5 CHAIRMAN AIZENSTAT: Understood.  
 6 MR. JIMENEZ: Because at a unit that's much  
 7 larger, a lower ceiling, the geometry didn't  
 8 work.  
 9 CHAIRMAN AIZENSTAT: Okay.  
 10 MR. JIMENEZ: So we're not getting more  
 11 developable square feet. We could build the  
 12 same amount of square feet, fifteen feet lower,  
 13 and 300 units, and that just wasn't what we  
 14 wanted to do. We wanted to introduce a new  
 15 product, which required that.  
 16 CHAIRMAN AIZENSTAT: Mr. Coller.  
 17 MR. COLLER: Just one. On the issue of the  
 18 TDRs, the role of the Planning & Zoning Board  
 19 is set forth in the Code, and your review is  
 20 based on looking at the receiver site. Not the  
 21 sending site, but the receiver site, and the  
 22 criteria, I can read it to you, if you'd  
 23 like -- I've actually read this to the Board in  
 24 the past, when we've had these TDR issues, is,  
 25 "The planning & Zoning Board review and

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1 recommendation and City Commission review and  
 2 approval by Resolution, the application  
 3 satisfies all of the following:" So you make a  
 4 recommendation, "(A) Applicable Site Plan  
 5 review requirements per section 14-202, General  
 6 Development Review Procedures and Conditional  
 7 Use Review Requirements per Section 14-203,  
 8 Conditional Uses, (B) The extent to which the  
 9 application is consistent with the Zoning Code  
 10 and the City Code otherwise applicable to  
 11 subject property or properties, including  
 12 density, bulk, size, area and use and the  
 13 reasons why such departures are determined to  
 14 be in the public interest, "C" The physical  
 15 design and proposed Site Plan and the manner in  
 16 which design makes use of the adequate  
 17 provisions for public services, provides  
 18 adequate control over vehicular traffic,  
 19 provides for and protects designated common  
 20 open areas and further the amenities of light  
 21 and air recreation and visual enjoyment, and  
 22 "D" --  
 23 MR. TRIAS: Craig.  
 24 MR. KOLLER: Yes.  
 25 MR. TRIAS: Those are Pages 13 and 14 of

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1 MR. BUCELO: Yes.  
 2 THE SECRETARY: Claudia Miro?  
 3 MS. MIRO: Yes.  
 4 THE SECRETARY: Venny Torre?  
 5 MR. TORRE: Yes.  
 6 THE SECRETARY: Chip Withers?  
 7 MR. WITHERS: Yup.  
 8 THE SECRETARY: Eibi Aizenstat?  
 9 CHAIRMAN AIZENSTAT: Based on the fact that  
 10 you're telling me that at the 190.5 you would  
 11 have been able to go higher on the tower, then  
 12 I'm, yes.  
 13 MR. COLLER: Next item is E-2.  
 14 MR. TORRE: I'll make a motion for approval  
 15 of E-2.  
 16 MR. COLLER: That would be in accordance  
 17 with Staff recommendations, correct?  
 18 MR. TORRE: Yes.  
 19 MR. BUCELO: Second.  
 20 THE SECRETARY: Sorry, who made the motion  
 21 and who seconded it?  
 22 MR. BUCELO: I seconded it.  
 23 CHAIRMAN AIZENSTAT: Any discussion?  
 24 Call the roll, please.  
 25 THE SECRETARY: Claudia Miro?

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1 the Staff report, by the way, so it's part of  
 2 the record.  
 3 CHAIRMAN AIZENSTAT: Thank you.  
 4 MR. COLLER: And I'm glad that you had it  
 5 in there.  
 6 CHAIRMAN AIZENSTAT: Okay. Any other  
 7 comments? No?  
 8 Would anybody like to make a motion?  
 9 MR. TORRE: I'll make a motion for  
 10 approval.  
 11 MR. BUCELO: I'll second it.  
 12 THE SECRETARY: We have five separate  
 13 motions.  
 14 MR. TRIAS: Yes. Yes, sir, five.  
 15 MR. COLLER: Yeah. You have to start on --  
 16 Item E-1 would be the first motion. It would  
 17 be review and approval per Staff  
 18 recommendation. That would be the motion.  
 19 MR. TORRE: Motion to approve Staff  
 20 recommendation.  
 21 CHAIRMAN AIZENSTAT: We have a second.  
 22 MR. BUCELO: Yes, we do.  
 23 CHAIRMAN AIZENSTAT: Any discussion? No?  
 24 Call the roll, please.  
 25 THE SECRETARY: Alex Bucelo?

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1 MS. MIRO: Yes.  
 2 THE SECRETARY: Venny Torre?  
 3 MR. TORRE: Yes.  
 4 THE SECRETARY: Chip Withers?  
 5 MR. WITHERS: Yes.  
 6 THE SECRETARY: Alex Bucelo?  
 7 MR. BUCELO: Yes.  
 8 THE SECRETARY: Eibi Aizenstat?  
 9 CHAIRMAN AIZENSTAT: Yes.  
 10 Item E-3.  
 11 MR. TORRE: I'll make a motion for approval  
 12 of Item E-3, the approval of a PAD.  
 13 MR. TRIAS: My Chairman, the condition of  
 14 the park would have to be updated, as presented  
 15 by the Applicant. That's the only change in  
 16 the conditions that I can see.  
 17 CHAIRMAN AIZENSTAT: Explain that, please.  
 18 MR. TRIAS: The park is going to be a City  
 19 park, donated by the Applicant, and the  
 20 Condition of Approval doesn't say that. So we  
 21 need to update it.  
 22 CHAIRMAN AIZENSTAT: Oh, okay.  
 23 MR. TORRE: So the PAD requires the park to  
 24 be transferred, for the approval of the PAD?  
 25 CHAIRMAN AIZENSTAT: Do we need to make

