

CITY OF CORAL GABLES
PLANNING AND ZONING BOARD MEETING
CODE REWRITE MEETING
VERBATIM TRANSCRIPT

CORAL GABLES CITY COMMISSION CHAMBERS
405 BILTMORE WAY, CORAL GABLES
OCTOBER 19, 2005, 6:15 P.M.

Board Members Present:

Tom Korge, Chairman
Eibi Aizenstat, Vice-Chairman
Cristina Moreno
Michael Tein
Robert Behar
Pat Keon

City Staff:

Eric Riel, Jr., Planning Director
Jill Menendez-Duran, Administrative Assistant

Also participating:

Todd Messenger, Consultant
Wendy Larsen, Consultant

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 THEREUPON:

2 The following proceedings were had:

3 CHAIRMAN KORGE: The meeting is called to
4 order. Can we have the roll call, please?

5 MS. MENENDEZ-DURAN: Eibi Aizenstat?

6 MR. AIZENSTAT: Here.

7 MS. MENENDEZ-DURAN: Robert Behar?

8 MR. BEHAR: Here.

9 MS. MENENDEZ-DURAN: Pat Keon?

10 MS. KEON: Here.

11 MS. MENENDEZ-DURAN: Cristina Moreno?

12 MS. MORENO: Here.

13 MS. MENENDEZ-DURAN: Michael Tein?

14 MR. TEIN: Here.

15 MS. MENENDEZ-DURAN: Javier Salman?

16 Tom Korge?

17 CHAIRMAN KORGE: Here.

18 The first item on the agenda is the

19 approval --

20 MR. BEHAR: Mr. Chairman, excuse me, a

21 second.

22 CHAIRMAN KORGE: Yeah.

23 MR. BEHAR: Javier -- I spoke to Javier. He

24 is out of the country.

25 CHAIRMAN KORGE: Okay.

1 MR. BEHAR: And he asked me to convey that
2 to you.

3 CHAIRMAN KORGE: Okay, thank you.

4 First is the approval of the minutes of
5 our meeting from September 14th, 2005. Do we have a
6 motion for approval of the minutes?

7 MR. AIZENSTAT: I'll make that motion.

8 MS. MORENO: I'll second.

9 CHAIRMAN KORGE: Okay, the motion is made
10 and seconded. Is there any discussion, corrections
11 or changes?

12 Hearing none, we'll call the roll.

13 MS. MENENDEZ-DURAN: Robert Behar?

14 MR. BEHAR: Yes.

15 MS. MENENDEZ-DURAN: Pat Keon?

16 MS. KEON: Here.

17 MS. MENENDEZ-DURAN: Cristina Moreno?

18 MS. MORENO: Here.

19 MS. MENENDEZ-DURAN: Michael Tein?

20 MR. TEIN: Yes.

21 MS. MORENO: I mean, I'm sorry --

22 MS. MENENDEZ-DURAN: Eibi Aizenstat?

23 MR. AIZENSTAT: Yes.

24 MS. MENENDEZ-DURAN: Tom Korge?

25 CHAIRMAN KORGE: Yes.

1 MS. MORENO: I was a "yes," not a "here."

2 CHAIRMAN KORGE: Eric? Where is Eric?

3 MS. MENENDEZ-DURAN: He went to check if the
4 City Attorney was coming.

5 CHAIRMAN KORGE: It's hot here with those
6 lights.

7 MR. AIZENSTAT: Yeah.

8 Do you want to give a brief update or tell
9 Eric -- here he is.

10 (Thereupon, Mr. Riel returned to the
11 Commission Chambers.)

12 CHAIRMAN KORGE: Eric, I believe you're
13 next on the agenda, with an update of the City
14 Commission workshop.

15 MR. RIEL: Bear with me here.

16 What I wanted to do is just kind of update
17 the Board. First off, I want to thank the Chairman
18 and the Vice-Chair and the previous Vice-Chair (sic)
19 for attending the meeting and providing some very,
20 very good comments in terms of the progress of the
21 rewrite, and also, I guess Javier also attended, as
22 well.

23 I can tell you, from the Commission's
24 standpoint, they were very, very pleased with the
25 information that was provided to them. They were

1 very pleased to hear from the Board and that we're
2 moving forward with it.

3 And I don't know, Chair -- Chairman, if you
4 would like to make a couple comments or anything
5 based upon the discussion that occurred, but for the
6 most part, they contacted the City Administration and
7 felt very comfortable in terms of how it's proceeding
8 forward, and basically the message was to proceed,
9 you know, at the same pace, and we want to make --
10 they want to make sure that what is delivered to them
11 accurately reflects what the Board recommends and
12 it's pretty well buttoned up and tied up, so --

13 CHAIRMAN KORGE: Okay.

14 MR. RIEL: And we do -- I did include the
15 verbatim transcript of the meeting in the packet, as
16 well.

17 And then the other thing -- I don't know if
18 you wanted to make any comments on that, on the
19 workshop or --

20 CHAIRMAN KORGE: I don't have any further
21 comments to make.

22 MR. RIEL: And then --

23 CHAIRMAN KORGE: Is there anybody else who'd
24 like to make any comments?

25 MR. RIEL: Then the other thing that

1 is on -- item is, the City Attorney has her annual
2 seminar to go over various issues, in other words,
3 that she provides to the City boards and committees,
4 in terms of Robert's Rules of Order, you know,
5 quasi-judicial proceedings, and those have been
6 tentatively scheduled for December 2nd and 3rd at the
7 Biltmore Hotel. December 2nd, it's an afternoon
8 session, it's from about 2:00 to 5:00, and then on
9 the 3rd, which is actually a Saturday, it's 8:30 in
10 the morning until usually around 10:00 or 11:00, and
11 basically, what she does is, she has various
12 individuals throughout the state and the area that
13 come in and educate both the Board and City Staff on,
14 you know, issues and updating on various legal issues
15 that have to do with, you know, the City's boards and
16 committees, so -- and she does the same thing for the
17 directors and City Staff, but this is more geared
18 towards the boards and committees.

19 So I just kind of want to remind you of
20 that, to put that on your calendar. And then the
21 other thing, which is not on the agenda, I just
22 wanted to remind you that we have a meeting next
23 Wednesday, because we did not have the meeting on
24 October -- or last Wednesday. We have the regular
25 meeting, which we have those packets to give to you,

1 and actually, I'm going to have Jill hand those out
2 this evening, so you don't walk out the door without
3 those, and then after that we're going to have a
4 workshop and we're going to discuss the MXD-3 South
5 area, and we actually have the developer of a major
6 piece down there that's going to come in and present
7 their proposal, and I'm going to discuss various
8 alternatives that have to do with affordable housing
9 and some other ideas that we're thinking of
10 implementing. It's in a workshop forum. This is
11 prior to the actual -- their application coming
12 forward. It's kind of to get you preliminary
13 comments, you know, in front of actually having the
14 application come forward.

15 So, with that, that's all I have.

16 We have two items on for discussion this
17 evening. They're both Article 5. Division 19,
18 signs, we're going to request that that item be
19 deferred to a later date. So, therefore, the only
20 remaining item is Division 14, which is parking,
21 loading and driveway requirements, and I'm going to
22 go ahead and turn it over to our consultant.

23 CHAIRMAN KORGE: Before you do, can I ask
24 you one quick question?

25 MR. RIEL: Sure.

1 CHAIRMAN KORGE: Why are you deferring
2 Division 19?

3 MR. RIEL: There's some additional changes
4 that are needed, and the City Attorney would like to
5 review those --

6 CHAIRMAN KORGE: Okay.

7 MR. RIEL: -- in more detail. As you know,
8 we had gone through an exhaustive review of the sign
9 code.

10 MS. MORENO: We had.

11 MR. RIEL: And so there were -- the intent
12 is -- there's only minor changes, but we just want to
13 make sure --

14 CHAIRMAN KORGE: Okay.

15 MR. RIEL: -- everything is okay, and we're
16 really not --

17 CHAIRMAN KORGE: You don't -- I understand.

18 MR. RIEL: Okay. So, with that, we're going
19 to go ahead and go on to parking.

20 MR. MESSENGER: Good evening, Mr. Chairman,
21 Members of the Planning & Zoning Board. My name is
22 Todd Messenger. I'm with Siemon & Larsen, in Boca
23 Raton, 433 Plaza Real, Suite 339.

24 Back on June 15th, we presented the previous
25 draft of the parking regulations. Since then, we've

1 had the occasion to meet with Staff on a couple of
2 occasions and discuss how that was unfolding, and the
3 direction was that we needed to simplify it and cut
4 as many words out of it as we could, while still
5 maintaining the intent of what it was that we were
6 trying to accomplish, and to tease out more and
7 separate requirements that should be applicable in
8 one area and not in another area, and I think we've
9 done that fairly successfully here.

10 We've actually -- and this was for Eric's
11 benefit -- reduced the word count by about 37
12 percent, and that's after you take out the
13 landscaping section that's included in the existing
14 parking code and just compare apples to apples. So
15 it's been dramatically simplified.

16 Our mission was to reorganize and
17 streamline, to make the parking numbers match the
18 list of permitted uses, which there have been minor
19 tweaks in since the last time we met, to incorporate
20 your policy directions, to incorporate Staff
21 recommendations, and then we had a few of our own
22 recommendations as we went through it that we put in
23 here, and then to reconcile conflicts and
24 inconsistencies, and we identified a number of those
25 at our last meeting. And it was all basically, you

1 know, trying to translate the existing parking code
2 through a filter of -- just a perspective of trying
3 to make the regulations a plain English approach, and
4 then further reducing that, which is what we've done
5 here. So we think we've distilled out all of the
6 important elements.

7 Getting into the details of it, we've
8 consolidated the landscape regulations elsewhere in
9 the Code and provided a cross-reference here. We've
10 removed the nonconforming and sort of old building
11 provisions that were in the existing Code, whereas if
12 your building was built before 1964 you could do one
13 thing, after 1964 another, and just have the same
14 standard applicable across the board. We still have
15 a nonconforming uses provision that also applies
16 across the board, so it basically just reorganizes
17 and consolidates things in a more logical fashion
18 through the Code.

19 We've also, like I said, updated the parking
20 table. We've updated the graphics for easier
21 photocopying and easier interpretation and easier
22 distribution, and simplified the graphics. We've
23 integrated one of the drawings that's referenced in
24 the existing Code, that has all the parking space
25 dimensions and driveway dimensions and so forth.

1 And then, in terms of the parking numbers,
2 we talked about some of these uses last time. We've
3 incorporated a number of new uses that aren't
4 addressed in the existing Code, live-work units, auto
5 service stations, camp, golf or tennis grounds,
6 heliport and helistop, marinas and marina facilities,
7 municipal facilities, outdoor recreation, private
8 yacht basin, public transportation facility,
9 telecommunications towers, TV and radio studios,
10 utility and infrastructure facilities, utility
11 substations, fire station and police station.

12 Now, the draft that you have has a few
13 things in it. Just to address service stations and
14 medical clinics, I'd like to suggest a couple of
15 changes that I think were agreed on last time, that
16 didn't end up in this draft, and I'll just tell you
17 what they are. The service station, you had proposed
18 one space per 200 square foot of retail that's
19 associated with a service station --

20 MR. AIZENSTAT: Can you tell us -- I'm
21 sorry, can you tell us the page number that you're
22 on, for the service station?

23 MR. MESSENGER: Sure. In terms of service
24 station, that would be in the parking table, and it
25 is on Page --

1 MR. BEHAR: 10.

2 MR. MESSENGER: Page 10 --

3 MR. AIZENSTAT: Thank you.

4 MR. MESSENGER: -- I believe.

5 MS. LARSEN: 9.

6 MR. MESSENGER: Page 9?

7 MS. LARSEN: 9, in my copy.

8 MR. MESSENGER: I'm sorry, it's automobile
9 service stations. It's on Page 9.

10 MR. AIZENSTAT: Okay.

11 MR. MESSENGER: And right now, we have it
12 based on the fuel pumps, and we have --

13 MS. MORENO: Eibi, the matrix I find more
14 useful than this chart, because it tells us what was
15 proposed and what everybody else has.

16 MR. AIZENSTAT: Right.

17 MS. MORENO: So --

18 MR. AIZENSTAT: Thank you.

19 MS. MORENO: I think -- you're going a
20 little fast for me.

21 MR. MESSENGER: Right. I was just trying to
22 summarize the changes first, and then, you know,
23 leave it to the Chair to -- how you want to handle
24 the details, but just to let you know, there were a
25 couple of things that we mean to get in there that

1 didn't get reflected in this draft, but will be
2 reflected in a final draft.

3 And then, you know, fire station and police
4 station, there was some discussion last time about
5 whether that was necessary, but in the event a
6 private developer would have to dedicate something, I
7 think there was a consensus that we ought to have a
8 standard in there that we could hold that developer
9 to.

10 We changed some things as a result of our
11 discussions last time. The parking for attached
12 and detached dwellings, bed and breakfasts,
13 cemeteries, funeral homes, restaurants, retail sales
14 and services, and schools.

15 We incorporated your direction to continue
16 the CBD parking exemption and to add the
17 Mediterranean bonus to that exemption but to delete
18 any other reduced parking requirements in the CBD, if
19 you had a building that was larger than the exempt
20 buildings, and have that the same parking requirement
21 that's found elsewhere in the City. And also, the
22 Parking Board had recommended to delete all the
23 shared parking requirements, or shared parking
24 reductions, and we've reflected that in this draft,
25 as well.

1 We've changed around the remote parking
2 requirements to bring them closer to the uses that
3 they serve, and also to only allow them in the CBD
4 area. Remote parking is still allowed elsewhere, but
5 you can't count it as your required parking.

6 We've added the Mediterranean bonus we just
7 discussed, and we added restaurants to the exception
8 from the exemption. In other words, if you have a
9 building that's exempt from CBD parking requirements
10 and you have a restaurant in it, that restaurant has
11 to have parking provided for it, because I guess
12 restaurants are a little bit of a problem in all
13 buildings in the CBD if they don't have adequate
14 parking.

15 MS. MORENO: Tom, are you following this? I
16 have no idea where we're going, I'm sorry.

17 MR. MESSENGER: I'll slow down a little.
18 I'm sorry.

19 MS. MORENO: Okay. I'm just not sure where
20 we're going with this, and I know that I, at least,
21 have a lot of concern with parking. So I want to
22 know where we are today and how we're changing this,
23 okay? So I need you to tell me, for example,
24 attached dwellings, two spaces per unit, that's the
25 same. I want you to tell me where we have changed it

1 and how and why.

