

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">CITY OF CORAL GABLES LOCAL PLANNING AGENCY (LPA)/ PLANNING AND ZONING BOARD MEETING VERBATIM TRANSCRIPT CORAL GABLES CITY HALL 405 BILTMORE WAY, COMMISSION CHAMBERS CORAL GABLES, FLORIDA WEDNESDAY, JANUARY 8, 2020, COMMENCING AT 6:04 P.M.</p> <p>Board Members Present: Robert Behar, Acting Chairman Rhonda A. Anderson Venny Torre Chip Withers Rene Murai Maria Velez</p> <p>City Staff and Consultants: Ramon Trias, Planning Director Craig Coller, Special Attorney Jill Menendez, Administrative Assistant, Board Secretary Devin Cejas, Deputy Development Services Director/Zoning Official Jennifer Garcia, City Planner Ana Restrepo, Principal Planner Arceli Redila, Principal Planner Gustavo J. Ceballos, Assistant City Attorney</p> <p>ALSO PARTICIPATING:</p> <p>Karelia Martinez-Carbonell Mario Garcia-Serra, Esq., on behalf of Item E-2 Glenn Pratt, Architect Sarah Fiol, traffic engineer</p>	<p style="text-align: right;">Page 2</p> <p>1 THEREUPON: 2 (The following proceedings were held.) 3 MR. BEHAR: Good evening. We're going to 4 get started. 5 The Board is comprised of seven members. 6 Four Members of the Board constitute a quorum 7 and four Members is needed to have an 8 affirmative vote on an adoption of a motion. A 9 tie vote shall result in the request moving 10 forward for the Commission's consideration 11 without a recommendation, if the applicant does 12 not request a continuance. 13 Any person -- as far as a lobbyist, any 14 person who acts as a lobbyist pursuant to the 15 City of Coral Gables Ordinance 2006-11, must 16 register with the City Clerk prior to engaging 17 and/or the City Commission -- doing a 18 presentation before the Boards and the Staff. 19 A copy of the Ordinance is available in the 20 Office of the City Clerk. Failure to register 21 and provide proof of registration shall 22 prohibit your ability to present to the Board. 23 I now call the City of Coral Gables 24 Planning &amp; Zoning Board meeting of January 8th, 25 2020 to order, and the time is 6:04.</p>
<p style="text-align: right;">Page 3</p> <p>1 Jill, could you please do the roll call? 2 THE SECRETARY: Rhonda Anderson? 3 MS. ANDERSON: Here. 4 THE SECRETARY: Robert Behar? 5 MR. BEHAR: Here. 6 THE SECRETARY: Rene Murai? 7 MR. MURAI: Here. 8 MR. BEHAR: Venny Torre? 9 MR. TORRE: Present. 10 THE SECRETARY: Maria Velez? 11 MS. VELEZ: Here. 12 THE SECRETARY: Chip Withers? 13 MR. WITHERS: Here. 14 THE SECRETARY: Eibi Aizenstat? 15 MR. BEHAR: Notice regarding ex parte 16 communications. Please be advised that this 17 Board is a quasi-judicial board and the items 18 on the agenda are quasi-judicial in nature, 19 which requires Board Members to disclose all ex 20 parte communications and site visits. An ex 21 parte communication is defined as any contact, 22 communication, conversation, correspondence, 23 memorandum or any other written or verbal 24 communication that takes place outside a public 25 hearing between a member of the public and a</p>	<p style="text-align: right;">Page 4</p> <p>1 member of the quasi-judicial Board regarding 2 matters to be heard by the Board. 3 If anyone made any contact with a Board 4 Member regarding an issue before the Board, the 5 Board Member must state on the record the 6 existence of the ex parte communication and the 7 party who originated the communication. Also, 8 if a Board Member has conducted a site visit 9 specifically related to a case before the 10 Board, the Board Member must also disclose such 11 visit. 12 In either case, the Board Member must state 13 on the record whether the ex parte 14 communication and/or site visit will affect the 15 Board Member's ability to impartially consider 16 the evidence to be presented before the matter 17 (sic). The Board Member shall also state that 18 his or her decision will be based on 19 substantial competent evidence and testimony 20 presented on the record today. 21 Does any Board Member have any such 22 communication or site visit to disclose at this 23 time? 24 Seeing none, we'll close that. 25 Everyone who is -- to swear in. Anyone who</p>

<p style="text-align: right;">Page 5</p> <p>1 speaks today must complete the roster on the  2 podium. We ask that you print clearly, so the  3 official records of your name and address will  4 be correct. Now, with the exception of  5 attorneys, all persons who will speak on agenda  6 items before us today, please rise to be sworn  7 in.  8 (Thereupon, the participants were sworn.)  9 MR. BEHAR: Thank you.  10 In respect to everybody on the Board, can  11 you please make sure your cell phones, your  12 pagers and all other devices are turned off,  13 not to have any interruptions?  14 Now we must proceed with the agenda.  15 We have, I think, a request to make some  16 movement, but before we get there, do we want  17 to get the Approval of the Minutes?  18 MR. TORRE: I'll move the minutes.  19 MS. VELEZ: I'll second.  20 MS. ANDERSON: I have one correction.  21 There's a missing question mark on Page 2, line  22 13.  23 MR. MURAI: And on Page 46, Line 8, it  24 says, "Is there lightning in the parking park?"  25 That's not what I said. "Is there lighting in</p>	<p style="text-align: right;">Page 6</p> <p>1 the parking lot?"  2 MR. BEHAR: You don't want lightning?  3 Any other corrections, modifications? If  4 not, we have a motion and a second.  5 Jill, can you please call the roll?  6 THE SECRETARY: Rene Murai?  7 MR. MURAI: Yes.  8 THE SECRETARY: Venny Torre?  9 MR. TORRE: Yes.  10 THE SECRETARY: Maria Velez?  11 MS. VELEZ: Yes.  12 THE SECRETARY: Chip Withers?  13 MR. WITHERS: Yes.  14 THE SECRETARY: Rhonda Anderson?  15 MS. ANDERSON: Yes.  16 THE SECRETARY: Robert Behar?  17 MR. BEHAR: Yes.  18 Now, we have a slight change to the agenda.  19 We are going to request to move Item E-3 and  20 E-4 to the front. Is there any objections to  21 that?  22 Seeing none, Mr. City Attorney, can you  23 please start with Item E-3, please?  24 MR. COLLER: Item E-3, an Ordinance of the  25 City of Coral Gables, Florida, providing for</p>
<p style="text-align: right;">Page 7</p> <p>1 text amendments to the City of Coral Gables  2 Official Zoning Code, Article 3, "Development  3 Review," Section 3-606, "Procedures for  4 Appeals," to afford staff an additional 72  5 hours to appeal City Board decisions if a filed  6 appeal is determined to be deficient; providing  7 for a repealer provision, severability clause,  8 codification, and providing for an effective  9 date.  10 Item E-3, public hearing.  11 MR. TRIAS: Mr. Chairman, Attorney Ceballos  12 will make a presentation.  13 MR. BEHAR: Okay. Thank you.  14 MR. CEBALLOS: Good evening, Mr. Chair and  15 Board Members, Assistant City Attorney Gus  16 Ceballos.  17 Before you is E-3, which is just a  18 modification to Section 3-606 of the Zoning  19 Code. In that amendment, what it is basically  20 allowing is a safety net for a particular issue  21 that we had recently with a Historic  22 Preservation property, where a Historic  23 Preservation property went forward and then an  24 appeal was put forward. The appeal period ran,  25 and the City Staff would have liked to have</p>	<p style="text-align: right;">Page 8</p> <p>1 appealed, but that appeal period had already  2 run.  3 So what happened is, the original appellant  4 had been determined to not have standing in  5 that appeal and since that ten-day period had  6 already passed, there was no mechanism to allow  7 Staff to come back and appeal that decision.  8 This basically just creates that extra 72-hour  9 window in the unlikely event that in the future  10 another individual appeals and is found to be  11 without standing, that Staff does have an  12 additional 72 hours, if they so choose, to  13 appeal the decision of the --  14 MR. MURAI: To appeal, what, the decision  15 that there's no standing?  16 MR. CEBALLOS: A decision of the Historic  17 Preservation Board. In the particular case  18 where this item stems from, it was an  19 individual who was determined not to be an  20 aggrieved party, so they did not have standing  21 to move forward with the appeal.  22 MR. MURAI: And what did the City want to  23 do at that point?  24 MR. CEBALLOS: At that point, the City  25 couldn't do anything, but the Historic</p>

<p style="text-align: right;">Page 9</p> <p>1 Preservation group or department had originally</p> <p>2 decided they had wanted to appeal, but did not</p> <p>3 move forward with an appeal, because somebody</p> <p>4 else had submitted the appeal. This is</p> <p>5 basically just a way to prevent that issue from</p> <p>6 happening in the future.</p> <p>7 MR. MURAI: So, in that case, the City</p> <p>8 wanted to appeal, but it did not --</p> <p>9 MR. CEBALLOS: Correct.</p> <p>10 MR. MURAI: -- because an appeal had</p> <p>11 already been filed?</p> <p>12 MR. CEBALLOS: Correct.</p> <p>13 MR. MURAI: So their objections to the</p> <p>14 decision were going to be considered in the</p> <p>15 appeal? Is that what you're saying?</p> <p>16 MR. CEBALLOS: They could not move forward</p> <p>17 with the appeal, because Staff was outside of</p> <p>18 the appeal period.</p> <p>19 MR. MURAI: I understand.</p> <p>20 MR. BEHAR: But how long do you have? How</p> <p>21 long does it exist between the time you have to</p> <p>22 file an appeal?</p> <p>23 MR. CEBALLOS: Ten days.</p> <p>24 MR. BEHAR: And if somebody appeals on the</p> <p>25 tenth day --</p>	<p style="text-align: right;">Page 10</p> <p>1 MR. CEBALLOS: Yes.</p> <p>2 MR. BEHAR: -- you want the three extra</p> <p>3 days for Staff to --</p> <p>4 MR. CEBALLOS: We want the -- the</p> <p>5 Commissioners had originally suggested the</p> <p>6 three days to basically allow -- so, let's say,</p> <p>7 what you're describing -- the scenario you're</p> <p>8 describing is, tenth day, somebody submits a</p> <p>9 document. It's unlikely that the Clerk's</p> <p>10 Office will get that information to the City</p> <p>11 Attorney's Office, for us to make a</p> <p>12 determination on whether they have standing.</p> <p>13 So let's say it happens on the twelfth day,</p> <p>14 this would give -- on that twelfth day, if that</p> <p>15 decision is made, that this person lacks</p> <p>16 standing or there is some sort of deficiency in</p> <p>17 their application for an appeal, that Staff</p> <p>18 will still have an additional 72 hours, from</p> <p>19 that moment, in order to appeal.</p> <p>20 MR. BEHAR: And would it not work the same</p> <p>21 if you said, instead of ten days, seven days to</p> <p>22 file the appeal, and then you have three days</p> <p>23 to respond to that? Because right now you're</p> <p>24 going to extend it to thirteen days, basically.</p> <p>25 MR. CEBALLOS: At this point, I don't think</p>
<p style="text-align: right;">Page 11</p> <p>1 the Commission or anybody else is willing to</p> <p>2 reduce the current appeal period of ten days.</p> <p>3 MR. COLLIER: Yeah. Well, actually, the</p> <p>4 time is really not based on the ten days. The</p> <p>5 way the Ordinance is written, when it's</p> <p>6 discovered that the actual appellant didn't</p> <p>7 have standing, at that point, the three</p> <p>8 additional days kicks in, to give the City</p> <p>9 Staff an opportunity to take the appeal.</p> <p>10 So if the City Staff was relying on an</p> <p>11 appeal, saying, "Well, it's already been</p> <p>12 appealed. There's no reason for us to take an</p> <p>13 appeal," but in the unusual circumstance that</p> <p>14 it determines that that appeal is somehow</p> <p>15 deficient, it doesn't deny the</p> <p>16 County Commission -- the City Commission</p> <p>17 jurisdiction to look at it, because the City</p> <p>18 Staff will still have an opportunity, if it</p> <p>19 feels an appeal should have been made, to make</p> <p>20 that appeal.</p> <p>21 MR. MURAI: But that is -- would the City's</p> <p>22 appeal be on the same grounds as the appeal</p> <p>23 that was found deficient?</p> <p>24 MR. COLLIER: Well, the grounds for the</p> <p>25 appeal is that something occurred at the</p>	<p style="text-align: right;">Page 12</p> <p>1 Historic Preservation Board that the City Staff</p> <p>2 feels that the Board erred in its decision.</p> <p>3 MR. MURAI: Should be appealed.</p> <p>4 MR. COLLIER: So that would be the basis for</p> <p>5 a City appeal, if it's determined that the</p> <p>6 appeal by the particular party lacks standing.</p> <p>7 MR. MURAI: Okay. I understand that.</p> <p>8 Now, the City shall have 72 hours from the</p> <p>9 date of that determination to appeal the</p> <p>10 decision.</p> <p>11 MR. COLLIER: Correct.</p> <p>12 MR. MURAI: So that could be a month later?</p> <p>13 MR. COLLIER: Potentially it could be --</p> <p>14 MR. MURAI: Or a year later?</p> <p>15 MR. COLLIER: Well, I don't think it would</p> <p>16 be a year, because these appeals get processed</p> <p>17 in due order, but it might be that the City</p> <p>18 Attorney might determine, a week after the</p> <p>19 appeal is filed, once it finally gets to them</p> <p>20 from the Clerk's Office, that, no, we don't</p> <p>21 think this person legally can even present this</p> <p>22 case. So it's from that determination that the</p> <p>23 three days clicks in.</p> <p>24 So we're not talking about a year.</p> <p>25 MR. MURAI: No, but my question to you is,</p>

<p style="text-align: right;">Page 13</p> <p>1 could the City make the determination thirty</p> <p>2 days after the appeal was filed?</p> <p>3 MR. CEBALLOS: In theory, yes, but it's</p> <p>4 just not a realistic timetable. Typically</p> <p>5 that's going to be turned around in a much</p> <p>6 quicker timetable. It could, but our --</p> <p>7 MR. MURAI: Under this language, it can,</p> <p>8 right?</p> <p>9 MR. CEBALLOS: It could, but what you have</p> <p>10 to understand is, there's another provision in</p> <p>11 those sections for appeals that require that</p> <p>12 the appeal be heard at the very next Commission</p> <p>13 Meeting, unless there's not sufficient time to</p> <p>14 provide notice. So I don't actually think you</p> <p>15 could pass thirty days, because of that</p> <p>16 requirement.</p> <p>17 MR. MURAI: Unless the City Commission is</p> <p>18 not going to meet next month.</p> <p>19 MR. CEBALLOS: That is possible.</p> <p>20 MR. TORRE: But --</p> <p>21 MR. MURAI: Let me finish.</p> <p>22 MR. COLLIER: But in that circumstances, if</p> <p>23 I may interrupt, the appeal wouldn't be heard</p> <p>24 within that time period anyway.</p> <p>25 MR. CEBALLOS: Correct.</p>	<p style="text-align: right;">Page 14</p> <p>1 MR. COLLIER: It would have to go to the</p> <p>2 following month, if there isn't sufficient time</p> <p>3 to get notice.</p> <p>4 MR. CEBALLOS: This would, in no way, hold</p> <p>5 back a development or any another individual</p> <p>6 beyond three days. The reason why I say that</p> <p>7 is, if you file an appeal and the appeal has</p> <p>8 not yet been heard, but let's say it takes two</p> <p>9 weeks to hear the appeal, and then that</p> <p>10 decision is made, that, oh, this person doesn't</p> <p>11 have standing, the only additional timetable,</p> <p>12 the only additional delay on, let's say, a</p> <p>13 development, would be those three days.</p> <p>14 MR. MURAI: Three days from the fifteen</p> <p>15 days after the decision was made --</p> <p>16 MR. CEBALLOS: After there's an appeal that</p> <p>17 has been submitted.</p> <p>18 MR. MURAI: -- or three days after 30 days</p> <p>19 that the decision was made? You see what I'm</p> <p>20 saying to you? There's no -- I would insert</p> <p>21 here, that in no event would that appeal by the</p> <p>22 City would be filed more than thirty days from</p> <p>23 the initial determination, so you have at least</p> <p>24 cut it up and not just leave it open.</p> <p>25 MR. CEBALLOS: That's a reasonable</p>
<p style="text-align: right;">Page 15</p> <p>1 modification.</p> <p>2 MR. MURAI: Or fifteen days or whatever you</p> <p>3 guys think is reasonable, but I wouldn't leave</p> <p>4 it open. The way this reads is open-ended,</p> <p>5 depending on the City Commission, whether it</p> <p>6 meets, doesn't meet. So I would have a no</p> <p>7 later than. You guys decide what the no later</p> <p>8 than should be.</p> <p>9 MR. TORRE: I'm interested in talking about</p> <p>10 the reason for the appeal to happen, and I</p> <p>11 think you have tried to explain why Staff would</p> <p>12 take the approach of filing an appeal that</p> <p>13 somebody initiated.</p> <p>14 MR. CEBALLOS: The Staff would not carry</p> <p>15 over their appeal. Staff would typically do</p> <p>16 their own appeal. They are not required to go</p> <p>17 on the same grounds as the original appellant.</p> <p>18 MR. TORRE: That goes to my point. If the</p> <p>19 Staff didn't make the appeal, and then it</p> <p>20 faltered, this appeal by this aggrieved party</p> <p>21 faltered, all of a sudden, some new information</p> <p>22 came about? Why would Staff all of a sudden</p> <p>23 pick up on that aggrieved person's or party's</p> <p>24 grievance to take over something that they</p> <p>25 didn't initiate to begin with?</p>	<p style="text-align: right;">Page 16</p> <p>1 MR. CEBALLOS: In this particular</p> <p>2 situation, it was a very unique situation that</p> <p>3 brings up this issue. Historic Preservation,</p> <p>4 their department, wanted to appeal the</p> <p>5 decision. So within that ten-day period, they</p> <p>6 were planning to move forward with an appeal.</p> <p>7 They had a desire to move with an appeal. They</p> <p>8 did not, because they found out that somebody</p> <p>9 else was appealing. Obviously, they should</p> <p>10 have appealed. They should have had a second</p> <p>11 concurrent running appeal and this would have</p> <p>12 never happened. There is no denying that.</p> <p>13 MR. TORRE: But let's talk about that. So</p> <p>14 when can Staff appeal a vote of that</p> <p>15 Preservation Board?</p> <p>16 MR. MURAI: If they don't agree.</p> <p>17 MR. CEBALLOS: Whenever they --</p> <p>18 MR. TORRE: Doesn't that mean they get two</p> <p>19 cracks at -- two bites at the apple? I mean,</p> <p>20 they prepare the Staff preparation, they had a</p> <p>21 full vote, they have this sort of thing that</p> <p>22 we're doing today, and then they don't like the</p> <p>23 vote, and then they appeal it?</p> <p>24 MR. MURAI: Yeah, but the Board -- I mean,</p> <p>25 the grounds would be, the Board did not agree</p>

<p style="text-align: right;">Page 17</p> <p>1 with the Staff recommendation.</p> <p>2 MR. TORRE: But that's two bites at the</p> <p>3 apple.</p> <p>4 MR. CEBALLOS: But that's no different than</p> <p>5 the applicant.</p> <p>6 MR. MURAI: That's always the case. That's</p> <p>7 always the case. I just --</p> <p>8 MR. CEBALLOS: Either party can appeal.</p> <p>9 MR. MURAI: That's right.</p> <p>10 MS. ANDERSON: I know, but if you look at</p> <p>11 the regular procedure in our court system,</p> <p>12 somebody wants to appeal something, they have</p> <p>13 to do so by the time a Notice of Appeal is due.</p> <p>14 There are some distinctions, if there's a</p> <p>15 Notice of Cross Appeal that needs to be filed.</p> <p>16 And I believe Historic Preservation is</p> <p>17 ultimately important, but there needs to be a</p> <p>18 process where, if we were to allow this 72-hour</p> <p>19 window, that the issue of standing should be</p> <p>20 determined in a finite period of time.</p> <p>21 And that's not difficult for someone to</p> <p>22 figure out, whether or not someone has</p> <p>23 standing. You know, there's a set of criteria,</p> <p>24 just like if someone lives within a thousand</p> <p>25 feet, they either do or they don't, or they're</p>	<p style="text-align: right;">Page 18</p> <p>1 appearing there as counsel for a party that is</p> <p>2 within that thousand feet radius --</p> <p>3 MR. MURAI: Yeah, but what you said is that</p> <p>4 you might not get it on time. You might not</p> <p>5 get notice of the Notice of Appeal on time.</p> <p>6 MR. CEBALLOS: This particular situation,</p> <p>7 where this stems from, we received it on the</p> <p>8 Friday of the final day of the appeal period at</p> <p>9 2:00 something p.m.</p> <p>10 MR. MURAI: Yeah, and everybody was out</p> <p>11 playing golf.</p> <p>12 MR. TORRE: I still find it -- I sat on the</p> <p>13 Board for eight years and I was -- I never knew</p> <p>14 that our decision could be not liked and</p> <p>15 overridden by the Staff. I mean, if we're here</p> <p>16 to vote on something, the Staff presents, makes</p> <p>17 their case, that's how the case is read and</p> <p>18 that's how a case is presented, with evidence.</p> <p>19 We vote. The vote is not respected? I mean,</p> <p>20 you don't like the vote?</p> <p>21 MR. MURAI: The Staff didn't like the vote.</p> <p>22 MR. TORRE: I know, but how often can that</p> <p>23 just --</p> <p>24 MS. VELEZ: It happens on our Board, as</p> <p>25 well.</p>
<p style="text-align: right;">Page 19</p> <p>1 MR. TORRE: I understand. It just seems</p> <p>2 that -- I didn't know that.</p> <p>3 MR. CEBALLOS: As you can tell, by the fact</p> <p>4 that you've been there for eight years and it</p> <p>5 had never happened --</p> <p>6 MR. TORRE: Correct.</p> <p>7 MR. CEBALLOS: -- it's just explaining how</p> <p>8 unlikely this scenario is to ever happen in the</p> <p>9 near future.</p> <p>10 MR. WITHERS: Okay. But here is my</p> <p>11 question, the Commission has the last bite at</p> <p>12 the apple, right?</p> <p>13 MR. CEBALLOS: If there's an appeal, yes.</p> <p>14 MR. WITHERS: If there's an appeal. That's</p> <p>15 what we're talking about, if there is an</p> <p>16 appeal.</p> <p>17 MR. CEBALLOS: Yes.</p> <p>18 MR. WITHERS: So it's going to be reviewed,</p> <p>19 whether it's appealed by the City or not; is</p> <p>20 that correct?</p> <p>21 MR. CEBALLOS: No. Historic Preservation</p> <p>22 is the final deciding board. It does not go to</p> <p>23 Commission.</p> <p>24 MR. WITHERS: On any of the appeals?</p> <p>25 MR. CEBALLOS: If there's an appeal filed,</p>	<p style="text-align: right;">Page 20</p> <p>1 then it would go to the Commission, but if</p> <p>2 there is no appeal filed, which is what</p> <p>3 happened in this case, the only appeal that was</p> <p>4 filed was a deficient appeal, the person lacked</p> <p>5 standing, so it never got to Commission.</p> <p>6 MR. WITHERS: I understand.</p> <p>7 MR. CEBALLOS: The decision that was made</p> <p>8 was not a recommending decision.</p> <p>9 MR. WITHERS: I was referring to us. I</p> <p>10 apologize.</p> <p>11 So why would a person not have good</p> <p>12 standing, if they've filed an appeal? Why</p> <p>13 couldn't that be determined at the time the</p> <p>14 appeal was filed?</p> <p>15 MR. MURAI: They may just not get notice.</p> <p>16 The City may not get notice on time.</p> <p>17 MR. WITHERS: No. No. What is the reason</p> <p>18 for not being in good standing? What would be</p> <p>19 the, not have good standing? Give me an</p> <p>20 example.</p> <p>21 MR. CEBALLOS: The way that our Code</p> <p>22 defines an aggrieved party is an individual who</p> <p>23 receives notice, that lives within 1,000 feet</p> <p>24 of a property. This individual that appealed</p> <p>25 did not receive notice, because they were not a</p>

<p style="text-align: right;">Page 21</p> <p>1 property owner within that area. They were a  2 renter. So, as the way our Code defines it,  3 the only person that received notice was the  4 main building, so not the individual.  5 MR. WITHERS: Okay. So does the City jump  6 in on these appeals as a Me Too on most on  7 these appeals when they get appealed?  8 MR. CEBALLOS: Typically, no. Typically,  9 when an appeal moves forward, it's the person,  10 the appellant, who is moving it forward, it's  11 not the City.  12 MR. WITHERS: The City doesn't care?  13 MR. CEBALLOS: This was, like I said, a  14 very, very unique situation.  15 MR. WITHERS: I understand.  16 MR. BEHAR: But it could happen. It could  17 be the Friday at two o'clock and you don't have  18 -- and I understand.  19 MR. CEBALLOS: I think, more importantly, I  20 think it's a policy. I think the Historic  21 Preservation Department or any other department  22 that feels that there was something done  23 incorrectly, they're probably not going to wait  24 those ten days, and this is simply a catch-all  25 safety measure that the City Commission asked</p>	<p style="text-align: right;">Page 22</p> <p>1 that we put forward.  2 MR. BEHAR: I don't have a big problem with  3 it at all. I think Rene's point is a good one.  4 We need to close that, you know.  5 MR. CEBALLOS: No problem.  6 MR. BEHAR: I think, that, for me, it makes  7 sense, a lot of sense.  8 MR. MURAI: May I move it?  9 MR. BEHAR: Please do.  10 MR. MURAI: Yeah. I move the adoption of  11 this amendment, but with a proviso that in no  12 event will the City Notice of Appeal be filed  13 more than thirty days from the initial  14 determination by the Board, whatever that Board  15 is.  16 MR. BEHAR: Do we have a second?  17 MS. ANDERSON: I'll second it.  18 MR. BEHAR: Jill, please.  19 THE SECRETARY: Venny Torre?  20 MR. TORRE: Yes.  21 THE SECRETARY: Maria Velez?  22 MS. VELEZ: Yes.  23 THE SECRETARY: Chip Withers?  24 MR. WITHERS: No.  25 THE SECRETARY: Rhonda Anderson?</p>
<p style="text-align: right;">Page 23</p> <p>1 MS. ANDERSON: Yes.  2 THE SECRETARY: Robert Behar?  3 MR. BEHAR: Yes.  4 MR. COLLER: Okay. Did we ask for, were  5 there any other -- I don't think we did yet.  6 I'm sorry.  7 MR. BEHAR: You didn't -- excuse me, you  8 did not --  9 MR. COLLER: Are there any other interested  10 parties --  11 MR. BEHAR: Wait. Wait. Wait. You did  12 not call --  13 THE SECRETARY: We have a speaker for E-4.  14 MR. BEHAR: No. No. You did not call Rene  15 Murai on that last item.  16 THE SECRETARY: Rene Murai?  17 MR. MURAI: What's going on? Yes. Yes.  18 MS. ANDERSON: You didn't get to vote.  19 MR. COLLER: Okay. I think we have to hold  20 off on that, because I do not believe we asked  21 if there are any persons in the audience who  22 wish to speak on the item.  23 MR. BEHAR: I apologize. Do we have  24 anybody from the public on this item that would  25 wish to speak?</p>	<p style="text-align: right;">Page 24</p> <p>1 MR. COLLER: Let the record reflect that no  2 one has stepped forward. I don't think it's  3 necessary, given that, to have a re-vote on the  4 item.  5 MR. BEHAR: Okay. Thank you.  6 All right. Next item, E-4.  7 MR. COLLER: E-4, an Ordinance of the City  8 of Coral Gables, Florida, providing for text  9 amendments to the City of Coral Gables Official  10 Zoning Code, Article 3, "Development Review",  11 Section 3-606 to include Dade Heritage Trust  12 Inc. as a party that may appeal decisions of  13 The Historic Preservation Board; providing for  14 a repealer provision, severability clause,  15 codification, and providing for an effective  16 date.  17 Item E-4, public hearing, and there was  18 a -- or something distributed on this, I think,  19 to the Board, an e-mail.  20 MR. BEHAR: Yes. There is.  21 All right. Go ahead, please.  22 MR. CEBALLOS: So E-4, building on E-3, is  23 another modification to the exact same section  24 to the Zoning Code, 3-606, and once again  25 provides another safety measure in regards to</p>