1 that recommendation to you or --  
 2 MR. TRIAS: No. I just mentioned that that  
 3 was going to happen. I wanted you to be aware  
 4 of the fact that the recommendation that we  
 5 have in the Staff report needs to be updated.  
 6 MR. COLLER: In this case, I think Staff  
 7 has basically amended their recommendation to  
 8 include that transfer.  
 9 MR. TRIAS: Yes.  
 10 MR. COLLER: So if the motion is to approve  
 11 in accordance with Staff recommendations, it  
 12 will include that modification as given orally  
 13 here.  
 14 MR. WITHERS: So before I vote on that, let  
 15 me just -- you're donating it to the City?  
 16 MR. JIMENEZ: Yes, sir.  
 17 MR. WITHERS: Do you get a tax write-off  
 18 for that, because we're not a non-for-profit,  
 19 are we? I mean -- I'm just thinking, there's  
 20 another vehicle, partnership, in our City --  
 21 MR. JIMENEZ: Honest to God, Mr. Withers,  
 22 the park has been the Number One driving force  
 23 of this at certain -- at Staff and elected  
 24 level. The City and the Administration has  
 25 asked for this, and if this is the public

1 that we will absolutely look into, Mr. Withers.  
 2 I have a CFO, if he's watching this, that's  
 3 going to be like, damn right I'm going to look  
 4 at this. So I'm happy that you brought it up.  
 5 CHAIRMAN AIZENSTAT: Yeah, but there's a  
 6 benefit to it, which is what you're saying.  
 7 There's a benefit, meaning there's a dollar  
 8 amount --  
 9 MR. JIMENEZ: Sure, we get that, and the  
 10 City gets 10,000 square feet in the middle of  
 11 Downtown.  
 12 CHAIRMAN AIZENSTAT: Okay.  
 13 MR. JIMENEZ: Thank you very much.  
 14 MR. TORRE: So the motion is to approve  
 15 E-4, which is the -- I'm sorry, E-3, which is  
 16 the approval of the PAD, with conditions that  
 17 the park be transferred to the City. That's my  
 18 motion.  
 19 MS. MIRO: Second.  
 20 CHAIRMAN AIZENSTAT: Claudia seconds. Any  
 21 discussion? No?  
 22 Call the roll, please.  
 23 THE SECRETARY: Venny Torre?  
 24 MR. TORRE: Yes.  
 25 THE SECRETARY: Chip Withers?

1 benefit that the City wants for our PAD, we are  
 2 happy to provide it. It's not a tax --  
 3 MR. TRIAS: It will be a City park.  
 4 MR. WITHERS: No, I understand all of that.  
 5 I'm juts talking about the benefit they get  
 6 from donating a park.  
 7 MR. TRIAS: No, and we haven't finalized  
 8 the discussions, and that's why I'm saying that  
 9 we need to update the condition.  
 10 MR. WITHERS: So I suggest, instead of  
 11 donating it to the City, some other verbiage  
 12 that says that the City ends up with it  
 13 eventually. There might be another vehicle in  
 14 which the City can acquire it, which is -- and  
 15 I'm not a tax guy, but all I know is,  
 16 Commissioner Kerdyk put a partnership in place  
 17 just so people would donate land to the City,  
 18 'cause they could get a tax advantage.  
 19 MR. JIMENEZ: The issue here would be --  
 20 and I'm not a huge tax guy, either, but because  
 21 we are -- this is one site, and all of the FAR  
 22 will be over on the assemblage, this will be  
 23 pretty valueless other than -- which is what  
 24 made it such a great deal, that it's the one  
 25 thing you guys want it for, but it's something

1 MR. WITHERS: Yes.  
 2 THE SECRETARY: Alex Bucelo?  
 3 MR. BUCELO: Yes.  
 4 THE SECRETARY: Claudia Miro?  
 5 MS. MIRO: Yes.  
 6 THE SECRETARY: Eibi Aizenstat?  
 7 MS. MIRO: Yes.  
 8 Item E-4.  
 9 MR. TORRE: I'll move E-4, which is the  
 10 review and approval of TDRs for this site as a  
 11 receiving site.  
 12 MR. BUCELO: Second.  
 13 CHAIRMAN AIZENSTAT: We have a second.  
 14 With Staff recommendations?  
 15 MR. TORRE: Yes, sir. With Staff  
 16 recommendation, yes.  
 17 CHAIRMAN AIZENSTAT: Any discussion? No?  
 18 Call the roll, please.  
 19 THE SECRETARY: Chip Withers?  
 20 MR. WITHERS: Yes.  
 21 THE SECRETARY: Alex Bucelo?  
 22 MR. BUCELO: Yes.  
 23 THE SECRETARY: Claudia Miro?  
 24 MS. MIRO: Yes.  
 25 THE SECRETARY: Venny Torre?

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1 MR. TORRE: Yes.

2 THE SECRETARY: Eibi Aizenstat?

3 CHAIRMAN AIZENSTAT: Yes.

4 MR. TORRE: So I will move the last item,

5 with is E-5, which is the approval of the

6 Conditional Use Mixed-Use Site Plan pursuant to

7 the Zoning Code.

8 CHAIRMAN AIZENSTAT: May I add a

9 recommendation to look at the screening? Would

10 this be the appropriate place?

11 MR. TRIAS: Yes, sir. This is the time,

12 yes, sir.