2 MR. MESSENGER: Sure.

3 MS. MORENO: And on the off-street parking,
4 the CBD area, we had talked about, yes, continuing
5 the exemption, but providing some kind of incentive
6 for -- or payment to create parking garages or
7 something of that nature. Was any of that done, or
8 that was --

9 MR. MESSENGER: In the CBD, the direction
10 that I had was to require parking for residential
11 uses, and since restaurants were also identified as
12 an issue where parking needed to be required, we also
13 required parking for restaurant uses, no matter what
14 the size of the building.

15 Beyond that, we've got some provisions in
16 here that allow for parking lift structures to count
17 for residential parking in the CBD, but we did not
18 create additional incentives for structured parking,
19 except that if you have a building that is greater
20 than a certain size, you have to park it according to
21 its requirements.

22 CHAIRMAN KORGE: Maybe it would be helpful,
23 first, if you give us a little bit of the overview,
24 and then we go to the matrix that you referred to
25 earlier, Cristina --

1 MS. MORENO: Yeah.

2 CHAIRMAN KORGE: -- that lays out all of the
3 different uses for which parking will be required and
4 compares the proposal that we have before us against
5 the other jurisdictions, cities located in South
6 Florida that you --

7 MS. MORENO: Yeah. Maybe I interrupted him
8 when I shouldn't have and he was going to get there.

9 CHAIRMAN KORGE: Right.

10 MR. MESSENGER: Now -- yeah, I was just
11 giving you an overview of the changes since the
12 document that you last saw, to just give you a sense
13 of the scope of it.

14 MR. AIZENSTAT: Is it correct, my
15 understanding that as opposed to taking the existing
16 parking requirements and striking through and
17 updating it, you have completely rewritten it?

18 MR. MESSENGER: Yes. In fact, the prior
19 draft that you all saw on June 15th also had that
20 done --

21 MR. AIZENSTAT: Right.

22 MR. MESSENGER: -- and what we tried to do,
23 in terms of administration of the Code, is have the
24 permitted use list and the use list for the parking
25 table be the same list.

1 MR. AIZENSTAT: I think what would be
2 helpful --

3 MR. RIEL: Let me do this. Let me give you
4 a little more background. I know --

5 MR. AIZENSTAT: Please.

6 MR. RIEL: -- this is -- actually, the last
7 time we talked about this was -- it's been for some
8 time.

9 You have in front of you the major policy
10 issue chart. It's in a reduced version. And one of
11 the issues that is on there, obviously, as your
12 policy direction, is parking. We went to the Parking
13 Advisory Board. We obviously came to the Planning &
14 Zoning Board. We've go gone to the Economic
15 Development Board. And we've met with various
16 directors that have, obviously, input into parking.

17 The draft that was presented to the Board at
18 the last meeting, whenever that was, we only got
19 through about 30 percent of it.

20 MS. MORENO: Uh-huh.

21 MR. AIZENSTAT: Right.

22 MR. RIEL: At that time, we did a strike-out
23 and underlined version of the existing Code. After
24 going through it, based upon the comments we
25 received, rather than trying to come forward with an

1 underlined and strike-out format, it was just so
2 confusing, we decided to go into that Code, take out
3 what is pertinent, we felt, in terms of content, and
4 reformat it, put it into a document that's much more
5 easily understood, and that's how we got to the
6 table.

7 So the document you have in front of you
8 does not delineate what is in the existing Code
9 versus the new Code, but we've updated various
10 provisions based upon the direction that we've
11 gotten, and the comparative analysis table which you
12 have there gives you some idea of what other local
13 governments do, but take that in terms of just
14 information. I mean, Coral Gables is very, very
15 unique, because we have very, very well defined urban
16 areas.

17 One of the things that we have heard from
18 this Board, as well as the Commission, is that we
19 would like to increase the parking requirements for
20 those commercial type uses and remove the -- because
21 right now, in the CBD, there's less parking required
22 for commercial retail uses. Basically, we've removed
23 that and made everyone in the City, in terms of -- on
24 the same playing field, in terms of commercial
25 retail. I believe it's one to 300.

1 MR. MESSENGER: Commercial is -- retail
2 sales and services is one to 250.

3 MR. RIEL: One to 250, right, and then the
4 office was one to 300, I believe.

5 MR. MESSENGER: One to 300, yes.

6 MR. RIEL: Yeah. We left the exemption for
7 buildings under 1.25. That encourages the smaller
8 type of buildings.

9 MS. MORENO: Right, but I'm looking here at
10 the recommendations, and one was, research the
11 implementation of an impact parking fee, where
12 payment could be provided in lieu of providing
13 parking.

14 MR. RIEL: Right.

15 MS. MORENO: And I know that comment was
16 made in connection with the buildings that are not
17 required to have parking because they're smaller. Is
18 that anywhere in this proposal?

19 MR. RIEL: That is not in this proposal,
20 because that does involve a lot more research, and
21 that is something that we're going to do at a later
22 date, talking about impact fees in general. But that
23 is not in this proposal. But when --

24 CHAIRMAN KORGE: Why don't we do this, so we
25 can go through this thoroughly. And correct me if

1 I'm wrong, but the heart and soul of this is in the
2 comparison matrix, that is, those are the standards
3 that are being proposed now.

4 MR. RIEL: Correct.

5 CHAIRMAN KORGE: So we need to look at the
6 standards being proposed. For purposes of
7 discussion, it's laid out pretty clearly there.

8 MS. MORENO: Uh-huh.

9 CHAIRMAN KORGE: So perhaps we should go
10 through that, and also go through the recommendations
11 that are on this spreadsheet, to make sure that we've
12 covered all the recommendations, and if we haven't,
13 why we haven't, or if we have other ideas that need
14 to be considered, how we do that. But it's just,
15 there's a lot here and, you know, we need to do this
16 in an orderly manner to assure that we cover
17 everything and do it in an efficient way, instead of
18 jumping from one issue to another.

19 Does that sound reasonable as a way to
20 approach it?

21 MR. AIZENSTAT: It does sound reasonable,
22 but at the same time, I would have liked to see what
23 was on the existing Code on that matrix, and see what
24 the proposed change is and really understand why we
25 want to make that change.

1 MS. MORENO: I think he has that on the
2 matrix.

3 MR. AIZENSTAT: I didn't see --

4 MR. BEHAR: No --

5 MR. AIZENSTAT: I didn't see that on here.

6 MS. MORENO: Okay, look, if you look, it
7 says Attached Dwellings, "One space per unit (must be
8 covered or enclosed)," and then he says, "from
9 existing code: townhouses."

10 CHAIRMAN KORGE: Yeah.

11 MR. AIZENSTAT: But that just --

12 MS. MORENO: I read that -- I read that to
13 tell me that --

14 CHAIRMAN KORGE: Yeah, he's got --

15 MS. MORENO: -- our current Code says, for
16 townhouses, I need one space per unit.

17 CHAIRMAN KORGE: Yeah, in italics.

18 MR. BEHAR: Okay, but let me ask you a
19 question. On, for example, restaurants, what was
20 required before?

21 MR. AIZENSTAT: That's what I'm asking.

22 MR. BEHAR: I mean, I --

23 MR. AIZENSTAT: That's what's hard for me.

24 MR. RIEL: Let me also make a point, that
25 the current Code has approximately 330 uses in it.

1 We're proposing to reduce those number of uses, in
2 other words, categorize certain uses, and we're down
3 to about -- I want to say 57 or 60 uses. So, to do a
4 comparison of the 330, when we've changed and
5 consolidated --

6 MR. BEHAR: Well, but Eric, you don't have
7 to do that. Maybe perhaps you could compile some of
8 the same uses that are going to fall in one category.

9 MR. RIEL: Absolutely, like commercial,
10 retail --

11 MR. BEHAR: I mean, I'm looking at --

12 MR. RIEL: -- restaurant.

13 MR. BEHAR: The restaurant, for example, it
14 says 12 spaces for every thousand square feet, which
15 I guess is like --

16 CHAIRMAN KORGE: Where?

17 MR. BEHAR: -- 60 something --

18 MS. MORENO: This says one space for 67.

19 CHAIRMAN KORGE: One space per 67 square
20 feet of floor area; from existing Code, lunch
21 counters.

22 MR. MESSENGER: Mr. Chairman, let me just
23 say, the use -- the comparison chart hadn't been
24 updated since we last met. The other chart --

25 MR. AIZENSTAT: It has not been updated?

1 MR. MESSENGER: No, in terms of what Coral
2 Gables (Proposed) is.

3 MR. AIZENSTAT: Okay.

4 MR. MESSENGER: So I will apologize for
5 that. When we made some changes to the existing
6 numbers -- now, we can do that line by line. I can
7 tell you what they are.

8 CHAIRMAN KORGE: Okay, well, why don't we go
9 through it and you can tell us what the actual is,
10 and we'll pencil it in. We'll -- to the extent that
11 it's unclear, Eric can inform us what the existing
12 provisions are now that we're changing, if we are
13 changing them --

14 MR. BEHAR: Sure, and even going back to the
15 first part, Page 3 of 11, where you're proposing to
16 have -- on an eight-foot-six stall, you could
17 encroach six inches into that stall, meaning you're
18 going to have an eight foot clearance on that parking
19 stall -- I'm an architect. I think this is for --
20 it's more beneficial, but in the reality, we've got a
21 lot of cars that are getting bigger. Eight foot
22 clear on a parking stall is very small, and I -- I
23 personally -- and I think it would be a mistake to go
24 that route.

25 CHAIRMAN KORGE: Well, I think we're going

1 to need to discuss all of those issues, as well, you
2 know, anything that anybody has picked up when
3 reviewing this, but for starters, I mean, we really
4 need to understand what the overall standards are.
5 But we can do it the other way, we can go through the
6 text first, but either way, we have to go through
7 this chart to go through the proposals. It's the
8 only way we're going to get it done. We're not going
9 to get it done very efficiently if we jump back and
10 forth and back and forth.

11 So I really think that would be best for us
12 to do. You know, if there's some changes on this
13 matrix, you can just tell us, and you can walk us
14 through it. You know, we'll start with Attached
15 Dwellings and we'll end with Wholesale/Distribution/
16 Warehouse Facility.

17 MR. MESSENGER: Mr. Chairman, there are --
18 in the consolidation of 300 some odd uses down to 50
19 some odd uses, there are judgment calls that were
20 made, in terms of which of the many uses -- or how
21 are those uses going to be consolidated in the
22 category. For example, retail sales and services
23 encompasses a very broad range of things that are
24 functionally similar in terms of their trip
25 generation, in terms of their character and so forth,

1 but in the parking code that the City has now, with
2 all of the uses listed in it, may have any number of
3 different parking requirements, so we just chose the
4 one, in many cases, that would generate the most
5 parking spaces, because it was perceived that parking
6 spaces were a problem.

7 CHAIRMAN KORGE: When we get into the
8 various categories, if there were multiple categories
9 consolidated into it, you can briefly explain to us
10 what you recall the standards were --

11 MS. LARSEN: Right.

12 MR. MESSENGER: Right.

13 CHAIRMAN KORGE: -- and whether we're at,
14 you know, the high end or low end or whatever.

15 MR. MESSENGER: Okay.

16 CHAIRMAN KORGE: But I appreciate that. I
17 see what you're saying.

18 MR. MESSENGER: It's a very challenging
19 exercise.

20 CHAIRMAN KORGE: I know.

21 Okay. Do you want to start with Attached
22 Dwellings, and we'll just go right through?

23 MR. MESSENGER: Sure.

24 CHAIRMAN KORGE: And then after you explain
25 what the existing standard is and whether it's a

1 change from -- I mean, the proposed -- the proposal
2 and whether it's a change from the existing standard,
3 then if there are any comments, we would go, you
4 know, through the Board for that particular item and
5 make the comments at this time, so that we don't go
6 jumping back and forth.

7 MR. AIZENSTAT: Perfect.

8 CHAIRMAN KORGE: Okay?

9 MR. MESSENGER: Right.

10 MR. AIZENSTAT: That's a good idea.

11 MR. MESSENGER: For attached dwellings and
12 detached dwellings, the last time we met, back in
13 June, the consensus of the Board, as much as I can
14 tell from the transcript, is that both should be two
15 parking spaces required, so we updated it to two.

16 Now, there is a typographical error I just
17 identified for detached.

18 MR. AIZENSTAT: It says one.

19 MR. MESSENGER: One parking space must be
20 covered or enclosed, is what you had settled on, not
21 both parking spaces covered or enclosed.

22 MR. AIZENSTAT: But it is two spaces?

23 MR. MESSENGER: Two spaces required. One of
24 them has to be in a carport or a garage.

25 MS. MORENO: And that's also true for

1 attached dwellings?

2 MR. MESSENGER: Only detached dwellings.

3 MS. MORENO: So the attached dwellings,
4 both spaces may be uncovered?

5 MR. MESSENGER: May be uncovered, in this
6 draft.

7 CHAIRMAN KORGE: Okay.

8 MS. KEON: Can I -- this is for new
9 construction, going forward?

10 MR. MESSENGER: That's correct. The
11 nonconforming provisions would allow existing uses to
12 be existing uses, in terms of this -- in terms of the
13 parking. If you expanded and require more parking as
14 a result of the expansion, and we'll get to this, I
15 think, when we go back to the text, but you only have
16 to provide parking for the expanded area, the net
17 increase in parking impact. You don't have to go
18 back and make up an existing deficit.

19 CHAIRMAN KORGE: For the detached dwellings,
20 that was the existing standard, wasn't it, or no?

21 MR. MESSENGER: The attached dwellings, if I
22 recall, used to be one space, and it's been increased
23 to two spaces.

24 MR. AIZENSTAT: If -- I'm sorry, if you go
25 ahead and -- under attached dwellings, you would

1 consider that a duplex, for example --

2 MR. MESSENGER: Yes, anything from duplex --

3 MR. AIZENSTAT: -- as an attached dwelling?

4 Let's say --

5 MR. MESSENGER: -- to town homes

6 to multi-family. In fact, actually, I correct

7 myself. The attached dwellings used to be based on

8 number of bedrooms.

9 MR. AIZENSTAT: Correct.

10 MR. MESSENGER: And it was the consensus of

11 the Board last time to require two spaces.

12 MR. AIZENSTAT: That's what I -- okay. So

13 that means -- two spaces, that means that each town

14 home would only be required to have one space?

15 MR. MESSENGER: No, two spaces.

16 CHAIRMAN KORGE: Two.

17 MR. AIZENSTAT: So if it was a town home,

18 you'd have four?

19 MR. MESSENGER: That's correct, two spaces

20 per unit.

21 MS. MORENO: If it was a duplex.

22 MR. AIZENSTAT: If it's a duplex, because

23 the way -- okay, here it says one space per unit.