<p style="text-align: right;">Page 25</p> <p>1 historic preservation in the City of Coral</p> <p>2 Gables. It allows for Dade Heritage Trust to</p> <p>3 be included as a party that can appeal and have</p> <p>4 standing before our Commission. That's</p> <p>5 basically the extent of the modification.</p> <p>6 MR. BEHAR: Okay. Let me then open it up</p> <p>7 to the Board.</p> <p>8 MR. COLLER: Can we ask if there are any</p> <p>9 other -- I'm ready this time. Can we ask if</p> <p>10 there are any other persons wishing to speak on</p> <p>11 this item?</p> <p>12 MR. BEHAR: Could you please come up and</p> <p>13 state your name, for the record?</p> <p>14 MS. MARTINEZ-CARBONELL: Good evening. My</p> <p>15 name is Karelia Martinez-Carbonell. I am</p> <p>16 president of --</p> <p>17 MR. BEHAR: Mr. Chairman, can we have her</p> <p>18 put the -- there you go.</p> <p>19 MR. BEHAR: Yeah.</p> <p>20 MR. COLLER: Thank you.</p> <p>21 MS. MARTINEZ-CARBONELL: Thank you. Better?</p> <p>22 I am president of the Historic Preservation</p> <p>23 Association of Coral Gables. I'm here because</p> <p>24 I not only want to support DHT as a party that</p> <p>25 can have --</p>	<p style="text-align: right;">Page 26</p> <p>1 MR. MURAI: Can appeal.</p> <p>2 MS. MARTINEZ-CARBONELL: -- can appeal, but</p> <p>3 I also would like to make a case for our</p> <p>4 organization, which is the Historic</p> <p>5 Preservation Association of Coral Gables. Dade</p> <p>6 Heritage Trust, obviously, is a very</p> <p>7 respectable non-profit, a historic group that</p> <p>8 has done, you know, lots of good for the</p> <p>9 community, but our organization is also a</p> <p>10 non-for-profit. It was founded in 1991. We</p> <p>11 are established in Coral Gables, where DHT is</p> <p>12 not. We are hyperfocused in our City, and I'd</p> <p>13 like to make just a few points.</p> <p>14 Again, as I mentioned, we were established</p> <p>15 in 1991. We are a State certified 501(c)(3)</p> <p>16 and we are solely focused on promoting the</p> <p>17 importance and understanding of historic</p> <p>18 preservation and its resources here in Coral</p> <p>19 Gables.</p> <p>20 Our dozier of preservation advocacy and</p> <p>21 long-standing partnership with the City of</p> <p>22 Coral Gables stands as the best testimonial,</p> <p>23 and, again, if any non-for-profit has standing,</p> <p>24 our Board, the Board of HPACG ask that you</p> <p>25 consider our organization, which has Coral</p>
<p style="text-align: right;">Page 27</p> <p>1 Gables in its own mission statement.</p> <p>2 Again, if you have any questions for me,</p> <p>3 I'd love to answer.</p> <p>4 MR. BEHAR: Thank you.</p> <p>5 Any other person of the public who wishes</p> <p>6 to speak on this item?</p> <p>7 MR. MURAI: Before you go, a question. How</p> <p>8 many members do you have? Do you have a</p> <p>9 membership roster?</p> <p>10 MS. MARTINEZ-CARBONELL: Yes. We are a</p> <p>11 dues paying membership and we have -- at this</p> <p>12 point, we have close to seventy, and it's</p> <p>13 renewed every year, so it's an annual</p> <p>14 membership. We also do fundraisers, as well,</p> <p>15 but -- and we have a board of eight.</p> <p>16 MR. BEHAR: Any other questions?</p> <p>17 Seeing none, we're going to close the</p> <p>18 public hearing and bring it back to the Board.</p> <p>19 MR. TORRE: That kind of brings a</p> <p>20 discussion of what are the grounds for appeals</p> <p>21 and who needs to appeal and for what purpose</p> <p>22 should it be allowed. In other words, we have</p> <p>23 it as an aggrieved person and you have a</p> <p>24 thousand foot radius at this point.</p> <p>25 I'm looking at the application for appeal</p>	<p style="text-align: right;">Page 28</p> <p>1 that I got from the City Clerk. It doesn't</p> <p>2 really give you instructions on what and how</p> <p>3 you should file the appeal. It's pretty open.</p> <p>4 I'm not sure how the appeals are judged. If</p> <p>5 somebody just says -- prepares the appeal and</p> <p>6 submits it, is that ground to go to the</p> <p>7 Commission with just the fact that -- does</p> <p>8 somebody have to provide some form of grounds,</p> <p>9 financial or otherwise, or is there a pretty</p> <p>10 lax way of just appealing something? I'm</p> <p>11 asking, because I don't know --</p> <p>12 MR. CEBALLOS: Typically they require that</p> <p>13 the party suffer some sort of special injury.</p> <p>14 Just the fact that you simply don't like it is</p> <p>15 probably not going to be sufficient enough.</p> <p>16 That being said, I don't have that Code section</p> <p>17 with me.</p> <p>18 MR. TORRE: Who reviews that initial</p> <p>19 request, because here --</p> <p>20 MR. CEBALLOS: The Clerk's Office, and then</p> <p>21 it's sent over to us, the City Attorney's</p> <p>22 Office.</p> <p>23 MR. TORRE: Here is what it says. So it</p> <p>24 says that within ten days, you must file the</p> <p>25 written appeal in the form of a handwritten</p>

<p style="text-align: right;">Page 29</p> <p>1 note, e-mail, letter, et cetera. So if I write  2 a little piece of paper that says, "I don't  3 like the way this vote went, here's a piece of  4 paper," that's an appeal?  5 MR. CEBALLOS: That would be the initial  6 notice. That's not the application. The  7 application is what you have in front of you.  8 MR. TORRE: And it has to go through that.  9 MR. CEBALLOS: Correct.  10 MR. TORRE: But that stops and initiates a  11 process, that who reviews it second to that, as  12 it relates to grounds for appeals?  13 MR. CEBALLOS: I apologize. I don't have  14 that off the top of my head. That typically  15 goes to the Clerk's Office and then it would go  16 to the City Attorney's Office. I've never had  17 an appeal where somebody wasn't clearly an  18 aggrieved party. Nobody has ever submitted  19 something to that request, but it's something  20 that we have to look into. I can provide you  21 the answer at a later date.  22 MR. TORRE: I'm just hesitant to open for  23 more people to have rights to make appeals. So  24 the appeals should be affected parties for  25 certain reasons and not for just any particular</p>	<p style="text-align: right;">Page 30</p> <p>1 reason.  2 MR. CEBALLOS: Originally when this was  3 proposed, it was a discussion that was had  4 before the City Commission, and during that  5 discussion, it was decided that it would  6 probably be better if it was very narrowly  7 tailored, and it was the opinion of the  8 Historic Preservation Department that it would  9 only be this one individual group, and that's  10 the reason why, to eliminate that exact  11 circumstances from happening.  12 MR. TORRE: So I have been a member of Dade  13 Heritage Trust for approximately six years. I  14 ran as treasurer and I was a member of that  15 group. I love them both and I'm a  16 preservationist.  17 The point being that those groups change  18 over time and those group, not particularly to  19 these groups, any group, can have political  20 influences be tossed upon it. So I'm hesitant  21 to put those groups in charge of positions that  22 affect a property owner or somebody who really  23 has standing, real standing, as it relates to  24 the City.  25 So I think the reasons for these things</p>
<p style="text-align: right;">Page 31</p> <p>1 should be for real, not because of other  2 measures that people feel differently in the  3 community. So opening that up, to me, is not  4 the way I would approach it. I think it should  5 be more soundly brought back to what are the  6 grounds and the real appeals should fall  7 through.  8 MR. CEBALLOS: I will note one thing. This  9 is not an atypical provision in the Code. A  10 lot of other municipalities that have similar  11 boards have similar provisions, the City of  12 Miami being one of them. They have a very  13 similar provision, that allows for groups like  14 Dade Heritage Trust to appeal and grants them  15 standing. So this is not an atypical request  16 for this provision to be in the Code.  17 MR. MURAI: I think -- you know, I'm  18 familiar with Dade Heritage Trust. I think I  19 was on their board at one point a long time  20 ago. I think they're very -- as you said, it's  21 a very respected board. It's been around for a  22 long time. And I'm all in favor of it. And  23 I'm in favor of referring to the City the  24 request that your organization also be  25 included. I'm not prepared to amend this.</p>	<p style="text-align: right;">Page 32</p> <p>1 MR. BEHAR: Let's go ahead and hear from  2 anybody else.  3 MR. MURAI: I was trying to get through.  4 MS. ANDERSON: Go ahead and complete your  5 comment.  6 MR. BEHAR: You would like to make a  7 motion, you said?  8 MR. MURAI: No. No. No. I'm just saying,  9 I'm ready to support the amendment.  10 MR. BEHAR: Rhonda.  11 MS. ANDERSON: I'm also prepared to support  12 both organizations. I think both are respected  13 and have the best interest of our City in mind.  14 I don't think this would unduly delay the  15 processes, but might help provide the  16 Commission with additional information that's  17 necessary for them to make an appropriate  18 decision as to whether a historic piece of  19 property should be preserved. So I'm in favor,  20 as well.  21 MR. BEHAR: Maria.  22 MS. VELEZ: Wouldn't these organizations  23 have an opportunity to speak at the Board  24 level?  25 MR. CEBALLOS: They're open meetings, so</p>



<p style="text-align: right;">Page 33</p> <p>1 they're public meetings. Anybody could speak.</p> <p>2 The only difference is, they wouldn't have</p> <p>3 standing to move forward with an appeal, if</p> <p>4 Historic Preservation decided to designate or</p> <p>5 not designate or demolish or whatever it may</p> <p>6 be, they wouldn't have standing to move forward</p> <p>7 to a second review and appeal before the City</p> <p>8 Commission.</p> <p>9 MS. VELEZ: But they would be heard at the</p> <p>10 Board level before any decision is made by the</p> <p>11 particular Board?</p> <p>12 MR. CEBALLOS: Yes. That's correct.</p> <p>13 MS. VELEZ: I don't particularly want to</p> <p>14 open up the floodgates to more participants and</p> <p>15 more people and more organizations to have</p> <p>16 standing. So I'll side with Venny.</p> <p>17 MR. BEHAR: Chip.</p> <p>18 MR. WITHERS: So, in order to have</p> <p>19 standing, you have to be publicly noticed and</p> <p>20 live within a thousand feet? That's how it is</p> <p>21 right now?</p> <p>22 MR. CEBALLOS: Correct.</p> <p>23 MR. WITHERS: And that's the only -- so is</p> <p>24 that the only people that can appeal right now?</p> <p>25 MR. CEBALLOS: I'd have to check the Code.</p>	<p style="text-align: right;">Page 34</p> <p>1 I don't have it handy. I don't know if the</p> <p>2 Director has a copy that I may review or --</p> <p>3 MR. WITHERS: Are those the only folks that</p> <p>4 can appeal, is if it's noticed and live within</p> <p>5 1,000 feet?</p> <p>6 MR. COLLIER: Yes. I believe that the</p> <p>7 definition of aggrieved party is what we're</p> <p>8 talking about, and in that --</p> <p>9 MR. CEBALLOS: The definition, yes.</p> <p>10 MR. COLLIER: -- within 1,000 feet. So if</p> <p>11 you're not within the thousand feet, then</p> <p>12 you're not --</p> <p>13 MR. CEBALLOS: In that case, it would be</p> <p>14 determined if any injury would be too remote.</p> <p>15 MR. COLLIER: Right.</p> <p>16 MR. WITHERS: But what if a decision is</p> <p>17 made and I argue the fact that it sets -- I</p> <p>18 don't live -- I'm not noticed, I don't live</p> <p>19 within a thousand feet, but something is</p> <p>20 changed that could adversely affect me, because</p> <p>21 precedence has been set. Is it not an</p> <p>22 aggrieved party at that point?</p> <p>23 MR. CEBALLOS: Currently the way that the</p> <p>24 Code defines it, no. And this is strictly</p> <p>25 appeals from the Historic Preservation Board.</p>
<p style="text-align: right;">Page 35</p> <p>1 MR. WITHERS: Okay. So this just applies</p> <p>2 to Historic Preservation?</p> <p>3 MR. CEBALLOS: Correct.</p> <p>4 MR. WITHERS: So how do you qualify what</p> <p>5 groups can become aggrieved parties now? I</p> <p>6 mean, both of these groups are very legitimate</p> <p>7 groups. I know them both. Someone sets up</p> <p>8 there now historic preservation to save the</p> <p>9 trees on Obispo Avenue, and I'm an aggrieved</p> <p>10 party, are they going to be accepted?</p> <p>11 MR. CEBALLOS: If they're not listed in the</p> <p>12 Ordinance, then, no. As of right now, the way</p> <p>13 it currently --</p> <p>14 MR. WITHERS: I mean, they can come and</p> <p>15 request to be listed in the Ordinance. So who</p> <p>16 is going to make that --</p> <p>17 MR. CEBALLOS: They would have to go</p> <p>18 through this process, and, yes, at the end of</p> <p>19 the day, it could go to Commission for Two</p> <p>20 Readings and if they chose to make, you know,</p> <p>21 Billy Bob Tree Restoration and they chose to</p> <p>22 put them on the list, they --</p> <p>23 MR. WITHERS: Then they can appeal that</p> <p>24 decision as an aggrieved party for not being</p> <p>25 accepted, I guess?</p>	<p style="text-align: right;">Page 36</p> <p>1 MR. CEBALLOS: That's well within the</p> <p>2 Commission's right to make that decision.</p> <p>3 MR. WITHERS: So there's no standard on who</p> <p>4 can be qualified as an aggrieved party, except</p> <p>5 those that live within a thousand feet and be</p> <p>6 noticed?</p> <p>7 MR. CEBALLOS: Only what is currently in</p> <p>8 the Code as defined as an aggrieved party.</p> <p>9 This creates a specific carve-out for the</p> <p>10 Historic Preservation Department.</p> <p>11 MS. VELEZ: Maybe that should be revisited</p> <p>12 as to what is an aggrieved party.</p> <p>13 MR. MURAI: But, I think, in the meantime,</p> <p>14 I think somebody -- it's important, I think,</p> <p>15 for somebody to speak for preservation and I</p> <p>16 think Dade Heritage Trust, as we already said,</p> <p>17 has been around for a long time and that's</p> <p>18 their goal and their mission. So I'm all in</p> <p>19 favor of that, and I'm in favor of reviewing</p> <p>20 whether other organizations should be</p> <p>21 permitted.</p> <p>22 MS. ANDERSON: Right. I mean, they are</p> <p>23 better equipped than the residents that are</p> <p>24 within a thousand feet.</p> <p>25 MR. BEHAR: Well, I have a problem with it,</p>

<p style="text-align: right;">Page 37</p> <p>1 and I'm going to use the City of Miami as an  2 example, with Miami 21, that they opened up the  3 possibility to notify any of the association  4 that reside within the City of Miami, and I've  5 seen cases where people that are outside the  6 affected area could come in and create, you  7 know, an appeal, and I don't -- I agree with  8 Maria and Venny, I don't feel comfortable  9 opening up the gates, the floodgates, to be  10 able to allow for people from the outside of  11 the immediate area to --</p> <p>12 MR. MURAI: But the people in the immediate  13 area may not be concerned at all with  14 preservation. Somebody should be and somebody  15 should be able to speak about it.</p> <p>16 MR. BEHAR: But the Board --</p> <p>17 MR. MURAI: The aggrieved party in, you  18 know, a project, as is going to be presented  19 today, is one thing. Preservation is another  20 thing. Maybe no one there could give --</p> <p>21 MR. TORRE: If it's such a big case, could  22 not DHT, or whoever other, convince Staff to  23 make that appeal?</p> <p>24 MR. CEBALLOS: I'm sorry?</p> <p>25 MR. TORRE: Staff has the ability to make</p>	<p style="text-align: right;">Page 38</p> <p>1 the appeal.</p> <p>2 MR. BEHAR: Well, they're going to present  3 to Staff.</p> <p>4 MR. TORRE: What I'm saying is, if Staff  5 has not appealed --</p> <p>6 MR. CEBALLOS: That would be correct.</p> <p>7 MR. TORRE: -- it's because -- I mean, the  8 hardest one is a financial grievance, right.  9 That should be the number one, economic  10 hardship and so forth, but there could be other  11 reasons, obviously, but Staff can also appeal,  12 meaning --</p> <p>13 MR. CEBALLOS: There's nothing that would  14 prevent Staff from appealing.</p> <p>15 MR. TORRE: If there's such a big cause for  16 that, somebody that doesn't have the thousand  17 feet, just like you said -- that catch-all from  18 the Staff can catch those folks that feel  19 strongly and convince Staff to make the appeal.</p> <p>20 MR. CEBALLOS: That is a possibility, yes.</p> <p>21 MS. ANDERSON: With the limited time frame.  22 And I've seen this in the past, as well,  23 there's been occasions where Staff hasn't been  24 able to get the notices of appeal in on time,  25 and when you're dealing with something as</p>
<p style="text-align: right;">Page 39</p> <p>1 specialized as is historic preservation, where  2 you're not opening floodgates, you have a  3 specific organization that specializes in  4 historic preservation, it's not opening up the  5 floodgates, but it's giving our City an  6 opportunity to preserve important  7 characteristics of our area.</p> <p>8 MR. BEHAR: So correct me in something  9 here. We have a Historic Board in the City of  10 Coral Gables that's going to make a  11 determination.</p> <p>12 MR. CEBALLOS: Correct.</p> <p>13 MR. BEHAR: And that we have -- how many  14 members sit on that Board?</p> <p>15 MR. TORRE: Nine.</p> <p>16 MR. BEHAR: Nine members. And the question  17 is, are we going to appeal their decision by --  18 to outside groups, that have -- other than the  19 immediate within a thousand foot radius  20 resident?</p> <p>21 MR. CEBALLOS: Currently it's presented as  22 one, but you're welcome to modify it.</p> <p>23 MR. BEHAR: And what we're saying is that,  24 let's bring another two groups in to question  25 the decisions that a board that is either</p>	<p style="text-align: right;">Page 40</p> <p>1 residents -- you have to be a resident, right?  2 To be on that board, you have to be a resident  3 of Coral Gables -- to appeal their decision?  4 Basically that's what we're going to add now,  5 it's to --</p> <p>6 MR. MURAI: But we're not talking about two  7 organizations. We're talking about one.</p> <p>8 MR. BEHAR: "Bueno," one, but -- okay. One  9 organization.</p> <p>10 MR. MURAI: And, you know, there could be a  11 vote of five to four, a very controversial  12 vote, and, you know, DHT I think is specialized  13 and should have a right to at least present it  14 to the Commission.</p> <p>15 MS. ANDERSON: In addition, there might be  16 some facts that weren't known at the time of  17 the Board meeting, that could be brought to  18 light through the process.</p> <p>19 MR. BEHAR: Should we then do the same,  20 extend a period so then our Staff could appeal,  21 so it goes to Commission? I mean, is there  22 some mechanism that could be --</p> <p>23 MR. TORRE: I make the case, DHT is great  24 and we all love it, but it's still a body that  25 is not under our control, it's not under the</p>

<p style="text-align: right;">Page 41</p> <p>1 control or anything to do with Coral Gables,  2 and, again, total respect for both. They can  3 be fallen under the influence of outside -- or  4 outside influences can come into those and we  5 have no control of that. We do not want to  6 make those processes political. They need to  7 be citizen based.  8 MR. MURAI: I don't think DHT --  9 MR. TORRE: But that's today.  10 MR. MURAI: -- in my opinion has ever been  11 political.  12 MR. TORRE: But ten years from now, this  13 law will still apply, and twenty years from  14 now, the law applies.  15 MR. MURAI: But if ten years from now,  16 twenty years from now, if things change, you  17 can get rid of the Ordinance. It's not  18 permanent.  19 MR. TORRE: I think there are better ways  20 to strengthen the process that goes through the  21 selection of the Board Members, the decision is  22 made, should be made by Board Members who were  23 selected appropriately, and those decisions  24 should be held to be strong decisions.  25 MR. MURAI: We're not giving DHT a</p>	<p style="text-align: right;">Page 42</p> <p>1 decision-making ability. We're just saying  2 that they should have a right to present their  3 case to the Commission. That's all. I think  4 it's pretty simple.  5 MS. ANDERSON: And I agree with that. They  6 should have the right to present it to the  7 Commission.  8 MR. WITHERS: Well, no, many times the  9 appellant isn't even the aggrieved party, but  10 they've been asked to be an aggrieved party by  11 someone that is aggrieved.  12 MR. MURAI: That's right.  13 MR. WITHERS: And we've all been down that  14 road before. So, I mean, if someone really  15 wants to be an aggrieved party -- and, listen,  16 I'm a big supporter of Dade Heritage Trust. I  17 move stuff all over town for these guys and so  18 -- Venny, I kind of hear what you're saying.  19 It kind of concerns that you're letting in an  20 outside group into our -- not into our affairs,  21 but into our process. I mean, into our affair  22 is fine, but into the process is what concerns  23 me. It's not our affairs, it's the process of  24 how they're getting in. So I don't know. It's  25 a tough one.</p>
<p style="text-align: right;">Page 43</p> <p>1 MR. MURAI: May I move it?  2 MR. BEHAR: Go ahead.  3 MR. MURAI: Yeah. I move the adoption of  4 the amendment.  5 MS. ANDERSON: I'll second it.  6 MR. CEBALLOS: Is that adoption as  7 presented?  8 MR. COLLER: Can I get a --  9 MR. MURAI: As presented.  10 MR. COLLER: As presented. Okay. So just  11 for an abundance of clarity --  12 MR. MURAI: As presented.  13 MR. COLLER: -- as presented.  14 MR. BEHAR: Jill, please call the roll.  15 THE SECRETARY: Chip Withers?  16 MR. WITHERS: No.  17 THE SECRETARY: Maria Velez?  18 MS. VELEZ: No.  19 THE SECRETARY: Venny Torre?  20 MR. TORRE: No.  21 THE SECRETARY: Rene Murai?  22 MR. MURAI: Yes.  23 THE SECRETARY: Rhonda Anderson?  24 MS. ANDERSON: Yes.  25 THE SECRETARY: Robert Behar?</p>	<p style="text-align: right;">Page 44</p> <p>1 MR. BEHAR: No.  2 MR. COLLER: So I want to just get it  3 clear, that was three-three; is that correct?  4 MR. BEHAR: No, four-two.  5 MR. COLLER: Four-two. So the  6 recommendation that then goes to the Commission  7 is for denial of the proposed amendment. So it  8 goes to the Commission with a recommendation of  9 denial.  10 MR. CEBALLOS: Are they required to make an  11 affirmative vote?  12 MR. COLLER: Oh, do we need a reverse vote?  13 MR. CEBALLOS: Well, currently the Board  14 took no action. The motion failed.  15 MR. TRIAS: The motion failed.  16 MR. COLLER: I'm sorry, you're right. The  17 motion -- so we need a reverse motion.  18 MR. BEHAR: Okay. Do we have another  19 motion then?  20 MR. TORRE: To negate the action?  21 MR. MURAI: You have to move that --  22 MS. ANDERSON: Move to deny.  23 MR. COLLER: The motion would be to  24 recommend denial of the proposed amendment.  25 MS. VELEZ: I so move.</p>

<p style="text-align: right;">Page 45</p> <p>1 MR. TORRE: I guess I'll second it.</p> <p>2 MR. BEHAR: Okay. Jill, can you call the</p> <p>3 roll again, please?</p> <p>4 MR. WITHERS: Can we discuss that for one</p> <p>5 second?</p> <p>6 Is there a better way to do this, than this</p> <p>7 way? I mean, we know what the intent is, I'm</p> <p>8 assuming. Is there another way to get the</p> <p>9 aggrieved party -- I guess what I'm saying is,</p> <p>10 the Commission obviously -- you've got two</p> <p>11 Commissioners supporting this, the Vice Mayor</p> <p>12 and a Commissioner, pushing this forward. So</p> <p>13 it's obviously concerning to them enough to</p> <p>14 bring it to us.</p> <p>15 So by just saying, no, to them, I'm not</p> <p>16 sure that's -- do we want to try to figure</p> <p>17 out -- you know, Mr. Chairman, I don't know. I</p> <p>18 mean, are we happy with just saying, no,</p> <p>19 it's --</p> <p>20 MR. MURAI: Why don't we say, yes?</p> <p>21 MR. TORRE: Well, I looked at the video and</p> <p>22 I was not here for the meeting. I think it</p> <p>23 went a little quick, and I think that this</p> <p>24 needs a little more studying, in terms of what</p> <p>25 other -- what's Charleston, what's Savannah</p>	<p style="text-align: right;">Page 46</p> <p>1 doing? What are other cities doing, in terms</p> <p>2 of aggrieved parties' standing, all of these</p> <p>3 things. I think they need to be studied a</p> <p>4 little bit more. I think we should hopefully</p> <p>5 better our system and the way we do things, and</p> <p>6 that should happen. I just don't think this is</p> <p>7 the right method. That's all I'm saying.</p> <p>8 MR. BEHAR: And there has to be a better</p> <p>9 way to do it, to address this, you know.</p> <p>10 MR. WITHERS: Yeah. I mean, I like the</p> <p>11 principle of it. I mean, because a long time</p> <p>12 ago, if we didn't have groups like this, we</p> <p>13 wouldn't have near the historic character of</p> <p>14 the City that we have right now. I mean, a lot</p> <p>15 of it has been preserved because of exactly</p> <p>16 groups that have decided to fall on their</p> <p>17 swords on stuff like this.</p> <p>18 So I like the idea behind it. I'm just not</p> <p>19 really keen on the process of the way they're</p> <p>20 invited to the party, I guess. There's got to</p> <p>21 be another way to get them heard. You know,</p> <p>22 maybe we allow these groups to register as</p> <p>23 participants, you know, just like someone's</p> <p>24 notified, I don't know. How do they find out</p> <p>25 about this? Do they -- there are just so many</p>
<p style="text-align: right;">Page 47</p> <p>1 unanswered questions.</p> <p>2 MR. BEHAR: Is it something now that we</p> <p>3 should, I don't know, defer to a later date,</p> <p>4 until you come back and analyze this and come</p> <p>5 back with a different --</p> <p>6 MR. CEBALLOS: I can take your</p> <p>7 recommendations just to the Commission, at the</p> <p>8 end of the day, but it's up to you.</p> <p>9 MR. COLLIER: I think that what you could do</p> <p>10 is, if the recommendation is for the denial, to</p> <p>11 put an explanation that you believe an</p> <p>12 alternative procedure should be developed,</p> <p>13 including maybe special notice to particular</p> <p>14 groups of the hearing. So that could be part</p> <p>15 of your recommendation for your denial. As an</p> <p>16 alternative, consider giving notice to these</p> <p>17 individual groups of hearings of the Historic</p> <p>18 Preservation Board.</p> <p>19 MR. MURAI: And once you give notice, there</p> <p>20 will be an aggrieved party --</p> <p>21 MR. COLLIER: That would have to be tailored</p> <p>22 in the Ordinance, that if -- by giving notice,</p> <p>23 that does not mean that they're an aggrieved</p> <p>24 party.</p> <p>25 MR. WITHERS: Right, but it brings them</p>	<p style="text-align: right;">Page 48</p> <p>1 into the process at the very beginning. It</p> <p>2 doesn't bring them into the process after a</p> <p>3 decision has been made.</p> <p>4 MR. TORRE: You know, and what he said is</p> <p>5 the truth, it should be an aggrieved party. It</p> <p>6 should be somebody who has a reason to make the</p> <p>7 appeal. It should not be an open blank or open</p> <p>8 -- it should not be a casual thing to be done.</p> <p>9 The aggrieved situation is the key. And what</p> <p>10 does aggrieve here mean --</p> <p>11 MR. MURAI: Venny, I don't think DHT is a</p> <p>12 casual organization when it comes to</p> <p>13 preservation.</p> <p>14 MR. TORRE: No. No. And we're not trying</p> <p>15 to put DHT in the discussion at all. This is</p> <p>16 not about DHT, by any means. It's about our</p> <p>17 process. The process is -- we need to improve</p> <p>18 it. That's why we're here, that's why we're</p> <p>19 discussing this, but I think it needs a little</p> <p>20 more discussion.</p> <p>21 MR. WITHERS: Well, I think the Historic</p> <p>22 Preservation folks, and certainly I support</p> <p>23 them a hundred percent, they don't look at a</p> <p>24 specific area that they have to live in to</p> <p>25 protect historic preservation. They look at it</p>