13 MR. TORRE: I accept.

14 CHAIRMAN AIZENSTAT: With the additional

15 screening --

16 MR. TORRE: Additional screening to be

17 reviewed by Staff.

18 CHAIRMAN AIZENSTAT: For the parking.

19 MR. JIMENEZ: Absolutely.

20 MR. BUCELO: And I'll second it.

21 CHAIRMAN AIZENSTAT: Thank you.

22 We have a second.

23 MR. COLLER: And that's in accordance with

24 Staff recommendations.

25 MR. TRIAS: Yes.

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1 CHAIRMAN AIZENSTAT: Let's go ahead and

2 read Item E-6 first, so that way we're into the

3 next item.

4 MR. COLLER: Item E-6, an Ordinance of the

5 City Commission of Coral Gables, Florida

6 providing for a text amendment to the City of

7 Coral Gables Official Zoning Code by amending

8 Article 1, "General Provisions," Section 1-108,

9 "Transitional Rules," to clarify that allowed

10 existing uses of property or permitted as a

11 conditional use of property within the city

12 prior to the effective date of the Zoning Code

13 Update Ordinance Number 2021-07 shall remain in

14 effect as a permitted use of property or a

15 conditional use of property upon the adoption

16 of Ordinance Number 2021-07, providing for

17 retroactive application; providing for

18 severability, repealer, codification, and an

19 effective date.

20 Items E-6, public hearing.

21 CHAIRMAN AIZENSTAT: Ramon, before you

22 start --

23 MR. TRIAS: Yes, sir.

24 CHAIRMAN AIZENSTAT: -- Luis wanted to make

25 a comment.

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1 CHAIRMAN AIZENSTAT: Thank you.

2 MR. TORRE: Yeah.

3 CHAIRMAN AIZENSTAT: Any discussion? No?

4 Call the roll, please.

5 THE SECRETARY: Alex Bucelo?

6 MR. BUCELO: Yes.

7 THE SECRETARY: Claudia Miro?

8 MS. MIRO: Yes.

9 THE SECRETARY: Venny Torre?

10 MR. TORRE: Yes.

11 THE SECRETARY: Chip Withers?

12 MR. WITHERS: Yes.

13 THE SECRETARY: Eibi Aizenstat?

14 CHAIRMAN AIZENSTAT: Yes.

15 MR. JIMENEZ: Thank you for your time this

16 evening. I know it took a while, but thank you

17 for the comments and we will look into it.

18 Thank you very much.

19 CHAIRMAN AIZENSTAT: Thank you.

20 The next item on the agenda is E-6.

21 Mr. Coller.

22 MR. REVUELTA: Can I ask a quick question?

23 THE SECRETARY: Can you speak into the

24 microphone, please?

25 MR. REVUELTA: Can I ask a series question?

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1 MR. REVUELTA: One quick question, did I

2 hear correctly that one-third of the building

3 height can be added as an ornamental

4 architectural tower?

5 MR. TRIAS: In the Central Business

6 District, that's what -- yeah, that's what it

7 says, the Code. It's been there for a while,

8 yeah.

9 MR. REVUELTA: Essentially this building at

10 205 and 6 inches could have added a tower of

11 about 70 feet? It's the Code, and I

12 understand. Ramon, I'm not blaming you --

13 MR. TRIAS: I think, in theory, yes, but --

14 MR. REVUELTA: My questions are not to put

15 you on the spot. I just happened to be here.

16 And I'm sorry for my ignorance, but that seems

17 way out of line, as an architect.

18 MR. WITHERS: Well, the service part is,

19 what, 20 to 25 feet max, you think? I mean,

20 you guys do this all of the time, with an

21 elevator shaft and --

22 MR. REVUELTA: Normally, other

23 municipalities have like a 30-foot max, and,

24 you know -- and then there's an area for

25 mechanical spaces, you know, so you can go up



1 to about 30 percent of your roof area, and not  
 2 higher than 25, 30 something for ornamental. I  
 3 was just -- and, again, I am embarrassed about  
 4 my ignorance, but that's a huge, huge --  
 5 MR. TRIAS: If you look at the spire in --  
 6 MR. REVUELTA: The Biltmore?  
 7 MR. TRIAS: -- in Notre Dame, which burned  
 8 down, it was designed by Bie Ele Duke in the  
 9 19th Century. Yes, you could do that, but I  
 10 don't know if anybody is going to do that in a  
 11 typical building. So, in theory, perhaps.  
 12 MR. REVUELTA: But my point is, you are  
 13 absolutely correct in your theory that --  
 14 whether somebody is going to do it or not, but  
 15 I think, as long as we have some of this  
 16 strange quirks in our Zoning Ordinance, and  
 17 this not a reflection on you, please, I just  
 18 want to go on the record, I think the more time  
 19 we have to spend here debating things, that we  
 20 could probably spend the time talking about  
 21 something more important, if we could start  
 22 correcting some of these quirks.  
 23 MR. TRIAS: Mr. Revuelta, I would say to  
 24 you and I will say it to anyone, every  
 25 community has the Code it wants to have. Now,

1 when we started in the update, I thought -- I  
 2 sincerely thought that there was a desire to  
 3 simplify the Code and make it, in many ways,  
 4 the way that you're talking about. I don't  
 5 think that anymore, based on the discussion  
 6 that we had with the public, based with the  
 7 request that we've had through many, many  
 8 meetings.  
 9 That's -- you know, we have the Code that  
 10 Coral Gables wants to have, and it's a very  
 11 good Code. It's just that it has some issues,  
 12 like any Code in this world. So that's where  
 13 we are, and to think that we could have an  
 14 ideal Code or a perfect Code, that's just not  
 15 realistic.  
 16 MR. WITHERS: I mean, I guess, the checks  
 17 and balance would be, the Board of Architects  
 18 approves it.  
 19 MR. TRIAS: Yes.  
 20 MR. WITHERS: The City appeals that  
 21 decision, and the Commission ends up getting to  
 22 vote on it.  
 23 MR. REVUELTA: Yeah.  
 24 MR. WITHERS: And I'm not saying that's the  
 25 best process.