24 CHAIRMAN KORGE: No, we changed it to two.

25 MR. AIZENSTAT: Right.

1 MR. MESSENGER: But two spaces -- on Page 8
2 of 11 of the October 14th draft --

3 MR. AIZENSTAT: I'm looking at the matrix.

4 MR. BEHAR: Yeah, but you have to look at
5 the --

6 MR. AIZENSTAT: Yeah, but I thought we're
7 going through the matrix.

8 CHAIRMAN KORGE: We're going through the
9 matrix, because it's easier, and then we can
10 compare --

11 MS. MORENO: He didn't update the matrix.

12 MR. BEHAR: The matrix only reflects one
13 space.

14 MR. AIZENSTAT: That's --

15 CHAIRMAN KORGE: Right.

16 MR. MESSENGER: The matrix is out of date --

17 CHAIRMAN KORGE: Right.

18 MR. MESSENGER: -- in that sense, in this
19 use.

20 MR. AIZENSTAT: Okay, that's why I wanted
21 to ask the question. I just want to make sure I'm
22 writing it down correctly and I'm understanding
23 correctly.

24 MS. KEON: Can I ask another question,
25 please?

1 So for attached -- attached dwellings would
2 cover multi-family dwellings, like condo buildings
3 and apartment houses and whatever else?

4 MR. MESSENGER: Anything with a shared
5 wall, from a duplex all the way to a high-rise
6 condominium.

7 MS. KEON: Why was the decision made for
8 every unit that it would have to have two spaces, as
9 opposed to -- I mean, if you start building condos or
10 apartments or anything where maybe you have one-
11 bedroom apartments or --

12 MR. AIZENSTAT: Studios.

13 MS. KEON: You know, or studios or whatever
14 else, that seems like a real burden that you would
15 place on a developer or whatever, if you want two
16 spaces. I mean, I can see, maybe, for --

17 MR. BEHAR: Pat, again --

18 MS. KEON: Maybe one-bedrooms, but I
19 think --

20 MR. BEHAR: I will pull myself out of the
21 architect role --

22 MS. KEON: Right.

23 MR. BEHAR: We're going to find ourselves
24 in, you know, like a lot of citizens, a parking
25 crunch.

1 MS. MORENO: Uh-huh.

2 MR. BEHAR: Okay? And as it is, we're not
3 even proposing to put for visitors parking.

4 MS. KEON: Right.

5 MR. BEHAR: I think that, 10 years from now,
6 a lot of the cities that have reduced the parking
7 requirements are going to be in a lot of trouble,
8 because there's not enough space. A family that
9 lives in a two-bedroom apartment may have husband and
10 wife and a child that may have a car.

11 So I think that the reduction, further
12 reduction, personally, I think it's not a good idea.
13 It's not a burden to the developer, because they get
14 to sell the additional spaces, okay? You may require
15 to provide them with one space, and I'm in the role,
16 also, as a developer. You know, you can sell them.
17 So I don't think it's a burden, and we may disagree
18 here, but I think that it's not a good idea to
19 reduce.

20 MS. KEON: Do people -- are people building
21 apartment buildings with studio apartments in them
22 down here? Do we see that?

23 MR. AIZENSTAT: There is quite a few.
24 One-bedrooms are very popular.

25 MS. KEON: Well, I can understand with the

1 one-bedroom --

2 MS. MORENO: But if you have a

3 one-bedroom --

4 MS. KEON: -- because a couple could live in
5 a one-bedroom.

6 MS. MORENO: Of course.

7 MS. KEON: I understand that, but it's more
8 studios, and I think I -- you know, I begin to have
9 some concern. I know that you talk about the
10 affordable housing issue and your ability to build
11 more work force housing or whatever else. I mean, I
12 see what -- you know.

13 MR. BEHAR: If you look at the comparison to
14 Miami, to the City of Miami, it's -- you know, it's
15 probably more in keeping, but, you know, the City of
16 Miami Beach, which I know is modifying their
17 requirements, now they've increased to -- instead of
18 one and a half, to two spaces per unit. I know that
19 because I'm facing that as we speak.

20 MS. KEON: Yeah.

21 MR. BEHAR: And that's coming there. So --

22 MR. MESSENGER: The one issue, though, is in
23 terms of -- it may be that, as the demographics
24 progress, you're going to have more cars per
25 household in this area. I haven't studied that,

1 particularly, to know what your 10-year outlook is
2 for that. That definitely, if that's the case, is a
3 concern. But it also has implications for building
4 mass, because if it's a nine and a half by 18
5 space -- or I'm sorry, eight and a half by 18 space,
6 you have, you know, a certain number of square feet
7 per space, plus aisle width, that you're going to
8 have to deal with every time you add a unit, and so
9 at a certain point, with a couple hundred units, your
10 parking facilities are going to be much bigger in
11 area than they were. So it creates a self-limiting
12 situation. I mean, as the architects on the Board
13 would know, you know, you're --

14 MR. BEHAR: The only time I would be a
15 proponent to have a reduction is if you have a
16 mixed-use building, that you have -- you could have
17 an office component and residential, that you have a
18 shared parking, but as strictly a residential
19 building, I don't think it would be a good idea to --

20 MS. KEON: Would you exempt -- like they're
21 talking about building senior citizen facilities.

22 MR. BEHAR: Well, that's a different type of
23 building.

24 MS. KEON: Is that a different type? Well,
25 no, I mean, you would have a -- I would imagine it

1 would be a multi-- I mean, like an apartment type,
2 but that has a whole different designation?

3 MR. RIEL: That's -- like an ALF has --

4 MS. KEON: Well, I don't even know --

5 MR. RIEL: -- its own parking requirements.

6 MS. KEON: -- even if it's an ALF. I mean,
7 if it's --

8 MR. BEHAR: That, I would --

9 MS. KEON: -- senior housing you're talking
10 about building, that's not a -- it may not be an ALF,
11 no?

12 MR. RIEL: I just use that term, ALF, senior
13 housing.

14 MR. BEHAR: Right.

15 MS. MORENO: But Pat, the reality is that
16 most seniors do drive, and most of them --

17 MS. KEON: Well, they do drive, but I mean,
18 I just -- I find that, more and more, they only have
19 one car, and I'm just asking if that's --

20 MR. BEHAR: But you could have a reduction,
21 not a -- you know, it's likely that not all the
22 seniors are going to drive, so there, you could be
23 able to afford to have a reduction.

24 MS. KEON: Would that be -- I mean, would
25 they be able to get a variance to do that or -- you

1 could get a variance for that sort of thing? I mean,
2 if you --

3 MR. RIEL: For senior housing?

4 MS. KEON: Yeah. I don't know, I mean, if
5 it's senior housing.

6 MR. RIEL: Typically, senior housing has
7 reductions already built into it.

8 MS. KEON: So that's what I'm asking you.
9 There would be different --

10 MR. RIEL: Yes.

11 MS. KEON: -- types of things? So you
12 wouldn't -- this wouldn't affect that?

13 MR. RIEL: Correct.

14 MS. KEON: Okay.

15 MR. RIEL: And they could always go get a
16 variance for parking.

17 MS. KEON: Okay. All right. Never mind.
18 They could get a variance. It's okay.

19 MS. MORENO: The other question I have is,
20 why did we take away the requirement that at least
21 one space be covered?

22 MR. MESSENGER: In the attached dwelling,
23 there wasn't that requirement, to my best
24 recollection. That was in the detached dwelling, and
25 that's still there.

1 MS. MORENO: Okay, but in the matrix, you
2 say from existing code, townhouses; one must be
3 covered or enclosed.

4 MR. MESSENGER: I think -- and Eric, maybe
5 you can back me up on this, I think that was a
6 typographical error. That should have been in
7 detached, because isn't it your tradition here to
8 have the carport or garage attached to the
9 single-family structure?

10 MR. RIEL: My understanding is,
11 single-family residences had two parking spaces
12 required. One had to be covered -- one had to be in
13 a garage, and one could be outside.

14 MR. MESSENGER: And so forgive me for the
15 matrix.

16 MS. MORENO: Okay, but I still want to know
17 why we wouldn't require that in the attached
18 dwellings they be covered.

19 MR. MESSENGER: It's not required in the new
20 draft.

21 MS. MORENO: Well, I'm asking whether it
22 should be.

23 MR. MESSENGER: You want it to be?

24 MS. MORENO: Yes.

25 MS. KEON: Because you may have a surface

1 parking lot associated with an apartment building.

2 MS. MORENO: Well, let's take -- this
3 applies to townhouses.

4 CHAIRMAN KORGE: Right.

5 MS. MORENO: Okay? So, townhouses, they're
6 going to have the two uncovered?

7 MR. MESSENGER: What we find in townhouses
8 is, you get three-story configurations when you have
9 garages, typically, now, and if you don't have a
10 garage, you can have a two-story configuration. It
11 just depends on what -- you know, in some sense,
12 where your heights are, and in another sense, you
13 know, what the developer product -- what they want to
14 provide. I mean, you can park a town home in any
15 number of different ways, whereas in the
16 single-family home, there's sort of a tradition of a
17 certain type of pattern, that you would have some
18 sort of enclosed or covered parking with that.

19 In other words, if you have an apartment
20 building, you may want to have a parking field. You
21 may not want to have to provide garages, although the
22 market drives, in some circumstances, garages in that
23 respect.

24 MR. MORENO: I hate open parking, so I am
25 all in favor of covered parking.

1 CHAIRMAN KORGE: Well, that will mean more
2 height.

3 MR. BEHAR: But it's not realistic to --

4 MS. MORENO: I'm willing to take the height.
5 I'm willing to take the height for townhouses.

6 MR. BEHAR: But it's not realistic to do all
7 covered. If you're doing a townhouse project that
8 you're limited on height, for example, across the
9 street on -- across the street from us here, it's a
10 25-foot height limitation.

11 MS. MORENO: Right, but that project is a
12 beautiful project that's ruined by all the cars
13 parked in front of it.

14 MR. BEHAR: But then you wouldn't be able to
15 put one level parking and get your two floors.

16 MS. KEON: But you could require parking to
17 be in back of the building so that the parking -- I
18 don't think -- I agree with you, I hate the look of
19 parking on the street. I really do. And I don't
20 like when you walk by and you see this parking lot
21 and you see a building behind it, and I wouldn't have
22 any problem with requiring that the building meet the
23 street and that the parking be behind the building
24 and be, you know, surface parking behind the
25 building, but I don't blame you. I don't like the

1 looks of that, either.

2 MS. MORENO: And I certainly don't want to
3 have a condominium building, a several-story
4 condominium building, with open parking.

5 MS. KEON: No, unless they -- you know, they
6 somehow put it behind the building or they put it
7 between buildings, so that it's not visible from the
8 street.

9 MR. BEHAR: Visible from the street. I --

10 MS. KEON: And I think that that's a very
11 good design element, so that your parking isn't
12 visible from the street.

13 MR. MESSENGER: In some districts, that's
14 already part of this Code, that the location of the
15 parking would have to be behind the structure. It
16 would have to be screened. There are certain
17 landscaping requirements, things that prevent you
18 from really having to deal with the parking from the
19 street, and we can get to that, but in terms of the
20 variety of units that you could get in an attached
21 dwelling circumstance, I'm not sure whether you'd
22 want to require, you know, half of those parking
23 spaces, off the bat, to be covered or enclosed.

24 You know, obviously, that's a policy
25 direction, but it has implications across a wide

1 variety of projects.

2 MS. MORENO: Okay. Eric, the French
3 Village, what do they have?

4 MR. RIEL: I don't know. I'm not familiar
5 with that project.

6 MR. BEHAR: I think they're one level,
7 underground.

8 MR. RIEL: I'm not sure.

9 MS. MORENO: No, the historic French
10 Village.

11 MR. BEHAR: Oh, the historic one.

12 MS. MORENO: The one on Hardee Road, what do
13 they have there?

14 MR. RIEL: I'm not sure.

15 MR. MESSENGER: I mean, in theory, you could
16 have a town home project with private streets and
17 parallel parking along the private streets, which
18 would be -- have a nice character, with the square
19 as an organizing feature, where you'd have parallel
20 parking next to the square, so you can get your two
21 spaces per unit, you know, in private roads on site.

22 So you don't -- you know, I would submit
23 that you don't want to limit yourself here in that
24 respect and, you know, provide what the market would
25 compel in terms of covered or not covered. You can

1 landscape it to make it look nice.

2 MR. BEHAR: I think Pat's suggesting to do
3 it not visible from the street --

4 MS. KEON: Yeah.

5 MR. BEHAR: -- which I agree with you guys,
6 as well.

7 CHAIRMAN KORGE: Both not visible from the
8 street, or one not visible?

9 MS. KEON: No, in attached, or -- I don't
10 know if it's so much the townhouses -- well, in any
11 of them, yeah, any of them. I don't want to see an
12 asphalt parking lot --

13 MR. MESSENGER: Between the building and the
14 street.

15 MS. KEON: -- between the building and the
16 sidewalk, or the building and the street, and so I
17 think it's however you have to write that so, you
18 know, you don't allow that to happen. I mean, I
19 think that is a nice project across the street,
20 except for the parking lot in front of it.

21 MR. BEHAR: I agree with you a hundred
22 percent.

23 CHAIRMAN KORGE: Well, is the standard
24 higher than for detached homes?

25 MS. MORENO: Pardon me?

1 would get rid of my problem.

2 MS. KEON: Absolutely, and I think that
3 that's --

4 MS. MORENO: But I think that's the
5 difference between the single-family that Tom is
6 questioning and a multi-family project.

7 A multi-family project, the way that they do
8 them, they pile all the parking in one place, as
9 opposed to, in your home, you know, you have your
10 garage, you have your car behind, you have your lawn.
11 As Pat says, there's more things separating car from
12 car.

13 MS. KEON: Than that expansive amount of
14 concrete or hard surface.

15 MR. BEHAR: And, you know, we also may
16 consider that one of the spaces definitely has to be
17 covered, so you can provide a garage, and in the
18 second space, it could be uncovered, not visible from
19 the street.

20 MR. AIZENSTAT: That's the way, actually --
21 typically, that's the way you do twin homes, for
22 example. You've got your covered parking, which
23 happens to be in front, and then you have -- in back
24 of that, you have an open space.

25 MS. KEON: Right. I would like to see the

1 Code reflect that type of design.

2 MR. MESSENGER: See, in Page 5 of 11 of the
3 current draft, on Line 5, there's B, General
4 Location. We can just add, you know, for the
5 attached residential development, that it has to be
6 located behind the buildings or screened from the
7 street.