<p style="text-align: right;">Page 49</p> <p>1 as, you know, as one of the key ingredients to</p> <p>2 make our City special, and that's that we honor</p> <p>3 historic preservation.</p> <p>4 So I think a lot of them feel, Dade</p> <p>5 Heritage Trust feels, they have a County reach,</p> <p>6 that anything that touches historic</p> <p>7 preservation, they want to protect and be</p> <p>8 involved in. They don't have to actually live</p> <p>9 and be aggrieved. They're just aggrieved to</p> <p>10 being aggrieved. You know what --</p> <p>11 MR. TORRE: I know.</p> <p>12 MR. WITHERS: I mean, you and I don't care</p> <p>13 if they tear a house down ten miles from here.</p> <p>14 It doesn't affect us. It's not in our City.</p> <p>15 But it does affect the overall thread of the</p> <p>16 Dade Heritage Trust mission. I think that's --</p> <p>17 MR. MURAI: And that's why they should be a</p> <p>18 party to these proceedings.</p> <p>19 MR. WITHERS: And maybe the definition of</p> <p>20 an aggrieved party is someone that does have</p> <p>21 good standing and meets criteria that we set up</p> <p>22 as the City. I don't know.</p> <p>23 MR. CEBALLOS: And just for the record,</p> <p>24 what's presented, they would not be considered</p> <p>25 an aggrieved party.</p>	<p style="text-align: right;">Page 50</p> <p>1 MR. MURAI: I know that. I know that.</p> <p>2 MR. CEBALLOS: Okay. They would just be</p> <p>3 the carve-out specifically that would allow</p> <p>4 them to appeal.</p> <p>5 MR. TORRE: It's very subjective. So,</p> <p>6 yeah, not liking a decision, for whatever</p> <p>7 reason, can make you an aggrieved party,</p> <p>8 because you just don't like the decision, and</p> <p>9 it's very subjective. So it becomes very</p> <p>10 difficult to say who is aggrieved and who is</p> <p>11 not aggrieved.</p> <p>12 MR. MURAI: But we're not talking about</p> <p>13 that. We're talking about somebody standing up</p> <p>14 for preservation. That's it. One</p> <p>15 organization, not anybody else. So I think</p> <p>16 those arguments are not valid.</p> <p>17 MS. ANDERSON: An appeal just based upon a</p> <p>18 subjective belief is not going to move forward</p> <p>19 anyway.</p> <p>20 MR. MURAI: Of course not. You can't.</p> <p>21 MS. ANDERSON: You would have to have valid</p> <p>22 grounds --</p> <p>23 MR. MURAI: And you have to be an aggrieved</p> <p>24 party.</p> <p>25 MR. BEHAR: Going back to, we took, you</p>
<p style="text-align: right;">Page 51</p> <p>1 know, a motion. It got denied. Right?</p> <p>2 MR. COLLER: At this point, there really</p> <p>3 isn't a motion on the floor. There was a</p> <p>4 motion to approve that failed.</p> <p>5 So ordinarily you would have a reverse</p> <p>6 motion, which is --</p> <p>7 MR. MURAI: It's already been moved and</p> <p>8 second. Let's just vote on it.</p> <p>9 MR. COLLER: It's been moved and second for</p> <p>10 denial.</p> <p>11 MR. MURAI: Exactly.</p> <p>12 MR. BEHAR: And it got moved and second for</p> <p>13 denial, correct.</p> <p>14 MR. COLLER: But we haven't had a vote on</p> <p>15 it. We've had --</p> <p>16 MR. TORRE: We were having a discussion</p> <p>17 whether there's another way, maybe a deferment,</p> <p>18 to allow some other method to take place for</p> <p>19 correcting this process.</p> <p>20 MR. COLLER: Right. Well, I think the</p> <p>21 Commission is looking for input from you. You</p> <p>22 can say that we feel another method should be</p> <p>23 considered in your denial. You can do it that</p> <p>24 way.</p> <p>25 MR. TORRE: My thought is, there's a lot of</p>	<p style="text-align: right;">Page 52</p> <p>1 other great cities doing stuff. I just don't</p> <p>2 know what that is. And the process should be</p> <p>3 -- we should learn, what is Charleston doing,</p> <p>4 what is Savannah doing, what is -- I mean,</p> <p>5 there's a --</p> <p>6 MR. CEBALLOS: As part of this initial -- I</p> <p>7 don't have a dog in this fight. I'm here just</p> <p>8 representing the will of the Commission and the</p> <p>9 Historic Preservation Department. My</p> <p>10 understanding is, the Historic Preservation</p> <p>11 Department did do that research and looked to</p> <p>12 see what other comparable cities have done.</p> <p>13 Part of their staff was originally part of the</p> <p>14 staff in Miami when they originally made this</p> <p>15 specific notch out for, I believe theirs is</p> <p>16 501(c)(3)s and DHT. So that research was done</p> <p>17 by them. It was not done by me. I cannot</p> <p>18 speak to it. I don't know what other cities</p> <p>19 have done, but I believe that research was</p> <p>20 done.</p> <p>21 MS. VELEZ: It's a shame they're not here</p> <p>22 to tell us about it, because that would help.</p> <p>23 MR. TORRE: Do you know if this</p> <p>24 recommendation is from Historic Preservation as</p> <p>25 a recommendation to the Commission?</p>

<p style="text-align: right;">Page 53</p> <p>1 MR. CEBALLOS: Yes.</p> <p>2 MR. TORRE: This was their recommendation</p> <p>3 to the Commission?</p> <p>4 MR. CEBALLOS: By the Department, not the</p> <p>5 Board.</p> <p>6 MR. TORRE: By the Historic Preservation</p> <p>7 Department?</p> <p>8 MR. CEBALLOS: Correct.</p> <p>9 MR. TORRE: This was their recommendation</p> <p>10 of how to take --</p> <p>11 MR. CEBALLOS: Originally, when this was</p> <p>12 drafted, I followed the will of the Commission</p> <p>13 and it was designed to be a bit more open-ended</p> <p>14 even more. Basically, anyone that was a</p> <p>15 501(C)(3), that had as part of their mission</p> <p>16 goal preservation in the City of Coral Gables,</p> <p>17 could be considered an appellant for this</p> <p>18 purposes.</p> <p>19 It was then narrowly tailored, after the</p> <p>20 Department's input. So this is a reflection of</p> <p>21 that Department's desire.</p> <p>22 MS. VELEZ: The Department could still</p> <p>23 appeal the decision of the Board?</p> <p>24 MR. CEBALLOS: Yes.</p> <p>25 MS. VELEZ: That's not being --</p>	<p style="text-align: right;">Page 54</p> <p>1 MR. CEBALLOS: That is not being affected</p> <p>2 in any way today.</p> <p>3 MR. TRIAS: The definition of the aggrieved</p> <p>4 party includes the City Manager. So the City</p> <p>5 Manager has that authority.</p> <p>6 MR. CEBALLOS: So by the City Manager and</p> <p>7 their designee, it would basically be the</p> <p>8 Historic Preservation Department.</p> <p>9 MR. MURAI: Can we vote on this, please?</p> <p>10 MR. BEHAR: All right. Let's call the roll</p> <p>11 to vote on it.</p> <p>12 MR. COLLER: The motion for is</p> <p>13 recommendation of denial.</p> <p>14 MR. BEHAR: Denial.</p> <p>15 Hold on a second.</p> <p>16 THE SECRETARY: Rhonda Anderson?</p> <p>17 MS. ANDERSON: No.</p> <p>18 THE SECRETARY: Rene Murai?</p> <p>19 MR. MURAI: No.</p> <p>20 THE SECRETARY: Venny Torre?</p> <p>21 MR. TORRE: Yes.</p> <p>22 THE SECRETARY: Maria Velez?</p> <p>23 MS. VELEZ: Yes.</p> <p>24 THE SECRETARY: Chip Withers?</p> <p>25 MR. WITHERS: Yes.</p>
<p style="text-align: right;">Page 55</p> <p>1 THE SECRETARY: Robert Behar?</p> <p>2 MR. BEHAR: Yes.</p> <p>3 MR. CEBALLOS: Thank you.</p> <p>4 MR. BEHAR: Now let's go back to the</p> <p>5 regular agenda, Item E-1. Mr. Attorney, can</p> <p>6 you read it, for the record, please?</p> <p>7 MR. COLLER: Item E-1, a Resolution of the</p> <p>8 City Commission of Coral Gables, Florida</p> <p>9 granting conditional use approval pursuant to</p> <p>10 Zoning Code Article 4, "Zoning Districts,"</p> <p>11 Section 4-206, "Business Improvement Overlay</p> <p>12 District", to permit outdoor seating fronting</p> <p>13 Miracle Mile for a nonrestaurant facility,</p> <p>14 Wolfe's Wine Shoppe, on property legally</p> <p>15 described as Lots 16 and 17, Block 3 of Crafts</p> <p>16 Section, 124 Miracle Mile; including required</p> <p>17 conditions; providing for severability,</p> <p>18 repealer and an effective date.</p> <p>19 Item E-1, public hearing.</p> <p>20 MR. MURAI: Didn't we do this already? I</p> <p>21 thought we went through all of it.</p> <p>22 MR. TRIAS: Mr. Chairman -- no, let me --</p> <p>23 MR. MURAI: We didn't do this?</p> <p>24 MR. BEHAR: No, we haven't.</p> <p>25 MS. ANDERSON: Not the application.</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. BEHAR: Now, Mr. Trias, can you</p> <p>2 please --</p> <p>3 MR. TRIAS: Mr. Chairman, the request is</p> <p>4 for four tables on the sidewalk on Miracle Mile</p> <p>5 right in front of Wolfe's Wine. As you know,</p> <p>6 that business has been there for a while, and</p> <p>7 restaurants are allowed to have outdoor seating</p> <p>8 under a permit for outdoor seating on Miracle</p> <p>9 Mile; however, Wolfe's Wine is a retail store,</p> <p>10 so it's not a restaurant.</p> <p>11 So then the Commission, fairly recently,</p> <p>12 adopted this process by which a non-restaurant</p> <p>13 could have outdoor seating as a Conditional</p> <p>14 Use. It's a process that the Commission is</p> <p>15 still discussing, whether it's the best process</p> <p>16 or not, but at this point, this is the process</p> <p>17 we have.</p> <p>18 Mr. Wolfe is here. He has complied with</p> <p>19 the notice requirements and so on, and if you</p> <p>20 have any questions, but this is really just to</p> <p>21 have four tables in front of the store.</p> <p>22 MR. BEHAR: Mr. Wolfe, would you like to</p> <p>23 come up and say something? No. Okay.</p> <p>24 Do we have any member of the public wish to</p> <p>25 speak on this item?</p>

<p style="text-align: right;">Page 57</p> <p>1        Seeing none, we'll close it and bring it</p> <p>2        back to the Board.</p> <p>3        Chip, we'll start with you this time.</p> <p>4        MR. WITHERS: I'm okay with it.</p> <p>5        MR. BEHAR: Maria?</p> <p>6        MS. VELEZ: I'm fine.</p> <p>7        MR. BEHAR: Venny?</p> <p>8        MR. TORRE: I'm perfectly fine with it.</p> <p>9        I'm concerned about the time it takes to get</p> <p>10       somebody like Mr. Wolfe to have the ability to</p> <p>11       do this. And how we started, this is the</p> <p>12       comment you made, didn't we do this before, and</p> <p>13       I thought we had, and here we are doing it</p> <p>14       again.</p> <p>15       So I'm concerned, you know, why did we take</p> <p>16       this process. And, again, could you explain</p> <p>17       it, because I'm confused why he's here today</p> <p>18       and not already having drinks outside.</p> <p>19       MR. TRIAS: Yes. I mean, I can answer that</p> <p>20       question directly. This has been discussed for</p> <p>21       a while, and what happened is that the</p> <p>22       Commission, the last action they took is, to</p> <p>23       make the request a Conditional Use. Now, the</p> <p>24       consequence of that is that it's a very lengthy</p> <p>25       process, et cetera. So they're re-visiting</p>	<p style="text-align: right;">Page 58</p> <p>1       this idea, to make it a little more streamline,</p> <p>2       I believe --</p> <p>3       MR. BEHAR: -- process.</p> <p>4       MR. TRIAS: Now, I think that that's likely</p> <p>5       to happen, but as of today, we do have this</p> <p>6       process in place and Mr. Wolfe has complied</p> <p>7       with the requirements.</p> <p>8       MR. TORRE: So this is the precursor to the</p> <p>9       Commission approval that is conditional base?</p> <p>10       MR. TRIAS: Yes.</p> <p>11       MR. TORRE: This is the precursor to that?</p> <p>12       MR. TRIAS: Yes. The process includes</p> <p>13       Planning &amp; Zoning, and then Commission.</p> <p>14       MR. TORRE: Okay.</p> <p>15       MR. MURAI: May I move it? May I move</p> <p>16       approval, please?</p> <p>17       MR. BEHAR: Any comments?</p> <p>18       MS. ANDERSON: I have a couple of comments</p> <p>19       on the tables, not that it's going to affect</p> <p>20       approval, because I am in favor of it. I was</p> <p>21       up in Winter Park. There was a wine bar there.</p> <p>22       There was a lot of activity.</p> <p>23       I would just refrain from using tables that</p> <p>24       are high top tables, because it tends to crowd</p> <p>25       the sidewalks and we end up with a problem</p>
<p style="text-align: right;">Page 59</p> <p>1       there, and check the height for the leg</p> <p>2       supports, so that if it's an individual with a</p> <p>3       wheelchair, they're not hitting their knees.</p> <p>4       Those are my only two comments on that.</p> <p>5       And you've already moved it?</p> <p>6       MR. MURAI: I've moved it.</p> <p>7       MR. BEHAR: I would, just for the record,</p> <p>8       state that on behalf -- I apologize for how</p> <p>9       long it's taken for you to be able to do that,</p> <p>10       and I think it's a great idea. And Mr. Trias,</p> <p>11       we should look at the process, to make sure</p> <p>12       that --</p> <p>13       MR. TRIAS: We are. We already have the</p> <p>14       proposed language.</p> <p>15       MR. BEHAR: Expedite this.</p> <p>16       MR. TRIAS: Yes.</p> <p>17       MS. ANDERSON: Okay. I'll second it.</p> <p>18       MR. BEHAR: We have a second.</p> <p>19       Can you please call the roll?</p> <p>20       THE SECRETARY: Rene Murai?</p> <p>21       MR. MURAI: Yes.</p> <p>22       THE SECRETARY: Venny Torre?</p> <p>23       MR. TORRE: Yes.</p> <p>24       THE SECRETARY: Maria Velez?</p> <p>25       MS. VELEZ: Yes.</p>	<p style="text-align: right;">Page 60</p> <p>1       THE SECRETARY: Chip Withers?</p> <p>2       MR. WITHERS: Yes.</p> <p>3       THE SECRETARY: Rhonda Anderson?</p> <p>4       MS. ANDERSON: Yes.</p> <p>5       THE SECRETARY: Robert Behar?</p> <p>6       MR. BEHAR: Yes.</p> <p>7       Thank you.</p> <p>8       Item E-2, Mr. Attorney, can you please read</p> <p>9       it in, for the record?</p> <p>10       MR. COLLIER: Item E-2, a Resolution of the</p> <p>11       City Commission of Coral Gables, Florida</p> <p>12       granting conditional use approval pursuant to</p> <p>13       Zoning Code Article 4, "Zoning Districts,"</p> <p>14       Division 2, "Overlay and Special Purpose</p> <p>15       Districts," Section 4-208.A.3(a), "Residential</p> <p>16       Infill Regulations," for a multi-family</p> <p>17       building on property zoned Multi-Family 2</p> <p>18       legally described as lots 12, 13, 14, 15 and</p> <p>19       16, Block 11 of Douglas Section, Coral Gables,</p> <p>20       Florida; including required conditions,</p> <p>21       providing for severability, repealer and an</p> <p>22       effective date.</p> <p>23       Item E-2, public hearing.</p> <p>24       MR. TRIAS: May I have the PowerPoint,</p> <p>25       please?</p>

<p style="text-align: right;">Page 61</p> <p>1 Mr. Chairman, Members, we have another</p> <p>2 project that is taking advantage of the Infill</p> <p>3 Regulations in North Ponce. It's similar to</p> <p>4 some of the projects that you may have seen in</p> <p>5 the recent past. It's located on Santillane,</p> <p>6 right adjacent to the commercial areas of Ponce</p> <p>7 de Leon, but it's within the MF2, the</p> <p>8 Residential area. You can see the area right</p> <p>9 there.</p> <p>10 As you know, the Infill Regulations apply</p> <p>11 for properties that are over 20,000 square feet</p> <p>12 in size. So this is one of those. The MF2</p> <p>13 Zoning and the Land Use are here, and many of</p> <p>14 you, actually, had a chance to work on the</p> <p>15 Overlay Regulations and you may remember all of</p> <p>16 these discussions that we had about the</p> <p>17 Commercial areas and the paseo that can be in</p> <p>18 between the Commercial and the Residential and</p> <p>19 so on. So this project actually complies with</p> <p>20 many of those requirements.</p> <p>21 It is within the GRID, which, for</p> <p>22 transportation purposes, means that it doesn't</p> <p>23 have any impact. And what happens with the</p> <p>24 North Ponce regulations is that, in a nutshell,</p> <p>25 they increase the density and the FAR and the</p>	<p style="text-align: right;">Page 62</p> <p>1 height, should the Conditional Use be approved.</p> <p>2 So it's not by right, but if the project is</p> <p>3 approved and the Conditional Use is approved,</p> <p>4 the density basically is double. It can go to</p> <p>5 100 units per acre. And the FAR can go to 2.5.</p> <p>6 So it's a very significant decision.</p> <p>7 And the idea is that the design</p> <p>8 characteristics of the project should enhance</p> <p>9 the district. That is basically what's being</p> <p>10 asked of you. And there's some criteria in the</p> <p>11 Code that you can look at.</p> <p>12 So the request is about 30,000 square feet,</p> <p>13 FAR is 2.49, nine stories, which is 99 feet up</p> <p>14 at the maximum that you can do with the</p> <p>15 Overlay, and a mix of units, and the open</p> <p>16 space, which is around thirty percent. And</p> <p>17 I'll explain it in some detail, because that is</p> <p>18 one of the important provisions. There has to</p> <p>19 be high quality additional open space than</p> <p>20 otherwise would be required by MF2.</p> <p>21 This is the Site Plan. The Site Plan was</p> <p>22 enhanced recently slightly, and you have the</p> <p>23 updated area. There's a little bit more green,</p> <p>24 because there's less sidewalk, and also there's</p> <p>25 an improvement in the design of the facade, but</p>
<p style="text-align: right;">Page 63</p> <p>1 it's basically the same design that has been</p> <p>2 reviewed for quite awhile.</p> <p>3 The landscaped area, on site there's about</p> <p>4 28 percent, which is more than the required 25</p> <p>5 percent, so it complies from that point of</p> <p>6 view. In addition, there's four percent for</p> <p>7 the parkway, which is also counted. So</p> <p>8 ultimately the green area, which is shown in</p> <p>9 green in this image, light green within the</p> <p>10 property, the darker green within the</p> <p>11 right-of-way, is about 30 -- a little bit over</p> <p>12 30 percent.</p> <p>13 The open space is a little bit more, and</p> <p>14 this is an important distinction, because what</p> <p>15 happens with open space and the definition of</p> <p>16 open space, is that it also includes some area</p> <p>17 that may be within the building, like arcades</p> <p>18 and so on, and I want to point out that if you</p> <p>19 look at the area around the paseo, which is</p> <p>20 right there, there's some public areas that</p> <p>21 were designed to take advantage of that open</p> <p>22 space.</p> <p>23 So those are some of the characteristics of</p> <p>24 the project that I think the architect can</p> <p>25 explain in more detail, that are meant to</p>	<p style="text-align: right;">Page 64</p> <p>1 comply with the open space provisions of the</p> <p>2 Overlay.</p> <p>3 The conceptual rendering is here. It was</p> <p>4 approved by the Board of Architects for</p> <p>5 Mediterranean architecture. And some of the --</p> <p>6 there was a condition, a very specific</p> <p>7 condition of approval, that dealt with the</p> <p>8 design of the bay window in the front, and that</p> <p>9 has been resolved. They re-designed it in the</p> <p>10 last couple of days and that is the way that</p> <p>11 the final design is, and the architect can</p> <p>12 explain it in more detail.</p> <p>13 This is the front elevation. Parking is at</p> <p>14 the ground level. However, as required,</p> <p>15 there's a liner. There are apartment right</p> <p>16 along the front, so you don't see any parking</p> <p>17 directly from the sidewalk. And, also, there's</p> <p>18 a ten-foot landscaped front yard, for lack of a</p> <p>19 better description, which is also required by</p> <p>20 the Overlay. So those are the features --</p> <p>21 those are the features that allow for the</p> <p>22 important decision of having more density and</p> <p>23 more FAR.</p> <p>24 The review timeline, the Departmental</p> <p>25 Review Committee looked at the project in</p>



<p style="text-align: right;">Page 65</p> <p>1 March, the Board of Architects looked at it in  2 August, and then the neighborhood meeting in  3 November, and today we are here in the Planning  4 &amp; Zoning Board. The Staff reviewed the place  5 at those different meetings. We had comments  6 from all of the different departments. And  7 also letters were mailed to owners within a  8 thousand feet, as required by Code.  9 The public notification included two  10 letters, two times, three times the property  11 was posted for DRC, Board of Architects and for  12 tonight's meeting, three times the website  13 posting for those three meetings also, and the  14 required newspaper advertisement for the  15 Planning &amp; Zoning meeting of tonight.  16 Staff recommends approval with conditions,  17 and there are a few conditions that are fairly  18 typical. There is one that is a proffer of an  19 additional contribution for open space. The  20 condition reads \$125,000. That really, at this  21 point, is still at a little bit of a  22 placeholder. The applicant will proffer a more  23 precise number or maybe tonight they're ready  24 to say that, but that's a discussion. That's  25 in addition to the Site Plan improvements in</p>	<p style="text-align: right;">Page 66</p> <p>1 the open space.  2 And if you have any questions, I'll be here  3 and I think that the applicant has a  4 presentation.  5 MR. WITHERS: And so how is that number  6 figured, that 125,000? Is that just, let's  7 pick 125,000?  8 MR. TRIAS: No. It is comorable to some  9 other projects and it has to do with the cost  10 of improving about a block worth of the  11 streetscape on North Ponce, more or less. So  12 basically the idea is that each project  13 contributes incrementally to implementing the  14 whole --  15 MR. WITHERS: But is there a Master Plan we  16 want them to follow?  17 MR. TRIAS: Yes. There actually is.  18 MR. WITHERS: So why don't we just tell  19 them to do it, instead of asking money for it?  20 MR. BEHAR: Because the money amount, you  21 never know. I mean, you may run into a  22 problem --  23 MR. WITHERS: No. I guess what I'm saying  24 is, I mean, for us to take the money and hire  25 the people and do the work and manage it, I</p>
<p style="text-align: right;">Page 67</p> <p>1 mean, to me, it would be easier to just say,  2 "Do it." I mean, I would think.  3 MR. TRIAS: Yes. There are some aspects of  4 the project which is, do it, which is right  5 what's in front of their project, and that's  6 included in the Site Plan. It includes, I  7 forget --  8 MR. WITHERS: No, I understand. But  9 there's other things we want them to do, and  10 we're going to tell them that we're going to do  11 it and we're going to ask for money from you  12 for us to do it.  13 MR. TRIAS: Let me clarify. You asked me,  14 is there a Master Plan?  15 MR. WITHERS: I'm sorry. I'm sorry.  16 MR. TRIAS: Yes, but when I say, "Yes," I  17 don't mean that they have construction  18 documents ready for construction. If we had  19 that, we would certainly prefer that, that  20 option, to make them do it. We have a Master  21 Plan, but the Master Plan simply says, here  22 we're going to have this type of trees and  23 we're going to try to go ahead and implement it  24 as time goes by.  25 MR. TORRE: Can you explain, this off-site</p>	<p style="text-align: right;">Page 68</p> <p>1 improvement, 125, is a requirement of this  2 infill Requirement?  3 MR. TRIAS: It's proffered by the applicant  4 as a way to comply with the additional open  5 space and the high quality open space that  6 is --  7 MR. TORRE: Normally that would not  8 normally be proffered by other developers?  9 MR. TRIAS: It's not unusual. I mean, that  10 has been fairly typical in most.  11 MR. TORRE: Has it?  12 MR. TRIAS: Yeah.  13 MR. MURAI: I don't understand the reason  14 for it. What is the reason for this?  15 MR. TRIAS: Well, the reason is that the  16 applicant is getting twice the density and more  17 FAR. So it's a significant benefit. And there  18 has to be a comorable public benefit or a  19 benefit to the public that is worthy, let's  20 say, of improving that area. So that's the  21 logic behind it. And that has been fairly  22 typical, a very typical way of implementing  23 some of the public spaces that the City is  24 enhancing in that district. So that's the  25 logic.</p>