1 MR. REVUELTA: And that's the process, but  
 2 it seems like a waste of time process, right,  
 3 and, again, it's not a reflection on you or the  
 4 Staff. You're right, you're basically reacting  
 5 to all of these forces around you, but I feel  
 6 that if I don't say anything, as a member of  
 7 the Planning Board -- I just want to express my  
 8 opinion.  
 9 MR. TRIAS: If you look at the Biltmore,  
 10 which I think that's what they were looking at,  
 11 most of that tower is just decorative. That's  
 12 what Merrick did. But I don't know if  
 13 anybody's going to do that again, you know.  
 14 MR. REVUELTA: Thank you for the  
 15 clarification.  
 16 CHAIRMAN AIZENSTAT: Let's continue.  
 17 Ramon, please, if you'd make your  
 18 presentation.  
 19 MR. TRIAS: Yes.  
 20 This is a recommendation from the City  
 21 Attorney's Office for a transitional rule. Any  
 22 time a City updates a Zoning Code, it's a good  
 23 idea to have some language that speaks to uses  
 24 that are already there, that they can continue.  
 25 So, from my point of view, this is a very

1 useful addition to the Code and maybe the City  
 2 Attorney can explain it further.  
 3 MR. COLLER: This is basically a  
 4 clarification, and we never intend to, when  
 5 somebody has a right, that we take it away  
 6 through a Zoning Code update. There's Statutes  
 7 that create essentially problems for cities  
 8 when they do that and this basically clarifies  
 9 that if you had the use at the time that the  
 10 Code was updated, you still have the use.  
 11 MR. TRIAS: And there is a section already  
 12 about transitional rules. This is just adding  
 13 some language.  
 14 MR. WITHERS: Is there anything going on  
 15 right now that this affects?  
 16 MR. TRIAS: I don't know of any active  
 17 applications, no.  
 18 MR. WITHERS: Okay.  
 19 MR. TRIAS: Just Staff recommends approval.  
 20 MR. WITHERS: I'll move it.  
 21 MR. TORRE: Second.  
 22 CHAIRMAN AIZENSTAT: Any comments from  
 23 anybody? Any questions? No?  
 24 Having heard none, call the roll, please.  
 25 THE SECRETARY: Claudia Miro?

1 MS. MIRO: Yes.  
 2 THE SECRETARY: Luis Revuelta?  
 3 MR. REVUELTA: Yes.  
 4 THE SECRETARY: Venny Torre?  
 5 MR. TORRE: Yes.  
 6 THE SECRETARY: Chip Withers?  
 7 MR. WITHERS: Yes.  
 8 THE SECRETARY: Alex Bucelo?  
 9 MR. BUCELO: Yes.  
 10 THE SECRETARY: Eibi Aizenstat?  
 11 CHAIRMAN AIZENSTAT: Yes.  
 12 Luis, I'm glad you could participate on  
 13 that one.  
 14 MR. REVUELTA: Oh, so much. Thank you.  
 15 CHAIRMAN AIZENSTAT: The next item, please,  
 16 E-7.  
 17 MR. COLLER: An Ordinance of the City of  
 18 Coral Gables, Florida, providing for text  
 19 amendments to the City of Coral Gables Official  
 20 Zoning Code, Article 4, "Zoning Districts,"  
 21 Section 2-100, "Residential Districts," to  
 22 increase the interior side setback of certain  
 23 Multi-Family 3 (MF3) properties; providing for  
 24 severability, repealer, codification, and for  
 25 an effective date. Item E-7, public hearing.

1 CHAIRMAN AIZENSTAT: Thank you.  
 2 MR. TORRE: I know this item very well, so  
 3 I'll see if I can help it along. So the item  
 4 is related to issues that relate to  
 5 constructability, when you're basically having  
 6 to stand on your neighbor's property to finish  
 7 the building. That's really what happens.  
 8 The issue is the zero setback, you have to  
 9 stand on your neighbor's property to finish the  
 10 wall.  
 11 CHAIRMAN AIZENSTAT: Correct.  
 12 MR. TORRE: Stucco, paint, all of that.  
 13 All of the stuff falls on your property, on the  
 14 next door property, because it's zero. So  
 15 that's what this is about.  
 16 So a couple of questions.  
 17 CHAIRMAN AIZENSTAT: Yes.  
 18 MR. TORRE: What is the minimum -- and I  
 19 think I know the answer, but just asking, what  
 20 is the minimum for M3 townhouse? Is it two? I  
 21 mean, if you have 25 feet -- you can't have a  
 22 25-foot buildable -- you have a 50-foot  
 23 buildable lot, can you do two units? Correct,  
 24 you can?  
 25 MR. TRIAS: Yeah.

