

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

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

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

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

1 THEREUPON:

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

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

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

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

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

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

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

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

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

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

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

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

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

17 MR. BEHAR: No.

18 CHAIRMAN AIZENSTAT: No? Having heard  
 19 none.

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

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

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

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

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

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

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

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

9 CHAIRMAN AIZENSTAT: I apologize.

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

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

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

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

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

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

4 MS. VELEZ: So moved.

5 CHAIRMAN AIZENSTAT: We have a motion --

6 MS. VELEZ: Second.

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

10 THE SECRETARY: Rene Murai?

11 Rene Murai?

12 Luis Revuelta?

13 MR. REVUELTA: Yes.

14 THE SECRETARY: Venny Torre?

15 MR. TORRE: Yes.

16 THE SECRETARY: Maria Velez?

17 MS. VELEZ: Yes.

18 THE SECRETARY: Chip Withers?

19 MR. WITHERS: Yes.

20 THE SECRETARY: Robert Behar?

21 MR. BEHAR: Yes.

22 THE SECRETARY: Rene Murai?

23 Eibi Aizenstat?

24 CHAIRMAN AIZENSTAT: Yes.

25 The procedure that we'll use tonight is as

Page 9

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

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

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

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

Page 10

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

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

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

Page 11

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

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

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

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

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

Page 12

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

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

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

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

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

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

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

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

Page 17

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

Page 19

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

Page 18

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

Page 20

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

Page 21

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

Page 23

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

Page 22

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

Page 24

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

Page 25

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

Page 27

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

Page 26

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

Page 28

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

Page 29

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

Page 31

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

Page 30

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

Page 32

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

Page 33

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

Page 35

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

Page 34

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

Page 36

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

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

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

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

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

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

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

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

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

Page 45

1 it would be on Santander and Malaga?  
 2 MR. TRIAS: Yes, sir.  
 3 MR. MURAI: And so the Malaga side would be  
 4 facing Single-Family homes?  
 5 MR. TRIAS: The Malaga side will be facing  
 6 MX1. MX1 is the Zoning that was changed  
 7 recently. Today it's Single-Family homes, yes,  
 8 but in terms of the Zoning, it's MX1.  
 9 MR. MURAI: I mean, that block of Malaga,  
 10 that is changing to something else?  
 11 MR. TRIAS: It already -- that's something  
 12 that you reviewed as a Board some time ago and  
 13 then the Commission looked at it and they  
 14 changed it to MX1. MX1 is the lowest mixed-use  
 15 that we have.  
 16 MR. MURAI: So that, with time, may become  
 17 something other than Single-Family homes?  
 18 MR. TRIAS: Yes.  
 19 MR. MURAI: The north side of Malaga?  
 20 MR. TRIAS: Yes.  
 21 MR. MURAI: And how high would the north  
 22 side of Malaga be?  
 23 MR. TRIAS: It could go to six stories.  
 24 The maximum height would be six stories and 77  
 25 feet.

Page 47

1 today, would change to MF2. MF2 is  
 2 Multi-Family. However, it wouldn't be -- as  
 3 Mr. Behar mentioned, it could be very tall;  
 4 however, another one of the requests, Number 2,  
 5 is to limit the height to 45 feet.  
 6 MR. MURAI: So, basically, both sides of  
 7 Malaga would be similar, no?  
 8 MR. TRIAS: One side will be six stories or  
 9 77 feet. The other side will be three stories  
 10 and 45 feet. So they will be different. At  
 11 least, from my perspective, they will be  
 12 different.  
 13 MR. MURAI: Okay. And is there any  
 14 controversy on -- let's see, the north side of  
 15 Santander? I mean, do people want to keep that  
 16 Single-Family limited?  
 17 MR. TRIAS: Well, that's what we're here  
 18 for, to listen to different ideas, and you  
 19 heard some people objecting to it. We also had  
 20 some e-mails objecting to it. So the purpose  
 21 of today's meeting is to listen to all of the  
 22 different opinions, and then you, as a Board,  
 23 will make a recommendation.  
 24 MR. MURAI: And what's your recommendation?  
 25 What is it that the Planning Director wants to

Page 46

1 MR. MURAI: Wait. Can you not take it to  
 2 97 feet with all of the Med Bonuses?  
 3 MR. TRIAS: Not MX1. MF2, you could. So  
 4 that's one distinction between the two.  
 5 MR. MURAI: So that's the south side of  
 6 Malaga, not the north, right?  
 7 MR. TRIAS: That's the -- yes. Yes.  
 8 MR. MURAI: The north side is still  
 9 limited -- is basically Single-Family homes?  
 10 MR. TRIAS: No. No. No.  
 11 MR. BEHAR: That will change. He's not  
 12 understanding that.  
 13 MR. TRIAS: Currently they're Single-Family  
 14 homes. That's the existing condition. That is  
 15 true. However, the Zoning has changed. The  
 16 Zoning has changed in the north, in the  
 17 northern side of Malaga, that whole block,  
 18 Block 28. The Zoning is no longer  
 19 Single-Family. The zoning is MX1.  
 20 MX1 is mixed-use, which means some  
 21 Commercial may be downstairs, Residential  
 22 upstairs, up to six stories. So it's different  
 23 than the existing condition. So that's the  
 24 north.  
 25 Now, the south, what you are reviewing