<p style="text-align: right;">Page 69</p> <p>1 Now, you may or may not agree with it and</p> <p>2 you may or may not support it, but that has --</p> <p>3 MR. MURAI: But who determines what they</p> <p>4 have to do?</p> <p>5 MR. TRIAS: There are two things. One is</p> <p>6 the Site Plan, which is determined very</p> <p>7 specifically, and the other one is the</p> <p>8 contribution, that is more general, and will be</p> <p>9 determined later on, as the Public Works</p> <p>10 Department prepares final plans and so on. So</p> <p>11 that's the way to get it done in a --</p> <p>12 MR. TORRE: In this specific instance, are</p> <p>13 those dollars meant to be used for us in the</p> <p>14 consideration of the approval of the Infill?</p> <p>15 Meaning, is this part of the consideration for</p> <p>16 that extra enhanced FAR?</p> <p>17 MR. TRIAS: Yes.</p> <p>18 MR. TORRE: That is part of that tit for</p> <p>19 tat?</p> <p>20 MR. TRIAS: That is part of it, yes.</p> <p>21 MR. BEHAR: Let's go and have the applicant</p> <p>22 please come up.</p> <p>23 MR. COLLIER: Mr. Chairman, just one thing I</p> <p>24 wanted to just say for the record, that in this</p> <p>25 particular case, there was an e-mail sent and</p>	<p style="text-align: right;">Page 70</p> <p>1 that e-mail was distributed to the Members of</p> <p>2 the Board.</p> <p>3 MR. BEHAR: Okay.</p> <p>4 MR. MURAI: An e-mail about what?</p> <p>5 MR. BEHAR: Let's bring it up when we open</p> <p>6 it up to the public.</p> <p>7 MR. GARCIA-SERRA: And if I can be provided</p> <p>8 a copy, I would appreciate it, when the time</p> <p>9 comes.</p> <p>10 MR. BEHAR: Can you make sure the</p> <p>11 applicant's attorney gets a copy of that</p> <p>12 e-mail, please?</p> <p>13 Perfect. Thank you.</p> <p>14 Go ahead, Mr. Serra.</p> <p>15 MR. GARCIA-SERRA: Good evening, Mr. Chair,</p> <p>16 Members of the Board, Mario Garcia-Serra, with</p> <p>17 offices at 600 Brickell Avenue, here this</p> <p>18 evening representing 211 Santillane, LLC. I'm</p> <p>19 accompanied by Luis Arevalo, one the principals</p> <p>20 of 211 Santillane, LLC, along with Glenn Pratt</p> <p>21 and Marshall Bellin of Bellin, Pratt &amp; Fuentes,</p> <p>22 the project architects, Sarah Fiol, our traffic</p> <p>23 consultant from David Plummer and Associates is</p> <p>24 also here.</p> <p>25 Ramon gave you some of the basic</p>
<p style="text-align: right;">Page 71</p> <p>1 information. It's a 30,000 square foot</p> <p>2 property, located at 211 Santillane, just west</p> <p>3 of Ponce de Leon Boulevard. What has always</p> <p>4 sort of impressed me about this site, in</p> <p>5 particular, is how long it has been vacant.</p> <p>6 This site has been vacant as long as I've been</p> <p>7 doing Zoning work in Coral Gables, so it's</p> <p>8 getting close to probably at least two decades</p> <p>9 that it's been vacant, and it's just surprising</p> <p>10 to see a vacant property in such a prestigious</p> <p>11 City, where usually everybody wants to be and</p> <p>12 everybody wants to be developing.</p> <p>13 I think the fact that it's been vacant for</p> <p>14 so long is indicative of the fact that the old</p> <p>15 Zoning it had, the MF2 Zoning, was just not</p> <p>16 motivating the proper type of re-development</p> <p>17 that we want to see in this part of the City,</p> <p>18 and that was one of the reasons, one of the</p> <p>19 motivating reasons, behind which the City</p> <p>20 Commission adopted the Residential Infill</p> <p>21 Regulations back in 2017, and we've already had</p> <p>22 a couple of projects come through here for the</p> <p>23 Residential Infill Regulations, one as recently</p> <p>24 as last month was reviewed by this Board, and</p> <p>25 this is another one.</p>	<p style="text-align: right;">Page 72</p> <p>1 It complies completely with all of the</p> <p>2 requirements of those Residential Infill</p> <p>3 Regulations. It's about a nine-story</p> <p>4 building -- it is a nine-story building, with</p> <p>5 69 units, which are intended to be rental</p> <p>6 units, one, two and three-bedroom units, with</p> <p>7 structured parking and amenities.</p> <p>8 Of particular note with this project is the</p> <p>9 fact that it's set back on the east side, and</p> <p>10 Ramon already started alluding to this. This</p> <p>11 is the paseo area he was talking about. It's</p> <p>12 double what is required by the Residential</p> <p>13 Infill Regulations, thereby creating an</p> <p>14 opportunity for a sort of open space, that</p> <p>15 could be of public benefit, as well as the</p> <p>16 spaces that are fronting this public open</p> <p>17 spaces paseo area could potentially be used for</p> <p>18 public benefit.</p> <p>19 And the architect now, Glenn Pratt, I would</p> <p>20 ask to come up and make a presentation, and in</p> <p>21 particular talk about that space, which I think</p> <p>22 is unique for this project in particular.</p> <p>23 MR. PRATT: Good evening, Glenn Pratt,</p> <p>24 Bellin, Pratt, Fuentes Architects, 285 Sevilla</p> <p>25 Avenue, Coral Gables.</p>

<p style="text-align: right;">Page 73</p> <p>1           Actually, I was going to set the easel up, 2           as it may be easier for you all to see. 3           MR. BEHAR: Can you make sure the camera 4           could pick that up? Where is the location for 5           the camera to pick that up, because 6           otherwise -- 7           MR. COLLER: I think typically put it over 8           here and the camera is able to pick it up, by 9           the other podium. 10          MR. BEHAR: This side. 11          MR. COLLER: And then if they could -- 12          MS. ANDERSON: And that way you can use the 13          hand mike, if necessary. 14          MR. PRATT: Let's start with the overall 15          Site Plan. 16          MR. BEHAR: Glenn, there's a hand mike 17          there. Maybe perhaps you could use that. It 18          would be easier. 19          MR. PRATT: Thank you. 20          Is it on? 21          MR. BEHAR: Turn it on, on the bottom, I 22          think. 23          MR. COLLER: I think it may be on. 24          MR. PRATT: Yeah. No, I think it's on. 25          MR. BEHAR: No.</p>	<p style="text-align: right;">Page 74</p> <p>1           MR. PRATT: It's lit up, but it's -- 2           MS. ANDERSON: Now you got it. 3           MR. PRATT: Okay. As we were talking or as 4           Ramon, Mr. Trias, was saying, we've been 5           working with the Planning Department and we've 6           had numerous meetings with them to try and 7           develop the site to the full extent the IRI was 8           trying to achieve, and so that we've concealed 9           and placed three levels of parking behind -- 10          the three levels of parking is completely 11          enclosed in the building, so that none of the 12          parking extends beyond the building. There 13          will be no visible cars from anywhere around 14          the site or from adjacent properties. The only 15          visibility of the cars or the autos would be at 16          the entrance for the garage. 17          We've recessed or put the ramp behind a 18          two-story liner, by the two-story units, that 19          although we're calling them townhouses, they're 20          really units within the building itself. 21          They're not really townhouses, in the true 22          respect of the Zoning Code, but they're 23          two-story and they're individual -- each one 24          individually. 25          The central lobby, we -- in the initial</p>
<p style="text-align: right;">Page 75</p> <p>1           meeting that we had with Mr. Trias, one of the 2           things that we were interested in trying to 3           achieve was -- as Mr. Trias mentioned, was a 4           liner and a green belt behind the Commercial 5           sector. 6           Currently, I don't know -- there are 7           currently vacant parcels behind the site also 8           that are -- that are still undeveloped on the 9           Ponce corridor, so we don't really know what's 10          going to be happening high-rise wise or 11          development wise with those vacant parcels 12          also, but we've pushed the building to the west 13          in order to maximize the amount of open space 14          on the east, and in that open space and in the 15          park that we created, we have -- well, we have 16          a night shot and we have a day shot. This 17          would be a view looking from the northeast 18          corner of the property, and so that the area 19          that you're seeing would be the open green 20          space that would be created around a loggia 21          piece that is open to the public, but we're 22          thinking that, you know, it could be set up for 23          the possibility of future events or that it's 24          kind of a space that could be used as if we're 25          an artist in residence, that it could be their</p>	<p style="text-align: right;">Page 76</p> <p>1           gallery space for an Art Basel, you know, 2           possibility or during Art Basel or something -- 3           MR. MURAI: But you're talking about the 4           open space or the building? 5           MR. PRATT: This corner, actually -- 6           MR. MURAI: I'm confused. 7           MR. PRATT: This corner of the building -- 8           actually, this shot that I was just showing 9           you, would be taken from this direction and 10          looking back at this open space. 11          MR. BEHAR: That's the space you're calling 12          the multi purpose space, right? 13          MR. PRATT: I'm sorry? 14          MR. BEHAR: You're calling that to be the 15          multi purpose space? 16          MR. PRATT: Yes, it is the multi purpose 17          space, correct. 18          MR. BEHAR: Okay. 19          MS. ANDERSON: So it would be in the rear 20          of the building, as opposed to the front of the 21          building? 22          MR. PRATT: Well, what we've done is that 23          we've created the park. The park actually 24          faces the street and fronts the street. It 25          does several things. It creates a buffer</p>

<p style="text-align: right;">Page 77</p> <p>1 between the Commercial and the Residential, but</p> <p>2 it also allows us to set up the urban</p> <p>3 environment for the future, that if in the</p> <p>4 event that -- we're doing our part, but in the</p> <p>5 event that future project developments do occur</p> <p>6 that would implement the paseo that Mr. Trias</p> <p>7 was talking about, this is already in place and</p> <p>8 it would continue or those projects would</p> <p>9 continue that experience.</p> <p>10 MR. MURAI: That's the front of the</p> <p>11 building?</p> <p>12 MR. PRATT: No, this is the back. This is</p> <p>13 actually the rear of the building.</p> <p>14 MS. ANDERSON: Rear.</p> <p>15 MR. BEHAR: That's the side. The front --</p> <p>16 MR. PRATT: The front of the building and</p> <p>17 the park -- this is the street and this is the</p> <p>18 open space on the east side of the building.</p> <p>19 So all of that opens out onto the street, and</p> <p>20 buffers -- like I said, it buffers the</p> <p>21 Residential tower from the Commercial sector</p> <p>22 along Ponce.</p> <p>23 We pushed all of the entrance for the</p> <p>24 garage and for the lobby, the entry for the</p> <p>25 building, to the eastern part, because the</p>	<p style="text-align: right;">Page 78</p> <p>1 thinking is that, that's really where --</p> <p>2 because of its proximity to Ponce and the</p> <p>3 transportation corridor and all of the activity</p> <p>4 that would be occurring, it would be more</p> <p>5 appropriate to have all of that activity</p> <p>6 happening closer to the Commercial portion of</p> <p>7 the site than the Residential section.</p> <p>8 So that's why we -- let me show this.</p> <p>9 That's why we've grouped all of the more active</p> <p>10 parts of the building to the east. This would</p> <p>11 be Ponce out here. And, then, we've lined and</p> <p>12 gone back into the Residential section with the</p> <p>13 two story units to match the height and the</p> <p>14 character of the existing Residential, but</p> <p>15 these are the two story apartments -- the two</p> <p>16 story townhouse units that essentially line the</p> <p>17 street and create the ten-foot front yard.</p> <p>18 And one of things that -- well, actually,</p> <p>19 just to give an idea, this gives you an idea of</p> <p>20 the existing neighborhood and the heights of</p> <p>21 some of the existing buildings around. There</p> <p>22 is established tall buildings in that area.</p> <p>23 There's currently a new building that's going</p> <p>24 to be going up on -- an ALF, that is just kind</p> <p>25 of caddy-corner to us, that also, I know, has</p>
<p style="text-align: right;">Page 79</p> <p>1 the trolley stop that is being implemented in</p> <p>2 there. So we're really -- for the</p> <p>3 accessibility and for the public transportation</p> <p>4 aspect, we really, you know, have direct access</p> <p>5 to the public transportation.</p> <p>6 So going back, with shifting the building</p> <p>7 over, that, you know, gave us the substantial</p> <p>8 green or additional landscaped area, as well as</p> <p>9 also additional open space that we felt was</p> <p>10 satisfying the requirement of the RIR.</p> <p>11 Just a couple of other quick things. The</p> <p>12 two-story townhouses, as I said, have higher</p> <p>13 ceilings and we have the three levels of</p> <p>14 parking behind all of that. And on the roof</p> <p>15 terrace or on the last level of the parking,</p> <p>16 we've incorporated, above that, a pool terrace</p> <p>17 and an open garden, that does several things.</p> <p>18 One is that it introduces an area of additional</p> <p>19 landscaping, that the landscaping isn't counted</p> <p>20 as a part of the green space, but it is</p> <p>21 additional landscaping. And, secondly, is that</p> <p>22 it pulls the building back, and so that, from</p> <p>23 the pedestrian view and from the vehicular</p> <p>24 view, the building will be pushed back from the</p> <p>25 street, and so that you really read the</p>	<p style="text-align: right;">Page 80</p> <p>1 two-story -- the experience is more of the</p> <p>2 two-story element at the street level. And,</p> <p>3 you know, the building will be behind it, but</p> <p>4 it's really more -- we're trying to keep the</p> <p>5 scale of the building down at the street level.</p> <p>6 MR. MURAI: What's underneath the pool?</p> <p>7 MR. PRATT: Actually, it's the ramp, that</p> <p>8 we're using the slope of the ramp. It's a</p> <p>9 trick that a lot of architects use to use the</p> <p>10 space that would be the void space above the</p> <p>11 ramp, and so we're using that as the pool, to</p> <p>12 create the pool deck and the pool area.</p> <p>13 MR. MURAI: And, again, explain to me</p> <p>14 the -- you said that the open area there to the</p> <p>15 east may be used by the public?</p> <p>16 MR. PRATT: Yeah. All of this is open as a</p> <p>17 green park space. Anyone, from residents in</p> <p>18 the neighborhood walking their dog or, you</p> <p>19 know, a couple walking at night, could walk in</p> <p>20 and sit down. And we originally were looking</p> <p>21 to introduce some water features and had</p> <p>22 fountains and a water feature there, but the</p> <p>23 concern from having meetings with the neighbors</p> <p>24 and the adjacent properties was that it was</p> <p>25 kind of an attractive nuisance to homeless</p>

<p style="text-align: right;">Page 81</p> <p>1 people and that they would prefer not to have</p> <p>2 water and the idea of, you know, people coming</p> <p>3 in and using it to bathe, I guess, or, you</p> <p>4 know, something other --</p> <p>5 MR. BEHAR: A public pool.</p> <p>6 MR. PRATT: -- than for decorative things,</p> <p>7 but --</p> <p>8 MR. MURAI: Mario, will there be an</p> <p>9 easement in favor of the public?</p> <p>10 MR. GARCIA-SERRA: Yes. The idea is to</p> <p>11 grant a public access easement in favor of the</p> <p>12 City, so that members of the public can be able</p> <p>13 to access that area.</p> <p>14 MR. MURAI: So that's part of the</p> <p>15 conditions?</p> <p>16 MR. GARCIA-SERRA: I don't know if it</p> <p>17 actually made it as a list of the conditions,</p> <p>18 but it should.</p> <p>19 MR. TRIAS: It should, and I think it is.</p> <p>20 Let me check.</p> <p>21 MR. PRATT: Just one last thing, I guess,</p> <p>22 I'm humbly wearing you out with the</p> <p>23 explanation, but the one thing that we were</p> <p>24 also looking to implement is that when we were</p> <p>25 studying the architectures, and one of the main</p>	<p style="text-align: right;">Page 82</p> <p>1 investors, we've done a number of projects with</p> <p>2 the investors, but one of the main investors is</p> <p>3 from Mexico and had expressed his liking for a</p> <p>4 very famous architect, Luis Barragan, who was</p> <p>5 probably one of the most famous Mexican</p> <p>6 architects, and when we were studying Barragan,</p> <p>7 and -- who is kind to a contemporary of the</p> <p>8 development of Coral Gables, he, as a young</p> <p>9 man, studied -- in the early 1920s, studied in</p> <p>10 Spain and went to Spain and Morocco for his</p> <p>11 studies, and he was very influenced by Moroccan</p> <p>12 and Moorish and Spanish architecture.</p> <p>13 And so when we were looking at putting</p> <p>14 together the design concept of the building,</p> <p>15 one of the things that we kind of discovered</p> <p>16 was his use -- and, actually, we found that a</p> <p>17 number of architects of the contemporaries of</p> <p>18 Walter De Garmo and George Fink used these</p> <p>19 elements, too, and they're called Mashrabiya.</p> <p>20 A Mashrabiya is an element that actually comes</p> <p>21 from -- the Moors brought it from the Southern</p> <p>22 Mediterranean area, and they're elements that</p> <p>23 are like clip-ons on the side of the building,</p> <p>24 and essentially they're like bay windows, and,</p> <p>25 actually, if you -- a good example of one that</p>
<p style="text-align: right;">Page 83</p> <p>1 you can see probably on the way home, if you</p> <p>2 look at the San Sebastian Apartments on Le</p> <p>3 Jeune, there's actually Mashrabiya or bay</p> <p>4 windows on that.</p> <p>5 And so one of the things that we were</p> <p>6 looking at is the possibility of using these</p> <p>7 screens -- actually, the Mashrabiya is really a</p> <p>8 screen element that kind of was the precursor</p> <p>9 to the new urbanism and it allowed the kind of</p> <p>10 eyes on the street without being observed, and</p> <p>11 so it allowed people to see what was going on</p> <p>12 and keep neighborhoods safe without being, you</p> <p>13 know, totally observed.</p> <p>14 And so one of the things that we were</p> <p>15 looking at doing was -- and we've met with the</p> <p>16 Art in Public Places, and kind of bounced the</p> <p>17 idea off of them, and they've told us to</p> <p>18 continue, is that these Mashrabiya screens</p> <p>19 would be something that we would like to use as</p> <p>20 a possibility for letting the artist come up</p> <p>21 with -- or we already have an artist that's</p> <p>22 been approved, but to have them come up with a</p> <p>23 concept for creating these screens as a part</p> <p>24 of -- in the same way that Mr. Codina did 29</p> <p>25 palms on the Salzedo Building, but to implement</p>	<p style="text-align: right;">Page 84</p> <p>1 the art pieces into the architecture itself and</p> <p>2 let that be an element that would be both,</p> <p>3 something very much in harmony with the</p> <p>4 building, but also something very unique to the</p> <p>5 building, and, you know, we feel that it's</p> <p>6 something that will stand -- as Mr. Trias put</p> <p>7 in the requirements of the building, if we</p> <p>8 can't work something out with Art in Public</p> <p>9 Places, in terms of a satisfactory, these</p> <p>10 screens would be replaced. We originally had</p> <p>11 windows, but there are -- it's full glass</p> <p>12 behind these screens, and from some of the</p> <p>13 images that you see, that's -- you know, the</p> <p>14 idea that we're looking to achieve would be</p> <p>15 that this would be kind of a concept of the</p> <p>16 interior of the space, that you would have the</p> <p>17 glass and be looking through the screen from</p> <p>18 the inside.</p> <p>19 MR. TRIAS: Mr. Chairman, if I could</p> <p>20 clarify. The proposal is contingent on the</p> <p>21 approval by the Art in Public Places process.</p> <p>22 Okay. That still needs to take place, and if</p> <p>23 it doesn't take place, then they will replace</p> <p>24 it with windows. And that's important, because</p> <p>25 that's one of the conditions of approval.</p>

<p style="text-align: right;">Page 85</p> <p>1 MR. MURAI: What is the condition of</p> <p>2 approval, you said?</p> <p>3 MR. TRIAS: That the screens that the</p> <p>4 applicant is providing has to go through --</p> <p>5 they have to go through the Art in Public</p> <p>6 Places process to be approved.</p> <p>7 MR. BEHAR: For approval, so it can count</p> <p>8 as --</p> <p>9 (Simultaneous speaking.)</p> <p>10 MR. TRIAS: That hasn't happened yet. That</p> <p>11 is a proposal. Correct? Right?</p> <p>12 MR. MURAI: And if it isn't, then just</p> <p>13 glass?</p> <p>14 MR. PRATT: Yeah. It's already been -- I'm</p> <p>15 sorry.</p> <p>16 MR. TRIAS: No, go ahead. Go ahead.</p> <p>17 MR. PRATT: No, it's already been approved</p> <p>18 by the Board of Architects as just glass, as</p> <p>19 windows. The original submittal to the Board</p> <p>20 didn't have the screens. It was just the</p> <p>21 glass.</p> <p>22 MR. BEHAR: But what you're going to be</p> <p>23 seeking is approval by the Art in Public Space</p> <p>24 in lieu of contribution or in lieu of --</p> <p>25 MR. PRATT: Well, it would -- yes.</p>	<p style="text-align: right;">Page 86</p> <p>1 MR. TRIAS: Yes, and they have to go</p> <p>2 through a process, yes.</p> <p>3 MR. BEHAR: If you choose to still do the</p> <p>4 screen, you could do the screen, but you're not</p> <p>5 going to get the benefit of the Art in Public</p> <p>6 Space contribution.</p> <p>7 MR. PRATT: Correct. Correct.</p> <p>8 MS. ANDERSON: Do you have a picture of the</p> <p>9 building with just the glass, so we can see</p> <p>10 what that looks like, as well?</p> <p>11 MR. PRATT: Actually, no, I'm sorry, we</p> <p>12 don't.</p> <p>13 MS. VELEZ: I have a question. So the</p> <p>14 people that are living in the townhouses would</p> <p>15 be the ones who would have the screens in front</p> <p>16 of their glass?</p> <p>17 MR. PRATT: Correct.</p> <p>18 MS. VELEZ: And their source of light would</p> <p>19 be from this area, because they don't have any</p> <p>20 openings in the rear of their units?</p> <p>21 MR. PRATT: Correct. The front street is</p> <p>22 the only source of -- or the south face, excuse</p> <p>23 me, is where the windows are.</p> <p>24 MS. VELEZ: Will they be able to open these</p> <p>25 screens for ventilation?</p>
<p style="text-align: right;">Page 87</p> <p>1 MR. PRATT: We are discussing that, and</p> <p>2 there probably would be some operability --</p> <p>3 MR. BEHAR: You would have to be operable</p> <p>4 to meet the egress requirement, right?</p> <p>5 MR. PRATT: Because the building is fully</p> <p>6 sprinkled, it doesn't require the --</p> <p>7 MR. BEHAR: Require that?</p> <p>8 MR. PRATT: Yeah.</p> <p>9 MS. VELEZ: But they would have no other</p> <p>10 source of fresh air? They would not be able to</p> <p>11 open any windows otherwise?</p> <p>12 MR. PRATT: There's a lot of talk, in terms</p> <p>13 of green buildings nowadays, that whether it's</p> <p>14 better to have the operability of the window or</p> <p>15 not, because a lot of times what happens,</p> <p>16 tenants will leave the windows open and the</p> <p>17 humidity, especially in the summertime, will</p> <p>18 come in and it really messes up the balancing,</p> <p>19 and it causes a lot of mold, if it's something</p> <p>20 that's not corrected.</p> <p>21 MS. ANDERSON: So they don't open up? Is</p> <p>22 that what you're indicating?</p> <p>23 MR. PRATT: No. I guess what I'm saying at</p> <p>24 this point is that we haven't really decided.</p> <p>25 There is -- we're still in a discussion period</p>	<p style="text-align: right;">Page 88</p> <p>1 right now with the developer about whether they</p> <p>2 would be operable or not.</p> <p>3 MS. ANDERSON: I mean, because most people</p> <p>4 just open them up when the weather is cool and</p> <p>5 dry.</p> <p>6 MR. PRATT: Yes, but --</p> <p>7 MS. VELEZ: I like the look. I'm just</p> <p>8 concerned about what happens in the situation</p> <p>9 where you have a hurricane and --</p> <p>10 MR. PRATT: Well, all of the windows would</p> <p>11 be impact resistant and --</p> <p>12 MS. VELEZ: No. No. No. But they would</p> <p>13 not be able to open any windows for air --</p> <p>14 MS. ANDERSON: Right. After.</p> <p>15 MS. VELEZ: -- these people who live in</p> <p>16 these townhouses.</p> <p>17 MR. PRATT: Yeah. I mean, that would</p> <p>18 depend on the power grid and --</p> <p>19 MR. BEHAR: You're not required by Code to</p> <p>20 even -- if you provide fresh air makeup, you're</p> <p>21 not even required by Code to have operable</p> <p>22 windows. You could have fixed glass there.</p> <p>23 MS. ANDERSON: But you have to have a means</p> <p>24 of egress other than your door.</p> <p>25 MR. PRATT: Well, we have a means of egress</p>

<p style="text-align: right;">Page 89</p> <p>1 by the entry door. The design meets the fire</p> <p>2 egress requirements.</p> <p>3 MR. MURAI: I think what happens, Maria, I</p> <p>4 had my in-laws living with us at the time --</p> <p>5 not living with us, but staying with us the</p> <p>6 night of Andrew, and quickly they moved out to</p> <p>7 a hotel.</p> <p>8 MR. GARCIA-SERRA: The windows, you</p> <p>9 couldn't open.</p> <p>10 MR. MURAI: Oh, no, the windows were all</p> <p>11 open, whatever. We were left there, and they</p> <p>12 said, you know, "See you. I'm at the</p> <p>13 Intercontinental Downtown."</p> <p>14 MR. TRIAS: Mr. Chairman, I did recommend</p> <p>15 operable windows and I think that's a good idea</p> <p>16 in most buildings. So that's a discussion that</p> <p>17 I think is still taking place.</p> <p>18 MS. VELEZ: It's a great look. I was just</p> <p>19 concerned about --</p> <p>20 MR. BEHAR: Regardless, you could have an</p> <p>21 operable window behind the screen, no matter</p> <p>22 what.</p> <p>23 MS. VELEZ: Right.</p> <p>24 MR. TRIAS: Yes.</p> <p>25 MS. ANDERSON: Yeah, you could have sliding</p>	<p style="text-align: right;">Page 90</p> <p>1 windows. You could have --</p> <p>2 MR. PRATT: Well, and the screens</p> <p>3 themselves will be operable for cleaning and --</p> <p>4 MS. VELEZ: Okay.</p> <p>5 MR. MURAI: Could you explain, one of the</p> <p>6 two of you, the room there on the northeast</p> <p>7 corner in the back, that says the multi purpose</p> <p>8 room or whatever?</p> <p>9 MR. PRATT: Yes. Or --</p> <p>10 MR. GARCIA-SERRA: No, you go ahead.</p> <p>11 MR. MURAI: That could be used by other</p> <p>12 people?</p> <p>13 MR. PRATT: It could be -- one of the</p> <p>14 things that we are interested in, is that we're</p> <p>15 trying to look for ways that would activate and</p> <p>16 animate the community, and so that if there is</p> <p>17 a spot where -- this would all be just open and</p> <p>18 non-air conditioned space. It would be --</p> <p>19 there would be the possibility of, you know,</p> <p>20 having some kind of evening events, that -- and</p> <p>21 we're thinking in terms of, you know -- I don't</p> <p>22 know -- my wife and I went to some Art Basel</p> <p>23 events, and, you know, just the idea that --</p> <p>24 MR. MURAI: Nobody could rent that?</p> <p>25 MR. PRATT: Yeah, it could be something --</p>
<p style="text-align: right;">Page 91</p> <p>1 one of the things that we were thinking is, you</p> <p>2 know, it may be -- one of the things that's</p> <p>3 being looked at is an artist in residence or</p> <p>4 that it would be a space where they could have</p> <p>5 a pop-up gallery or, you know, just -- it's an</p> <p>6 open space that could be utilized for a number</p> <p>7 of --</p> <p>8 MR. TRIAS: Mr. Chairman --</p> <p>9 MR. MURAI: But if it's not enclosed --</p> <p>10 MR. TRIAS: -- if I could explain the big</p> <p>11 picture. The big picture is that there's an</p> <p>12 idea of having a paseo, a very public paseo,</p> <p>13 all of the way behind the Commercial areas on</p> <p>14 Ponce de Leon, which is what the applicant is</p> <p>15 proposing. I think we should make it very</p> <p>16 clear, in the condition -- and it has to be</p> <p>17 clarified beyond, because I was trying to read</p> <p>18 it, that it has to be a public easement and it</p> <p>19 has to be public. That's what the applicant is</p> <p>20 proffering.</p> <p>21 MR. GARCIA-SERRA: And that's the intent.</p> <p>22 Yeah.</p> <p>23 MR. TRIAS: And eventually there will be</p> <p>24 more and eventually they will connect, but</p> <p>25 that's the idea.</p>	<p style="text-align: right;">Page 92</p> <p>1 MR. MURAI: Okay.</p> <p>2 MS. ANDERSON: Yeah. My problem with it is</p> <p>3 that it's hidden. So it's going to be public</p> <p>4 space and usable. It's in the back of the</p> <p>5 building, as opposed to the front of the</p> <p>6 building. Can't you shift some of the elements</p> <p>7 here, put maybe the bike parking in the back</p> <p>8 or --</p> <p>9 MR. PRATT: I mean, one of the things</p> <p>10 that -- in working with Mr. Trias, we pulled</p> <p>11 the building completely down. One of the</p> <p>12 things that -- or moved it to the west, to the</p> <p>13 extent possible, to maximize the park space and</p> <p>14 the open space on the east end of the building.</p> <p>15 So all of that area that fronts the</p> <p>16 street --</p> <p>17 MS. ANDERSON: This is what I'm talking</p> <p>18 about here. You've got -- the open space is in</p> <p>19 the rear of the building.</p> <p>20 MR. PRATT: Right.</p> <p>21 MS. ANDERSON: Nobody in the public is even</p> <p>22 going to even know it's there. If you have it</p> <p>23 in the front of the building, people will</p> <p>24 realize it's there and then have a little</p> <p>25 space, like you show in one of the pictures,</p>