8 MS. KEON: Or -- yeah.

9 CHAIRMAN KORGE: Has this been before the --
10 the parking requirements, have they been before the
11 Board of Architects? Does anybody know?

12 MS. KEON: (Inaudible).

13 MR. MESSENGER: The Parking Board, I think.

14 CHAIRMAN KORGE: The Parking Board, not
15 the Board of Architects?

16 MS. KEON: Oh, that would be the --

17 MR. RIEL: It went to the Parking Board
18 originally, the first time, and they gave us the
19 policy direction which you have on your matrix.

20 CHAIRMAN KORGE: Yes.

21 MR. RIEL: But their feeling was, they
22 mainly deal with public improvement projects and that
23 they really didn't want to get into the private --
24 you know, what happens on private properties.

25 CHAIRMAN KORGE: The reason I asked is

1 because -- I'm sorry, go ahead, you were going to say
2 some more?

3 MR. RIEL: Well, I mean, that's the reason
4 why it didn't go back. We can certainly take it back
5 to them, but last time, they said --

6 CHAIRMAN KORGE: No, I'm not interested in
7 the Parking Board. I was asking about the Board of
8 Architects.

9 MR. RIEL: Oh, the Board of Architects?

10 MR. BEHAR: They never see this.

11 CHAIRMAN KORGE: The reason I ask is
12 because, won't this parking affect -- really affect
13 the design of projects?

14 MR. BEHAR: Sure.

15 CHAIRMAN KORGE: Wouldn't it be helpful to
16 get their input on, I mean, things like whether a
17 space needs to be enclosed for a townhouse? I mean,
18 I -- personally, I don't feel real comfortable that I
19 know enough about town home designs to say whether or
20 not that's a good idea. I just -- I don't know.

21 MR. RIEL: I mean, the Board of
22 Architects -- a zoning analysis is done on all
23 properties. That's done by the Building & Zoning
24 Department. So it will come before the Board and
25 they'll say it satisfies the parking requirements,

1 and the Board has the opportunity to say, "Well, we
2 would like, you know, to move this around, and that,"
3 but I don't know, in terms of what type of input we
4 would get from them, in terms of -- in terms of a
5 quantity of spaces. I see this Board as providing
6 that --

7 MS. MORENO: The question, though, Eric, is
8 not the quantity of spaces. It's the location.

9 MR. RIEL: It's the location, correct. I
10 agree with you.

11 MS. MORENO: Okay. To me, there's three
12 things that I'm concerned about in the attached
13 dwelling scenario. I don't want to see us have a
14 bunch of enclosed projects, and I think that the
15 Commission shares that view. You know, we don't want
16 to see, all of a sudden -- have what they have in
17 Westchester and in Weston, where all of a sudden, you
18 have this community within the community.

19 So I don't want to create a requirement
20 that, in order to put the parking there, I've got to
21 put a wall surrounding the complex. I don't want to
22 encourage that. I do want to do -- have something
23 like the French -- the historic French Village, where
24 the facade is on the street, and when you drive by
25 there, I don't know what they do with their cars, but

1 the car is not staring you in the face.

2 MR. RIEL: Okay.

3 MS. MORENO: So I don't know if what they do
4 is have a requirement of a garage and some of their
5 cars are garaged. I don't know the answer to that,
6 but if we're going to have attached dwellings, I want
7 them to be on the French Village model, as opposed to
8 the modern, you know, gated community model.

9 MR. RIEL: I understand what you're saying.

10 MS. MORENO: And my fear is that, in
11 creating the parking, I'm driving the design. That's
12 my fear with the requirements.

13 MR. RIEL: I think what's happened, also, is
14 the townhouse regulations have just been introduced
15 in the last six or nine months, and we've had some
16 projects come through, we've had some projects that
17 are existing, and I think we're learning as we go
18 along, and I think what we need to do is go back and
19 look at each of those scenarios, the townhouse, the
20 apartment or condominium type of building, and come
21 up with perhaps some additional criteria that deals
22 with that location issue that you have a concern
23 about.

24 CHAIRMAN KORGE: That would be good, but,
25 you know, it's not like we're inventing townhouses in

1 the City of Coral Gables.

2 MR. RIEL: I agree.

3 CHAIRMAN KORGE: I mean, there's got to be a
4 standard that generally is applied in most
5 communities, you know, for quality construction.

6 MR. RIEL: It depends on what that community
7 desires. I mean, I've seen where they don't have a
8 problem with townhouses with garages facing the
9 street, with parking on the street. I've seen
10 communities where they want all the parking in the
11 rear. It has to access from an alley. They don't
12 want to see garages facing or, you know, providing
13 that front facade. It depends what the community
14 desires.

15 MR. BEHAR: For the most part, with the new
16 urbanism concept, they want you to put all the units
17 up front on the street and all the parking goes
18 behind, and that applies for --

19 CHAIRMAN KORGE: Isn't that what we decided
20 when we did the town home regulations?

21 MR. RIEL: We're redoing them, actually, to
22 be --

23 CHAIRMAN KORGE: But that wasn't my
24 question. Isn't that what we decided when we adopted
25 the town home regulations, originally?

1 MR. RIEL: Yes. Yes, but there was some
2 opportunities available. I don't think we closed it
3 off well enough.

4 CHAIRMAN KORGE: But that was the concept?

5 MR. RIEL: Absolutely, yes.

6 CHAIRMAN KORGE: And is that the concept
7 we're adopting now?

8 MR. RIEL: That's what we need to make sure,
9 that that continues when it gets on the --

10 MS. MORENO: That's not what it says now.

11 MS. KEON: That's not what it says.

12 CHAIRMAN KORGE: Okay, well, then --

13 MR. MESSENGER: It doesn't not say that.

14 CHAIRMAN KORGE: Well, let me just ask a
15 very simple question.

16 MS. MORENO: But we would -- it does not say
17 that, right?

18 MS. KEON: I'd like it to say it.

19 CHAIRMAN KORGE: Why would we change
20 something we just adopted, that everybody was
21 generally satisfied with, though it needed tweaking,
22 to close any loopholes?

23 MS. MORENO: Because the townhouses --

24 CHAIRMAN KORGE: No, I was really asking
25 Eric. Why did you change it?

1 MR. RIEL: Because we've had some projects
2 that have come through and they had some scenarios
3 that we really didn't button up the townhouse
4 regulations as best we should have.

5 CHAIRMAN KORGE: Well, does this button it
6 up now?

7 MR. RIEL: Not from this standpoint of
8 quantity of parking.

9 CHAIRMAN KORGE: Forget the quantity for a
10 minute. I'm talking about the rear parking.

11 MR. RIEL: I think we need to look at it
12 further. I really do.

13 CHAIRMAN KORGE: It's covered for the rear
14 parking?

15 MR. RIEL: I think we can, yes.

16 CHAIRMAN KORGE: So where -- how will
17 the -- if we have two spaces, does that upset the
18 balance on rear parking, or does it still work, if we
19 require two spaces?

20 MR. RIEL: Actually, when townhouses came
21 through, this Board recommended one parking space per
22 unit, and the Commission added an additional one. So
23 there was a change from when it did come through this
24 Board.

25 CHAIRMAN KORGE: Does it work with two?

1 MR. RIEL: I think it does, yes.

2 CHAIRMAN KORGE: Then what are we debating?
3 It's already in the rear. It's required by the
4 regulations to be in the rear. There are two
5 units -- two spaces per unit. We're -- it sounds
6 like we're debating something that's already
7 resolved.

8 MR. RIEL: I don't think we were really
9 clear, when the townhouse regs came through, that the
10 parking had to be in the rear.

11 CHAIRMAN KORGE: Well, you've made it clear,
12 right? So --

13 MR. RIEL: We are going to.

14 CHAIRMAN KORGE: -- do we need to debate
15 this any further?

16 MR. MESSENGER: Yes, Mr. Chairman, we will
17 put that in the location that I indicated earlier and
18 make sure that it's clear --

19 CHAIRMAN KORGE: Right.

20 MR. MESSENGER: -- that the parking will
21 have to be in the back.

22 CHAIRMAN KORGE: Okay.

23 MS. KEON: I think, as we go through, I
24 think that's probably one of the most critical things
25 that we can do in rewriting this Code, is to affect

1 how buildings meet the street, you know, and I think
2 we really need to ensure that we create as desirable
3 a street level experience as we can, through our
4 Code.

5 CHAIRMAN KORGE: Okay. So we've covered
6 attached dwellings. Let's go to detached dwellings.

7 Does anybody have any comments, further
8 comments, about the proposal for an attached
9 dwelling?

10 MS. MORENO: Wait, I'm sorry.

11 CHAIRMAN KORGE: You have more on attached
12 dwellings?

13 MS. MORENO: I do. I do, I'm sorry.

14 CHAIRMAN KORGE: It's okay.

15 MS. MORENO: On condominium buildings, okay,
16 on multi-story buildings, don't those have to be
17 covered? I guess I'm having --

18 MR. RIEL: Yes.

19 MS. MORENO: -- trouble, because attached
20 dwelling means both the townhouse concept and the
21 multi-story concept.

22 MR. RIEL: Right.

23 MS. MORENO: And in multi-story, I'd like to
24 see those covered.

25 MR. RIEL: They should be, yes.

1 MR. MESSENGER: There's surface parking.

2 MS. MORENO: I don't want to have surface
3 parking.

4 MR. MESSENGER: Okay, you want structured
5 parking for multi-family?

6 MS. MORENO: Yes.

7 MS. MESSENGER: All right.

8 MR. RIEL: There is an ability to put
9 surface parking on condominium buildings at this
10 time.

11 CHAIRMAN KORGE: Sure.

12 MR. RIEL: There is.

13 MS. KEON: Would it be a limited number or
14 is it large numbers?

15 MR. RIEL: There's no -- I don't believe
16 there's a limitation at this time.

17 MS. KEON: I mean, I could see if you have
18 some surface parking a few visitors get, you know,
19 guest parking spaces. If you have maybe a few
20 service -- you know, the service -- service people,
21 because sometimes they can't get trucks under the
22 garage --

23 MS. MORENO: Uh-huh.

24 MS. KEON: -- you know, so you have to allow
25 for the height for moving trucks to come in and for,

1 you know, different types of things that would
2 service both the building and the people that live in
3 the building, so you may need some surface
4 parking, but -- you know, but I agree with you that
5 it should be limited.

6 MS. MORENO: Eric, on the projects we've
7 approved, the Starwood Urban and the one that's on
8 Minorca and 37th Avenue, and the one that -- you
9 know, that we call the (inaudible) project, do we
10 have surface parking on any of those?

11 MR. RIEL: On those, no.

12 MS. MORENO: So why -- if they can do it,
13 why shouldn't we make everybody do it?

14 MR. RIEL: The situation where it's occurred
15 is where you have buildings in the Downtown that are
16 backing -- they have surface parking backing into the
17 alley. That's where you have surface parking.

18 MS. MORENO: In the back of the building?

19 MR. RIEL: In the back of the building, yes,
20 or on the side of the building, if there's an alley
21 on the side.

22 MR. BEHAR: You have situations where you're
23 going to probably end up with some surface parking,
24 and as long as it's not in the front of the building,
25 I think that it will be acceptable.

1 To force a developer now to build a -- to do
2 all structured parking, that may become a little bit,
3 you know, of a hardship. I think as long as it's not
4 visible, it achieves the goal that we're trying to
5 get to. And also, there's a -- you could do a
6 building type, and that's a building type depending
7 on the height -- you know it's not a high-rise, but
8 if you could go -- if could keep it under seven
9 stories, it's a totally different building than if
10 you go beyond seven stories, which is 75 feet.

11 So you've got to really -- if you have to
12 add two levels of parking and then put the
13 residential component on top, and I've got to go up
14 beyond those 75 feet, it starts getting into a
15 different category of a building, that you may not
16 necessarily have to do. So we really need to study
17 that before we make that final determination.

18 MR. RIEL: I think what you're saying is,
19 basically establish a threshold, because you do have
20 properties on U.S. 1 that have one and two-story
21 buildings that have surface lots on them. So I think
22 we need to go back and look at that, that issue.

23 MR. MESSENGER: You're going to have a
24 certain point in building intensity where compliance
25 with all of the other regulatory framework pushes

1 structured parking, and just requires that, just as a
2 practical reality. But when structured parking isn't
3 required as that practical reality, if you put the
4 surface parking behind the building, that may be a
5 preferred outcome, anyway. I mean, if you would
6 artificially inflate the cost of all of that by, you
7 know, \$18,000 a space, you might not want to require
8 that, when you can just hide it behind the building,
9 anyway.

10 MR. BEHAR: In projects that they're
11 maximizing the development rights, chances are
12 they're going to all do structured parking, there's
13 no question about it, but not every case would permit
14 to do that, so I think that, you know, Eric, you have
15 to give us a more defined --

16 MR. RIEL: Right, I understand, and also,
17 understand, structured parking doesn't count in the
18 FAR, as well, of the building, so --

19 MR. AIZENSTAT: Structured parking --

20 MR. RIEL: Is not counted in the total FAR
21 of the building.

22 MR. AIZENSTAT: One question I'd like to
23 ask. When I sat on the Board of Adjustments, there
24 were several projects that came before us with lifts
25 that were wanting to be used as parking, one on top

1 of the other. How was that handled in these parking
2 standards?

3 MR. RIEL: We're going to go over that.
4 That's in the later part of it. We do have
5 provisions in here for that, to accommodate that.

6 MR. AIZENSTAT: It's not at this point here,
7 where we're doing --

8 MR. RIEL: I believe it's in the back part,
9 the back part of the document.

10 MR. AIZENSTAT: Okay.

11 CHAIRMAN KORGE: I noticed that the City of
12 Miami imposes one-space visitor parking for every 10
13 units in the building, and we don't have any similar
14 standard. Is there a reason that we don't? Is it
15 unnecessary or is it a burden, unnecessarily
16 burdensome?

17 MR. RIEL: Right now, we have, in the
18 current Code, for an apartment building, one space
19 for each 20 parking spaces.

20 MR. MESSENGER: What we've done is, we've
21 increased the parking to two spaces per unit, no
22 matter what the unit is. And in some sense, if
23 there's a unit mix that includes one-bedrooms or
24 studios, you're going to get your visitor parking
25 makeup in that.

