

CITY OF CORAL GABLES
LOCAL PLANNING AGENCY (LPA)/
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
WEDNESDAY, OCTOBER 12, 2022, COMMENCING AT 6:00 P.M.

Board Members Present: (EXCERPT)
Eibi Aizenstat, Chairman
Robert Behar
Luis Revuelta
Wayne "Chip" Withers
Venny Torre
Julio Grabiell

City Staff and Consultants:
Suramy Cabrera, Development Services Director
Jill Menendez, Administrative Assistant, Board Secretary
Jennifer Garcia, Principal Planner
Arceli Redila, Zoning Administrator
Craig Coller, Special Counsel
Hermes Diaz, Public Works Director
Kevin Kinney, Parking Director

Also Participating:
Mario Garcia-Serra, Esq., on behalf of Item E-3

1 * * * * *
2 CHAIRMAN AIZENSTAT: Let's go ahead and get
3 started please. The next item that we have on
4 the agenda is Item E-3.
5 MR. COLLER: Item E-3, a Resolution of the
6 City Commission approving receipt of Transfer
7 of Development Rights (TDRs) pursuant to Zoning
8 Code Article 14, "Process," Section 14-204.6,
9 "Review and approval of use of TDRs on receiver
10 sites," for the receipt and use of TDRs for a
11 Mixed-Use project referred to as "1505 Ponce"
12 on the property legally described as Lots 1
13 through 6 and Lots 17 through 22, Block 36,
14 "Douglas Section" (1505 Ponce de Leon
15 Boulevard, 126 and 122 Menores Avenue), Coral
16 Gables, Florida; including required conditions;
17 providing for a repeater provision,
18 severability clause, and providing for an
19 effective date.
20 Item E-3, public hearing.
21 CHAIRMAN AIZENSTAT: Thank you.
22 MR. GARCIA-SERRA: Good evening, Mr. Chair,
23 Members of the Board. Mario Garcia-Serra, with
24 offices at 600 Brickell Avenue, here today
25 representing Location Acquisitions, LLC, the

1 contract purchaser of the property located at
2 1505 Ponce de Leon Blvd. And I'm joined today
3 by Mr. Hamed Rodriguez, our project architect,
4 as well as Leonard Roberts, with Location
5 Acquisitions.
6 This Board actually previously recommended
7 approval of this project in May of this year,
8 and it was subsequently approved by the City
9 Commission in July of this year. Both
10 approvals were conditioned upon identifying and
11 obtaining approval for the transfer of floor
12 area from TDR sending sites to the project
13 site, located at 1505 Ponce de Leon Boulevard.
14 That is exactly what we are back and
15 discussing today, TDR receiver site approval
16 for 1505 Ponce.
17 As you will remember, there is a lot to
18 like about this project. It is less than half
19 of the maximum permitted density; 80 units are
20 proposed, versus 179 units which would
21 typically be permitted. Almost a third of the
22 project site is open space, and there are two
23 public parks proposed for this project, one
24 fronting Ponce, on the west side of the
25 property, and another on the east side of the

1 property.
2 MR. BEHAR: May I interrupt you for one
3 second?
4 MR. GARCIA-SERRA: Sure.
5 MR. BEHAR: You said that you came before
6 us and we approved this project already, right?
7 MR. GARCIA-SERRA: Correct.
8 MR. BEHAR: And this is just the formality
9 to get the TDRs?
10 MR. GARCIA-SERRA: Correct.
11 MR. BEHAR: Just to --
12 MR. GRABIEL: What we see is what we get.
13 MR. GARCIA-SERRA: Yeah. Pretty much,
14 yeah.
15 We are also preserving and adapting a
16 historic building that's located on the
17 property at 122 Menores.
18 Part of this project and part of the TDR
19 approval are even more additional public
20 benefits, because where we are getting the TDRs
21 from, in one case, is a project that we will be
22 conveying -- or a property we will be conveying
23 to the City for a park, 301 Majorca. And,
24 then, the three other sender sites involved
25 will be providing TDRs from historic

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1 properties, which will then help with the
 2 maintenance of those historic properties.
 3 We have our project architect here. We
 4 could potentially go through the plans, if you
 5 wanted to again, but you've seen it before,
 6 with the exception maybe of the new Board
 7 Member. And, you know, we're available here
 8 for any comments, questions that you may have.
 9 CHAIRMAN AIZENSTAT: Thank you.
 10 Does Staff have a presentation for this or
 11 not?
 12 MR. BEHAR: No.
 13 MS. GARCIA: I do, but it's very brief.
 14 CHAIRMAN AIZENSTAT: Thank you.
 15 MS. GARCIA: You want me to give it?
 16 CHAIRMAN AIZENSTAT: Please. Of course, we
 17 do.
 18 (Simultaneous speaking.)
 19 MS. GARCIA: All right. So this was
 20 approved back in July of this year, and part of
 21 that approval was requiring them to come back
 22 within six months with TDRs. So here we are,
 23 approving those TDRs.
 24 So they're getting them from three
 25 different historic properties, including one --