<p style="text-align: right;">Page 93</p> <p>1 where kids out there are kicking a ball around</p> <p>2 or, you know, somebody might want to bring out</p> <p>3 their portable grill or have a little table</p> <p>4 there where they can get down there and</p> <p>5 socialize and have some coffee or --</p> <p>6 MR. MURAI: That would require a complete</p> <p>7 re-design of the building.</p> <p>8 MS. ANDERSON: It would, but --</p> <p>9 MR. PRATT: Well, one of the other things,</p> <p>10 too, in response to your question, is that one</p> <p>11 of the other things that we were looking to do</p> <p>12 is to, you know, create that kind of central</p> <p>13 hub, where we've got bicycle parking and</p> <p>14 bicycle storage. You know, that's the entrance</p> <p>15 to the garage --</p> <p>16 MR. TRIAS: Mr. Pratt, I think if you show</p> <p>17 the Site Plan and pointed to the bicycle</p> <p>18 parking and all of that, maybe it will be more</p> <p>19 clear.</p> <p>20 MR. PRATT: Yeah. So there's actually a</p> <p>21 public bicycle parking area that is behind the</p> <p>22 screen.</p> <p>23 MS. ANDERSON: No, I see that there, but</p> <p>24 that's not my question.</p> <p>25 MR. PRATT: And storage for tenants and</p>	<p style="text-align: right;">Page 94</p> <p>1 residents, and so that -- and so all of this,</p> <p>2 we felt, it was more appropriate that that, as</p> <p>3 an active kind of feature of the building,</p> <p>4 should be more towards the active corridor and</p> <p>5 transportation, and so that this is more of an</p> <p>6 area, rather than being on the street and</p> <p>7 subject to the traffic noise and so forth, that</p> <p>8 it was more appropriate to have that in kind of</p> <p>9 a more secret garden kind of thing.</p> <p>10 MS. ANDERSON: Well, I understand. If it's</p> <p>11 for the public, the public is not going to know</p> <p>12 about it in the rear of the building. So you</p> <p>13 have the bike storage in the front, and you</p> <p>14 could have swapping developments there.</p> <p>15 There's another poor issue that you have</p> <p>16 occurring with the design of the parking that</p> <p>17 creates a hazard, and that is, you have your</p> <p>18 handicap space on one side, that requires an</p> <p>19 individual in a wheelchair to go across the</p> <p>20 driveway, and you have one on the other side,</p> <p>21 that connects right with the door. So it's</p> <p>22 great that it's connected right with the door,</p> <p>23 but these two that are, you know, crossing</p> <p>24 right over that driveway, is a hazard, for a</p> <p>25 number reasons, not just for the cars coming</p>
<p style="text-align: right;">Page 95</p> <p>1 and going, but also the cars backing up, when</p> <p>2 you're compelling an individual in a wheelchair</p> <p>3 to go across a driveway area.</p> <p>4 Why not put them together -- they can even</p> <p>5 share the same access aisle -- and comply?</p> <p>6 MR. PRATT: That's something that we could</p> <p>7 study and see, and we originally had the two</p> <p>8 handicap spots side by side.</p> <p>9 MS. ANDERSON: As long as you're not</p> <p>10 requiring somebody to go behind a vehicle to</p> <p>11 get to that door, so --</p> <p>12 MR. PRATT: Yeah. Well, this handicap</p> <p>13 spot, as you said, they would roll across or</p> <p>14 they would be --</p> <p>15 MS. ANDERSON: Which is dangerous.</p> <p>16 MR. PRATT: And this one is the direct</p> <p>17 access.</p> <p>18 MS. ANDERSON: And the direct access one,</p> <p>19 because I'm talking about shifting some the</p> <p>20 elements in the building, only has the entrance</p> <p>21 there on the corner. If the bathroom -- the</p> <p>22 lobby and the bathroom was moved down and the</p> <p>23 doorway was put in between the lobby -- in</p> <p>24 there, you could have a shared access aisle --</p> <p>25 (Simultaneous speaking.)</p>	<p style="text-align: right;">Page 96</p> <p>1 MR. BEHAR: You can make both of them come</p> <p>2 into the lobby. I mean, that's a simple --</p> <p>3 MS. ANDERSON: Yeah. It's a simple</p> <p>4 solution.</p> <p>5 MR. PRATT: No, and that's something we can</p> <p>6 study, yeah.</p> <p>7 MR. MURAI: Can anyone tell me what's</p> <p>8 happening --</p> <p>9 MR. BEHAR: Before we --</p> <p>10 MR. MURAI: Go ahead.</p> <p>11 MR. BEHAR: Has the applicant finished your</p> <p>12 presentation?</p> <p>13 MR. GARCIA-SERRA: I was just going to have</p> <p>14 a few concluding remarks. I wanted to rebut</p> <p>15 the e-mail that was received and see if there's</p> <p>16 anybody else in the public, you know, that I</p> <p>17 would need to rebut.</p> <p>18 Staff is recommending approval. They're</p> <p>19 recommending approval with conditions.</p> <p>20 Practically all of the conditions, except for</p> <p>21 one, we are in agreement with. The one that we</p> <p>22 are not in agreement with is the one that's</p> <p>23 already generated some discussion, the</p> <p>24 requested \$125,000 contribution for the</p> <p>25 streetscape. In principal, we're fine with</p>



<p style="text-align: right;">Page 97</p> <p>1 doing our part, you know, to improve the</p> <p>2 streetscape in the area, but -- and this is</p> <p>3 even a legal matter, according to the law</p> <p>4 that's applicable to these sort of requests and</p> <p>5 so forth, there has to be a nexus and it has to</p> <p>6 be proportionate to the project itself.</p> <p>7 So it's something I've already started</p> <p>8 talking with the City Attorney's Office, to</p> <p>9 see, based on what's happened before, based on</p> <p>10 this project itself and its scale, what the</p> <p>11 appropriate amount is.</p> <p>12 So you'll remember, last month, when we</p> <p>13 were reviewing the Sidonia project, that amount</p> <p>14 was actually blank. There was a placeholder</p> <p>15 there sort of thing, and we sort of agreed to</p> <p>16 have a discussion to figure that out, and I</p> <p>17 think that's probably the best thing to do here</p> <p>18 with this project, also.</p> <p>19 MR. MURAI: I would agree.</p> <p>20 MR. GARCIA-SERRA: You know, especially</p> <p>21 with legal input, to make sure that what we're</p> <p>22 doing here, we're doing because it's the</p> <p>23 project and the project's impact on the area</p> <p>24 and not be accused of any potential contract</p> <p>25 Zoning, you know, claim or anything like that.</p>	<p style="text-align: right;">Page 98</p> <p>1 And I don't know if you want -- I want to</p> <p>2 rebut the e-mail, but at the same time, I don't</p> <p>3 think there's anybody here in the public --</p> <p>4 MR. BEHAR: Let me open it up. If that</p> <p>5 concludes your presentation, I can open it up</p> <p>6 to the public and then we are going to open it</p> <p>7 up to the Board.</p> <p>8 MR. GARCIA-SERRA: After I rebut the</p> <p>9 e-mail.</p> <p>10 MR. BEHAR: Okay.</p> <p>11 MR. GARCIA-SERRA: Yeah.</p> <p>12 MR. BEHAR: Do we have any member of the</p> <p>13 public that wishes to speak on this item?</p> <p>14 Seeing none, there is a memo that was sent</p> <p>15 to us by Maria Longo, but she's not here to</p> <p>16 present, so Mr. Attorney, if she's not here --</p> <p>17 MR. COLLIER: Well, I think, since it's been</p> <p>18 distributed and it's technically part of the</p> <p>19 record, it would be appropriate to allow the</p> <p>20 attorney to make some comments in response to</p> <p>21 it. I think this would be a good time to allow</p> <p>22 counsel to make some remarks on the e-mail for</p> <p>23 whatever value the e-mail is worth.</p> <p>24 MR. BEHAR: Mr. Garcia-Serra.</p> <p>25 MR. GARCIA-SERRA: Sure, and it will be</p>
<p style="text-align: right;">Page 99</p> <p>1 relatively brief. I think the main criticism</p> <p>2 that Ms. Longo has here in this e-mail is that</p> <p>3 she feels that the project is not Mediterranean</p> <p>4 style enough in its design and in its</p> <p>5 architecture. The important point here,</p> <p>6 though, is that in the City, the Board that</p> <p>7 determines the Mediterranean design and whether</p> <p>8 a project rises to the level of Mediterranean</p> <p>9 design is the Board of Architects.</p> <p>10 This project already went through the Board</p> <p>11 of Architects review and got approval for</p> <p>12 preliminary design and for Mediterranean</p> <p>13 design, and, indeed, you know, Mr. Pratt is a</p> <p>14 somewhat humble guy, but he is a very</p> <p>15 accomplished architect here in the City, has</p> <p>16 been practicing for how many decades now?</p> <p>17 We're almost at 40.</p> <p>18 He is very familiar with the Mediterranean</p> <p>19 architectural style and how it's implemented</p> <p>20 here in Coral Gables, and, again, I'm not sure</p> <p>21 what the vote was, but I suspect it was</p> <p>22 probably unanimous, when you went to Board of</p> <p>23 Architects.</p> <p>24 MR. PRATT: Unanimous, right, yes.</p> <p>25 MR. GARCIA-SERRA: Some other statements</p>	<p style="text-align: right;">Page 100</p> <p>1 she makes here in the e-mail are just not</p> <p>2 factually accurate. She refers to the second</p> <p>3 page of the applicant's chart. I believe she's</p> <p>4 referring to Page 2, actually, of the Staff</p> <p>5 recommendation. So this is something that</p> <p>6 Staff put together, not the applicant. She</p> <p>7 refers to the column, the second column, as</p> <p>8 being the as of right column. It's not. It's</p> <p>9 the column that's referring to what's allowed</p> <p>10 in the RIR, which requires Conditional Use</p> <p>11 approval right now.</p> <p>12 She references 75,000 square feet in that</p> <p>13 row, which I think she was perhaps reading it a</p> <p>14 little bit too quickly. It's really 7,500.</p> <p>15 And then she talks about how the Planning Board</p> <p>16 has the responsibility of scrutinizing projects</p> <p>17 that ask for Mediterranean bonus. Again, the</p> <p>18 Board that does that here, in the City of Coral</p> <p>19 Gables, is the Board of Architects, that has</p> <p>20 been doing it already now for many decades, and</p> <p>21 I'd say, doing an admirable job of it.</p> <p>22 You know, I question, you know, how</p> <p>23 thoroughly she actually has reviewed the</p> <p>24 project. The project is consistent with the</p> <p>25 requirements of the Residential Infill Overlay,</p>

<p style="text-align: right;">Page 101</p> <p>1 which was adopted fairly recently and for good</p> <p>2 purposes by the City to try to motivate</p> <p>3 re-development in this area and I think we have</p> <p>4 a good project here. At least your Staff</p> <p>5 recognizes it as a good project and merits</p> <p>6 approval.</p> <p>7 MR. BEHAR: Okay. Thank you.</p> <p>8 Now I will open it up to the Board, and,</p> <p>9 Rhonda, you can start the questions.</p> <p>10 MS. ANDERSON: Okay. Well, I did raise</p> <p>11 some questions about the parking. I think you</p> <p>12 found a solution to deal with that.</p> <p>13 Because the bonuses that are permitted here</p> <p>14 under the Mediterranean Bonus of it, the amount</p> <p>15 of density being allowed in this area are quite</p> <p>16 significant, I am a little concerned that this</p> <p>17 public space that's provided is not usable</p> <p>18 enough for individuals, because it's hidden in</p> <p>19 the back. You show, as part of your display, a</p> <p>20 child kicking a ball around, but there's a lot</p> <p>21 of sidewalk in that area, not enough grass in</p> <p>22 that area.</p> <p>23 My suggestion is, in order to make this a</p> <p>24 public space that's more usable for the public</p> <p>25 and more accessible to the public, is to move</p>	<p style="text-align: right;">Page 102</p> <p>1 it to the front and move the bicycles somewhere</p> <p>2 in the center or the rear. I don't think it</p> <p>3 would be that difficult to shift some of these</p> <p>4 spaces around. If you had some comments you</p> <p>5 wanted to add to that, I'd be interested in</p> <p>6 hearing them.</p> <p>7 I have some questions about the parking, in</p> <p>8 addition, as to is it going to be marked</p> <p>9 parkings so visitors know where they're allowed</p> <p>10 to park? Do you have visitors parking within</p> <p>11 the building?</p> <p>12 MR. PRATT: Well, within the Code, visitor</p> <p>13 parking is included in the count or in the</p> <p>14 required parking. Visitors -- there is no Code</p> <p>15 requirement that has set visitor parking spaces</p> <p>16 identified. The identification of visitor</p> <p>17 parking, which probably would occur on the</p> <p>18 ground floor, that would make the lobby</p> <p>19 accessible for people going up to visit or</p> <p>20 guests coming in, but that would be really</p> <p>21 established by the people operating the</p> <p>22 rental -- all of this is rental apartments, and</p> <p>23 that would be something established by the</p> <p>24 people managing --</p> <p>25 MS. ANDERSON: I understand. I just didn't</p>
<p style="text-align: right;">Page 103</p> <p>1 know if this was included in the plans, so that</p> <p>2 visitors know where they're allowed to park and</p> <p>3 not think that they all have to fit out in the</p> <p>4 swale or the parallel parking spaces, that are</p> <p>5 limited in the front only.</p> <p>6 MR. PRATT: Right.</p> <p>7 MS. ANDERSON: Curb cuts, I'm not sure you</p> <p>8 have one on the walkway on the far -- let's see</p> <p>9 -- is it the west side? You have a small,</p> <p>10 little sidewalk that goes out through the</p> <p>11 parkway.</p> <p>12 MR. PRATT: Yes. Are you talking about</p> <p>13 this or this?</p> <p>14 MS. ANDERSON: No, that one's a driveway,</p> <p>15 so it's not really that usable when you have</p> <p>16 cars coming in and out of it or people coming</p> <p>17 out of the parallel parking area and getting --</p> <p>18 trying to get up to get access to the building.</p> <p>19 You have one little sidewalk there. Is</p> <p>20 that a curb cut, as well, so that someone with</p> <p>21 a disability can access that sidewalk?</p> <p>22 MR. PRATT: Yeah. Yeah. Actually, that is</p> <p>23 for Waste Management, but we haven't really</p> <p>24 worked out with Public Works on -- we</p> <p>25 originally had a series of landscaped</p>	<p style="text-align: right;">Page 104</p> <p>1 bulb-outs --</p> <p>2 MS. ANDERSON: Okay.</p> <p>3 MR. PRATT: -- and under the old scheme or</p> <p>4 under the old plan that was -- where Public</p> <p>5 Works had requested, as developments would</p> <p>6 occur, bulb -- landscaped bulb-outs to occur,</p> <p>7 and so we had a series of landscaped bulb-outs</p> <p>8 and landscaped areas that extended into the --</p> <p>9 that divided the on-street parking into a</p> <p>10 series of two. We were requested by Public</p> <p>11 Works to eliminate those, because those also</p> <p>12 had the access, as you said, from the street to</p> <p>13 the sidewalk.</p> <p>14 So that's something we haven't quite gotten</p> <p>15 the final decision on from Public Works with</p> <p>16 respect to how that access would work or what</p> <p>17 the delineation of those on-street parking</p> <p>18 would be, whether there would be a handicap</p> <p>19 parking, say, a public handicap parking spot in</p> <p>20 that area. That hasn't been identified yet by</p> <p>21 Public Works, but we will work with Public</p> <p>22 Works on continuing to develop those and</p> <p>23 identify that information.</p> <p>24 MS. ANDERSON: So, getting back to the</p> <p>25 question, there's no curb cut at that location</p>

<p style="text-align: right;">Page 105</p> <p>1 on the far left-hand side of the drawing?</p> <p>2 MR. PRATT: No, it is a curb cut. It's --</p> <p>3 MS. ANDERSON: There is a curb cut?</p> <p>4 MR. PRATT: Yes, it is a curb cut there,</p> <p>5 yes.</p> <p>6 MS. ANDERSON: And it could be used by</p> <p>7 somebody, if they needed to, for, you know, a</p> <p>8 stroller, a walker, whatever, you know, cars?</p> <p>9 MR. PRATT: Yes. I'm sorry, I</p> <p>10 misunderstood your question.</p> <p>11 Yes, it is a sloped curb cut that goes from</p> <p>12 the street to the sidewalk.</p> <p>13 MS. ANDERSON: Okay. I had some questions</p> <p>14 for you about the landscaping, because I</p> <p>15 noticed along the street you have just</p> <p>16 Crapemyrtle trees, which are not trees that</p> <p>17 stay foliated all year long, and to some</p> <p>18 people, they're also a bush, as opposed to an</p> <p>19 actual tree.</p> <p>20 You have a number of other options on here,</p> <p>21 Silver Buttonwood, that are also a small tree,</p> <p>22 that could be accommodated in a narrow area.</p> <p>23 Would you consider putting something that has a</p> <p>24 little more of a canopy, whether it be</p> <p>25 Bridalveil, Silver Buttonwood? You have a</p>	<p style="text-align: right;">Page 106</p> <p>1 parkway that's five feet wide.</p> <p>2 MR. PRATT: All that is established by</p> <p>3 Public Works, and the street trees, that's a</p> <p>4 part of what -- as Mr. Trias was saying, in the</p> <p>5 Master Plan that they have, they've already</p> <p>6 given us what the street tree requirements are</p> <p>7 for that area of the swale or that area of the</p> <p>8 parkway.</p> <p>9 MS. ANDERSON: Mr. Trias, can you respond</p> <p>10 to that, because I've never seen Crapemyrtle?</p> <p>11 MR. TRIAS: The Master Plan, speaking for</p> <p>12 Public Works, you know, you could verify that,</p> <p>13 I believe it requires Gumbo Limbos there.</p> <p>14 MS. ANDERSON: All right. I mean, that</p> <p>15 would be, you know, more of the style of tree</p> <p>16 that I think would handle that --</p> <p>17 MR. PRATT: No, and I'm all for tree canopy</p> <p>18 and I think that, you know, to create as much</p> <p>19 shade and tree canopy as --</p> <p>20 MR. TRIAS: And that's something that has</p> <p>21 to be finalized with Public Works, and</p> <p>22 certainly, whatever is in the right-of-way,</p> <p>23 they will have to follow whatever the Master</p> <p>24 Plan says. Going on my recollection, it's</p> <p>25 Gumbo Limbo.</p>
<p style="text-align: right;">Page 107</p> <p>1 MS. ANDERSON: Okay. All right. I saw the</p> <p>2 Crapemyrtle here and I was a little concerned</p> <p>3 we were going to go to Crapemyrtle everywhere.</p> <p>4 MR. TRIAS: Right. Right.</p> <p>5 MR. BEHAR: Anything else from you, Rhonda?</p> <p>6 MS. ANDERSON: Mario, I have the same</p> <p>7 question I did the last time, with regard to</p> <p>8 the conflict between the concurrency volume on</p> <p>9 traffic versus what's indicated on a traffic</p> <p>10 report. Have you been able to discern why</p> <p>11 there is such a distinction?</p> <p>12 MR. GARCIA-SERRA: Well, the extent of the</p> <p>13 traffic analysis that we had to do on this</p> <p>14 project was that the traffic -- our traffic</p> <p>15 engineer had to do a traffic generation</p> <p>16 statement.</p> <p>17 They did that analysis. It came out to</p> <p>18 less than 50 trips during the peak hours, and</p> <p>19 so once you reach that point, and you don't</p> <p>20 exceed that threshold of the 50 trips, there's</p> <p>21 no requirement for further analysis.</p> <p>22 Now, I think what you're comparing it to is</p> <p>23 the concurrency impact statement that's issued</p> <p>24 by the City?</p> <p>25 MS. ANDERSON: Right.</p>	<p style="text-align: right;">Page 108</p> <p>1 MR. GARCIA-SERRA: You know, I would ask</p> <p>2 our traffic consultant, Sarah, if you could</p> <p>3 maybe try to address that.</p> <p>4 MS. FIOL: Hi, my name is Sarah Fiol, with</p> <p>5 David Plummer &amp; Associates, 1750 Ponce de Leon,</p> <p>6 and so what we've completed is a trip</p> <p>7 generation letter, that quantifies what the</p> <p>8 trip generation for this project is, the 69</p> <p>9 units. So the trip generation letter concludes</p> <p>10 that this project generates 29 trips during the</p> <p>11 p.m. peak hour, and because it's less than the</p> <p>12 50 threshold, we're not required to complete a</p> <p>13 traffic study.</p> <p>14 MS. ANDERSON: I understand that, but I'm</p> <p>15 going to ask you to look at the concurrency --</p> <p>16 Coral Gables Concurrency Management Impact</p> <p>17 Statement on Tab 5. And on there, you'll see</p> <p>18 that the concurrency indicates there is a total</p> <p>19 of 483 potential trips. And, in your report,</p> <p>20 it says, 345, which is a difference of 138. I</p> <p>21 don't know if that's a distinction that makes a</p> <p>22 difference, but I'm trying to understand why we</p> <p>23 have a different number on a concurrency report</p> <p>24 and in your report.</p> <p>25 MS. FIOL: Yeah. So I'm not sure where the</p>

<p style="text-align: right;">Page 109</p> <p>1 two numbers are coming from. I can</p> <p>2 double-check in my report if they match either.</p> <p>3 But that's probably daily. So I can check --</p> <p>4 MS. ANDERSON: Yes.</p> <p>5 MR. TORRE: Those are, what?</p> <p>6 MS. FIOL: Daily vehicle trips.</p> <p>7 MR. GARCIA-SERRA: As opposed to peak hours.</p> <p>8 MS. FIOL: So what the threshold is counted</p> <p>9 against is during the a.m. and the p.m. peak</p> <p>10 hours.</p> <p>11 MS. ANDERSON: I see on Page 2 of your</p> <p>12 report, 345 total weekday trips.</p> <p>13 MS. FIOL: Correct. That would be the</p> <p>14 daily trips, so how many daily trips this site</p> <p>15 would generate.</p> <p>16 The concurrency table, I'm not sure where</p> <p>17 that comes from. But that's based on IT</p> <p>18 standards trip generation rates daily for that</p> <p>19 Land Use.</p> <p>20 MS. ANDERSON: Right. So why do we have</p> <p>21 483 on a concurrency impact statement and 345</p> <p>22 on your report?</p> <p>23 MR. GARCIA-SERRA: We would have to see</p> <p>24 what formula the City uses. That statement is</p> <p>25 literally generated by a computer program,</p>	<p style="text-align: right;">Page 110</p> <p>1 which, you know, we obtain, because we're</p> <p>2 required to obtain it, but it's really Public</p> <p>3 Works' job to review our traffic submittal and</p> <p>4 that statement and so forth.</p> <p>5 MS. ANDERSON: I would just like to</p> <p>6 understand the difference, because it's a</p> <p>7 significant difference. It's 138 different</p> <p>8 trips or additional trips that occur.</p> <p>9 MR. GARCIA-SERRA: But the important thing,</p> <p>10 I think, as far as traffic management, are the</p> <p>11 peak hours. The peak hours are the ones which</p> <p>12 are the problematic ones. And here we did not</p> <p>13 cross that threshold that requires any further</p> <p>14 analysis or review.</p> <p>15 That said, there's still a condition of</p> <p>16 approval that's requiring traffic monitoring</p> <p>17 essentially for a three-year period, every year</p> <p>18 having to do a traffic analysis, and if that</p> <p>19 concludes that some sort of livability</p> <p>20 improvements are necessary, we're required to</p> <p>21 do them.</p> <p>22 MS. ANDERSON: Okay. Have you thought</p> <p>23 about the shifting of the open space more</p> <p>24 towards the front?</p> <p>25 MR. GARCIA-SERRA: You know, in the time</p>
<p style="text-align: right;">Page 111</p> <p>1 that we've had since you've had the comment,</p> <p>2 you know, I know where you're coming from. At</p> <p>3 the same time, if the vision that, you know,</p> <p>4 the City is looking for, for this to some day</p> <p>5 actually be a cross block, you know, access</p> <p>6 actually happens and takes place, which</p> <p>7 presumably it will -- who knows when, but it</p> <p>8 will -- that is not so much the back, but that</p> <p>9 becomes the middle of everything, as far as the</p> <p>10 public walking from one street to the other and</p> <p>11 walking through that area.</p> <p>12 You know, it's a tough balance as to what</p> <p>13 should we give priority and put out in the</p> <p>14 front. Do we put the bike racks, you know,</p> <p>15 where people are going to be coming --</p> <p>16 MR. TRIAS: The design complies with the</p> <p>17 Master Plan, which is that, in the future, the</p> <p>18 north property could be developed in continuity</p> <p>19 with that paseo. To describe it as the back, I</p> <p>20 understand and I see your point, but certainly</p> <p>21 it's a linear park, that is meant to continue</p> <p>22 north and south.</p> <p>23 Now, there may be some opportunity to</p> <p>24 re-design some of the building in the front a</p> <p>25 little bit better, in terms of the arcade or</p>	<p style="text-align: right;">Page 112</p> <p>1 the covered area, I believe, and maybe there's</p> <p>2 a chance to maybe place those bicycles a little</p> <p>3 bit further back. I mean, those things are</p> <p>4 possible.</p> <p>5 MS. ANDERSON: Because it would be more</p> <p>6 inviting --</p> <p>7 MR. TRIAS: Yeah, we can work with the</p> <p>8 applicant on that, certainly.</p> <p>9 MS. ANDERSON: To draw them in. Because to</p> <p>10 get this type of bonus, to be able to go to</p> <p>11 these levels, I think that, you know, the</p> <p>12 public space element needs to be enhanced.</p> <p>13 MR. TRIAS: But I think it can, without</p> <p>14 major changes to the Site Plan.</p> <p>15 MR. PRATT: Well, I think that the thing it</p> <p>16 would do, and which I'm fine with, is that it</p> <p>17 would -- we were -- the idea was that we were</p> <p>18 trying to group it altogether to create a</p> <p>19 larger space. And we could take and relocate</p> <p>20 some of the things, put the bike storage more</p> <p>21 to the back, but what we would wind up with is</p> <p>22 multiple smaller spaces, rather than one</p> <p>23 combined large space, you know, which is not</p> <p>24 necessarily a bad thing, it's just a different</p> <p>25 thing.</p>