1 MR. TRIAS: Mr. Chairman, this is a  
 2 relatively minor amendment that is sponsored by  
 3 Commissioner Anderson. She requested a  
 4 five-foot setback for townhomes, on the side of  
 5 the townhome. Right now, that's not a  
 6 requirement, except for Historic -- except when  
 7 the building next to the townhome is a Historic  
 8 Building. We're removing that, and just in any  
 9 case, five-foot setback.  
 10 CHAIRMAN AIZENSTAT: So are you saying, as  
 11 long as a wall is attached between townhomes,  
 12 there's obviously no setback required. So  
 13 you're saying, a five-foot setback would be on  
 14 the last unit or on the first unit?  
 15 MR. TRIAS: At the last unit. Yes.  
 16 CHAIRMAN AIZENSTAT: And what happens if  
 17 that falls on a street?  
 18 MR. TRIAS: There's a 15-foot setback on  
 19 the street.  
 20 CHAIRMAN AIZENSTAT: Say that again,  
 21 please.  
 22 MR. TRIAS: 15 feet setback.  
 23 CHAIRMAN AIZENSTAT: Okay. So then it's  
 24 only when it abuts an adjacent property?  
 25 MR. TRIAS: Yes.

1 MR. TORRE: Yes?  
 2 MR. TRIAS: Yes.  
 3 MR. TORRE: So if you have five feet on  
 4 either side, the unit becomes 20 and 20.  
 5 Garages are required to be 22. Does that mean  
 6 you can only build one unit?  
 7 MR. TRIAS: Well, I forgot to explain that  
 8 we also include some language that says that  
 9 the Board of Architects may recommend a  
 10 variance to that requirement, and I think that  
 11 would be the case, in very rare instances.  
 12 CHAIRMAN AIZENSTAT: That's not a rare  
 13 instance, though, is it? A 50-foot lot  
 14 that's --  
 15 MR. TRIAS: I haven't seen two-unit  
 16 projects.  
 17 MR. TORRE: There's one.  
 18 MR. TRIAS: I mean, I think the smallest  
 19 one I've seen is four.  
 20 MR. TORRE: There's one that exists. I  
 21 know it pretty well.  
 22 MR. TRIAS: Which one?  
 23 MR. TORRE: It's between Almeria Row and  
 24 the condo -- and the other -- both on Almeria.  
 25 MR. TRIAS: And that's built?

1 MR. TORRE: It's built. It's owned by  
 2 somebody that you know.  
 3 MR. TRIAS: Well, I mean, somebody may be  
 4 thinking about that, yes, but I don't know of  
 5 any built projects.  
 6 MR. TORRE: So the fixed area is to go to  
 7 the Board of Architects to let them re-consider  
 8 it? Is that --  
 9 MR. TRIAS: To make a recommendation for a  
 10 variance. I mean, the fix is a variance. In  
 11 other words, if the setback is five feet,  
 12 there's some hardship, so you apply for a  
 13 variance, and then the Board of Adjustment will  
 14 say yes or no.  
 15 CHAIRMAN AIZENSTAT: But, then, isn't that  
 16 very subjective, as opposed to being in the  
 17 Code as to what has to be done?  
 18 MR. TRIAS: Yeah, but what I'm saying is,  
 19 that in cases where there's a hardship, for  
 20 example, you cannot meet the minimum size for  
 21 the parking garage or whatever, that could be  
 22 seen as a hardship. So there may be some  
 23 instances in which there's a need for some  
 24 relief, but as a standard procedure, I think  
 25 it's a good idea to have that setback, and

1 MR. TRIAS: Well, the MX3 properties, yes,  
 2 sir -- I'm sorry, MF3.  
 3 CHAIRMAN AIZENSTAT: But have you gone  
 4 through City records and identified how many  
 5 properties you have that are 50-foot properties  
 6 in there that fall under this?  
 7 MR. TRIAS: I have not, no. This is  
 8 something that has been sponsored by  
 9 Commissioner Anderson.  
 10 CHAIRMAN AIZENSTAT: I understand, and  
 11 Venny brings up a good point.  
 12 MR. TORRE: No, it's a good suggestion and  
 13 I understand why it's happening.  
 14 CHAIRMAN AIZENSTAT: Right. The suggestion  
 15 is good.  
 16 MR. TORRE: It's brought for a good reason.  
 17 But my question is, if both sides can agree,  
 18 would there be any way to make it easier for  
 19 this not to occur, when they don't have to?  
 20 MR. TRIAS: Yes.  
 21 MR. TORRE: I am trying to put a way to  
 22 have that. But the idea is that it shouldn't  
 23 happen, but you may say that's the way it has  
 24 to be, and I'm just looking for --  
 25 MR. TRIAS: Of course, in Coral Gables,

1 that's what --  
 2 MR. TORRE: Yeah, it's understood why it  
 3 happens. But the other question for you is, so  
 4 if you have -- and I'm not sure how many of  
 5 these blocks are left, but if you have a street  
 6 that has three, and then a gap, and then two  
 7 and a gap, does that work well for the way  
 8 townhouses are supposed to work?  
 9 MR. TRIAS: No, it wouldn't work, if you  
 10 were to have too many five-foot setbacks,  
 11 certainly, in that block.  
 12 MR. TORRE: If you have a full City block,  
 13 and you want to do your four projects, you have  
 14 four gaps -- three gaps.  
 15 MR. TRIAS: Yes.  
 16 CHAIRMAN AIZENSTAT: Aren't you having an  
 17 issue, then, with people that own 50-foot  
 18 properties that bought it because they could do  
 19 a twin home, and now, after this, they can't do  
 20 that?  
 21 MR. TRIAS: Nobody has approached me on  
 22 that, but I --  
 23 CHAIRMAN AIZENSTAT: Well, nobody has  
 24 approached you, but have you identified which  
 25 properties qualify under this?