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1 mass of the building with the existing context
 2 from the area.
 3 So they sent out letters to the property
 4 owners, and I hope they all got them --
 5 including you, Robert -- as well as postings,
 6 and website posting, and newspaper
 7 advertisement. This is the radius.
 8 And Staff recommends approval, with no
 9 conditions this time.
 10 CHAIRMAN AIZENSTAT: Thank you. Thank you
 11 for that presentation.
 12 Jill, do we have anybody from the public?
 13 THE SECRETARY: No. Sorry, no.
 14 CHAIRMAN AIZENSTAT: Anybody from Zoom?
 15 THE SECRETARY: No.
 16 CHAIRMAN AIZENSTAT: Nobody on the phone
 17 platform?
 18 THE SECRETARY: No.
 19 CHAIRMAN AIZENSTAT: At this time, I'd like
 20 to go ahead and close it for public comment.
 21 MR. BEHAR: I'll make a motion to approve.
 22 CHAIRMAN AIZENSTAT: We have --
 23 MR. REVUELTA: How about discussion,
 24 Robert?
 25 MR. BEHAR: Okay. I'm sorry.

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1 I'm sorry, including -- plus -- sorry, three
 2 historic properties and then a future City
 3 park.
 4 Now, you may not be aware of this or
 5 remember this, but there's a Text Amendment
 6 that was done, I think, back in 2019, that you
 7 can get TDRs from a future park.
 8 MR. WITHERS: You what?
 9 MS. GARCIA: From a future park. So if you
 10 have vacant land or if you just have property
 11 and you take down the house or whatever it is,
 12 you can transfer those development rights to
 13 another project and receive them.
 14 So they're using one that's at 301 Majorca.
 15 So I think this is new to you guys, because
 16 that didn't go through Planning. It goes
 17 through the Parks and Advisory Board and then
 18 to the Commission for approval.
 19 So the location of it is on Ponce, in
 20 between Menores and Mendoza. That's Zoned
 21 appropriately Mixed-Use and Commercial.
 22 CHAIRMAN AIZENSTAT: And this has already
 23 been approved, the project?
 24 MS. GARCIA: Right. Yes. Right.
 25 So this is the context, so you can see the

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1 CHAIRMAN AIZENSTAT: Okay. Luis.
 2 MR. REVUELTA: I like to give to Mr. Behar
 3 a hard time about this, but I don't have any
 4 questions.
 5 CHAIRMAN AIZENSTAT: Does anybody on the
 6 Board have any questions?
 7 MR. WITHERS: I have a question. Sorry.
 8 CHAIRMAN AIZENSTAT: That's okay.
 9 MR. WITHERS: Was this second? Are we
 10 having a discussion after the second? Are we
 11 waiting for a second to your motion?
 12 CHAIRMAN AIZENSTAT: Well, let's -- go
 13 ahead.
 14 MR. WITHERS: Okay. So how many TDRs did
 15 they need and how many are they getting from
 16 the park and how many are they getting from the
 17 historic building?
 18 MS. GARCIA: Yes. I have that here.
 19 MR. BEHAR: 59,000.
 20 MS. GARCIA: We have a number --
 21 MR. WITHERS: What?
 22 MR. BEHAR: About 59,000.
 23 MS. GARCIA: Yes, 59,405.
 24 MR. WITHERS: How is that broken down, do
 25 you know?

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1 MS. GARCIA: Yes. 24,000 from 235
 2 Marjorca, 24,000 and some change; 3,200 from
 3 118 Menores; 30,000 from that park that I
 4 mentioned at 301 Majorca; and then about 1,500
 5 from 36 --
 6 MR. WITHERS: Okay. So we upzoned that
 7 area.
 8 MS. GARCIA: We changed the maximum FAR you
 9 can have in that area, yes.
 10 MR. WITHERS: Okay. So are they benefiting
 11 -- is the historic building that they're
 12 getting their TDRs from benefiting from the
 13 upzoning that we previously did?
 14 MS. GARCIA: Yes. Yeah, because instead of
 15 1.9 FAR, now they can have 2.5 like everybody
 16 else.
 17 MR. WITHERS: But does that give them more
 18 TDRs?
 19 MS. GARCIA: Yes, because the potential of
 20 that property -- of that historic property was
 21 raised. So instead of 1.9 for a small
 22 property, it's now 2.5. So it's the same for
 23 all of the sizes of -- they have two
 24 properties --
 25 MR. WITHERS: So if I have a piece of