<p style="text-align: right;">Page 113</p> <p>1 MR. TRIAS: But I think you should think</p> <p>2 about the design. I think there are</p> <p>3 opportunities to do what the Members are saying</p> <p>4 to enhance the activity toward the front</p> <p>5 without any major change to the building.</p> <p>6 MR. PRATT: And, also, to that light, you</p> <p>7 know, we felt that bicycle ridership, and, you</p> <p>8 know, the alternate vehicles and so forth, that</p> <p>9 all of that is really going to create a lot of</p> <p>10 interest, too, and, you know, that's something</p> <p>11 that's going to create a lot of activity that</p> <p>12 will draw people in, and, you know, observe</p> <p>13 that area in the back, too.</p> <p>14 MS. ANDERSON: I think you can work with</p> <p>15 the bicycles a little further back and another</p> <p>16 space up there. I've seen it along some of the</p> <p>17 apartment buildings, even the historic</p> <p>18 buildings that we have here, where they have</p> <p>19 like a little table and then people gather</p> <p>20 around and it creates -- generates that</p> <p>21 activity that we're looking for, and it makes a</p> <p>22 very nice space.</p> <p>23 I mean, I'm very much in favor of this</p> <p>24 corridor going through instead of having just</p> <p>25 walls and buildings.</p>	<p style="text-align: right;">Page 114</p> <p>1 MR. PRATT: No, as we are, too. I think</p> <p>2 that it's going to really create or set up and</p> <p>3 hopefully it will be continued in the future,</p> <p>4 but that it really creates a much nicer</p> <p>5 urban landscape and usability.</p> <p>6 MS. ANDERSON: I've got one other request.</p> <p>7 When you put in those electric charging</p> <p>8 stations in this building --</p> <p>9 MR. PRATT: Actually, we have and they're</p> <p>10 located -- we have been working and we have</p> <p>11 implemented those charging stations, actually,</p> <p>12 on the ground level, so that they're accessible</p> <p>13 to everyone.</p> <p>14 MS. ANDERSON: Right. Make sure that one</p> <p>15 has a cord that can reach for handicapped</p> <p>16 individuals, as well.</p> <p>17 MR. BEHAR: Okay. Rene, your turn.</p> <p>18 MR. MURAI: Quickly. Condo or rental?</p> <p>19 MR. PRATT: It's all rental. It's a rental</p> <p>20 building.</p> <p>21 MR. MURAI: Including the townhouses?</p> <p>22 MR. PRATT: Yes. They're rental units.</p> <p>23 They're not really townhouses.</p> <p>24 MR. MURAI: Ms. Longo says that the main</p> <p>25 door of the townhouses does not face the</p>
<p style="text-align: right;">Page 115</p> <p>1 street.</p> <p>2 MR. PRATT: That's really something that is</p> <p>3 a requirement in the Zoning Code that is for</p> <p>4 townhouses, in specific. If you're designing a</p> <p>5 townhouse, that is a stand-alone project,</p> <p>6 that's simply townhouses, because that also</p> <p>7 requires a parking garage in the rear and --</p> <p>8 MR. MURAI: All I'm asking is, are there --</p> <p>9 I mean, how do you get into the townhouses?</p> <p>10 MR. PRATT: No, the townhouses actually</p> <p>11 have sheltered entry.</p> <p>12 MR. BEHAR: They have a walkway from the</p> <p>13 sidewalk, right?</p> <p>14 MR. PRATT: Right. They have walkways from</p> <p>15 the sidewalk and --</p> <p>16 MR. MURAI: Each townhouse has a door to</p> <p>17 the street?</p> <p>18 MR. PRATT: Yes, correct.</p> <p>19 MR. MURAI: So why is she saying that they</p> <p>20 do not face the street?</p> <p>21 MR. GARCIA-SERRA: She's saying that it</p> <p>22 doesn't face the street directly.</p> <p>23 MR. PRATT: Well, that it doesn't have a</p> <p>24 door that can be seen from -- well, actually,</p> <p>25 you can, if you're walking --</p>	<p style="text-align: right;">Page 116</p> <p>1 MR. MURAI: Where are the doors, Mario?</p> <p>2 MR. BEHAR: Show the elevation, because I</p> <p>3 think it's clear.</p> <p>4 MR. GARCIA-SERRA: What she's saying is</p> <p>5 that she wants to be able to see the door</p> <p>6 there.</p> <p>7 MS. VELEZ: From the sidewalk.</p> <p>8 MS. ANDERSON: Facing -- facing, yes.</p> <p>9 MR. MURAI: Okay. Got that one.</p> <p>10 That's okay. I'm good.</p> <p>11 MS. ANDERSON: We're good. We're good. We</p> <p>12 got that.</p> <p>13 MR. MURAI: I have -- my third question is,</p> <p>14 what happens in the back of the building? I</p> <p>15 wasn't quite clear. I mean, you have this</p> <p>16 building facing, what, single-family homes in</p> <p>17 the back?</p> <p>18 MS. VELEZ: It's an empty lot.</p> <p>19 MR. PRATT: No. All of the units in the</p> <p>20 back are -- I should say, the properties on the</p> <p>21 north side of --</p> <p>22 MR. MURAI: I'm sorry, the north side.</p> <p>23 MR. PRATT: All of those are rental units,</p> <p>24 also, residences.</p> <p>25 MR. MURAI: No, but I'm saying that you</p>

<p style="text-align: right;">Page 117</p> <p>1 have single-family homes north of this</p> <p>2 property.</p> <p>3 MR. PRATT: No. There's no single-family</p> <p>4 homes in the area at all.</p> <p>5 MR. TORRE: No.</p> <p>6 MR. MURAI: So north of this property, what</p> <p>7 happens?</p> <p>8 MR. PRATT: It's all apartment buildings.</p> <p>9 MR. GARCIA-SERRA: They tend to be smaller</p> <p>10 apartment buildings right now.</p> <p>11 MR. MURAI: I couldn't quite figure it out</p> <p>12 from -- just curious.</p> <p>13 MR. GARCIA-SERRA: They all tend to be a</p> <p>14 lot of the apartment buildings that were built</p> <p>15 in the 1940s, 1950s.</p> <p>16 MR. MURAI: Two stories, three stories,</p> <p>17 what?</p> <p>18 MR. GARCIA-SERRA: Right, two or three</p> <p>19 stories with, you know, somewhere between four</p> <p>20 and maybe ten units. Some of them are bigger.</p> <p>21 MR. PRATT: This is the side, and all of</p> <p>22 this is a three-story apartment building, and</p> <p>23 this is a two-story apartment building, and</p> <p>24 this is a vacant lot, and this is a parking</p> <p>25 lot.</p>	<p style="text-align: right;">Page 118</p> <p>1 MR. MURAI: Do you have landscaping back</p> <p>2 there, I assume?</p> <p>3 MR. PRATT: Yes, we do.</p> <p>4 MR. MURAI: Between your parking and the</p> <p>5 property line, there's going to be some</p> <p>6 landscaping?</p> <p>7 MR. PRATT: Yes.</p> <p>8 MR. MURAI: Tall?</p> <p>9 MR. PRATT: Yes. It will be dense and</p> <p>10 tall, because we're actually putting all of the</p> <p>11 utilities underground.</p> <p>12 (Inaudible.)</p> <p>13 MR. MURAI: But you're going to be able to</p> <p>14 have tall --</p> <p>15 MS. ANDERSON: Silver Buttonwood all of the</p> <p>16 way around.</p> <p>17 MR. MURAI: So that people won't be facing</p> <p>18 just --</p> <p>19 MR. PRATT: Correct. We want to shield the</p> <p>20 parking lot.</p> <p>21 MR. MURAI: Okay. Next point is, I have no</p> <p>22 problem with this space and the multi purpose</p> <p>23 room in the back, but, you know, it seems to me</p> <p>24 that if it's all open, I'm not sure that's</p> <p>25 going to be that --</p>
<p style="text-align: right;">Page 119</p> <p>1 MR. GARCIA-SERRA: I think that you did</p> <p>2 provide for retractable walls or some sort of</p> <p>3 enclosure that could potentially be enclosed at</p> <p>4 night or during --</p> <p>5 MR. MURAI: I'm not telling you what to do,</p> <p>6 but I'm just, you know, it may not be worth it,</p> <p>7 frankly, to have a multi purpose room there, if</p> <p>8 it's all open. It might be just better to have</p> <p>9 green space, you know, with chairs and, you</p> <p>10 know, whatever.</p> <p>11 I mean, I'm not telling you how to design</p> <p>12 it. I'm just saying, you know, I look at it as</p> <p>13 I do -- you know, what do I do with this space?</p> <p>14 It's all open.</p> <p>15 MS. ANDERSON: Well, it could be like a</p> <p>16 patio.</p> <p>17 MR. MURAI: Yeah. I mean, but I tell you,</p> <p>18 when we redid our house here in the Gables, we</p> <p>19 had a big terrace, open terrace. Roofed, but</p> <p>20 open. It lasted five years, until we decided</p> <p>21 that rain, heat, cold, dogs, cats, whatever,</p> <p>22 you know, to close it. So, to me, that might</p> <p>23 not be worth it. Maybe it's worth it to have</p> <p>24 green space and save some money.</p> <p>25 That's just a comment. It's not telling</p>	<p style="text-align: right;">Page 120</p> <p>1 you what to do. I'm just telling you, as a</p> <p>2 Member of this Board, having it in the back,</p> <p>3 I'm not bothered like she's bothered by it.</p> <p>4 MS. ANDERSON: Yeah.</p> <p>5 MR. BEHAR: Venny.</p> <p>6 MR. TORRE: Does the multi purpose room</p> <p>7 have bifold doors, folding doors?</p> <p>8 MR. PRATT: It's got a series of security</p> <p>9 that it can be enclosed for -- you know, to</p> <p>10 close it at night or something like that, to</p> <p>11 prevent unwanted people sleeping, you know,</p> <p>12 there.</p> <p>13 MR. TORRE: Is it normally open or normally</p> <p>14 closed?</p> <p>15 MR. PRATT: It would be normally open.</p> <p>16 MR. MURAI: There's no air conditioning,</p> <p>17 right?</p> <p>18 MR. PRATT: No, it's not air conditioned.</p> <p>19 MR. TORRE: And the Board, I guess, decides</p> <p>20 when it opens and when it closes, the condo?</p> <p>21 MR. PRATT: The management would, yeah.</p> <p>22 MR. TORRE: So second to that is, there's</p> <p>23 no requirement for that paseo to continue?</p> <p>24 That's a proposed possibility, but it's not a</p> <p>25 requirement? This could not happen or could</p>

<p style="text-align: right;">Page 121</p> <p>1 happen?</p> <p>2 MR. TRIAS: No, it is a requirement, if</p> <p>3 there's a development on the north side that</p> <p>4 meets the Infill Regulations, yes.</p> <p>5 MR. TORRE: But required for them to meet</p> <p>6 the same criteria on this side?</p> <p>7 MR. TRIAS: Yeah. Yes.</p> <p>8 MR. TORRE: Is that likely to happen, that</p> <p>9 there will be a paseo there?</p> <p>10 MR. TRIAS: I would hope so, yes.</p> <p>11 MR. TORRE: So the question here for me is,</p> <p>12 what are we judging on this project that</p> <p>13 fulfills the requirements of this Infill</p> <p>14 Ordinance, that lets me say you're allowed to</p> <p>15 have these additional bonuses? And I'm not</p> <p>16 sure I'm clear on what those requirements are.</p> <p>17 MR. TRIAS: Yeah, the requirements are</p> <p>18 about three pages of the Zoning Code, and the</p> <p>19 ones that are more noticeable is that one of</p> <p>20 them is that additional open space, meaning</p> <p>21 beyond the 25 percent, which they comply, they</p> <p>22 have 30 percent or so, or more, if open space</p> <p>23 is understood including that multi purpose</p> <p>24 room, which is according to the definition.</p> <p>25 The other one is that they have to have a</p>	<p style="text-align: right;">Page 122</p> <p>1 liner on the parking, for example.</p> <p>2 MR. MURAI: They have to have, what?</p> <p>3 MR. TRIAS: The liner units, the townhouse</p> <p>4 units that line the parking garage, that's a</p> <p>5 requirement. There's some landscape</p> <p>6 provisions.</p> <p>7 MR. TORRE: But, for example, when I see</p> <p>8 things at Historic Preservation, there's</p> <p>9 reasons why these should be reasons for</p> <p>10 designation to happen, and Staff provides, it</p> <p>11 meets this criteria, it meets this criteria, it</p> <p>12 meets this other criteria.</p> <p>13 How are we to judge this, without having</p> <p>14 you or anybody tell us, here are the reasons</p> <p>15 that it should proceed, this goal, this goal,</p> <p>16 this goal? I mean, I'm judging something that</p> <p>17 I don't know where I'm supposed to look.</p> <p>18 I know the open area situation, but the</p> <p>19 criteria, it's kind of vague to me, and I'm</p> <p>20 trying to see where this project differs from a</p> <p>21 project that would have a ten-foot setback in</p> <p>22 the front, ten-foot setback on the left, not</p> <p>23 necessarily the green space on the right. So</p> <p>24 where is that big difference?</p> <p>25 MR. TRIAS: Well, I think that the Staff</p>
<p style="text-align: right;">Page 123</p> <p>1 report has a multiple list of requirements and</p> <p>2 maybe it could have more, if you'd prefer, for</p> <p>3 the next time, but certainly the criteria are</p> <p>4 somewhat open to interpretation. That's true.</p> <p>5 It says, "Additional open space," and that's</p> <p>6 something that you need to see whether or not</p> <p>7 that makes sense. But some other criteria are</p> <p>8 pretty clear, such as the ten-foot landscaped</p> <p>9 front yard, that is a requirement, and that was</p> <p>10 part of the idea to have some continuity along</p> <p>11 the front for open space.</p> <p>12 All of those things did not exist prior to</p> <p>13 this Overlay. Prior to this Overlay, there's</p> <p>14 many buildings that are built, that are fairly</p> <p>15 dense, fifty units per acre or so, that come</p> <p>16 all of the way to the sidewalk, have all kinds</p> <p>17 of ramps and all kinds of things going on. So</p> <p>18 all of those are the benefits or at least the</p> <p>19 design features that the Overlay required and</p> <p>20 they're listed in the Zoning Code.</p> <p>21 Certainly, we can have any discussion you</p> <p>22 want about them --</p> <p>23 MR. TORRE: If we're setting precedent,</p> <p>24 there has not been many of these so far. I</p> <p>25 think the last one we saw merited the approval.</p>	<p style="text-align: right;">Page 124</p> <p>1 So I'm not used to seeing the difference</p> <p>2 clearly here. There's some differences, but</p> <p>3 I'm not quite sure --</p> <p>4 MR. TRIAS: Right. Right. I understand.</p> <p>5 MR. TORRE: -- that they're articulated</p> <p>6 now.</p> <p>7 So the green space on right, it's nice.</p> <p>8 It's 20 feet. It's the size of an alley. It's</p> <p>9 not a big space, but it's nice.</p> <p>10 The one that gets me is the issue of the</p> <p>11 front. So I think -- and maybe I'm wrong, part</p> <p>12 of this is to enhance the urban space that is a</p> <p>13 residential street. Meaning, what you see on</p> <p>14 the ground is sort of enhanced to be pedestrian</p> <p>15 friendly, the residential typology is there.</p> <p>16 This one is giving me the appearance that</p> <p>17 that's not the case. Why? I think it's these</p> <p>18 two-story vertical elements, that when I'm</p> <p>19 looking at this picture here, I thought it was</p> <p>20 a garage you're hiding, and it's not a</p> <p>21 residential feeling. It's not articulated</p> <p>22 downstairs windows on the street.</p> <p>23 You talked about eyes on the street.</p> <p>24 That's not what I'm feeling. So from a</p> <p>25 residential perspective, you have a three-story</p>

<p style="text-align: right;">Page 125</p> <p>1 liner downstairs, but it's not reflecting on me</p> <p>2 that that's what's being provided. So it's</p> <p>3 giving me that more Commercial aspect, on that</p> <p>4 ground floor. So you're doing one great</p> <p>5 benefit, but you're not enhancing it to that</p> <p>6 streetscape and to that eyes on the street</p> <p>7 situation.</p> <p>8 MR. PRATT: Right.</p> <p>9 MR. TORRE: That's one of the things that</p> <p>10 sort of doesn't --</p> <p>11 MR. TRIAS: Mr. Torre, we had the same</p> <p>12 opinion and we shared that opinion with the</p> <p>13 applicant multiple times. And the applicant</p> <p>14 made some improvements in the design and so on,</p> <p>15 but they really believe that that is an</p> <p>16 important feature of the design.</p> <p>17 MR. MURAI: They, what, I'm sorry?</p> <p>18 MR. TRIAS: They believe those screens are</p> <p>19 very important for the design. That's what the</p> <p>20 applicant believes.</p> <p>21 MR. PRATT: Can I address the comment --</p> <p>22 MR. TORRE: Sure. Of course.</p> <p>23 MR. PRATT: -- if you're finished? May I?</p> <p>24 MR. TORRE: Yeah. I mean, I have more</p> <p>25 things, but --</p>	<p style="text-align: right;">Page 126</p> <p>1 MR. PRATT: Actually, if I could show you,</p> <p>2 this is the most recent rendering, and --</p> <p>3 MR. COLLIER: It would be better if you</p> <p>4 would put it on the easel and use the mike, so</p> <p>5 that the court reporter can pick up your</p> <p>6 comments.</p> <p>7 Great. Thank you so much.</p> <p>8 MR. PRATT: All right. This is a most</p> <p>9 recent rendering that was commissioned and it's</p> <p>10 still -- and I apologize if, you know, your</p> <p>11 looking at the elevation gave you the</p> <p>12 impression that the screen was very opaque.</p> <p>13 That's not the intention. The intention is</p> <p>14 that the screen -- and the screen that we</p> <p>15 represented in the submittal to the P&amp;Z, that's</p> <p>16 really a placeholder. It's just an idea to</p> <p>17 illustrate the concept. It's not actually the</p> <p>18 screen itself.</p> <p>19 The artist that will be doing and producing</p> <p>20 the concept is going to be doing that</p> <p>21 independently and having to satisfy the Art in</p> <p>22 Public Places, but the screen, as you can see</p> <p>23 in the new, in the latest rendering, really has</p> <p>24 much more openness and much more visibility of</p> <p>25 the -- you know, that you can see the glass and</p>
<p style="text-align: right;">Page 127</p> <p>1 there's much more transparency to the screen.</p> <p>2 The screen isn't as -- will not give you the</p> <p>3 idea that it's a parking garage behind it, and</p> <p>4 it's going to be something that actually has</p> <p>5 very much of a transparency, both, in terms of</p> <p>6 what you would see during the day and the</p> <p>7 night.</p> <p>8 The idea is that the illumination in the</p> <p>9 interior of the unit in the evening and night</p> <p>10 hours -- or evening hours, you know, will be</p> <p>11 like a lantern, you know, shining through</p> <p>12 that. So -- but --</p> <p>13 MR. TORRE: I think, as a scale -- you</p> <p>14 know, from a scale perspective, the large</p> <p>15 openness of that space vertical just creates a</p> <p>16 space that feels like it's hiding something,</p> <p>17 even though it's transparent. It just doesn't</p> <p>18 -- it's articulated in a way that, again, it's</p> <p>19 not -- yeah, and, again, I'm looking at an open</p> <p>20 picture, but I think that's missing the</p> <p>21 translation, at least for me. And I think the</p> <p>22 garage and carport situation, this feels a</p> <p>23 little overpowering for the building.</p> <p>24 Again, I'm trying to get these buildings --</p> <p>25 so here's the judgment. The judgment is, what</p>	<p style="text-align: right;">Page 128</p> <p>1 are we giving as a bonus that comes back to the</p> <p>2 community, that sets the standard for the next</p> <p>3 project and creates something that transposes</p> <p>4 over time, correct? To me, it's that ground</p> <p>5 floor. If you've got those three stories that</p> <p>6 are becoming liners, I'm not looking for</p> <p>7 something like this. I'm looking for something</p> <p>8 more, again, Residential, more articulated,</p> <p>9 more feeling like there's people living there,</p> <p>10 like there's people coming back and forth, and</p> <p>11 this is creating something that feels</p> <p>12 Commercial to me and I'm not really fond of it.</p> <p>13 MR. GARCIA-SERRA: If I could, Mr. Torre.</p> <p>14 You know, what we're going by, what we have as</p> <p>15 our guide, is what's in the Code, and Section</p> <p>16 4-208 is the Residential Infill Regulations,</p> <p>17 and we've got to comply with certain criteria.</p> <p>18 Some of those are easy to understand, the</p> <p>19 compliance, because they're just numbers.</p> <p>20 You've got to be set back --</p> <p>21 MR. TORRE: And we talked about</p> <p>22 subjectivity and how we judge this, and, again,</p> <p>23 this is very open and fluid, so for us, what is</p> <p>24 it we're going to judge things by? To me, this</p> <p>25 is how I kind of feel. These streets should</p>



<p style="text-align: right;">Page 129</p> <p>1 start to line up, from an urban perspective,  2 from a Residential perspective, from that  3 feeling of groundness and what you see on the  4 ground floor is what you're going to feel more  5 than anything. The upstairs gets lost. So I  6 really want to pay attention to those first  7 three floors, especially when you're trying to  8 do a good job with the liner, which you've  9 done.  10 So, again, reduction of the entrances,  11 minimizing garages, all of these things, to me,  12 play out as the bonus piece. Even when you  13 don't give enough green space, those things  14 should start to take big precedent.  15 MS. ANDERSON: Right.  16 MR. PRATT: The liner units are only two  17 stories. They're not three stories.  18 MR. TORRE: I thought I read three.  19 MR. GARCIA-SERRA: But, you know, I think  20 the important point of your comment is that  21 there are sort of design recommendations that  22 we could potentially incorporate in order to  23 get that.  24 MR. TORRE: We're setting precedent here  25 and this one leads to the next one, leads to</p>	<p style="text-align: right;">Page 130</p> <p>1 the next one. So I'm just taking an approach  2 of how I would take and feel more comfortable  3 with these sorts of projects coming forward.  4 MS. ANDERSON: I would agree.  5 MR. TORRE: That's my comment.  6 MR. BEHAR: Thank you.  7 Maria.  8 MS. VELEZ: How is the issue of trash --  9 how is access to those things? They're on the  10 side. You've got this little extensive  11 walkway. Is Waste Management driving in there?  12 MR. PRATT: Correct. No, Waste Management  13 is going to collect it at the street, but they  14 will bring it out from the trash room on the  15 side of the building.  16 MS. VELEZ: So someone will bring that out?  17 MR. PRATT: Yes. Correct. In fact, they  18 even said they have rubber wheels to prevent  19 noise from affecting the adjacent neighbors.  20 MS. VELEZ: But there will probably be a  21 manager on site to handle that?  22 MR. PRATT: Yes.  23 MS. VELEZ: And then the parking spaces,  24 that they were numbered 97, but I only saw 96.  25 MR. PRATT: 96 is the requirement --</p>
<p style="text-align: right;">Page 131</p> <p>1 MS. VELEZ: Because I think --  2 MR. PRATT: Yeah, I think that may have  3 been a typo, but 96 is the requirement. And we  4 actually have some area of possibility for  5 additional. We were kind of holding it back  6 for using it as a loading/unloading area for  7 people moving in or moving out, instead of  8 designating that, but we do have a parking  9 area -- additional parking area that we could  10 make additional spaces, if it becomes  11 necessary.  12 MS. VELEZ: And I like what Venny is  13 saying. I agree that we do have to think about  14 what's coming. The design that we approve and  15 whatever bonuses we approve today will be taken  16 for the next time around.  17 That whole neighborhood -- many, many years  18 ago, I lived in that area. I lived in an  19 eight-story building that had ground parking.  20 It's still there. The density was nowhere near  21 what we're seeing now. I think there were six  22 units per floor.  23 And now we're talking about a lot more and  24 a lot more massing, so we do need to make it a  25 pedestrian. We want to make it pedestrian</p>	<p style="text-align: right;">Page 132</p> <p>1 friendly. We want to be able to feel like we  2 are walking in a Residential area.  3 So, yes, I do like the screens, but maybe  4 the screens can be moved somewhere else, if  5 that's an issue, and windows might be making it  6 more Residential feel.  7 MR. PRATT: Actually, I can talk with the  8 client, but the screens could be -- if that's  9 something that the Board feels would be  10 preferred, we -- honestly, as the architect, I  11 like the screens and I think that ultimately  12 they could be something that would be very  13 unique to the building and very much of a  14 benefit, in terms of the pedestrian experience  15 and just the neighborhood, in general.  16 As I said in the beginning, the screens  17 were secondary and we originally -- the design  18 that was approved by the Board of Architects  19 had those as windows -- well, there's windows  20 behind them. It's just that the Board of  21 Architects approved it without the screens.  22 So it's -- personally, like I said, I think  23 that the screens would be beneficial. Everyone  24 has their own thoughts and opinions on Art in  25 Public Places. We were one of the first</p>

<p style="text-align: right;">Page 133</p> <p>1 buildings, with the PonceCatalonia, the Zubi</p> <p>2 Building, to implement art in Public Places on</p> <p>3 that building with the Flight to Freedom, with</p> <p>4 the sculpture that's on the building. Some</p> <p>5 people like it. Some people don't. It's just</p> <p>6 like the fountains in Biltmore Way.</p> <p>7 Everybody's got their opinion.</p> <p>8 If that's the deal breaker, I'm not</p> <p>9 completely married to it, but, again, it's a</p> <p>10 part of the concept or a part of what we</p> <p>11 thought would be something very unique and very</p> <p>12 beneficial.</p> <p>13 MS. VELEZ: No, I said at the beginning, I</p> <p>14 like the screens. I like the concept. I agree</p> <p>15 that it is Moorish and Mediterranean. It</p> <p>16 brings all of those features in. But maybe</p> <p>17 tone it down or may be make it to scale.</p> <p>18 MR. PRATT: And, again, what you're viewing</p> <p>19 is not the final --</p> <p>20 MS. VELEZ: So we don't know what it's</p> <p>21 going to look like, which makes it difficult.</p> <p>22 MR. PRATT: Yeah. Well, there's another</p> <p>23 whole Board and process, and, actually, the</p> <p>24 City Commission will be the final determinants</p> <p>25 of the approval of that Art in Public Places.</p>	<p style="text-align: right;">Page 134</p> <p>1 So it's really beyond this Board and beyond my</p> <p>2 purview, too, as the designer.</p> <p>3 But it really is something that would need</p> <p>4 to satisfy the City Commission at that level</p> <p>5 for final approval.</p> <p>6 MR. GARCIA-SERRA: I think it's fair to</p> <p>7 say, Ms. Velez, you don't want the screens to</p> <p>8 come at the cost of the streetscape appearance</p> <p>9 or the facade -- the appearance of the facade</p> <p>10 of the building, as far as the street is</p> <p>11 concerned, nor do you want it to come at a cost</p> <p>12 or a detriment to the experience within the</p> <p>13 unit, as far as light and air --</p> <p>14 MS. VELEZ: Yes.</p> <p>15 MR. PRATT: No, and I certainly don't want</p> <p>16 it to be --</p> <p>17 MR. MURAI: I have no idea what you said,</p> <p>18 by the way.</p> <p>19 MR. PRATT: Well, and just to reinforce,</p> <p>20 Mr. Torre, you know, I am concerned, actually,</p> <p>21 with your comment that, you know, you view it</p> <p>22 as something that would be a parking structure,</p> <p>23 because we really tried very hard to make</p> <p>24 something that had a lot of vitality and</p> <p>25 something that actually kept the same scale and</p>
<p style="text-align: right;">Page 135</p> <p>1 proportions of the residences and the two-story</p> <p>2 nature of the existing neighborhood, so that</p> <p>3 the real Commercial sector happens on the east</p> <p>4 end of the building, and then, as it goes back</p> <p>5 into the more Residential section, is where all</p> <p>6 of the townhouses, two-story units --</p> <p>7 MR. TORRE: The picture I'm looking at kind</p> <p>8 of has a void behind the grills and gives me</p> <p>9 the feeling that there's a garage.</p> <p>10 MR. BEHAR: The garage.</p> <p>11 MS. ANDERSON: A garage.</p> <p>12 MR. PRATT: All right. And that's not the</p> <p>13 intent, and I apologize.</p> <p>14 MR. TORRE: And I agree, but I think given</p> <p>15 that wide -- again, to me, it's the wrong</p> <p>16 approach, but it's just my own take on what</p> <p>17 that two or three-story volume should start to</p> <p>18 look like for this particular Ordinance to</p> <p>19 start taking shape in the way that I think it's</p> <p>20 meant to be.</p> <p>21 MR. TRIAS: Mr. Chairman, in terms of the</p> <p>22 approval, keep in mind that what you're saying</p> <p>23 is that they have to go through the Art in</p> <p>24 Public Places process and it may be not</p> <p>25 successful. So, really, what you're looking at</p>	<p style="text-align: right;">Page 136</p> <p>1 is, as the applicant said --</p> <p>2 MR. BEHAR: But Ramon --</p> <p>3 MR. TORRE: It has nothing to do with Art</p> <p>4 in Public Places.</p> <p>5 MR. BEHAR: -- it has nothing to do,</p> <p>6 because if they choose to put a screen, it's</p> <p>7 just a difference of getting credit for the Art</p> <p>8 of Public Space or not. They can do the</p> <p>9 screen, if they want to, and not get credit for</p> <p>10 the Art in Public Space.</p> <p>11 And what I hear the Board Members saying is</p> <p>12 that it doesn't feel like a Residential</p> <p>13 building.</p> <p>14 MR. TRIAS: No. What I'm saying is, what</p> <p>15 is being approved, which is -- the condition is</p> <p>16 that it's going to go through the Art in Public</p> <p>17 Places and it's going to be an art piece.</p> <p>18 Otherwise, it's not going to be a screen.</p> <p>19 MR. MURAI: I know, but I think what I hear</p> <p>20 him saying here is that we may prefer to vote</p> <p>21 for approval without the screens.</p> <p>22 MR. TRIAS: That's fine. That's fine.</p> <p>23 MS. ANDERSON: But even without the</p> <p>24 screens, it still has a Commercial --</p> <p>25 MR. TORRE: I mean, we're a little bit</p>