1 we're looking for quality, right. We're  
 2 looking for the best design possible. So, I  
 3 think, any time we have simple rules like, oh,  
 4 you have to have five feet, no matter what,  
 5 that's probably not a good idea. So it's a  
 6 good idea to have the rule, five feet, and then  
 7 to have some process, in which case there may  
 8 be some hardship, to waive it or to change it.  
 9 I think that's my recommendation.  
 10 MR. TORRE: Is the language good enough to  
 11 allow for that congeniality to happen and allow  
 12 us to figure out a --  
 13 MR. TRIAS: Zoning is limited in its  
 14 abilities. So I think that's the best I could  
 15 come up with. If you have some better way of  
 16 phrasing it, I'll be happy to --  
 17 CHAIRMAN AIZENSTAT: I mean, Mr. Collier,  
 18 let me ask you a question. Let's say, Person  
 19 X, Y, Z owns a property that's 50-foot within  
 20 the area. What happens now, when he says to  
 21 you, I was able to build two homes, you know, a  
 22 twin home. You've now taken that right away.  
 23 Yes, the City is going to say, you can go  
 24 before the Board of Architects, you can go  
 25 ahead and get a variance, but you didn't have

1 to do that before, you didn't have to go  
 2 through those steps.  
 3 MR. TRIAS: I'm sorry, you can still do two  
 4 units. It's just that the garage is not a  
 5 two-car garage, for example, but the two units  
 6 are still possible.  
 7 CHAIRMAN AIZENSTAT: Aren't you taking away  
 8 something from them?  
 9 MR. COLLER: I don't know. Ultimately, you  
 10 can still build the townhouse you want to  
 11 build. The question is, I guess, any time you  
 12 add a setback or add some type of distance,  
 13 you're subtracting. So that --  
 14 MR. TORRE: I guess my point is, as a row  
 15 home street, you're supposed to have one that  
 16 was built over time next to the other, like any  
 17 other old city has, and here you may get to a  
 18 point where you have this sort of -- it's a  
 19 duplex sitting in the middle of a block, as  
 20 opposed to looking at a row house. And, again,  
 21 I'm just trying to find a way for everybody to  
 22 say, if we can agree on this, can you allow me  
 23 to do this, and not have this long battle to  
 24 the variance.  
 25 Is there any way to accomodate where things

1 stack cars going there.  
 2 MR. TRIAS: Yes.  
 3 CHAIRMAN AIZENSTAT: And I may have to  
 4 start using street parking, if it's available,  
 5 because I don't want to get up in the morning  
 6 and have to move the car before my wife goes to  
 7 work. So that creates a problem.  
 8 MR. TRIAS: Yes. You're correct. Yes.  
 9 CHAIRMAN AIZENSTAT: And that's why I  
 10 brought it up.  
 11 MR. REVUELTA: Who's bringing this? Who's  
 12 the sponsor of this change?  
 13 MR. TRIAS: Commissioner Anderson.  
 14 MR. TORRE: There was a property where the  
 15 neighbor and the developer could not agree on  
 16 how to move this, and they got into  
 17 difficulties, and it got to be a big problem,  
 18 and that's because you have to actually step on  
 19 the property next door.  
 20 CHAIRMAN AIZENSTAT: So, for that, it makes  
 21 sense. I don't disagree with that. I just  
 22 don't know how you deal with a single property,  
 23 that you're now taking away the ability to have  
 24 that -- you know, the five-foot, if you start  
 25 going on a fifty-foot lot between your setbacks

1 can happen without -- again, I don't know --  
 2 variances? Is that their only option here?  
 3 MR. TRIAS: I don't know of any other way  
 4 in our Code, other than the variance. Once you  
 5 establish a setback, the only way to change it  
 6 is through a variance.  
 7 MR. REVUELTA: Either that or they have to  
 8 go through the process of changing the Code,  
 9 one of them.  
 10 MR. TORRE: You're losing one unit no  
 11 matter what, because if you own five units and  
 12 one has to have five feet less, then you can't  
 13 build -- you know, it kind of restricts it a  
 14 little bit.  
 15 CHAIRMAN AIZENSTAT: I mean, for me, my  
 16 concern is somebody that just owns one property  
 17 that's 50 feet. I'm not looking so much at a  
 18 row house. I'm looking at that 50-foot  
 19 property, and I don't know how many properties  
 20 there are. I like the idea of the five feet.  
 21 That doesn't -- it's good. But if I own a  
 22 property, now you're telling me I can only  
 23 do -- let's assume that I could do a  
 24 three-bedroom home on each one, but I can only  
 25 do a one car garage, which means now I have to

1 and everything -- I mean, I would have liked to  
 2 know how many properties are being identified  
 3 or how many fall within this, just to get an  
 4 idea. There may have been zero, but you've  
 5 already said that there's at least one  
 6 property.  
 7 Any other comments? Alex?  
 8 MR. BUCELO: No.  
 9 MR. REVUELTA: Is this the first time this  
 10 issue came up, with this argument? This  
 11 Ordinance has been in place for how many years?  
 12 MR. TRIAS: I don't know exactly, but  
 13 certainly 20 years or something like that.  
 14 MR. REVUELTA: In 20 years, we've had one  
 15 problem?  
 16 MR. TRIAS: I'm sorry, I believe I know.  
 17 It's since 2004.  
 18 MR. REVUELTA: You know the old saying, if  
 19 it's not broken, don't fix it, and it seems to  
 20 me that, one glitch, does it call --  
 21 MR. TORRE: Looks, there's a give and take  
 22 to being on somebody's property, disturbing the  
 23 neighbor. There's a cost. And usually there's  
 24 a bargaining that happens. I'm going to do  
 25 underground electrical service for you or I'm