1 MR. AIZENSTAT: So that's how you're looking
2 at the overflow?

3 MR. MESSENGER: That's what happens as a
4 result of the decisions that were made in June to go
5 with two spaces per unit, and I think --

6 MS. MORENO: Right, but that's --

7 MR. MESSENGER: -- depending on how the mix
8 is --

9 MS. MORENO: Nothing prevents a developer
10 from assigning every single space and not leaving
11 enough for visitors.

12 MR. AIZENSTAT: But not having visitor
13 parking. How do you deal with that?

14 MR. MESSENGER: That's correct. In this
15 draft, that is a correct analysis. There's nothing
16 to prevent that.

17 MR. AIZENSTAT: That could be a problem.

18 MR. BEHAR: A major problem.

19 MR. AIZENSTAT: Yeah.

20 MR. BEHAR: And I wish this was not
21 televised, because I've got these developers looking
22 at me and probably saying, "What is he talking
23 about?"

24 CHAIRMAN KORGE: "What are you doing to us?"

25 MR. BEHAR: You know, it is a problem,

1 because you could -- if I told you, you're assigned
2 one parking space, you could sell the additional
3 parking space --

4 MR. AIZENSTAT: Exactly.

5 MR. BEHAR: -- and then you have no parking
6 spaces for visitors.

7 MR. AIZENSTAT: Yeah. I don't like that
8 idea of leaving that open.

9 MR. MESSENGER: You know, another thing that
10 can be done is, you can prohibit the assigned parking
11 spaces unless they provide for visitor parking.

12 MR. AIZENSTAT: That's not going to -- I
13 don't think that's going to work. I'd rather --

14 MR. MESSENGER: It's hard to enforce, but
15 it's a way of doing it.

16 MR. AIZENSTAT: I'd rather look at it as how
17 many units -- how many parking spaces per unit, plus
18 for visitors. That would be my recommendation.

19 MR. BEHAR: I agree on that.

20 MS. KEON: And it doesn't have to be
21 massive. I mean, even if it's one per 10 or one
22 per, you know, a reasonable number.

23 MR. AIZENSTAT: No, we look at what the norm
24 is in other cities.

25 MS. KEON: You know, that's a reasonable

1 number, but --

2 MR. BEHAR: One per 10 seems to work. I do
3 a lot of work in the City of Miami, and one per 10
4 seems to be a good number.

5 MR. MESSENGER: Per 10 units?

6 MR. BEHAR: Right, one parking space per 10
7 units.

8 MR. RIEL: Okay, we'll -- we'll look at that
9 and include something in there.

10 MR. AIZENSTAT: Yeah, please.

11 MS. MORENO: Can we say anything about, you
12 know, the right to assign specific use, assigned or
13 unassigned? Is that part of what we do?

14 MR. RIEL: We had that in the mixed-use
15 provisions and we had -- a lot of developers had a
16 problem with that.

17 MR. BEHAR: Yeah.

18 MR. RIEL: I would not go into assigning.
19 It's very hard to enforce.

20 MS. MORENO: Into what?

21 MR. RIEL: Say that this is only for the
22 commercial parker, this for the resident. Usually,
23 what they do is, they differentiate the floors within
24 the building --

25 MR. BEHAR: Floors.

1 MR. AIZENSTAT: Yeah.

2 MR. RIEL: -- and they put up a gate, and
3 that usually takes care of the issue.

4 MR. AIZENSTAT: I mean, theoretically, you
5 don't want the commercial aspect going into your
6 residential. The developer doesn't want to do that.

7 MR. RIEL: Or they'll have a separate
8 entrance, where the cars go in. They'll design it
9 that way. They'll have separate elevators and --

10 MR. BEHAR: What we do is, we put like a
11 gate after a certain point --

12 MR. RIEL: Right.

13 MR. BEHAR: -- and it's only for residential
14 parking.

15 MS. MORENO: Okay, but the Starwood Urban
16 project, right? Now they've put the gate so that the
17 residents have some covered and some uncovered
18 spaces. So the residents are stuck -- they're
19 keeping all the covered spaces for commercial, and
20 the residents are stuck with the uncovered spaces.
21 It's not -- you know, some of the people are being
22 assigned uncovered spaces. They're -- is there any
23 impact that we have on that at all?

24 MR. RIEL: That is actually one project that
25 came through and had a problem with the assignment of

1 the spaces --

2 MS. MORENO: I remember that. That's why
3 I'm asking.

4 MR. RIEL: -- and asked for that to be -- to
5 have that removed. That's a decision that they need
6 to make within the building. I mean, that's --

7 MS. MORENO: But we can't say, you know,
8 every resident is entitled to at least one covered
9 space? That's not part of zoning?

10 MR. RIEL: No.

11 CHAIRMAN KORGE: Anything else on attached
12 dwellings?

13 MS. KEON: Now, I just want to make it
14 clear, then, that you're going to include provisions
15 for the attached dwellings that prohibit parking
16 that's visible from the street?

17 MR. MESSENGER: It will be in Section
18 5-1403, B.

19 MS. KEON: Okay.

20 CHAIRMAN KORGE: Okay. Let's move on to
21 detached dwellings. We've already briefly touched on
22 that. Does anybody have any comments or questions
23 about detached dwellings, the standards set forth on
24 this matrix? This is an accurate reflection except
25 that one space must be covered of the two spaces per

1 unit required for detached dwellings; is that
2 correct?

3 MR. MESSENGER: Two spaces per unit for
4 detached; one space must be covered or enclosed.

5 CHAIRMAN KORGE: Okay.

6 MS. MORENO: Eric, what did we do with the
7 houses that had the garages converted? Do you
8 remember that whole problem we had in the Old Gables?

9 MR. RIEL: Yeah, I remember that.

10 MR. MESSENGER: We have provisions for that.

11 MS. MORENO: We have separate provisions?

12 MR. MESSENGER: There's qualitative
13 provisions. What we're talking about here is only
14 the number of spaces required, and only -- we only
15 addressed covered spaces in single-family, because in
16 that sense, if they weren't provided as covered, it
17 wouldn't count as required. But in every other
18 instance, the design location, character of parking
19 spaces, buffering from other uses, et cetera, is all
20 in the qualitative stuff before this.

21 CHAIRMAN KORGE: Right.

22 MR. MESSENGER: So, if you want to talk
23 about the mathematical relationship between square
24 feet of space and parking, that's what we're dealing
25 with here. All of the other design aspects, we can

1 deal with, and have dealt with, in other sections.

2 MS. MORENO: No, but in the Old Gables,
3 there were some houses where we decided they did not
4 have to have a covered garage. Is that contemplated
5 anywhere here?

6 MR. RIEL: Those provisions are still in the
7 Code. The discussion we had and what was decided by
8 this Board has remained unchanged and will be in the
9 new Code.

10 MS. MORENO: Okay, and those will continue
11 as nonconforming uses, I guess?

12 MR. RIEL: Yes, whatever the provision said,
13 I don't recall, but yes.

14 MS. MORENO: Uh-huh. So this --

15 MR. RIEL: It was a date certain --

16 MS. MORENO: So this doesn't take this away
17 from those people?

18 MR. RIEL: No, it doesn't.

19 MS. MORENO: Okay.

20 CHAIRMAN KORGE: No other comments?

21 Let's move on to live-work. Would you
22 describe to us the existing standard and any changes
23 proposed?

24 MR. MESSENGER: Live-work is new as a use,
25 in our use table.

1 CHAIRMAN KORGE: Okay.

2 MR. MESSENGER: We had extensive discussions
3 about this, back in June, and there wasn't really a
4 strong consensus among the Board members, but what we
5 decided to do was go back and change the definition
6 of live-work to remove the ambiguous term
7 "commercial," which isn't part of our use list. So,
8 if you have a live-work unit, it's a residence with a
9 nonresidential space attached to it internally, which
10 would be either a retail sales and services use or an
11 office use, and no other uses. For example, you
12 wouldn't have a neighborhood restaurant in there. If
13 you did, it would be a multiple-use project, which
14 would have to provide parking for the residents and
15 parking for the restaurant, at whatever impact it
16 has.

17 Now, the live-work office and retail sales
18 and services components -- live-work units are only
19 allowed in a certain district, where they're not
20 intended to be extremely intensive. We're looking at
21 a little bit less -- relaxed parking requirement for
22 the live-work units, which will preserve the
23 community character of the area in which they're
24 permitted, and so we submit one per 350 is a
25 reasonable compromise to effectuate that objective.

1 CHAIRMAN KORGE: So you always have a
2 minimum of two units -- two spaces per unit?

3 MR. MESSENGER: Yes, two spaces per unit, in
4 that one of them is required for residents --

5 MR. AIZENSTAT: One's for the resident and
6 one is required, right.

7 MR. MESSENGER: And one per 350, rounding
8 up, for floor space.

9 MR. AIZENSTAT: What if you have -- what if
10 you have this situation, where you have 80 percent of
11 the building is residential, where they live, and
12 then you have the other 20 -- let's go even higher,
13 90 percent is residential, and at the bottom, you
14 have the other 10 percent where they work. How would
15 you handle parking at that point?

16 MR. BEHAR: That's a mixed-use project.
17 That's totally -- I think it's different. This is if
18 you have, for example, on the ground floor, or the
19 first two floors of a building, you have live-work
20 units that you could work on the first floor and live
21 on the second. Part is dedicated, you know, for that
22 purpose.

23 MR. AIZENSTAT: What defines a live-work?

24 MR. MESSENGER: The direct internal
25 connection between the uses. In other words, a use

1 of an existing single-family home on a transitioning
2 street where the front parlor is an office and the
3 rest of it is used, through a door inside, for living
4 space, would be a live-work.

5 MR. AIZENSTAT: So it's attached?

6 MR. BEHAR: It's within the same envelope --

7 MR. MESSENGER: It's a single unit.

8 MR. BEHAR: -- of the unit.

9 MR. AIZENSTAT: Okay.

10 MR. MESSENGER: And it's a single ownership
11 entity, as well.

12 MR. AIZENSTAT: Okay. Oh, that's perfect.

13 MR. MESSENGER: It would be deeded as a
14 separate ownership.

15 MR. BEHAR: And this is something new that,
16 you know, we have not seen in South Florida. It's
17 used elsewhere, but -- you know, the other problem
18 that would come out of that is dealing with Fire,
19 when it comes to that use, because Fire now cannot --
20 does not want to allow a commercial use and a
21 residential in the same space, but that's a different
22 issue.

23 CHAIRMAN KORGE: Any other questions or
24 comments about live-work?

25 Then nonresidential uses, the first is adult

1 uses. What constitutes an adult use?

2 MR. MESSENGER: Adult uses are -- we have
3 defined them in the Code as a variety of uses, adult
4 entertainment type uses, and I can't remember the
5 exact list, but it goes through, there's a list of
6 stuff.

7 CHAIRMAN KORGE: Does that include a saloon,
8 for example?

9 MR. MESSENGER: What's that?

10 CHAIRMAN KORGE: A saloon, a bar?

11 MR. MESSENGER: No, no. Typically, it's
12 associated with nudity.

13 CHAIRMAN KORGE: Oh, okay.

14 MS. KEON: Would a senior center come under
15 that?

16 MR. MESSENGER: I've always wondered about
17 adult communities.

18 (Inaudible comments among Board members)

19 MR. AIZENSTAT: Eric, what's the regulations
20 for adult --

21 MS. MORENO: Do we allow adult uses?

22 MR. AIZENSTAT: Do we allow them within the
23 City boundaries?

24 MR. RIEL: Yes, they're allowed in the
25 industrial areas --

1 CHAIRMAN KORGE: Yeah.

2 MR. RIEL: -- and basically, they're parked
3 based on retail. In other words, whatever the retail
4 establishment parking requirements are, that's how
5 they're parked, currently.

6 CHAIRMAN KORGE: Well, let me ask you about
7 this one space per 350 square feet of floor area.
8 Wouldn't it be -- if you're talking about, I guess,
9 what, a topless bar -- is that the sort of thing
10 we're talking about here? I don't --

11 MR. RIEL: Yes.

12 MR. MESSENGER: It's an adult book store, an
13 adult theater or a massage salon, which also has a
14 particular definition. I don't think that the adult
15 bar --

16 CHAIRMAN KORGE: How did you arrive at one
17 per 350 square feet?

18 MR. MESSENGER: It's taken from your
19 existing retail shops.

20 MR. RIEL: It's the same number as retail.

21 MR. MESSENGER: In your existing Code,
22 retail shops is --

23 CHAIRMAN KORGE: Is that what you would
24 expect would be the norm for this type of business?

25 MR. RIEL: Yes.

1 CHAIRMAN KORGE: If you have any
2 expectations at all.

3 MR. RIEL: I'm not going to answer no on
4 that one.

5 MR. BEHAR: We don't require anything
6 personal.

7 MR. RIEL: I think we need to go on to the
8 next use.

9 CHAIRMAN KORGE: I just want to make sure we
10 have enough parking.

11 MS. MORENO: Well, some of them are more
12 stringent here. Miami Beach says one space per three
13 seats. One space per adult booth.

14 MR. MESSENGER: The next one is alcoholic
15 beverage sales --

16 MR. BEHAR: Wait, go back. I mean, all
17 joking aside --

18 MS. KEON: Well, that's true, though. I
19 think you should have a space per booth.

20 MR. BEHAR: One per 350 seems like --

21 MS. KEON: That's a big --

22 MR. BEHAR: -- not enough parking spaces for
23 any use, and that, to me, see -- you know, an adult
24 entertainment club would be almost like a restaurant
25 type of use.

1 CHAIRMAN KORGE: Or a bar.

2 MR. BEHAR: You know, a bar.

3 MR. AIZENSTAT: That would be more for
4 seats.

5 MR. MESSENGER: That -- club isn't parked
6 as an adult use under this existing definition.

7 MR. AIZENSTAT: That would be more of a bar
8 or a restaurant that it would go under --

9 MR. MESSENGER: Yes.

10 MR. AIZENSTAT: -- for chairs or seats.

11 MR. MESSENGER: Once you start selling
12 beverages or food --

13 MR. BEHAR: Okay.

14 MR. MESSENGER: -- it's a different use.
15 What we're talking about more is the retail.

16 MR. BEHAR: Okay.

17 MR. MESSENGER: And it's parked under the
18 existing retail. Now, we've changed retail to one
19 per 250 for all other classifications of retail, and
20 if you think that the uses are going to be more
21 intensive, to demand the same as everybody else, we
22 could certainly change that number down to one to
23 250.