Page 48

1 do?  
 2 MR. TRIAS: The recommendation is approval,  
 3 and when I asked about some of the details of  
 4 the plan, I just expressed a preference, from a  
 5 planning point of view, that it's better to  
 6 have the same Zoning on both side of the street  
 7 facing each other.  
 8 MR. MURAI: On which block?  
 9 MR. TRIAS: In the whole City. In general,  
 10 that is just good planning practice. In this  
 11 case, that probably applies to Malaga more than  
 12 anything else, and that's just simply a  
 13 planning theory discussion.  
 14 MR. MURAI: So you're saying that it would  
 15 be better that Malaga doesn't have Commercial,  
 16 the north side of Malaga?  
 17 MR. TRIAS: The north side of --  
 18 MR. MURAI: Sorry, the south side --  
 19 MR. TRIAS: (Unintelligible) In the future,  
 20 should buildings be built according to MX1.  
 21 MR. MURAI: I'm pretty dense, but you're  
 22 saying that the north side of Malaga can have  
 23 Commercial?  
 24 MR. TRIAS: The north side of Malaga can  
 25 have Commercial on the ground level with the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 So you're already sort of stuck with

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

3 MR. TRIAS: Six.

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

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

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

17 MR. TRIAS: That is what --

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

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

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

1 MR. TRIAS: No. No.

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

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

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

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

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

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

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

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

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

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

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

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

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

21 MR. WITHERS: I understand.

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

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

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

6 MR. TRIAS: Yes.

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

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

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

22 MR. TRIAS: Right.

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

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

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

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

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

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

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

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

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

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

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

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

1 different.

2 MR. REVUELTA: I am in agreement with what

3 Venny was saying, not to planning by reaction

4 (unintelligible.)

5 And you mentioned, spot zoning. I think

6 what has happened by default here, for whatever

7 reason, is kind of reverse spot zoning. I

8 think the Commission had a chance to allow MX1

9 here and kind of basically said, I pass the

10 buck on this.

11 Did they say to Planning, go back and

12 review and make another recommendation, in Lot

13 36?

14 MR. TRIAS: Yes. Yes.

15 MR. REVUELTA: And this is your answer to

16 that Commission's request?

17 MR. TRIAS: Yes.

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

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

20 But what I believe happened was that the

21 Commission felt, look, if we allow MX1 to

22 continue to go to San Sebastian, we really

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

24 cetera, et cetera.

25 They went back -- apparently they told the

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

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

3 this thing, with the condition that Robert

4 presented, and we can maybe have a little more

5 conversation about whether Commercial in the

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

7 with Commercial on the north, because there is

8 already MX1. I believe that the market

9 eventually is going to dictate what is going to

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

11 Commercial you really can put on the north side

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

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

14 Single-Family, but a Residential development.

15 And is it inappropriate for me to ask if

16 these properties on Block 36 are now under one

17 ownership or different ownerships?

18 MR. TRIAS: There are multiple owners.

19 MR. REVUELTA: Multiple owners.

20 MR. TRIAS: Yes.

21 MR. REVUELTA: So this initiative is not by

22 a single company or entity or LLC?

23 MR. WITHERS: Not yet.

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

25 order asking the question, please correct me,

1 Planning Department, give us another

2 recommendation. I do believe that the

3 recommendation that the Planning Department is

4 making is a sound one, and actually fixing what

5 I believe happened, which is reverse spot

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

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

8 know, that kind of principle of planning, with

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

10 a hundred percent correct.

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

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

13 by default, reverse spot zoning and it does

14 create a good transition from MX1 to San

15 Sebastian.

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

17 the term spot zoning, because that doesn't

18 apply here and it has --

19 MR. REVUELTA: My apologies.

20 (Simultaneous speaking.)

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

22 talking about.

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

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

25 going to be surrounded by higher buildings by

1 everybody.

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

3 City initiated application. So no one is

4 applying from the land owners.

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

6 order with the question, my apologies. I just

7 wanted to know.

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

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

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

11 MR. TRIAS: The recommendation was to

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

13 They changed the Map. They removed this block.

14 MR. MURAI: They removed. When it came

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

16 Commission, they stopped the boundary to the

17 north on Malaga.

18 MR. TRIAS: Yes, sir.

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

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

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

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

23 the transition to get to the San Sebastian

24 Apartment.

25 MR. TRIAS: An if nothing happens, it

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

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

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

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

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

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

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

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

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

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

11 MR. TRIAS: Yes.

12 MR. BEHAR: The middle of the block.

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

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

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

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

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

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

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

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

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

23 MR. BEHAR: That will be detrimental.

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

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

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

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

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

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

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

22 MR. COLLER: Yes. Okay.

23 CHAIRMAN AIZENSTAT: Rene.

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

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

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

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

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

25 CHAIRMAN AIZENSTAT: Yeah. It's a little

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

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

DATED this day 8th of March, 2021.

SIGNATURE ON FILE

\_\_\_\_\_

NIEVES SANCHEZ