1 going to upgrade your electrical. I'm sorry  
 2 for the disturbance. And there's a work  
 3 around, usually. Sometimes it doesn't happen  
 4 that way, and that's where this became an  
 5 issue.  
 6 MR. REVUELTA: I have some examples of  
 7 that.  
 8 MR. TRIAS: I had a chance to --  
 9 MR. REVUELTA: Ramon, I wish we'd let you  
 10 point it out, but, you know, I built the fence  
 11 for my back door neighbors, who are both  
 12 architects, and then I had to plant a whole  
 13 bunch of plantings, and I have experienced  
 14 that, and frankly I have paid a painful price  
 15 for it, and so has Ramon.  
 16 MR. TRIAS: I worked with you personally in  
 17 that one.  
 18 MR. REVUELTA: Right. But I don't know --  
 19 MR. TRIAS: This is, again, an issue that  
 20 is a good idea, but it has problems. So the  
 21 question is, do we have a process to deal with  
 22 any kind of issues like that? I think we do,  
 23 and that's the variance.  
 24 CHAIRMAN AIZENSTAT: I would like to --  
 25 Alex, do you have a comment?

1 modules lose too much square footage, it could  
 2 be relevant.  
 3 MR. TRIAS: But the historic model before  
 4 the automobile, it was 16 feet.  
 5 MR. TORRE: 16?  
 6 MR. TRIAS: 16 feet in width.  
 7 MR. WITHERS: 16?  
 8 MR. TRIAS: Yes. 16, or 18 when --  
 9 MR. TORRE: The U.S. has houses at 15, so,  
 10 you know, we can go back to that.  
 11 CHAIRMAN AIZENSTAT: But it goes back to  
 12 what we were talking about, which is the  
 13 individual unit owner that has a 50-foot lot.  
 14 MR. TRIAS: Yes, sir. And if you believe  
 15 this is a bad idea, certainly you can vote  
 16 against it.  
 17 CHAIRMAN AIZENSTAT: I don't have  
 18 anything -- personally, me, you know, it's a  
 19 good idea not to have to step on somebody  
 20 else's property to finish. I like that. But I  
 21 just would like to know, are there 35  
 22 properties that unit owners --  
 23 MR. TORRE: But here's the thing, let's say  
 24 you and I are neighbors, and I have to be five  
 25 feet away from you, but I want to go to you and

1 MR. BUCELO: Venny, can you explain to me  
 2 how you would lose a unit if you have the  
 3 setbacks on a row? You had mentioned that  
 4 earlier. Just elaborate on that.  
 5 MR. TORRE: So the typical townhouse module  
 6 is 25 feet, because we have usually lots of 50  
 7 feet or the units in Coral Gables start at 25.  
 8 It's a multiple of 25. Every block is a  
 9 multiple of 25. And they're usually sold on  
 10 units of 25, and you actually do fee simple  
 11 replats to get them to be 25 feet, could be 24.  
 12 Unless you have a really big block, when  
 13 you start taking away five feet, you basically  
 14 move that module into unworkable, and then it  
 15 becomes kind of hard to work on a 23-foot  
 16 module, because you just lost too many feet.  
 17 MR. BUCELO: Got it.  
 18 MR. TORRE: That's where the multiplier  
 19 becomes an issue. If you had a whole block, it  
 20 didn't matter, 'cause you can space out five  
 21 feet --  
 22 MR. WITHERS: You're going to do a PAD  
 23 anyway and get zero lot lines.  
 24 MR. TORRE: Because of a PAD. So it  
 25 becomes, when you're breaking it up, that the

1 I say, "I'm willing to give you \$100,000 if you  
 2 let me do that," and we can agree on that, we  
 3 agree. Now, I just gave you \$100,000. I win,  
 4 'cause I got that much more property. So it's  
 5 a work around.  
 6 Is that something that's off the table?  
 7 MR. TRIAS: No. No. It's not off the table.  
 8 MR. TORRE: It could be as simple as that.  
 9 CHAIRMAN AIZENSTAT: Well, no, you're  
 10 changing the Code.  
 11 MR. TORRE: No, we have to agree that the  
 12 five feet is not -- like you said, there's some  
 13 exceptions to where we don't have to agree.  
 14 MR. TRIAS: I think there should be room to  
 15 make exceptions. I'm not convinced that a  
 16 study of the existing land owners is really  
 17 going to be that revealing, in the sense that  
 18 land ownership changes all of the time. We  
 19 could do a study and tomorrow's going to be  
 20 something else. Fine.  
 21 I do think that there will be some issues,  
 22 that you're correct, you know, certainly.  
 23 CHAIRMAN AIZENSTAT: That's who I'm  
 24 concerned about, that smaller --  
 25 MR. WITHERS: So this doesn't deal with air

1 conditioning compressors or generators? It's a  
 2 wall of a house, right?  
 3 MR. TRIAS: No. Yes, sir.  
 4 CHAIRMAN AIZENSTAT: Right, because as it  
 5 is, you can't put any of that in the five-foot  
 6 setback either way.  
 7 MR. TRIAS: Usually they place them on the  
 8 roof.  
 9 CHAIRMAN AIZENSTAT: Correct.  
 10 MR. TORRE: And, you know, then there may  
 11 be other issues, and I don't know these. Then  
 12 there are Fire Code issues, how far can you be  
 13 from the house to that wall, so that wall may  
 14 still be a very bland wall, five feet -- so it  
 15 puts a wall of nothing five feet from the other  
 16 person's property. So, again --  
 17 CHAIRMAN AIZENSTAT: I mean, Venny, going  
 18 back to what you said, if there's a work  
 19 around. A single-family home, I've got, let's  
 20 say, a ten-foot back at the rear or wherever it  
 21 is. Would I then be able to go to my neighbor  
 22 and say, you know what, I'm going to do your  
 23 electrical if I can have a zero setback, so I  
 24 can make my structure bigger and so forth?  
 25 MR. TORRE: No, but you're making a point