<p style="text-align: right;">Page 137</p> <p>1 playing Board of Architects --</p> <p>2 MR. BEHAR: And we --</p> <p>3 MR. TORRE: Unfortunately we are.</p> <p>4 MR. BEHAR: We should not be.</p> <p>5 MR. TORRE: I understand that, but the</p> <p>6 point is that the design and how this feels and</p> <p>7 acts and relates to the ground is part of this</p> <p>8 bonus situation, as far as I'm concerned. It's</p> <p>9 a bonus to the community to have a more</p> <p>10 residentially type design for the benefit of</p> <p>11 having more units, more FAR -- what else -- if</p> <p>12 you're not giving me 40 feet of grass in the</p> <p>13 front. If you were giving me 40 feet of grass</p> <p>14 in the front, maybe there's a trade, but in</p> <p>15 this case, we're tied to ten feet. So I'm just</p> <p>16 looking at it in context, but that's how I</p> <p>17 feel.</p> <p>18 MS. ANDERSON: Right.</p> <p>19 MR. MURAI: I agree.</p> <p>20 MS. ANDERSON: I mean, this is more of a</p> <p>21 Commercial type of Mediterranean as opposed to</p> <p>22 Residential Mediterranean, in my opinion.</p> <p>23 MR. TORRE: Yeah.</p> <p>24 MR. BEHAR: Let's go on. Chip, you --</p> <p>25 MR. WITHERS: Well, I'm going to probably</p>	<p style="text-align: right;">Page 138</p> <p>1 ramble, but I'm not going to ramble for a long</p> <p>2 time.</p> <p>3 Look, to me, anything that's -- as that</p> <p>4 apartment district develops, which it will, as</p> <p>5 you pointed out yourself, you've got big</p> <p>6 buildings coming up all over the place, it's</p> <p>7 going to be an apartment district. And, Venny,</p> <p>8 I hear what you're saying. I agree with you a</p> <p>9 thousand percent. But you know what, whether</p> <p>10 you put a balcony, a Mediterranean, you know,</p> <p>11 looking balcony or you put barrel tile, you put</p> <p>12 a window surround or you -- it's still going to</p> <p>13 look like a big Commercial apartment building</p> <p>14 to me, you know, unless it's 45, 50, but</p> <p>15 hundred foot buildings all through that area,</p> <p>16 it's going to look like an apartment district.</p> <p>17 And I think, you know, where we kind of</p> <p>18 made a left turn, and I know this is probably</p> <p>19 going to upset some of our Commissioners, is</p> <p>20 that, you know, the City started Zoning through</p> <p>21 PADs and Overlays and now, you know, this</p> <p>22 Conditional Use Ordinances, and it's a way</p> <p>23 to -- it was a Zoning tool that was supposed to</p> <p>24 help move stuff around and get things better,</p> <p>25 but right now the Zoning Code is the</p>
<p style="text-align: right;">Page 139</p> <p>1 Conditional Uses that are placed on this.</p> <p>2 I have been here, what, three meetings?</p> <p>3 The last building we saw met the Conditional</p> <p>4 Use, not our Zoning Code, and so now we have,</p> <p>5 instead of 50 units, we have 100 units.</p> <p>6 So, you know, I know you don't want to pay</p> <p>7 the 150 or 175,000 dollars or whatever, but I</p> <p>8 mean, doggone it, the developers are getting</p> <p>9 twice as much density, twice as many units, and</p> <p>10 if the City is saying, "We want a little more</p> <p>11 realm improvements to make the public</p> <p>12 experience walking on the street a little bit</p> <p>13 nicer and do little things to make it feel a</p> <p>14 little more pedestrian friendly" -- you know, I</p> <p>15 think the City should probably be asking for a</p> <p>16 little bit more, to be perfectly honest with</p> <p>17 you.</p> <p>18 And what I mean by that is, if we need to</p> <p>19 use physical improvements on the street and the</p> <p>20 sidewalks and lighting and things like that to</p> <p>21 bring out the pedestrian friendly feel of a</p> <p>22 Residential neighborhood, as opposed to trying</p> <p>23 to modify the front of buildings, you know,</p> <p>24 maybe we look at the way we design the streets</p> <p>25 and the way we design the flow and the</p>	<p style="text-align: right;">Page 140</p> <p>1 sidewalks and the green spaces and the setbacks</p> <p>2 and the on-street parking, and make it feel</p> <p>3 Residential, because you don't see -- if you</p> <p>4 drive through the Residential areas of our</p> <p>5 City, you don't see anything close to what you</p> <p>6 see on the Residential streetscape in this new</p> <p>7 apartment district. Do you see what I'm</p> <p>8 talking about?</p> <p>9 So maybe we can't deal with the buildings,</p> <p>10 because they're already edged in stone, unless</p> <p>11 we change the Zoning Code with Conditional Use,</p> <p>12 but we can do physical improvements along the</p> <p>13 street, streetscapes that maybe will help</p> <p>14 relieve some of that.</p> <p>15 MR. TORRE: So, I may be wrong with this, I</p> <p>16 think the last project we saw was 30 feet.</p> <p>17 MR. WITHERS: Yeah. I know, it was a nice</p> <p>18 setback. That was Residential.</p> <p>19 MR. TORRE: Again, so we have to take each</p> <p>20 of them for what it brings. And short of me</p> <p>21 telling you, "Move the building back 20 more</p> <p>22 feet," I'm not doing that, I'm saying, "Well,</p> <p>23 the benefit here should be in this regard." So</p> <p>24 everyone is different, but in this regard,</p> <p>25 since I'm not getting other things, what I'm</p>

<p style="text-align: right;">Page 141</p> <p>1 looking for is this particular improvement.</p> <p>2 And that's how I'm judging. So one thing</p> <p>3 is not necessarily the final answer, but it's a</p> <p>4 combination of how these things, as a whole,</p> <p>5 begin to improve it. In one case, it's going</p> <p>6 to be on the side. In one case, it's going to</p> <p>7 be in the front. In this case, maybe a little</p> <p>8 better architecture is the key.</p> <p>9 MR. WITHERS: But I guess my point is,</p> <p>10 Staff feels that they've met all of the</p> <p>11 conditions for a Conditional Use.</p> <p>12 MR. TORRE: I understand.</p> <p>13 MR. WITHERS: Then it's subjective, you</p> <p>14 know.</p> <p>15 MR. TORRE: It is. And that's what I</p> <p>16 started to say, this Ordinance is subjective.</p> <p>17 MR. WITHERS: Yeah.</p> <p>18 MR. TORRE: And I guess --</p> <p>19 MR. WITHERS: It worries me --</p> <p>20 MR. TORRE: But we have to set some</p> <p>21 precedent. I think the rules become the rules</p> <p>22 when we set precedence, and we set rules that</p> <p>23 begin to say, this is what we -- I mean, I</p> <p>24 don't know how else to do it, short of us</p> <p>25 having to --</p>	<p style="text-align: right;">Page 142</p> <p>1 MS. ANDERSON: Well, we're not going to be</p> <p>2 drawing the buildings, and when we draft</p> <p>3 Ordinances, but we can --</p> <p>4 MR. TORRE: No, but after ten of these, we</p> <p>5 should know a little bit more what people are</p> <p>6 trying to get by with and what people are</p> <p>7 trying to pull the strings with --</p> <p>8 MS. ANDERSON: Right.</p> <p>9 MR. TORRE: -- and all of this other stuff.</p> <p>10 MR. WITHERS: They're trying to build as</p> <p>11 many units as they possibly can, within an</p> <p>12 envelope of 90 feet, by throwing stuff onto the</p> <p>13 building that meets the Conditional Use</p> <p>14 Ordinance. That's what they're doing.</p> <p>15 MS. ANDERSON: Right, so they've checked</p> <p>16 the boxes.</p> <p>17 MR. TORRE: Glenn, you're a little bit of a</p> <p>18 guinea pig. I apologize for having -- but this</p> <p>19 is what's happening.</p> <p>20 MR. WITHERS: I mean, it's not against you.</p> <p>21 MR. TORRE: No. No. This is the first</p> <p>22 time we're actually trying to judge these</p> <p>23 things.</p> <p>24 MR. BEHAR: And I think it has to do with</p> <p>25 the way the Zoning Code is written.</p>
<p style="text-align: right;">Page 143</p> <p>1 MR. TORRE: We're judging these things for</p> <p>2 the first time.</p> <p>3 MR. BEHAR: Okay. All right. Chip,</p> <p>4 anything else from you?</p> <p>5 MR. WITHERS: No. No. I'm sorry if I --</p> <p>6 MR. BEHAR: I will start by saying that I</p> <p>7 like the building. I think you've done a very</p> <p>8 nice job. And my comments, it has nothing to</p> <p>9 do with the great work that you have done.</p> <p>10 My problem is very simple, and I'm taking</p> <p>11 the hat off, of being an architect, and putting</p> <p>12 the hat on, on being a Member of this Board,</p> <p>13 and the Code is very vague, because it says,</p> <p>14 you know, for open space, additional area. It</p> <p>15 doesn't specifically say anything that --</p> <p>16 parameters that we have to -- guidelines that</p> <p>17 we have to follow.</p> <p>18 I'm looking at your open space. Within</p> <p>19 your site, you're required 25 percent and</p> <p>20 you're providing 28.03 percent, which is a</p> <p>21 three percent increase. On the outside, which</p> <p>22 is great, on the public right-of-way, you reach</p> <p>23 up to 32 percent, an additional four percent.</p> <p>24 But I'm looking at, on the site itself,</p> <p>25 three percent additional open space --</p>	<p style="text-align: right;">Page 144</p> <p>1 percentage of open space, but we're getting an</p> <p>2 additional 34 and a half units. And the</p> <p>3 complaint about not even wanting to -- and I</p> <p>4 don't want to say an amount. It seems very,</p> <p>5 very minimum of what we're getting in the City</p> <p>6 in return for what you're getting.</p> <p>7 I feel, and I have clients that I work with</p> <p>8 in the same way, I think that perhaps -- I</p> <p>9 would prefer -- you allow in this area up to</p> <p>10 ten stories, correct?</p> <p>11 MR. TRIAS: It's in feet.</p> <p>12 MR. PRATT: No, it's unlimited, actually.</p> <p>13 MR. GARCIA-SERRA: A hundred feet.</p> <p>14 MR. BEHAR: It's a hundred --</p> <p>15 MR. PRATT: It's a hundred feet. There's</p> <p>16 no limit --</p> <p>17 MR. BEHAR: I mean, I was looking at my --</p> <p>18 MR. PRATT: But there's no limitation on</p> <p>19 the number of floors.</p> <p>20 MR. BEHAR: I think your last floor is at</p> <p>21 90.</p> <p>22 MR. GARCIA-SERRA: 99.</p> <p>23 MR. TORRE: 99.</p> <p>24 MR. PRATT: Well, that's to the top of the</p> <p>25 tower, actually --</p>

<p style="text-align: right;">Page 145</p> <p>1 MR. BEHAR: You're 99 to the roof.</p> <p>2 See, I would prefer, really, going even a</p> <p>3 little bit higher, maybe the Commission can do</p> <p>4 that, going a little bit higher, but give us</p> <p>5 more open space. I like the idea of the paseo.</p> <p>6 I think the paseo, in principle, could work.</p> <p>7 The spaces, the location, I agree with a lot of</p> <p>8 the comments. I think, if the property to the</p> <p>9 north will come in with a development, and it's</p> <p>10 a substantial development, we'll have that</p> <p>11 continuation. That will work great. That</p> <p>12 space, whether it's on the front, on the back,</p> <p>13 it will be usable space.</p> <p>14 I have a problem, again, with, we're</p> <p>15 getting -- we're giving away a lot of density</p> <p>16 for a very little return on the open space.</p> <p>17 And my calculation of 3.03 is there. It's</p> <p>18 based on the numbers you've given me.</p> <p>19 Actually, that number is about 740 square feet</p> <p>20 of additional open space. It doesn't seem to</p> <p>21 be a fair trade for what we are willing to</p> <p>22 give.</p> <p>23 I like the architecture. I actually --</p> <p>24 it's probably, to me, one of the nicest</p> <p>25 buildings that I've seen your firm do in the</p>	<p style="text-align: right;">Page 146</p> <p>1 last five years, so I'm very pleased on what</p> <p>2 I'm seeing on the architecture.</p> <p>3 I agree with Venny on the aesthetics on</p> <p>4 that screen. It looks more like a garage</p> <p>5 screening than a screening of -- the intention</p> <p>6 of the screening of the units that you have,</p> <p>7 because the example, that you're looking at,</p> <p>8 are a small example with the screen, not so</p> <p>9 much of the verticality that you have expressed</p> <p>10 on the townhomes, but that's something that I'm</p> <p>11 not here to design for you. I think you're a</p> <p>12 great architect and I admire your work.</p> <p>13 My problem is going back to only the three</p> <p>14 percent of additional open space, and that</p> <p>15 has -- is a result of the Code not being more</p> <p>16 specific. It says, "Additional." Well, one</p> <p>17 square feet is additional, and that's something</p> <p>18 that --</p> <p>19 MR. GARCIA-SERRA: It's even a little bit</p> <p>20 more nuance than that, Mr. Chair. Let me start</p> <p>21 off by saying, your idea of maybe a little bit</p> <p>22 more of height, can really gain a lot for us on</p> <p>23 the ground floor, is probably true. You know,</p> <p>24 I think that definitely is a possibility.</p> <p>25 Unfortunately, we don't have that here</p>
<p style="text-align: right;">Page 147</p> <p>1 right now. What we have to work with is the</p> <p>2 Code and the Code that we have right now -- and</p> <p>3 the provision even that you're referring to is</p> <p>4 even a little bit more nuance than what we've</p> <p>5 talked about up until now, because it says,</p> <p>6 "Additional open space at the ground level</p> <p>7 shall be required to achieve maximum allowed</p> <p>8 height and FAR."</p> <p>9 Open space is actually a different defined</p> <p>10 term than landscaped open space in the Code,</p> <p>11 and so in open space, you can count things that</p> <p>12 are not landscaped, like plazas and that sort</p> <p>13 of thing, and if you use those numbers, the</p> <p>14 percentages turn out better. Not counting the</p> <p>15 right-of-way, you end up at 34 percent, and</p> <p>16 then counting the right-of-way, you end up at</p> <p>17 42 percent.</p> <p>18 But how you mentioned, there's no number</p> <p>19 mentioned there. It just says, "Additional."</p> <p>20 It doesn't say how much more additional. And</p> <p>21 when you say that, you figured that they could</p> <p>22 have put a number there, if they wanted to, and</p> <p>23 they didn't. So were they also trying to grasp</p> <p>24 the idea that, aside from quantity, how much</p> <p>25 you have, you also want quality, as far as the</p>	<p style="text-align: right;">Page 148</p> <p>1 type of open space that you have.</p> <p>2 And at least on that count, I think</p> <p>3 certainly we've got, on that east side, a</p> <p>4 fairly good quality open space, as far as the</p> <p>5 ability for the public to use it, the size of</p> <p>6 it, what it could potentially be utilized for</p> <p>7 in the future.</p> <p>8 Again, we don't set the rules. The rules</p> <p>9 are set by somebody else. And we're doing our</p> <p>10 best to try to comply with them.</p> <p>11 MR. BEHAR: Any other comment from --</p> <p>12 MR. TORRE: I have one last comment. The</p> <p>13 side green space, condos are finicky. Condos</p> <p>14 are finicky people and privacy is an issue for</p> <p>15 a lot of people. I mean, some people just</p> <p>16 decide to go back and forth, 3:00, 4:00, middle</p> <p>17 of the night there, the people from the condo</p> <p>18 are going to have to be -- they have to be okay</p> <p>19 with this for the rest of their lives. I</p> <p>20 mean --</p> <p>21 MR. GARCIA-SERRA: Remember, this is a</p> <p>22 rental project, at least as proposed right now,</p> <p>23 but aside from that, it could some day be</p> <p>24 converted to a condo.</p> <p>25 MR. TORRE: So you rent into it, and I</p>

<p style="text-align: right;">Page 149</p> <p>1 guess you get what you get.</p> <p>2 MR. GARCIA-SERRA: Traditionally, the</p> <p>3 public access easements that we've granted on</p> <p>4 other projects also pretty much require that</p> <p>5 the access be the same as they are for City</p> <p>6 parks. So City parks are closed from sunset to</p> <p>7 sunrise, and, you know, the same idea would be</p> <p>8 able to be utilized here.</p> <p>9 MR. TORRE: But is there going to be a</p> <p>10 covenant that says this is open for the rest of</p> <p>11 the life of the building?</p> <p>12 MR. GARCIA-SERRA: Yes.</p> <p>13 MR. TRIAS: That is what the applicant is</p> <p>14 proffering and we have to write it properly.</p> <p>15 And I think what we suggested, sunset to</p> <p>16 sunrise, for example, could be some of the</p> <p>17 limits of the timing, but I think that's</p> <p>18 typical. We've done that before.</p> <p>19 MR. MURAI: It would be an easement and it</p> <p>20 may be that you have the right to close it from</p> <p>21 this time to that time, you know, with the City</p> <p>22 approval.</p> <p>23 MR. GARCIA-SERRA: For example, it's very</p> <p>24 legalese, but we reserve the right to close it</p> <p>25 one day out of the year so as to prevent any</p>	<p style="text-align: right;">Page 150</p> <p>1 potential claim of condemnation, you know, that</p> <p>2 sort of thing.</p> <p>3 MR. MURAI: I have two comments. I would</p> <p>4 prefer to approve this project without the</p> <p>5 screens, for the reasons that have been</p> <p>6 articulated here. And the second has nothing</p> <p>7 to do with your project, but for the future, I</p> <p>8 don't -- I know you're getting Mediterranean</p> <p>9 compliance, but, you know, I'm no architect,</p> <p>10 but I don't -- this is, to me, not at all</p> <p>11 Mediterranean in the least, but -- and I'm</p> <p>12 surprised that the Board of Architects approved</p> <p>13 this project as Mediterranean. I don't see it</p> <p>14 that way.</p> <p>15 MR. TORRE: I wanted to clarify something.</p> <p>16 I don't have a problem with the screens at all.</p> <p>17 It's the design of the two floors as it relates</p> <p>18 to the openness. It's not feeling Residential.</p> <p>19 It's feeling too of a different type. So the</p> <p>20 screens can come in --</p> <p>21 MR. MURAI: But one of the comments was</p> <p>22 that the screen appeared to hide a parking</p> <p>23 garage. If you don't put the screens, you</p> <p>24 don't have that.</p> <p>25 MR. TORRE: I want to see that there's</p>
<p style="text-align: right;">Page 151</p> <p>1 residences there, and right now I see nothing.</p> <p>2 I mean, maybe you have it so you see something,</p> <p>3 but I want to see --</p> <p>4 MR. BEHAR: I think I heard a comment from</p> <p>5 the applicant, from the architect, that if it's</p> <p>6 a deal breaker, the screen would not be, you</p> <p>7 know, required or mandatory.</p> <p>8 MS. ANDERSON: But even with the screens</p> <p>9 off, it still has a very Commercial appearance</p> <p>10 and I think it needs more work. That's my</p> <p>11 comment.</p> <p>12 MR. BEHAR: But, Rhonda, we're getting now</p> <p>13 into the Board of Architects. And as much as I</p> <p>14 would want to do that, we cannot -- this is not</p> <p>15 the Board to do that.</p> <p>16 MS. ANDERSON: I understand, but we're also</p> <p>17 a Zoning Board, and the Zoning Code requires us</p> <p>18 to have a Mediterranean bonus based upon</p> <p>19 complying with the Mediterranean Ordinance, and</p> <p>20 I don't see that this complies with the intent</p> <p>21 that's behind the Mediterranean Ordinance for,</p> <p>22 especially, Residential units.</p> <p>23 MR. BEHAR: I think -- and I think</p> <p>24 that's -- maybe it is in the package, there's a</p> <p>25 reference to the historical references of the</p>	<p style="text-align: right;">Page 152</p> <p>1 Mediterranean and how they were able to achieve</p> <p>2 that. And I will tell you, just because this</p> <p>3 building doesn't have a tile roof, doesn't mean</p> <p>4 it's not -- as an architect, you know, I see</p> <p>5 that it complies with the elements that you do</p> <p>6 see in the analysis of, you know, the arcade or</p> <p>7 the proportion, the vertical elements, that do</p> <p>8 comply with the Mediterranean Ordinance.</p> <p>9 You know, just -- again, just because this</p> <p>10 building doesn't have a sloped roof with tile</p> <p>11 doesn't mean that it's not -- they were not</p> <p>12 able to achieve those benefits.</p> <p>13 MS. ANDERSON: I understand. They checked</p> <p>14 some boxes. But when you stand back and look</p> <p>15 at the building, does this look like the feel</p> <p>16 that we're trying to create to get this</p> <p>17 enormous bonus for additional space, you know,</p> <p>18 the fifty units? Am I right?</p> <p>19 MR. TORRE: I think public benefits is a</p> <p>20 gift that we're allowed to offer. A public</p> <p>21 benefit could be interpreted as certain things.</p> <p>22 Design could be one of them. When you're</p> <p>23 talking about moving driveways, that's changing</p> <p>24 the architecture of the building. So we do</p> <p>25 that. We already do that. I don't think that</p>

<p style="text-align: right;">Page 153</p> <p>1 we're playing Board of Architects, to a certain  2 extent. We're asking for the gift to be of a  3 little different type.  4 MR. BEHAR: The give is a different story.  5 MR. TORRE: Well, the give in this case, I  6 think, is redesign, maybe. I'm not saying,  7 redesign it completely. I'm just saying, it's  8 too Commercial for me, and maybe that's -- the  9 way you just described it, that's not the way I  10 was describing it. Maybe it's not Residential  11 enough, or it's not enhanced enough, or it's  12 not pedestrian --  13 MR. WITHERS: But when can you take a  14 hundred foot building, it's 150 feet long and  15 100 feet deep -- how can you ever make that  16 look like a Residential building? I mean it's  17 a Commercial building.  18 MR. TORRE: No. It's a Residential  19 building, in a Residential zone, with people  20 hopefully passing by it 10 times, 20 times a  21 day. It's got to feel, to me, as much more  22 Residential.  23 MR. WITHERS: So let me ask you a question.  24 When you drive on the 5500 Block of Collins  25 Avenue and you make that big turn and you see</p>	<p style="text-align: right;">Page 154</p> <p>1 all of those condos there, does that look  2 Residential to you?  3 MS. ANDERSON: No. I'm looking especially  4 at the ground floor level.  5 MR. WITHERS: I understand.  6 MS. ANDERSON: You know, those first couple  7 of stories make the biggest impact for the  8 pedestrian level experience. The upper floors  9 don't impact as much.  10 MR. TORRE: And this is going to come  11 across when we start doing more of Downtown, I  12 think that the ground floor designs of  13 architecture needs to start taking a bigger  14 role, because that's what we see. That's what  15 the experience is. It's an urban planning  16 issue. This is the beginning of what gets set  17 as precedence for the style of those streets'  18 feel.  19 Short of pushing it back ten feet, I don't  20 feel that much of a difference. I see these  21 screens, that are very large, and these  22 openings that are very tall and feel certainly  23 similar to other garages.  24 MR. MURAI: That's why the screens make a  25 big difference, because if you had glass with</p>
<p style="text-align: right;">Page 155</p> <p>1 shades or whatever, it wouldn't look like a  2 garage.  3 MR. TORRE: Understood.  4 MR. BEHAR: If you were going to do that,  5 then you would want to have some balcony or  6 something that, you know, breaks the scale down  7 a little bit more, but --  8 MR. TORRE: But here's what I'm saying.  9 You made a case about open space, and I didn't,  10 because, to me, there's going to have to be --  11 again, what are the three or four things that  12 this project brings forth that makes it worthy  13 of the bonus? It's not in the green space.  14 Where it is?  15 So then you've left yourself with what  16 you're going to offer.  17 MR. BEHAR: But I think the intent of this  18 additional bonus is to provide additional open  19 space. I think that's the fundamental most  20 important --  21 MR. TORRE: You just made a case that it  22 wasn't sufficient.  23 MR. BEHAR: And I still believe that it's  24 not sufficient, but I think that the intent of  25 the Code says, provide additional space, and my</p>	<p style="text-align: right;">Page 156</p> <p>1 problem is that it's not providing sufficient  2 additional space.  3 MR. TORRE: But my proposal to them doesn't  4 change the amount of square footage they're  5 putting together and the amount of units, even  6 the green space. I'm just saying,  7 architecturally, improve the enhancements to  8 the community. That gives -- you would have to  9 shrink the building to appease more green  10 space. I'm not even saying that.  11 So, I mean, again, where do we draw the  12 line to say, these bonuses do apply under these  13 cases, these are the standards that we're  14 setting?  15 MS. ANDERSON: And just taking the screens  16 off is just going to make it feel even more  17 Commercial, because you have more glass. It's  18 like a storefront then.  19 MR. MURAI: You have more, what?  20 MS. ANDERSON: More glass. It's like a  21 storefront at that point. You know, I don't  22 see that the dress of the building feels  23 Residential, even with just the screens taken  24 off.  25 MR. WITHERS: But, see, that's a subjective</p>

<p style="text-align: right;">Page 157</p> <p>1 view. If the Board of Architects -- I mean, if</p> <p>2 we just look at them meeting the requirements</p> <p>3 of Conditional Use --</p> <p>4 MR. TORRE: I know and then it comes to</p> <p>5 us -- agreed. I think the point is well taken.</p> <p>6 So if we don't judge the architecture and we're</p> <p>7 only based on other factors, I think we're</p> <p>8 basically stuck with, what other benefits were</p> <p>9 given in this particular case, green space,</p> <p>10 setback -- I mean, there's very little to grab</p> <p>11 at.</p> <p>12 MR. WITHERS: You think 550 Biltmore should</p> <p>13 have gotten Mediterranean bonuses?</p> <p>14 MR. MURAI: 5 --</p> <p>15 MR. WITHERS: The one with the lions in the</p> <p>16 front.</p> <p>17 MR. MURAI: 550 Building --</p> <p>18 MR. WITHERS: No, 550 Biltmore. The ones</p> <p>19 with the lions in the front.</p> <p>20 MR. MURAI: He designed it.</p> <p>21 MR. WITHERS: Yeah. I know. I'm just</p> <p>22 saying, do you think that should have been --</p> <p>23 no. From your vision of a Mediterranean</p> <p>24 building, no, but it did have balconies, yes.</p> <p>25 Did it have an open arcade, yes. Did it have</p>	<p style="text-align: right;">Page 158</p> <p>1 the elements of the Mediterranean architecture,</p> <p>2 yes. So it's the elements that adds to the</p> <p>3 building, not necessarily --</p> <p>4 MR. TORRE: But I never said the word</p> <p>5 Mediterranean here, in this discussion, at all.</p> <p>6 I don't think it has nothing to do with</p> <p>7 Mediterranean. I think it has to do with other</p> <p>8 things that are public realm issues.</p> <p>9 MR. WITHERS: But I'm saying, if they meet</p> <p>10 the criteria of the Mediterranean elements,</p> <p>11 you've got to give them the Mediterranean</p> <p>12 bonus.</p> <p>13 MS. ANDERSON: That's a Commercial building</p> <p>14 now.</p> <p>15 MR. TORRE: That's not what we --</p> <p>16 MR. WITHERS: No, I know, but I'm just</p> <p>17 saying, in our Code --</p> <p>18 MR. BEHAR: Chip, you're absolutely</p> <p>19 correct.</p> <p>20 MR. WITHERS: -- if they've met the</p> <p>21 requirements and they've met the Conditional</p> <p>22 Use requirements and Staff said they had --</p> <p>23 MR. TORRE: So what I'm doing is not</p> <p>24 against you. Glenn, again, the respect is</p> <p>25 always going to be there. This is about the</p>
<p style="text-align: right;">Page 159</p> <p>1 process of improving these projects that have</p> <p>2 Infill Regulations. What are we going to do</p> <p>3 and what are we going to ask for, if we don't</p> <p>4 have an amount of percentage? How are we going</p> <p>5 to judge and how are going to say it's enough</p> <p>6 or it's not enough? At this point, we're kind</p> <p>7 of struggling to find reasons to say it's</p> <p>8 enough.</p> <p>9 MR. TRIAS: Mr. Chairman, in the course of</p> <p>10 my academic research, I had the opportunity to</p> <p>11 read the minutes from the '80s and the '90s, et</p> <p>12 cetera, of Planning and Zoning and the</p> <p>13 Commission on the issue of architecture and</p> <p>14 Mediterranean architecture. And it was exactly</p> <p>15 the same discussion every time. Am I right?</p> <p>16 MR. WITHERS: Exactly.</p> <p>17 MR. TRIAS: And what happens is that it's a</p> <p>18 discussion. It's really a conversation.</p> <p>19 There's no yes or no. There's some</p> <p>20 subjectivity to it.</p> <p>21 If you want to make my job easier, what you</p> <p>22 do is, you have very specific criteria, and you</p> <p>23 say, three percent open space extra. Then I</p> <p>24 just say, check, done.</p> <p>25 That is not what the Code says. Why not?</p>	<p style="text-align: right;">Page 160</p> <p>1 Because the Code has a superior view of what</p> <p>2 architecture should be. It has a Board of</p> <p>3 Architects, that has professionals looking into</p> <p>4 it; it has the Art in Public Places Board,</p> <p>5 professionals looking at the art. That is the</p> <p>6 best Code you can have.</p> <p>7 If you think, by whatever reason, that</p> <p>8 having simple criteria and a simple checklist</p> <p>9 is going to make the buildings better, what I</p> <p>10 would tell you is that that's not going to be</p> <p>11 the case. Now, it's going to make it easier.</p> <p>12 We're going to be able to review everything</p> <p>13 very easily, but will it be a better quality</p> <p>14 design or a better quality city, probably not.</p> <p>15 So all I'm saying is that this is a very</p> <p>16 healthy discussion, but it has been going on</p> <p>17 for a long time. And at this point -- I mean,</p> <p>18 thirty years, forty years, you name it. And</p> <p>19 what I would recommend is that if you don't</p> <p>20 think it complies, then vote against it. If</p> <p>21 you think it does, then support it.</p> <p>22 MR. GARCIA-SERRA: Or if I might, Mr.</p> <p>23 Chair, just for the sake of trying to bring</p> <p>24 this in for a landing, you know, I think we're</p> <p>25 all trying to go in the right direction to try</p>