24 CHAIRMAN KORGE: Personally, I think it
25 should be the same. If we're talking about retail,

1 and it's just the content --

2 MR. RIEL: I would agree, one to 250.

3 CHAIRMAN KORGE: -- it should be the same.

4 MR. AIZENSTAT: So --

5 MS. KEON: One to 250?

6 MR. RIEL: Yes.

7 MS. KEON: I think that -- I mean, I don't
8 know how they're structured --

9 MR. RIEL: If that's what you all feel, the
10 retail should be, one to 250 --

11 MR. AIZENSTAT: I do.

12 MS. MORENO: Uh-huh.

13 MR. RIEL: -- then we should do the same
14 thing.

15 MR. MESSENGER: Then alcoholic beverage
16 sales, as we move along, is the same.

17 MR. AIZENSTAT: I'm sorry?

18 MR. MESSENGER: We would recommend the one
19 per 250 for alcoholic beverage sales --

20 MS. MORENO: One per 250, yes.

21 MR. MESSENGER: -- as well.

22 MR. AIZENSTAT: You have to go across the
23 board.

24 MS. KEON: For beverage sales, that's not
25 like a liquor store, that's a bar?

1 MR. MESSENGER: No --

2 MS. MORENO: That's the liquor store.

3 MR. MESSENGER: -- alcoholic beverage
4 sales is the liquor store.

5 MS. KEON: Okay, what's like 350?

6 MR. MESSENGER: 25 percent or more of the
7 floor area being dedicated to the sale of alcoholic
8 beverages, and the reason it's in there, instead of
9 as retail sales and services --

10 MS. KEON: Right.

11 MR. MESSENGER: -- is because an alcoholic
12 beverage store has a different sort of community
13 character impact than a drugstore.

14 MS. KEON: Yeah.

15 MR. MESSENGER: So it's in the permitted
16 uses list, you know, one way, and we just want to be
17 able to march over from there to parking and know
18 what we have to park --

19 MS. MORENO: I know, but --

20 MR. MESSENGER: -- instead of making a
21 further transition.

22 MS. MORENO: But there's no way -- there's
23 no way that I want to give a parking break to these
24 uses.

25 MR. MESSENGER: Right. That's why we said

1 we would revise it.

2 MS. MORENO: So --

3 MR. MESSENGER: We recently revised the
4 retail down to 250.

5 MS. MORENO: Right, so --

6 MR. MESSENGER: We just didn't pick it up.
7 So we'll put those two --

8 MS. MORENO: If, to go to buy a dress, it
9 has to be one per 250, then to go to buy liquor, it's
10 got to be one per 250.

11 MR. MESSENGER: You bet. It's done.

12 MS. KEON: Well, but what --

13 CHAIRMAN KORGE: Okay. This doesn't require
14 a lot more discussion.

15 MR. MESSENGER: You have an existing Code
16 provision for cat beauty shop and dog beauty shop
17 that parks at one per 250. Now, your veterinary
18 clinics park, also, at one per 250. So we put the
19 animal grooming and boarding at one per 250, which is
20 similar to your retail sales and services. It's
21 probably okay, in terms of that sort of equity and
22 that function, but one per 250 seems very intense.

23 MS. KEON: How big is -- okay, what is the
24 Dog from Ipanema, over there on --

25 MR. AIZENSTAT: About 800 square feet,

1 maybe?

2 MS. KEON: How big is that place? Does
3 anybody know?

4 MR. AIZENSTAT: An average storefront is
5 anywhere from about 850, 900 square feet, to --

6 MS. MORENO: To 1,200.

7 MR. AIZENSTAT: -- to 1,100?

8 MS. MORENO: 1,200 is very typical.

9 MR. BEHAR: Yeah, 1,250 or 1,200.

10 MR. AIZENSTAT: Yeah, but there's some --
11 some of the -- they're doing some small spaces now.

12 MS. KEON: But grooming and boarding is more
13 like a drop-off and pick-up. I mean, you pick up and
14 you drop off, so --

15 MR. MESSENGER: If it were also just
16 grooming, though, it would fall under grooming and
17 boarding.

18 MS. KEON: Okay, but one space per 250? I
19 guess I'm trying to imagine how big an average, you
20 know, dog groomer's space is.

21 MR. AIZENSTAT: Four parking spaces?

22 CHAIRMAN KORGE: Four to five spaces,
23 probably.

24 MR. MESSENGER: That's actually probably a
25 fairly reasonable number for a small retail use.

1 CHAIRMAN KORGE: Right.

2 MS. KEON: Is that about what -- okay.

3 MR. MESSENGER: You have your employees,
4 then, that are parked.

5 MS. KEON: Yeah, okay.

6 CHAIRMAN KORGE: Assisted living
7 facilities.

8 MR. MESSENGER: This is -- your existing
9 classification is nursing homes, ACLFs, homes for the
10 aged. We just took that number and brought it over
11 here, one space per full-time employee plus one per
12 three residents at maximum capacity.

13 MS. KEON: You know, I would not make this
14 one per full-time employee. It would be a full-time
15 employee equivalent, because, you know --

16 MR. MESSENGER: FTE.

17 MS. KEON: Yeah, as opposed to a full-time
18 employee, because in a lot of the help -- I mean,
19 you're finding more and more use of part-time
20 employees because of benefit issues.

21 MS. MORENO: Uh-huh.

22 MS. KEON: So you might have only three
23 full-time employees here and 20 employees.

24 MR. MESSENGER: Right, full-time
25 equivalent --

1 MS. KEON: So --

2 MR. MESSENGER: -- is a better definition
3 for the modern --

4 MS. MORENO: Yeah.

5 MS. KEON: Okay.

6 MR. MESSENGER: -- employment labor force.

7 CHAIRMAN KORGE: Well, excuse me for
8 interrupting, but I found it interesting that, you
9 know, one of -- Fort Lauderdale looked at square
10 footage and floor area, for example, and it seemed to
11 me that that might be another alternative, that you
12 look at the areas that -- for example, Weston, one
13 space per 250 square feet for office and
14 administrative facilities.

15 In other words, if there's a certain square
16 footage that's being filled by employees, maybe we
17 should think about applying the same square footage
18 standard that we apply for other office -- similar
19 office uses.

20 MS. MORENO: I think you're better off with
21 the full-time employee equivalent, because they don't
22 tend to have an office. You know, a nurse doesn't
23 have an office.

24 MR. BEHAR: But you would do that based on
25 the beds.

1 MS. MORENO: She's roaming through the
2 floor.

3 MR. BEHAR: Look at, like for example,
4 Weston, one space per two beds. You may be able to
5 increase the number of beds, and then one space for
6 250 square feet of office and administrative area.

7 MR. AIZENSTAT: What dictates the amount of
8 employees that you must have? Is it the amount of
9 beds? Or what if somebody says to you, "I'm only
10 going to have five employees at this assisted living
11 facility"? Once they get their license and they open
12 up, now they have 15 employees there.

13 MR. MESSENGER: I would have to double-
14 check this, but I believe that the State
15 regulations --

16 MS. KEON: Right.

17 MR. MESSENGER: -- for various levels of
18 care would have a ratio that you would have to
19 follow.

20 CHAIRMAN KORGE: Right, but --

21 MR. BEHAR: Yes.

22 CHAIRMAN KORGE: -- that raises the
23 question --

24 MR. BEHAR: Right.

25 CHAIRMAN KORGE: -- that was kind of

1 troubling me, who's going to enforce this and how
2 will it be enforced?

3 MR. RIEL: I think, as a very minimum, you
4 could say that, you know, provided that analysis is
5 correct and before we submit again, we'll check that.
6 You know, if you have a certain number of beds, you
7 can extrapolate the FTEs. Now, if they want to
8 provide a higher level of care and use that in their
9 marketing or whatever, and they know that they're
10 going to do that, then you would require more parking
11 to accommodate that.

12 MR. AIZENSTAT: So you'll cross-match it or
13 cross-reference it somehow?

14 MR. MESSENGER: Yeah. I mean, enforcement
15 is always an issue when you're dealing with numbers
16 of employees or number of students or whatever, but
17 at least you have a basis for making a decision that
18 you can start with. You know, you can argue about it
19 at a public hearing.

20 MR. BEHAR: In addition to that, again, you
21 have to have spaces for, like, visitors.

22 MR. AIZENSTAT: The same as a condo.

23 MR. MESSENGER: Part of the effort -- the
24 use of employees notwithstanding, which sort of
25 belies what I'm about to say, is that we're trying to

1 simplify and have as little independent calculation
2 as we can while still maintaining a fair degree of
3 correlation between the independent variables and the
4 dependent variables.

5 MS. MORENO: But the point that Tom was
6 making about the square footage makes it somewhat
7 easier to administer, in the sense that you don't let
8 them build a project unless they provide adequate
9 parking.

10 MR. MESSENGER: Right.

11 MS. MORENO: They could build a project and
12 then say to you, "We're only going to have 10
13 full-time employees or 10 full-time equivalent
14 employees" --

15 MR. MESSENGER: Right.

16 MS. MORENO: -- and then they change it and
17 they have 20, and now they don't have the parking.

18 MR. MESSENGER: Part of the issue is, when
19 you correlate things to square feet, your accuracy
20 drops.

21 MR. BEHAR: Your best bet would be to go to
22 beds --

23 MR. MESSENGER: Right.

24 MR. BEHAR: -- because then you have -- if
25 you're going to have 20 beds --

1 MR. AIZENSTAT: Because the State dictates
2 the beds and the amount --

3 MR. BEHAR: Like a day care.

4 MR. AIZENSTAT: Yeah.

5 MR. BEHAR: It's based on the number of
6 kids. So I think that if you want to pinpoint to a
7 number, it would be based on beds.

8 CHAIRMAN KORGE: That's what they have here.

9 MS. MORENO: And what prevents them from
10 taking a single room and making it a double room?

11 MR. BEHAR: Well, licensing.

12 MS. KEON: Because you have to have so much
13 space.

14 MS. MORENO: Okay.

15 MS. KEON: Yeah, licensing, and I think
16 also, like for -- in health care, you often have --
17 like a nurses' station is a relatively small space
18 that accommodates a lot of people.

19 MR. AIZENSTAT: Yeah, it works.

20 MS. KEON: So, if you did it based on just
21 square footage, you would have less than if you did
22 it --

23 MR. AIZENSTAT: Right.

24 MS. KEON: -- on employees, just because
25 when you have concentration of employees in small

1 spaces, you know, you don't see that. But I think in
2 every instance where you have a requirement based on
3 full-time employee, it really should be full-time
4 employee equivalent.

5 MR. MESSENGER: I agree --

6 MS. KEON: An FTE, and not just -- not
7 full-time employee.

8 MR. MESSENGER: This is actually taken out
9 of your existing Code.

10 MR. RIEL: Yeah.

11 MR. MESSENGER: Is this working?

12 MR. RIEL: It's not --

13 MS. KEON: No, but I think that will change.

14 MR. RIEL: But we don't have any in the
15 City, so that's why.

16 MR. MESSENGER: Well, that would be a good
17 answer.

18 MS. KEON: But I think that's changing. I
19 mean, I think that you're --

20 MR. MESSENGER: I think FTE is --

21 MS. KEON: -- seeing more and more part-time
22 employees.

23 MR. RIEL: But I will tell you, this is one
24 of the things that the City has tried to encourage,
25 and by requiring more parking, that will discourage

1 the use of this type of facility. So I think we need
2 to look at what the actual requirements are of other
3 local governments and how they measure it and come
4 back to you.

5 CHAIRMAN KORGE: Yeah.

6 MR. RIEL: My guess is, if we put something
7 on here that is too high in terms of parking
8 requirement, they're going to go get a variance,
9 so --

10 MR. AIZENSTAT: I think we need more
11 information before --

12 MR. RIEL: I think you do, too.

13 MR. AIZENSTAT: -- we make up our mind on
14 assisted --

15 CHAIRMAN KORGE: Well, we do have quite a
16 bit in front of us, which are the other jurisdictions
17 and the standards they apply.

18 MR. AIZENSTAT: Yeah, but I would also like
19 to know how they're licensed and what their
20 requirements are for licensing, according to how many
21 patients or beds they can have, and that might
22 determine the amount of people that are actually --

23 MS. KEON: A lot of it depends on the level
24 of care that you -- most of it is actually not so
25 much the beds. Well, it's a combination of the beds

1 and the level of care --

2 MS. MORENO: Uh-huh.

3 MS. KEON: -- of the patients that are
4 admitted to that facility under that license, whether
5 it's --

6 MR. MESSENGER: Let us take a look at the
7 State regs and see if we can extrapolate a reliable
8 variable --

9 MR. AIZENSTAT: Please.

10 MR. MESSENGER: -- that's based on something
11 like beds, which is a pretty good way to do it.

12 CHAIRMAN KORGE: Okay.

13 Automobile service stations.

14 MR. MESSENGER: We had that lengthy
15 discussion about this last time. I apologize that we
16 didn't update the comparative chart, but we believe,
17 as I mentioned it earlier in the meeting, that this
18 should be one per 250 of retail.

19 The stations in front of the fuel pumps
20 aren't counted as parking spaces, those are fueling
21 stations, so basically you don't provide parking on a
22 station that doesn't have a retail purpose.

23 And if you also have something like a repair
24 facility, repair facilities have their own parking
25 requirements. You can consider it multiple use and

1 apply those parking requirements to the repair end of
2 it.

3 CHAIRMAN KORGE: Well, the proposal before
4 us is just two spaces per fuel pump.

5 MR. MESSENGER: Right, but we think the
6 proposal should say one per 250 --

7 MR. AIZENSTAT: Retail space.

8 MR. MESSENGER: -- of convenience retail,
9 and then no parking required for gas pumps, and it's
10 already in the Code that service stations -- repair
11 parts of the service station would have something
12 else.

13 MR. AIZENSTAT: What about the employee of
14 that gas station?

15 MR. MESSENGER: You know, the discussion
16 last time -- well, actually, the employee is picked
17 up in the one per 250. If it's less than --

18 MR. AIZENSTAT: What if you don't have a
19 retail space? What if it's just a gas pump that has
20 somebody in the center or whatever that particular --

21 MR. MESSENGER: Yeah, it wouldn't be
22 reflected.

23 CHAIRMAN KORGE: Well, there's going to be
24 retail if there's somebody there. There will be at
25 least gum --

1 MR. MESSENGER: No, no, no.

2 CHAIRMAN KORGE: Gum and cigarettes.

3 MR. MESSENGER: No, well --

4 MR. BEHAR: (Inaudible).

5 CHAIRMAN KORGE: Yeah, definitely.

6 MS. MORENO: And oil.

7 CHAIRMAN KORGE: And oil, but the service
8 bays need to be covered separately.

9 MR. MESSENGER: Right.

10 MS. KEON: The pumps.

11 MR. MESSENGER: If you have one candy bar,
12 then you have a fraction of a 250-square-foot area
13 that has to provide a parking space.

14 MR. AIZENSTAT: So that's one space.

15 MR. MESSENGER: That's right.

16 (Thereupon, Chairman Korge left the dais.)