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1 MR. TORRE: Just to be clear, on a piece of
 2 their assemblage there's a historical property,
 3 right?
 4 MS. GARCIA: Uh-huh.
 5 MR. TORRE: That piece got changed to
 6 higher density. That still has a historical,
 7 but they used all of those new --
 8 MS. GARCIA: Yeah, they incorporated the
 9 left over square feet into their building.
 10 MR. TORRE: Right. So they still kept --
 11 okay --
 12 (Simultaneous speaking.)
 13 MR. BEHAR: But that's not a TDR.
 14 MS. GARCIA: But it's nothing to do with
 15 TDRs.
 16 MR. BEHAR: Yeah, but that's not a TDR.
 17 They're not transferring. They're using that
 18 in their site.
 19 MR. WITHERS: I understand. So it's really
 20 not a TDR, technically. It's almost like a
 21 Planned Area Development.
 22 MS. GARCIA: Yes.
 23 MR. BEHAR: The three properties that they
 24 identified, plus the park, are the TDRs they're
 25 transferring.

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1 property with a historic building on it and I'm
 2 doing a Planned Area Development or however I
 3 do, if I upzone the whole property, including
 4 the historic building I'm on, then I can sell
 5 to myself my own --
 6 MS. GARCIA: I'm sorry, I misunderstood
 7 your question. You're talking about the
 8 historic property on their property?
 9 MR. WITHERS: Yeah. Yeah. Yeah.
 10 MS. GARCIA: Oh, okay. I thought you meant
 11 the Zoning Code update and how -- my apologies.
 12 We're on the same page now.
 13 MR. WITHERS: Okay.
 14 MS. GARCIA: Yes, but they're not really
 15 sending the TDRs from that property that's
 16 already part of their building site --
 17 MR. WITHERS: Okay.
 18 MS. GARCIA: -- but, yes, they did gain
 19 some square feet, because it's no longer 2.5,
 20 it's 3.5, because it was rezoned to Mixed-Use.
 21 MR. BEHAR: But this is a PAD. They did a
 22 PAD --
 23 MR. WITHERS: I understand. I get it now.
 24 I understand now. I was confused. I got it.
 25 I understand it.

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1 MR. WITHERS: I get it. I get it. I get
 2 it. I get it.
 3 CHAIRMAN AIZENSTAT: Julio, any comment?
 4 MR. GRABIEL: No.
 5 MR. COLLER: Did we check if there was
 6 anybody in the public --
 7 CHAIRMAN AIZENSTAT: We -- yeah, we went
 8 through that.
 9 MR. COLLER: Okay.
 10 MR. BEHAR: So we have a motion. I don't
 11 think we have a second.
 12 CHAIRMAN AIZENSTAT: We have a motion by
 13 Robert.
 14 MR. TORRE: I'll second it.
 15 CHAIRMAN AIZENSTAT: We have a second.
 16 MR. COLLER: This is in accordance with
 17 Department recommendations.
 18 MR. BEHAR: Yes.
 19 CHAIRMAN AIZENSTAT: In accordance with the
 20 recommendations as stated.
 21 Any comments? No?
 22 Jill, call the roll please.
 23 THE SECRETARY: Luis Revuelta?
 24 MR. REVUELTA: Yes.
 25 THE SECRETARY: Venny Torre?

1 MR. TORRE: Yes.
 2 THE SECRETARY: Chip Withers?
 3 MR. WITHERS: Yes.
 4 THE SECRETARY: Robert Behar?
 5 MR. BEHAR: Yes.
 6 THE SECRETARY: Julio Grabiell?
 7 MR. GRABIEL: Yes.
 8 THE SECRETARY: Eibi Aizenstat?
 9 CHAIRMAN AIZENSTAT: Yes.
 10 MR. GARCIA-SERRA: Thank you very much, Mr.
 11 Chair, Members of the Board. Have a very good
 12 night.
 13 CHAIRMAN AIZENSTAT: Thank you very much
 14 for coming.

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CERTIFICATE

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STATE OF FLORIDA:
 SS.
 COUNTY OF MIAMI-DADE:

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

DATED this 14th day of October, 2022.

SIGNATURE ON FILE

 NIEVES SANCHEZ