1 CHAIRMAN AIZENSTAT: We have a second. Any  
 2 other discussion? No?  
 3 Call the roll, please.  
 4 THE SECRETARY: Luis Revuelta?  
 5 MR. REVUELTA: No.  
 6 THE SECRETARY: Venny Torre?  
 7 MR. TORRE: No.  
 8 THE SECRETARY: Chip Withers?  
 9 MR. WITHERS: Yes.  
 10 THE SECRETARY: Alex Bucelo?  
 11 MR. BUCELO: No.  
 12 THE SECRETARY: Claudia Miro?  
 13 MS. MIRO: Yes.  
 14 THE SECRETARY: Eibi Aizenstat?  
 15 CHAIRMAN AIZENSTAT: No, and for the reason  
 16 that I just don't know how many properties are  
 17 out there for that single owner.  
 18 MR. TRIAS: So the motion failed four-two.  
 19 THE SECRETARY: It failed.  
 20 MR. COLLER: I think we need a reverse  
 21 motion, then, because the person that made the  
 22 motion, that failed, so we need a motion to  
 23 recommend denial.  
 24 MR. BUCELO: I'll move to recommend denial.  
 25 CHAIRMAN AIZENSTAT: We have a motion to

1 where you're reversing what was already in the  
 2 Code. Here, the Code was already at zero and  
 3 we're trying to take away something that was  
 4 already theirs. So, I mean, there wasn't  
 5 anything wrong with it, except there's an  
 6 issue, which is understandable, that there  
 7 could be a conflict where two people just can't  
 8 agree on that. I mean, I'm just -- again, I  
 9 like the issue -- I mean, I like this solution.  
 10 I just want to make sure that if some people  
 11 can agree to reverse back to the zero, it's not  
 12 the end of the world here to make it happen,  
 13 that's all, and if a variance is the solution,  
 14 Ramon, then maybe that's the only way around  
 15 it, you know.  
 16 MR. TRIAS: I don't know of any other  
 17 solution with the Code that we have.  
 18 CHAIRMAN AIZENSTAT: Any other discussion?  
 19 No?  
 20 Anybody that would like to make a motion?  
 21 MR. WITHERS: I'll move it.  
 22 CHAIRMAN AIZENSTAT: As is?  
 23 MR. WITHERS: As is.  
 24 CHAIRMAN AIZENSTAT: Anybody second?  
 25 MS. MIRO: I'll second.

1 recommend denial from Alex. Is there a second?  
 2 MR. TORRE: I'll second it.  
 3 CHAIRMAN AIZENSTAT: Venny seconds. Any  
 4 discussion?  
 5 Call the roll, please.  
 6 SECRETARY: Venny Torre?  
 7 MR. TORRE: No. I mean, yes.  
 8 THE SECRETARY: Chip Withers?  
 9 MR. WITHERS: Yes. I mean, no. I mean --  
 10 I mean, no.  
 11 MR. COLLER: Wait.  
 12 MR. WITHERS: He's trying to confuse you,  
 13 you know that, right?  
 14 MR. COLLER: No, you're opposed to the  
 15 motion?  
 16 MR. WITHERS: I'm opposed to the motion.  
 17 MR. COLLER: Okay.  
 18 THE SECRETARY: Alex Bucelo?  
 19 MR. BUCELO: Yes.  
 20 THE SECRETARY: Claudia Miro?  
 21 MS. MIRO: No.  
 22 THE SECRETARY: Luis Revuelta?  
 23 MR. REVUELTA: Yes.  
 24 THE SECRETARY: Eibi Aizenstat?  
 25 CHAIRMAN AIZENSTAT: Yes, for the same

1 reason as before.  
 2 MR. TRIAS: Thank you very much. The  
 3 motion passes.  
 4 CHAIRMAN AIZENSTAT: Thank you. Thank you  
 5 everybody for coming. Is there a motion to  
 6 adjourn the meeting?  
 7 MS. MIRO: I'll make a motion.  
 8 CHAIRMAN AIZENSTAT: We have a motion to  
 9 adjourn the meeting. Is there a second?  
 10 MR. WITHERS: Second.  
 11 CHAIRMAN AIZENSTAT: We have a second. All  
 12 in favor say aye.  
 13 (All Board Members voted aye.)  
 14 (Thereupon, the meeting was adjourned at 8:00  
 15 p.m.)  
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1 CERTIFICATE  
 2  
 3 STATE OF FLORIDA:  
 4 SS.  
 5 COUNTY OF MIAMI-DADE:  
 6  
 7  
 8  
 9 I, NIEVES SANCHEZ, Court Reporter, and a Notary  
 10 Public for the State of Florida at Large, do hereby  
 11 certify that I was authorized to and did  
 12 stenographically report the foregoing proceedings and  
 13 that the transcript is a true and complete record of my  
 14 stenographic notes.  
 15  
 16 DATED this 17th day of March, 2022.  
 17  
 18  
 19 SIGNATURE ON FILE  
 20 \_\_\_\_\_  
 21 NIEVES SANCHEZ  
 22  
 23  
 24  
 25