17 MR. AIZENSTAT: Okay. Bed and breakfast.
18 Is everybody okay with the automobile
19 service stations?

20 MS. MORENO: I am.

21 MS. KEON: Yeah.

22 MR. AIZENSTAT: Let's go on to bed and
23 breakfast, then.

24 MR. MESSENGER: Bed and breakfast used to
25 be one space, plus one and an eighth per sleeping

1 room.

2 (Thereupon, Chairman Korge returned.)

3 MR. MESSENGER: The math was relatively --
4 it seemed to us unnecessary, so we took out the
5 eighth. That's our change from last time. But it's
6 based on motel or motor court, from your existing
7 Code.

8 MS. KEON: Is that what it is for a motel
9 or a motor court, one space?

10 (Simultaneous inaudible comments between
11 Chairman Korge and Mr. Aizenstat)

12 MR. MESSENGER: It was one plus one and an
13 eighth per sleeping room, as your existing
14 regulation. We didn't see any reason for the
15 fraction, so we dropped it. And one of the reasons
16 we don't see a reason for the fraction, by the way,
17 is that your existing Code says that if you have
18 fractional spaces, you use mathematical rounding to
19 decide whether you need one more or one less.

20 MS. KEON: So an eighth goes down.

21 MR. MESSENGER: So, if you had one and an
22 eighth parking spaces, it would be one. Under our
23 proposed regime, it would be two, because any time
24 you have a fractional demand, you need a parking
25 space to serve that fractional demand.

1 MS. MORENO: Why did you separate bed and
2 breakfast from overnight accommodations?

3 MR. MESSENGER: Bed and breakfast is
4 separated as a use --

5 MR. RIEL: Because we have different
6 supplemental regulations in the Code that
7 specifically deal with bed and breakfasts. We have
8 about three pages of requirements.

9 MS. MORENO: Okay.

10 MR. MESSENGER: It is, in fact, the same
11 parking requirement, though, as overnight
12 accommodations.

13 MS. MORENO: Yes. Okay.

14 MS. KEON: Is that -- that's enough parking,
15 huh? You don't need like for housekeepers, you don't
16 need for people -- usually, bed and breakfasts,
17 aren't they owner-occupied, or no?

18 MR. RIEL: We don't have any bed and
19 breakfasts in the City, I don't believe.

20 MS. KEON: I know.

21 MR. RIEL: I think we have like maybe one.

22 MR. AIZENSTAT: For now.

23 (Simultaneous inaudible comments between
24 Chairman Korge and Ms. Moreno)

25 MS. KEON: I always thought they --

1 MR. AIZENSTAT: So the eighth is gone,
2 correct?

3 MS. KEON: You know, I mean, bed and
4 breakfasts I've stayed at usually require a little
5 more --

6 MR. RIEL: So the eighth is gone.

7 MR. MESSENGER: The eighth is gone.
8 Camp is a new use. Camp has to do with --
9 it's kind of like a summer camp issue.

10 MR. AIZENSTAT: Where are you looking at,
11 I'm sorry?

12 MR. MESSENGER: Camp is not on your
13 comparative chart. Camp is in the proposed
14 regulations --

15 MR. AIZENSTAT: Okay.

16 MR. MESSENGER: -- that we submitted, and
17 the best easy definition that I can give you for camp
18 is that it's like a summer camp facility, where kids,
19 you know, 16 and under, or 18 and under, will go and
20 have some sort of educational experience that's not a
21 school. But camp, because of its nature, is parked
22 like a school, so we made it equal to the school
23 requirement. If you have 16 to 18 year-olds, you've
24 got to provide a certain amount of parking for them.
25 If it's under 16, it's a pretty much a pick-up and

1 drop-off situation, and park your employees.

2 MR. AIZENSTAT: And you've taken a look at
3 the camp to be defined not as a sleep-over or
4 anything of that nature?

5 MR. MESSENGER: It's not a sleep-over camp.
6 It's specifically in the definition.

7 MR. AIZENSTAT: Okay.

8 MS. KEON: Can we talk about that for a
9 minute? It's not only -- it actually relates to day
10 care, it relates to schools and everything else, the
11 issue of these types of facilities having -- their
12 drop-offs and their pick-ups usually are on the
13 public streets, and they create a tremendous amount
14 of back-up problem in traffic circulation. Is there
15 any way that anyone deals with these things
16 successfully?

17 MR. MESSENGER: It's really a stacking
18 issue --

19 MS. KEON: Right.

20 MR. MESSENGER: -- not a parking space
21 issue.

22 CHAIRMAN KORGE: It's a design issue.

23 MR. AIZENSTAT: Right, but that's not
24 handled in the parking.

25 CHAIRMAN KORGE: No, that's a design issue.

1 MS. KEON: So that's really a design issue?

2 MR. MESSENGER: Yes. That would have to
3 be --

4 MS. KEON: So that should go to a design
5 issue?

6 CHAIRMAN KORGE: Right.

7 MS. KEON: Will we talk about that, at some
8 point?

9 MR. RIEL: Well, that's why we put this
10 requirement for camp parking requirements, because it
11 really wasn't addressed in the Code and we know it's
12 a use that's prevalent out there, but you're talking
13 about a design issue.

14 MS. KEON: Right. I mean, something that in
15 some way requires them to stack a certain amount of
16 parking on their own property, as opposed to the City
17 streets.

18 MR. MESSENGER: It's really a reservoir for
19 the driveways.

20 CHAIRMAN KORGE: Well, I think the question,
21 Eric, is whether will that come up elsewhere --

22 MS. KEON: Yeah.

23 CHAIRMAN KORGE: -- in this Code rewrite.

24 MR. RIEL: I don't know the answer. I mean,
25 I'm not --

1 CHAIRMAN KORGE: Okay, well, when you get
2 the answer, you'll tell us.

3 MR. RIEL: Okay.

4 MR. MESSENGER: If it's an issue, it ought
5 to be provided in the designs for the individual
6 uses, in terms of their stacking, or in a section
7 that deals with stacking.

8 MS. KEON: I really think it's something
9 that you should look at, because I think it creates
10 tremendous traffic congestion.

11 MS. MORENO: I don't really think it has a
12 solution.

13 MS. KEON: Well, I think some of it is --

14 MS. MORENO: I'm just going from my
15 children's schools, where they do have stacking
16 within the property. You still are going to get
17 traffic out on the street.

18 CHAIRMAN KORGE: Well, the solution --

19 MS. KEON: You will --

20 CHAIRMAN KORGE: Excuse me --

21 MS. KEON: -- but you won't get it as much
22 as you do when they're never required to stack within
23 their own --

24 CHAIRMAN KORGE: Solutions or not, we're
25 not going to be discussing them here, because we

1 don't have anything before us at this time.

2 MS. KEON: Right.

3 CHAIRMAN KORGE: So let's --

4 MS. KEON: At some point --

5 CHAIRMAN KORGE: It's a very valid point --

6 MS. KEON: -- that we would like to see it.

7 CHAIRMAN KORGE: -- and Eric is aware of
8 that.

9 MS. KEON: Okay.

10 MR. RIEL: I've got it written down here.

11 MS. KEON: Thank you.

12 CHAIRMAN KORGE: So let's move to the next
13 one, which is cemeteries.

14 MR. MESSENGER: Cemeteries is -- right now,
15 you have a funeral chapel and cemetery requirement
16 of one space per four fixed seats, plus one space for
17 40 square feet of floor area used for movable seats,
18 and then there's a 10,000 square foot minimum parking
19 field at these facilities, which we didn't
20 understand, if you have a parking requirement, why
21 you would require a big expanse of asphalt in
22 addition to that, or including that, but it may be
23 excessive, so we took the 10,000 square feet minimum
24 parking field out, because we didn't see any planning
25 reason why you would want to have asphalt instead of

1 grass or -- you know.

2 So, if you had a small funeral chapel, you
3 could park it as you needed to, and so that's where
4 that came from, and that's just basically your
5 same -- your requirement that you have now.

6 If you -- if it please the Chair, I'd just
7 move forward from there.

8 CHAIRMAN KORGE: Yeah, let's move on.

9 MR. MESSENGER: Community center is your
10 existing requirement. For community center, this is
11 one of those great occurrences where our proposed use
12 and your existing use were square.

13 Homes for the aged and congregate care, it's
14 the same thing we're dealing with, with assisted
15 living facilities. We think they're functionally
16 similar in terms of parking. We would propose to
17 make that full-time equivalent change, and we'll look
18 at the licensure issue, and I think what we're
19 dealing with here is the level of licensure from the
20 State, anyway, so we'll try to extrapolate that out.

21 Day care, we have one space per 800 square
22 feet of floor area. That comes from your
23 kindergarten requirement in your existing Code. We
24 think that's a functionally -- it's a little bit
25 different, but still, in terms of parking, a

1 functionally similar use, because the kids aren't
2 driving.

3 MR. AIZENSTAT: I would also like to look
4 at -- when you look at day care, I think it also
5 comes into licensing requirements, because I think
6 you're regulated as to how much staff you must have
7 per how many children.

8 MS. MORENO: Uh-huh.

9 MS. KEON: Yes.

10 MR. BEHAR: Yes.

11 MR. MESSENGER: Yes.

12 MR. AIZENSTAT: And that's something which
13 I'd like to tie into this, also.

14 MR. BEHAR: I agree.

15 MR. AIZENSTAT: You have to adjust the
16 square footage.

17 MR. BEHAR: Right. I agree with you a
18 hundred percent, because this is too vague.

19 MR. AIZENSTAT: Yeah.

20 MR. MESSENGER: Every time we do that -- and
21 we appreciate that you'll get a much more accurate
22 figure.

23 MR. AIZENSTAT: Correct. That's what we're
24 looking at.

25 MR. MESSENGER: You have an administrative

1 tradeoff. And we did it for homes for the aged, and
2 we may as well do it for day care, but we just want
3 to make sure that you're aware that when we depart
4 from things that you can measure on a site plan --

5 MR. AIZENSTAT: Now, what I don't know about
6 day care, though, which is something I guess we will
7 have to look at, is, in today's society, a lot of the
8 churches and certain places of worship also have day
9 care, and I don't know if -- because of what they
10 fall under, what other requirements they must meet
11 for parking and so forth in those places, as opposed
12 to a place that is strictly a day care institution.

13 MR. RIEL: They're conditional uses, and
14 they need to come through this Board, and actually,
15 you're going to see a couple in the next couple
16 months, day care uses within churches.

17 CHAIRMAN KORGE: Usually, the parking
18 requirements for the religious services are greater
19 than they would be for the day care, and since the
20 day care --

21 MR. AIZENSTAT: They would have enough.

22 CHAIRMAN KORGE: -- doesn't overlap with
23 the --

24 MR. BEHAR: That's the key. I use the one
25 that's down on Brickell, and as long as the

1 limitation is that you cannot have two things -- you
2 know, services and the day care at the same time.
3 So, typically, you know, the religious services'
4 parking requirements are much greater, so you
5 don't --

6 MR. AIZENSTAT: Okay.

7 CHAIRMAN KORGE: You don't have a problem.

8 MR. BEHAR: You don't have a problem.

9 MS. KEON: It's on days when there's
10 funerals, though, that it's a problem.

11 MR. AIZENSTAT: Funerals?

12 MS. KEON: Yeah. That's the only time it
13 usually creates a problem.

14 MR. AIZENSTAT: You might have a stacking
15 problem.

16 MR. MESSENGER: Mr. Chairman, in the
17 rewrite, we have a definition for a religious
18 institution, and it includes day care as an
19 accessory.

20 CHAIRMAN KORGE: Right.

21 MR. BEHAR: Right.

22 MR. MESSENGER: So you would park it for the
23 religious institution --

24 CHAIRMAN KORGE: Okay.

25 MR. MESSENGER: -- and if you had day care

1 during the week, then it would be still --

2 CHAIRMAN KORGE: Okay.

3 Educational facilities.

4 MR. MESSENGER: You have something called
5 trade schools now, vocational schools. There's a
6 number of different words that are used in your Code,
7 but we used that because it was very well square with
8 the definition that we had provided for educational
9 facilities, which consolidated a number of similar
10 uses in your Code, and that was one space per 100
11 square feet of floor area, or one space per 10 seats,
12 whichever is greater, and that's just a continuation
13 of the existing policy in the City.

14 MR. AIZENSTAT: Is that enough?

15 MR. MESSENGER: In my view, it's probably
16 more than enough, but I haven't done any parking
17 studies on it in Coral Gables.

18 MR. AIZENSTAT: It's just, I have seen
19 certain places where they have night classes and so
20 forth, where they just don't have enough parking --

21 MS. MORENO: Uh-huh.

22 MR. AIZENSTAT: -- and you see the cars
23 going into properties across the street and on the
24 street and so forth.

25 MS. MORENO: Why the difference between the

1 requirement for educational facilities and for
2 schools?

3 MR. MESSENGER: Educational facilities
4 is -- a school has a lot of people under the age of
5 16, is the way school is defined. It goes through
6 high school, which would include the 16 to
7 18-year-olds, but in an educational facility, you're
8 going to be dealing with 18 and over, typically. It
9 could be as low as 16, but almost all of your
10 students are going to be drivers, and that's why.

11 MR. BEHAR: Then you may require more than
12 one per hundred.

13 MR. AIZENSTAT: Exactly.

14 MR. BEHAR: Because look at -- you know, I'm
15 thinking of a building I've gone to a couple times
16 and it's been a nightmare. Miami-Dade Community
17 College used to have classes in that building on 27th
18 Avenue and Eighth Street, and to go into the parking
19 garage --

20 MR. AIZENSTAT: It was a nightmare.

21 MR. BEHAR: -- was a nightmare.

22 MS. MORENO: See, for schools, four -- you
23 know, 16 and over, you require one space per four
24 students, and here you're requiring one space per 10
25 seats.

1 MR. MESSENGER: Or 100 square feet of floor
2 area, whichever is greater.

3 MR. AIZENSTAT: But 10 seats is the test.

4 MR. MESSENGER: 100 square feet of floor
5 area is -- if your restaurants are parked at one per
6 67, I would just submit that you're going to have
7 fewer people in an educational facility than a
8 restaurant.