<p style="text-align: right;">Page 161</p> <p>1 to get a project that works for everybody and</p> <p>2 has a good public benefit. Remember, your</p> <p>3 role here is making a recommendation to the</p> <p>4 City Commission. That recommendation could be,</p> <p>5 we think you should approve the project, but</p> <p>6 you've got to study those two floors that face</p> <p>7 the street and make it more compatible with the</p> <p>8 Residential design and, you know, Residential</p> <p>9 uses in the area. There are some sort of</p> <p>10 constructive suggestions that you can</p> <p>11 incorporate as part of your recommendation to</p> <p>12 see if we can get there.</p> <p>13 MR. BEHAR: I think we have enough.</p> <p>14 MR. TORRE: That could be a motion I could</p> <p>15 make.</p> <p>16 MR. BEHAR: You can make that motion.</p> <p>17 MR. TORRE: And I think that solves that.</p> <p>18 You know, again, I'm not disproving your</p> <p>19 project is worthy. I'm just trying to make</p> <p>20 rules that we apply on how these rules are to</p> <p>21 be set in the future, and I don't know that we</p> <p>22 know the answer yet. We're trying to figure it</p> <p>23 out.</p> <p>24 MR. BEHAR: If we don't have any other</p> <p>25 comments from the Board, then we'll close it</p>	<p style="text-align: right;">Page 162</p> <p>1 and --</p> <p>2 MR. TORRE: So I would like you to study,</p> <p>3 in that regard, since we are studying that, the</p> <p>4 movement of that open space to the front, maybe</p> <p>5 that's something that would also -- again, the</p> <p>6 enhancement of that front includes maybe just</p> <p>7 the possibility of bringing it, not necessarily</p> <p>8 for sure, but the possibility of bringing the</p> <p>9 multi room to the front. So it's a combined</p> <p>10 effort.</p> <p>11 MR. MURAI: But I would like our motion,</p> <p>12 whoever is going to make it, if I make it, is</p> <p>13 to follow exactly what Mario just said. With a</p> <p>14 recommendation to the City that they review the</p> <p>15 looks of those three or whatever, four, five</p> <p>16 townhouses, whatever the number is, to make it</p> <p>17 more Residential looking, as opposed to the</p> <p>18 appearance of it, although that's not the</p> <p>19 intent whatsoever, of hiding a garage.</p> <p>20 MR. TORRE: Both of you guys said the right</p> <p>21 thing. I've got to put it together, but --</p> <p>22 MR. GARCIA-SERRA: Leave it to the lawyers.</p> <p>23 MR. BEHAR: We'll leave it to the attorneys</p> <p>24 to do that.</p> <p>25 MR. TORRE: So the motion is for approval</p>
<p style="text-align: right;">Page 163</p> <p>1 for the project, as presented, with the</p> <p>2 recommendation to the City Commission and/or to</p> <p>3 the architect, both, and to the presenter, the</p> <p>4 ground floor Residential component of liners</p> <p>5 gets revisited for design as to more of a</p> <p>6 Residential feeling, possibly, not -- removing</p> <p>7 any kind of feeling that there's a garage</p> <p>8 behind it and that kind of thing.</p> <p>9 MR. MURAI: Second.</p> <p>10 MR. TORRE: And then, also, that that study</p> <p>11 includes the possible movement of the multi</p> <p>12 purpose room to the front, if possible. I'm</p> <p>13 just saying, just look at it.</p> <p>14 That's the motion.</p> <p>15 MS. ANDERSON: And then I would like to</p> <p>16 clarify that. So that the open space is more</p> <p>17 usable to the public.</p> <p>18 MR. TORRE: To study moving it to the</p> <p>19 front. If they're going to study that front,</p> <p>20 maybe that's a consideration.</p> <p>21 MS. ANDERSON: Okay. And so that we have</p> <p>22 it in the record, as well, and I know we had</p> <p>23 mentioned it earlier, but to make it simple for</p> <p>24 the Commission reading the minutes, to move</p> <p>25 those two handicap spots to be adjacent to each</p>	<p style="text-align: right;">Page 164</p> <p>1 other and near the entrance there, and have the</p> <p>2 charging station also accessible to individuals</p> <p>3 with disabilities for handicap parking.</p> <p>4 MR. GARCIA-SERRA: I think that's fine with</p> <p>5 us, right, Glenn?</p> <p>6 MR. PRATT: Yeah. No, that's fine.</p> <p>7 MS. ANDERSON: Okay. Anything else?</p> <p>8 Anybody?</p> <p>9 MR. BEHAR: You made a motion, with the</p> <p>10 friendly amendments. Are you still going to</p> <p>11 second it or you're going to withdraw your</p> <p>12 second? You're not favor of moving that public</p> <p>13 space to the front, and I agree with you. I</p> <p>14 don't think it's necessary, but --</p> <p>15 MR. PRATT: We'll study --</p> <p>16 MR. TORRE: To study it. All I've asked</p> <p>17 for is to be studied.</p> <p>18 MR. PRATT: The request was to study, as I</p> <p>19 understand it.</p> <p>20 MR. TORRE: Yes.</p> <p>21 MR. BEHAR: We have a motion. Do we have a</p> <p>22 second?</p> <p>23 MS. VELEZ: It was seconded. I believe it</p> <p>24 was seconded by --</p> <p>25 MR. MURAI: I'm not going to second it.</p>

<p style="text-align: right;">Page 165</p> <p>1 MR. TORRE: He took it out.</p> <p>2 MR. WITHERS: I'll second it.</p> <p>3 MS. VELEZ: I'll second it.</p> <p>4 MR. BEHAR: You will second it?</p> <p>5 MR. TORRE: Is it Maria or is it Chip?</p> <p>6 MS. VELEZ: Chip.</p> <p>7 MR. BEHAR: All right. Jill, can you</p> <p>8 please call the roll?</p> <p>9 THE SECRETARY: Maria Velez?</p> <p>10 MS. VELEZ: Yes.</p> <p>11 THE SECRETARY: Chip Withers?</p> <p>12 MR. WITHERS: Yes.</p> <p>13 THE SECRETARY: Rhonda Anderson?</p> <p>14 MS. ANDERSON: Yes.</p> <p>15 THE SECRETARY: Rene Murai?</p> <p>16 MR. MURAI: Yes.</p> <p>17 THE SECRETARY: Venny Torre?</p> <p>18 MR. TORRE: Yes.</p> <p>19 THE SECRETARY: Robert Behar?</p> <p>20 MR. BEHAR: Yes.</p> <p>21 MR. GARCIA-SERRA: Thank you very much.</p> <p>22 Good night.</p> <p>23 MR. PRATT: Thank you. We'll take a look</p> <p>24 at those issues and get back. Thank you.</p> <p>25 MR. TORRE: Thank you, guys.</p>	<p style="text-align: right;">Page 166</p> <p>1 MS. VELEZ: Thank you.</p> <p>2 MR. BEHAR: All right. Our last item, E-5.</p> <p>3 Can you please, Mr. Attorney, read it in for</p> <p>4 the record?</p> <p>5 MR. WITHERS: Venny is going to have to</p> <p>6 tear down his treehouse. He's pretty upset</p> <p>7 about that.</p> <p>8 MR. COLLER: Item E-5, an Ordinance of the</p> <p>9 City Commission of Coral Gables, Florida</p> <p>10 providing for text amendments to the City of</p> <p>11 Coral Gables Official Zoning Code, by amending</p> <p>12 Article 5, "Development Standards," Section</p> <p>13 5-107, "Playhouse," and Section 109,</p> <p>14 "Recreational Equipment," clarifying provisions</p> <p>15 for play structures and recreational equipment;</p> <p>16 providing for severability clause,</p> <p>17 codification, and providing for an effective</p> <p>18 date.</p> <p>19 Item E-5, public hearing.</p> <p>20 MR. TRIAS: Mr. Chairman, this item has</p> <p>21 been discussed before, some months ago. We</p> <p>22 talked in this meeting about the treehouse, the</p> <p>23 possible regulations and so on.</p> <p>24 Since then, a lot of discussion has taken</p> <p>25 place. We've revised some of the original</p>
<p style="text-align: right;">Page 167</p> <p>1 language. And this is the Ordinance that the</p> <p>2 Commission took a look at recently, and is</p> <p>3 before you.</p> <p>4 I'll be happy to discuss it in any detail</p> <p>5 you'd like, but it is pretty self-explanatory,</p> <p>6 in terms of the regulations and the features</p> <p>7 that we believe will be appropriate.</p> <p>8 MS. ANDERSON: What was different from the</p> <p>9 Ordinance we looked at previously?</p> <p>10 MR. TRIAS: It's been re-arranged a little</p> <p>11 bit. New content -- let me see -- I think we</p> <p>12 have clarified that the landscape will obscure</p> <p>13 the ground level from neighboring properties.</p> <p>14 MS. ANDERSON: Okay.</p> <p>15 MR. TRIAS: And I think that's basically --</p> <p>16 I mean, it's basically the same content as</p> <p>17 before.</p> <p>18 MS. VELEZ: My only concern on this is, B,</p> <p>19 5-107-B, "So it shall not exceed 120 square</p> <p>20 feet." We could conceivably have a playhouse</p> <p>21 that's 120 square feet?</p> <p>22 MR. TRIAS: That's what it says, yes.</p> <p>23 MS. VELEZ: I can see that for the jungle</p> <p>24 gym and the swing set, but I don't want to see</p> <p>25 a 120-foot playhouse.</p>	<p style="text-align: right;">Page 168</p> <p>1 MR. TRIAS: Yeah. And that's the issue.</p> <p>2 The issue is that some of it may be -- let's</p> <p>3 say, may have a little roof. It could be like</p> <p>4 a little house. But then you add some other</p> <p>5 equipment, and so on, and that's where you get</p> <p>6 to the 120 feet. That was the thinking.</p> <p>7 Certainly, it's a good idea to have some</p> <p>8 maximum size, I believe, because otherwise it</p> <p>9 may be difficult to enforce. What the right</p> <p>10 size is, is certainly subjective.</p> <p>11 MS. VELEZ: Yeah. I do like the idea of</p> <p>12 having a playhouse. That's wonderful. I know</p> <p>13 that for a while they were not allowed. But</p> <p>14 120 square feet, that is wide open.</p> <p>15 MS. ANDERSON: Yeah, that's pretty big.</p> <p>16 MS. VELEZ: Yeah.</p> <p>17 MS. ANDERSON: What is the typical size of</p> <p>18 playhouses? Does anybody know?</p> <p>19 MS. VELEZ: They're small.</p> <p>20 MR. WITHERS: Well, if you want to use it</p> <p>21 as a cabana, it's 120 feet.</p> <p>22 MS. ANDERSON: An adult playhouse.</p> <p>23 (Simultaneous speaking.)</p> <p>24 MS. VELEZ: Right. So we don't want to</p> <p>25 have that possibility.</p>

<p style="text-align: right;">Page 169</p> <p>1 MS. ANDERSON: Is it five by five, six by</p> <p>2 six?</p> <p>3 MR. TRIAS: You're not allowed to have</p> <p>4 plumbing in it. No plumbing.</p> <p>5 MS. ANDERSON: No plumbing, but you could</p> <p>6 put like a ceiling fan in it.</p> <p>7 MR. MURAI: What does recreational</p> <p>8 equipment have to do with it? I don't</p> <p>9 understand. I mean, you can have a swing. You</p> <p>10 can always have a swing.</p> <p>11 MS. ANDERSON: You can't have it in the</p> <p>12 front yard.</p> <p>13 MR. TRIAS: Mr. Murai, I'll answer your</p> <p>14 question directly. All of that is already in</p> <p>15 the Code, so we are adding and subtracting from</p> <p>16 existing language. If you don't think it's</p> <p>17 appropriate, we could take it out.</p> <p>18 MS. ANDERSON: Once upon a time, you could</p> <p>19 have a swing set in the front yard.</p> <p>20 MR. MURAI: But a Zoning permit without a</p> <p>21 fee for a swing set?</p> <p>22 MR. TRIAS: No. No.</p> <p>23 MR. MURAI: "The following conditions,</p> <p>24 restrictions should apply. A Zoning permit</p> <p>25 without a fee."</p>	<p style="text-align: right;">Page 170</p> <p>1 MR. TRIAS: I think it would have to be</p> <p>2 more of a structure. I think a swing set -- I</p> <p>3 mean, we could clarify that a little bit more.</p> <p>4 MR. WITHERS: Yeah, it has to be a big</p> <p>5 yellow tube slide and the little tent up on top</p> <p>6 of it. I mean, some of these things are huge.</p> <p>7 MS. VELEZ: I just don't want to see a</p> <p>8 stuccoed 120 square feet playhouse.</p> <p>9 MR. TRIAS: We could -- we could clarify</p> <p>10 that a little bit more, the dimensions.</p> <p>11 MS. VELEZ: What is envisioned by sport and</p> <p>12 exercise equipment?</p> <p>13 MR. MURAI: I don't know what that is,</p> <p>14 either.</p> <p>15 MS. ANDERSON: One of those trampolines.</p> <p>16 MR. MURAI: But that has never required a</p> <p>17 permit.</p> <p>18 MR. TRIAS: Well, if there's some features</p> <p>19 that are objectionable, we could list those and</p> <p>20 say, "Prohibited features are X, Y or Z."</p> <p>21 MS. ANDERSON: Well, I think the intent</p> <p>22 here is to have the trampolines on the side</p> <p>23 yard and the backyard, as opposed to in the</p> <p>24 front yard.</p> <p>25 MR. MURAI: But this doesn't have anything</p>
<p style="text-align: right;">Page 171</p> <p>1 to do with --</p> <p>2 MR. TRIAS: That's a very good way to look</p> <p>3 at it. I mean, the main issue here of real</p> <p>4 significance, in terms of the public space of</p> <p>5 the City, is that everything is going to be in</p> <p>6 the rear or screened and not visible from the</p> <p>7 street.</p> <p>8 MS. ANDERSON: Right.</p> <p>9 MR. WITHERS: So let me ask you about the</p> <p>10 screening. If the swing set is fifteen feet</p> <p>11 tall, does the screening have to go fifteen</p> <p>12 feet, all of the way to the top?</p> <p>13 MR. TRIAS: Well, no, not really, because</p> <p>14 what we're seeing here is, at ground level,</p> <p>15 from the neighbors, it should be screened. So</p> <p>16 it doesn't have to go all of the way to the</p> <p>17 top.</p> <p>18 MR. BEHAR: But what is ground level?</p> <p>19 MR. WITHERS: Four feet.</p> <p>20 MS. ANDERSON: It's subjective, isn't it?</p> <p>21 MR. TRIAS: Just like you, I have had a</p> <p>22 chance to work on many Codes, through many</p> <p>23 years, and I cannot find the perfect Code. So</p> <p>24 this is an attempt at doing something that is</p> <p>25 very difficult to quantify and it requires</p>	<p style="text-align: right;">Page 172</p> <p>1 certain, I guess, opinions.</p> <p>2 The issue here is that, if there is a</p> <p>3 neighbor, for example, that has an objection to</p> <p>4 a structure, there's enough language here to</p> <p>5 deal with the objections. There has to be</p> <p>6 screening, landscaping, et cetera. That I</p> <p>7 think will be the most typical use of this</p> <p>8 Ordinance, when two neighbors don't agree and</p> <p>9 there's a need to have some screen.</p> <p>10 MS. ANDERSON: But shouldn't we define the</p> <p>11 height of the screening, like a six-foot hedge</p> <p>12 or, you know --</p> <p>13 MR. TRIAS: Intuitively, it sounds like a</p> <p>14 good idea to have more detail and I think</p> <p>15 that's what most people would think, but the</p> <p>16 reality is that, in terms of the Code, the Code</p> <p>17 that can be used and is practical, some</p> <p>18 flexibility goes a long way.</p> <p>19 MS. ANDERSON: It does, but if your</p> <p>20 neighbor is objecting to it and your neighbor</p> <p>21 is not one of the more reasonable individuals</p> <p>22 in the community, if you have a six-foot hedge</p> <p>23 there, they could complain that they can still</p> <p>24 see the top of the swing, so now we want it up</p> <p>25 at ten or twelve feet. Is that what we want?</p>

<p style="text-align: right;">Page 173</p> <p>1 MR. TRIAS: No, I don't think so. I would</p> <p>2 not recommend a twelve-foot hedge.</p> <p>3 MS. ANDERSON: Okay. So should we provide</p> <p>4 some clarity here then?</p> <p>5 MR. MURAI: But swing sets are not twelve</p> <p>6 feet high.</p> <p>7 MR. COLLER: Mr. Chairman, it's been a</p> <p>8 tradition of this Committee, when we're about</p> <p>9 to go past nine o'clock, that we extend the</p> <p>10 time.</p> <p>11 MR. MURAI: We're not.</p> <p>12 MR. BEHAR: We're not.</p> <p>13 MR. COLLER: Okay.</p> <p>14 (Simultaneous speaking.)</p> <p>15 MR. BEHAR: We may have to put this item</p> <p>16 and need for it to come back to us.</p> <p>17 MR. MURAI: A suggestion is that the Zoning</p> <p>18 permit should apply to the structure, not to a</p> <p>19 wing set or whatever. I think, I mean, you</p> <p>20 have to divide it.</p> <p>21 MR. TRIAS: Yes. I think we can make it</p> <p>22 more clear.</p> <p>23 MR. MURAI: Play structure, you know, not</p> <p>24 to exceed whatever. I mean, 120 feet sounds</p> <p>25 like a lot, if you're talking about a</p>	<p style="text-align: right;">Page 174</p> <p>1 playhouse, you know, whatever, and for that you</p> <p>2 need a Zoning permit. But to put a swing set,</p> <p>3 we would have everybody in Coral Gables</p> <p>4 violating that one for sure.</p> <p>5 MR. TRIAS: Pretty much, yeah. No, I</p> <p>6 agree. We could clarify that.</p> <p>7 MR. BEHAR: I think that's a good point to</p> <p>8 put this item for now on a revisit and clarify</p> <p>9 where --</p> <p>10 MR. MURAI: A question. Designed and</p> <p>11 constructed to playground standards, what does</p> <p>12 that mean?</p> <p>13 MR. TRIAS: Well, what happens is that one</p> <p>14 will not get a building permit for this type of</p> <p>15 structure. Usually you would buy something</p> <p>16 that is already manufactured and so on. And</p> <p>17 that's what the playground standards means.</p> <p>18 There are some standards for manufacturers</p> <p>19 for safety, that are not in the Building Code,</p> <p>20 but to have any more detail, I mean, it --</p> <p>21 MR. MURAI: I know, but, I mean, the</p> <p>22 structure, whether it's ten by twelve or it's</p> <p>23 six by six, is not to playground standards -- I</p> <p>24 mean, you have to divide some of these things</p> <p>25 here, it seems to me, if you're going to build</p>
<p style="text-align: right;">Page 175</p> <p>1 one.</p> <p>2 MR. TRIAS: The only thing that I would say</p> <p>3 is that I think the Commission wants to do the</p> <p>4 Second Reading relatively soon. So I don't</p> <p>5 think they're thinking in terms of delaying</p> <p>6 this.</p> <p>7 MR. WITHERS: They can deal with it.</p> <p>8 MR. MURAI: Bring it up next moth.</p> <p>9 MR. TORRE: I'm ready to move it.</p> <p>10 MR. BEHAR: Move it. Go ahead. You want</p> <p>11 to move it.</p> <p>12 MR. TORRE: I'm moving this item for</p> <p>13 approval.</p> <p>14 MS. ANDERSON: With no addendums to the</p> <p>15 size of the playhouse?</p> <p>16 MR. TORRE: I think I trust Mr. Trias to do</p> <p>17 the right thing.</p> <p>18 MR. MURAI: I'm against it. I mean, I</p> <p>19 don't want to see the Ordinance being</p> <p>20 interpreted as requiring a Zoning permit for a</p> <p>21 swing set. That's the way it reads.</p> <p>22 MR. TRIAS: We can clarify that, if you</p> <p>23 don't mind, Mr. Torre --</p> <p>24 MR. TORRE: I think what it means is, if</p> <p>25 I'm going to build you a two-by-four house and</p>	<p style="text-align: right;">Page 176</p> <p>1 I'm going to show you how I'm going to build</p> <p>2 it, they're going to say, what are you doing?</p> <p>3 Are you doing really a two-by-four playhouse or</p> <p>4 are you going to do somebody's little shed in</p> <p>5 the backyard? I mean, so that kind of</p> <p>6 clarifies how it's going --</p> <p>7 MR. BEHAR: But if you're going to go to</p> <p>8 Toys "R" Us to buy a swing set, do you need a</p> <p>9 permit to do that?</p> <p>10 MR. TORRE: Of course not.</p> <p>11 MR. TRIAS: You don't need a building</p> <p>12 permit, and that's the point. The point is,</p> <p>13 you don't need a building permit.</p> <p>14 MR. MURAI: But it says here you need a</p> <p>15 Zoning permit.</p> <p>16 MR. TRIAS: However, yeah, a Zoning permit</p> <p>17 is something different and that will be</p> <p>18 required when the structure is significant and</p> <p>19 is right next to a neighbor.</p> <p>20 MR. MURAI: A structure, yes, but not a</p> <p>21 swing set.</p> <p>22 MR. TRIAS: Exactly. I agree with you.</p> <p>23 MR. MURAI: You have to divide this</p> <p>24 Ordinance, because the way it reads right not,</p> <p>25 it says that, for a swing set, I need a Zoning</p>

<p style="text-align: right;">Page 177</p> <p>1 permit, and it also says that I can build a ten</p> <p>2 by twelve, which is a cabana.</p> <p>3 MR. TRIAS: I don't disagree. I don't</p> <p>4 think it says exactly that, but I think we can</p> <p>5 make it more clear, absolutely.</p> <p>6 MS. ANDERSON: Okay.</p> <p>7 MR. MURAI: As a lawyer, I can tell you</p> <p>8 that it says exactly that.</p> <p>9 MS. ANDERSON: Yeah. Paragraph A --</p> <p>10 MR. BEHAR: I'm not a lawyer, but I follow</p> <p>11 my colleague's advice.</p> <p>12 MR. TORRE: So you want it to be that only</p> <p>13 play structures should have a Zoning permit and</p> <p>14 not recreational equipment? Okay. So</p> <p>15 that's --</p> <p>16 MR. TRIAS: Okay. Why don't we do that?</p> <p>17 MR. TORRE: Can I make that motion, to make</p> <p>18 that distinction?</p> <p>19 MR. MURAI: And I don't think a ten by</p> <p>20 twelve is a play structure. I think that's a</p> <p>21 cabana. That's the size of my cabana.</p> <p>22 MR. TRIAS: Is there some other size that</p> <p>23 is more appropriate?</p> <p>24 MR. MURAI: I have no idea what it should</p> <p>25 be. Ask Chip. He apparently knows.</p>	<p style="text-align: right;">Page 178</p> <p>1 MR. WITHERS: Well, my playhouse is 75</p> <p>2 square feet. No, I'm just kidding.</p> <p>3 I don't know, 50, 75? I don't know. I</p> <p>4 think 120 is kind of big, too.</p> <p>5 MR. TRIAS: Okay.</p> <p>6 MR. BEHAR: 60 square feet.</p> <p>7 MR. WITHERS: 60 square feet.</p> <p>8 MS. VELEZ: There you go.</p> <p>9 MR. TORRE: Six zero?</p> <p>10 MR. BEHAR: Okay.</p> <p>11 MR. WITHERS: It's ten by six. It's still</p> <p>12 pretty big.</p> <p>13 MS. ANDERSON: It's still pretty big,</p> <p>14 but --</p> <p>15 MR. BEHAR: That's fine.</p> <p>16 MR. TORRE: All right. So we're going to</p> <p>17 make the motion with this addendum, play</p> <p>18 structures should be having a Zoning, not</p> <p>19 recreational equipment, and the maximum square</p> <p>20 footage of those structures will be sixty feet.</p> <p>21 MR. MURAI: Second.</p> <p>22 MR. BEHAR: Jill, please call the roll.</p> <p>23 MS. ANDERSON: Call the roll. You've got</p> <p>24 to hurry up.</p> <p>25 THE SECRETARY: Chip Withers?</p>
<p style="text-align: right;">Page 179</p> <p>1 MR. WITHERS: Yes.</p> <p>2 THE SECRETARY: Maria Velez?</p> <p>3 MS. VELEZ: Yes.</p> <p>4 THE SECRETARY: Venny Torre?</p> <p>5 MR. TORRE: Yes.</p> <p>6 THE SECRETARY: Rene Murai?</p> <p>7 MR. MURAI: Yes.</p> <p>8 THE SECRETARY: Rhonda Anderson?</p> <p>9 MS. ANDERSON: Yes.</p> <p>10 THE SECRETARY: Robert Behar?</p> <p>11 MR. BEHAR: Yes.</p> <p>12 Motion to adjourn.</p> <p>13 MR. COLLER: Wait. We didn't ask for any</p> <p>14 other comments, but let the record reflect only</p> <p>15 Staff is in the room.</p> <p>16 MS. ANDERSON: Okay.</p> <p>17 MR. BEHAR: Thank you. Motion to adjourn?</p> <p>18 MS. VELEZ: Moved.</p> <p>19 MR. TORRE: Second.</p> <p>20 MR. BEHAR: All in favor?</p> <p>21 (Thereupon, the Board Members voted aye.)</p> <p>22 (Thereupon, the meeting was concluded at 8:57</p> <p>23 p.m.)</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 180</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF FLORIDA:</p> <p>4 SS.</p> <p>5 COUNTY OF MIAMI-DADE:</p> <p>6</p> <p>7</p> <p>8</p> <p>9 I, NIEVES SANCHEZ, Court Reporter, and a Notary</p> <p>10 Public for the State of Florida at Large, do hereby</p> <p>11 certify that I was authorized to and did</p> <p>12 stenographically report the foregoing proceedings and</p> <p>13 that the transcript is a true and complete record of my</p> <p>14 stenographic notes.</p> <p>15</p> <p>16 DATED this 16th day of January, 2020.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 _____</p> <p>22 NIEVES SANCHEZ</p> <p>23</p> <p>24</p> <p>25</p>