9 MR. BEHAR: In an assembly, educational, is
10 it one per, like, seven square feet of --

11 MR. MESSENGER: Of assembly area, but we're
12 talking about gross floor area. So your bathrooms
13 count --

14 CHAIRMAN KORGE: There's a fundamental
15 difference between a restaurant and a school
16 facility.

17 MR. MESSENGER: Indeed.

18 CHAIRMAN KORGE: In a restaurant, generally
19 couples or maybe four people will come in the same
20 car.

21 MR. MESSENGER: Right.

22 CHAIRMAN KORGE: By contrast, at a school,
23 usually every student has his or her own car.

24 MR. MESSENGER: Right.

25 CHAIRMAN KORGE: So the requirements would

1 probably be more intensive for a school, or an
2 educational facility, excuse me --

3 MR. MESSENGER: Right.

4 CHAIRMAN KORGE: -- than for a restaurant.

5 MR. MESSENGER: Well, at a restaurant,
6 you're going to have a lot of people crammed into a
7 small space, but you're going to have 50 percent
8 service area, as well, so that, you know --

9 MR. AIZENSTAT: I just --

10 MR. BEHAR: I think that this is not
11 sufficient. We should look at that.

12 MR. AIZENSTAT: I tend to agree with that,
13 because if I see one space for every 10 seats, I'm
14 assuming there's 10 students, and if in a school
15 we've got one per four, as Cristina had said,
16 something doesn't make sense to me.

17 MR. MESSENGER: Okay, we'll take a look at
18 it.

19 MS. KEON: But it should be different for
20 your technical schools, where you may have a lot of
21 floor area but not a lot of students. Is that how
22 you accommodate for that? Like in a technical
23 school, maybe, where you have a lot of floor area
24 because you have, I don't know, design tables that
25 people are drawing at, or like work stations that are

1 big and there's maybe only 10 students but it's a lot
2 of space? How do you --

3 MR. MESSENGER: I think the issue is that at
4 a business school or a technical vocational school or
5 things like that, where it's a question of choice for
6 the person to go there, first of all, you may not
7 have full enrollment, and second -- I mean, it's not
8 the same thing as a public school where everything --

9 MS. KEON: Right.

10 MR. MESSENGER: -- is super crowded all
11 over, and the second thing -- because people are
12 there by choice, not by being compelled. And the
13 second thing is that you're not necessarily going to
14 have every classroom occupied at the same time. So
15 the one per 10 seats helps with that. One per 100
16 square feet of floor area is a very intensive parking
17 requirement, and you're using the greater of the two
18 parking requirements.

19 MS. KEON: Yeah.

20 MR. MESSENGER: So, in most cases, you'll
21 end up at one per hundred, anyway, unless your desks
22 are very densely packed. So it seems to me that you
23 could even drop out the desks and just have it at one
24 per hundred, but --

25 MS. KEON: Yeah.

1 MR. MESSENGER: You know, in case there's
2 any confusion about what that means. But if you have
3 multiple classrooms or whatever, and you had, you
4 know --

5 MS. KEON: Let's do that.

6 MR. AIZENSTAT: My concern is, some of --
7 I've seen schools where they go to teach you -- where
8 they go to teach students English, adults, and they
9 get a lot of students in a small area, and everybody
10 there goes and they'll drive and they'll try to find
11 a parking space, and that's really where I'm coming
12 from and the concern that I'm having.

13 MS. KEON: Like the language schools, like
14 the English Center.

15 MR. AIZENSTAT: Yeah. I'm not so much --

16 MS. KEON: They seem to -- okay.

17 MR. AIZENSTAT: I'm not so much concerned
18 about the technical schools, where they have the
19 drafting tables and so forth. I'm concerned more
20 about -- there's a certain type of schools where they
21 actually put a lot of individuals in a small space.

22 MR. BEHAR: Do the numbers. If you had like
23 a 20-foot -- a 20,000-square-foot facility --

24 MR. MESSENGER: A what?

25 MR. BEHAR: A 20,000-square-foot facility.

1 You'll require 200 spaces.

2 MR. AIZENSTAT: Yes.

3 MS. KEON: Right.

4 MR. BEHAR: If you look at a classroom that
5 could be, you know, 25 students, it means you're
6 going to have like eight classrooms in 20,000 square
7 feet? It seems to me that you're going to have more
8 students -- more classrooms, therefore more students,
9 than the 200 spaces you require.

10 MR. MESSENGER: Let me just say that this
11 number was just taken from the existing Code. So, as
12 we re-evaluate this, we would want to work with Staff
13 to find out if there's any experience here on this
14 already, and we can do a little bit of additional
15 looking at this, and we would be more than happy to
16 do that.

17 MS. KEON: Under educational facilities,
18 these are schools. I mean, is this --

19 MR. MESSENGER: Trade schools, vocational/
20 technical schools. I think language instruction
21 would go in, but it's not grade schools, middle
22 schools, high schools.

23 MS. KEON: Public schools, high schools.

24 MR. MESSENGER: It's not public schools.
25 It's not like that. Educational facilities are more

1 for --

2 MS. KEON: Yeah.

3 MR. MESSENGERS: -- adults to go and get
4 some kind of continuing education.

5 MS. KEON: Right. I think that is in the --

6 CHAIRMAN KORGE: Well, I guess I should
7 ask, is that --

8 MR. MESSENGER: A beauty and barber school
9 would count.

10 MS. KEON: Yeah, other than language-type
11 schools, with people in seats, I could see where you
12 wouldn't need as many parking spaces.

13 CHAIRMAN KORGE: This does not include the
14 University of Miami, just to be clear, right?

15 MR. MESSENGER: It does not include the
16 University of Miami.

17 CHAIRMAN KORGE: Okay, thank you.

18 MS. KEON: Okay.

19 CHAIRMAN KORGE: Funeral homes.

20 MR. MESSENGER: Funeral home is the same as
21 cemetery, for the purposes of this regulation. We
22 used the funeral chapel from your existing Code and
23 we took out the 10,000-square-foot parking field
24 requirement.

25 CHAIRMAN KORGE: Okay.

1 MR. MESSENGER: Golf or tennis grounds, you
2 may remember, we discussed extensively last time. I
3 have some answers to the nagging questions on that,
4 but, you know, in the existing Code, there's no
5 standard for golf or tennis grounds, and so we did
6 the best we could to provide. We didn't change it
7 from the last time, because I think the challenge
8 last time was, what about our existing golf courses?
9 And the answer to that is, the nonconforming use
10 provisions would allow continuation of the existing
11 facilities with their substandard parking, if they
12 have substandard parking, but it does establish a
13 minimum threshold so that, if you want to do
14 something else in a multiple-use project, you have to
15 look at what's there. You're not allowed to increase
16 the extent of the nonconformity. So it's a little
17 bit complicated, but you would have to do some sort
18 of allocation to find out how to distribute the
19 nonconformity, and then you would allow the deficits
20 to continue, but when you add a margin of additional
21 impact, you have to add the full parking just for
22 that additional piece.

23 MR. AIZENSTAT: What would happen if, let's
24 say, one of our existing facilities wants to do a new
25 banquet hall or wants to do a new larger area to sell

1 clothing or remodel something? Do they have to now
2 conform to these standards?

3 MR. MESSENGER: No. They have to provide
4 the parking for the additional facility only.

5 MR. AIZENSTAT: Okay.

6 CHAIRMAN KORGE: And if the -- if the
7 facility, the existing facility, were destroyed, then
8 it would have to be replaced with a smaller facility
9 since it's nonconforming; is that right?

10 MS. LARSEN: Yes.

11 MR. MESSENGER: Yes.

12 MS. KEON: Let's say Riviera Country Club
13 caught on fire and it burned, and more than 50
14 percent of it was destroyed and they had to rebuild.
15 Would they then have to provide all this parking?

16 MR. MESSENGER: Under the existing draft,
17 yes, if they were to be rebuilt.

18 CHAIRMAN KORGE: Well, wait a minute. What
19 if --

20 MR. MESSENGER: You can do things for acts
21 of God and so forth. If there's a policy decision,
22 you do that. I would submit that that's a discussion
23 for a different day.

24 MS. KEON: Okay.

25 MS. MORENO: I don't agree with that --

1 MR. BEHAR: I don't, either.

2 MS. MORENO: -- the golf requirements.

3 CHAIRMAN KORGE: Well, before we get to
4 that, I have another question. If the golf course is
5 renovated, which happens, you know, about every 10
6 years or so, they redo -- they'll do a complete redo
7 of the golf course. It's like building a new golf
8 course. Does that mean that, at that time, it
9 becomes illegal? No?

10 MR. MESSENGER: No.

11 CHAIRMAN KORGE: Why not?

12 MR. MESSENGER: Because you're not
13 increasing the impact if you have the same number of
14 holes.

15 CHAIRMAN KORGE: Well, if the facility
16 burned down, the example that Pat gave, and it had to
17 be replaced with the same exact facility, that would
18 be illegal; you couldn't do it.

19 MR. MESSENGER: I may have misunderstood.
20 It seems to me that the golf course has its own
21 requirement per hole.

22 MS. KEON: Right.

23 MR. BEHAR: Right.

24 MR. AIZENSTAT: And what about the facility
25 within the golf course that serves --

1 MR. MESSENGER: It has a separate
2 requirement, because it's a multiple-use project.

3 CHAIRMAN KORGE: Let's go back to the --

4 MS. MORENO: I don't understand why we have
5 to have a requirement for golf.

6 MR. MESSENGER: This is the reason. If you
7 have -- for example, the Biltmore has multiple uses
8 on the same parcel.

9 MS. MORENO: Right.

10 MR. MESSENGER: And the question really
11 becomes, when I want to expand that use, if I don't
12 have a golf course requirement in place, I may have a
13 surplus of parking on that site, mathematically,
14 although we know as a reality the golf course
15 generates a certain amount of parking demand.

16 So, if we say golf course, zero spaces, then
17 we may have 500 spaces -- we may have 100 excess
18 spaces that really are used for the golf course, but
19 since we're not counting them, I can build a new
20 convention hall and use those 100 spaces and
21 exacerbate my parking problem.

22 CHAIRMAN KORGE: But we have -- we have in
23 this City -- we have one, two, three, four golf
24 courses, right? There will be no more golf courses
25 ever built in this City.

1 MR. MESSENGER: Correct.

2 CHAIRMAN KORGE: So are they all
3 nonconforming?

4 MR. MESSENGER: Probably correct.

5 CHAIRMAN KORGE: Are they all nonconforming
6 right now?

7 MR. RIEL: Yes. Yes, they are.

8 MS. KEON: But I --

9 CHAIRMAN KORGE: Then imposing -- let me
10 just finish my thought.

11 MR. MESSENGER: Sure.

12 CHAIRMAN KORGE: Imposing a requirement for
13 the first time of those golf courses turns the
14 situation into one where, in the future, we may have
15 a problem when there's a need to rebuild, whether
16 it's the facility adjacent to the golf course, which
17 lacks sufficient parking because the golf course now
18 has parking requirements, or if the golf course has
19 to be rebuilt -- you still haven't really answered
20 that question to me. If it has to be completely
21 rebuilt and it doesn't have adequate parking under
22 this new standard, could it be rebuilt?

23 MR. MESSENGER: Yes.

24 CHAIRMAN KORGE: Why?

25 MR. MESSENGER: If the golf course is

1 reconstructed, if it had 18 holes -- I mean, I
2 guess I can't imagine --

3 CHAIRMAN KORGE: It doesn't have enough
4 parking for the 18 holes.

5 MR. MESSENGER: Right. I can't imagine a
6 circumstance where your holes are going to be
7 destroyed.

8 CHAIRMAN KORGE: They redo --

9 MS. MORENO: Well, you may redo the whole
10 golf course.

11 MR. MESSENGER: If you reconstruct the golf
12 course --

13 MS. KEON: Right.

14 MR. MESSENGER: -- you're simply
15 reconstructing the use.

16 MS. KEON: The existing.

17 MR. MESSENGER: But you're not --

18 MS. KEON: But you're not changing --

19 MR. MESSENGER: You're not duplicating the
20 requirement.

21 MS. KEON: -- the footprint of the golf
22 course, he's saying, the --

23 MR. MESSENGER: Right.

24 MS. MORENO: I know, but that's the same
25 thing with a house. If your house -- if my house

1 burns down and I have to rebuild it, and I was
2 nonconforming, now I've got to conform when I rebuild
3 it, even though I keep the same footprint.

4 MR. MESSENGER: Right, but in terms of the
5 parking issue here, if the golf course is
6 nonconforming with regard to -- for example, let me
7 just say, the single-family home requires, you know,
8 certain setbacks, certain things to happen, on the
9 single-family home, so if it burns down, then you
10 have an opportunity to comply.

11 In the golf course, you have a situation
12 where if you're taking the same area and you're
13 reconfiguring the holes, it's almost like a remodel.

14 CHAIRMAN KORGE: Yeah, but remodels, if it's
15 more than 50 percent redone, it's treated as being
16 required to meet the new standards, whatever they are
17 for that particular facility.

18 MS. KEON: Yeah, but a golf course is more
19 like landscaping.

20 MR. BEHAR: Not necessarily.

21 MS. KEON: I would think it would come under
22 our landscaping --

23 MR. AIZENSTAT: No, it still brings people
24 in and --

25 MS. KEON: But I mean -- but you're not

1 reconstructing buildings, you know, edifices,
2 generally, on the site of the golf course itself.

3 MR. BEHAR: But just the fact that, if a
4 natural disaster -- if it gets destroyed, you want to
5 be able to put it back, what you had, and being the
6 same --

7 MS. KEON: No, I -- you know what --

8 MR. BEHAR: -- status.

9 MS. KEON: Right, I understand the
10 argument --

11 CHAIRMAN KORGE: I don't want to make it --
12 let me be clear. I don't want to make it overly
13 complicated, what I'm looking for.

14 MS. KEON: Yeah.

15 CHAIRMAN KORGE: I want them to be able to
16 rebuild their existing facilities without having a
17 problem if they're destroyed, whether it's the golf
18 course or the existing building.

19 MS. MORENO: The clubhouse or whatever.

20 CHAIRMAN KORGE: The clubhouse --

21 MS. KEON: Yeah.

22 CHAIRMAN KORGE: -- whatever it is.

23 MS. KEON: No, I understand that. I agree
24 with you that if -- you know, if something were to
25 happen to any of those facilities, that they should

1 be allowed to rebuild to where they exist today. But
2 I do think that the issue that he brings up about the
3 expansion of the additional facilities that surround
4 a golf course, be it the clubhouse, be it the hotel,
5 be it -- I mean, in a private club, like Riviera, be
6 it the clubhouse or any of those facilities --

7 CHAIRMAN KORGE: Well, I would agree --

8 MS. KEON: -- be it, you know, the Biltmore,
9 the hotel, or any of those facilities. What he's
10 saying --

11 CHAIRMAN KORGE: But they're already
12 nonconforming.

13 MS. KEON: Right, but what he's saying now
14 is, if -- because there is no requirement for the
15 golf course itself, that when they enlarge those
16 facilities, you don't have to take into consideration
17 the fact that people are there using it for the golf,
18 and so you can --

19 CHAIRMAN KORGE: I understand that. I
20 understood that.

21 MS. KEON: And I think that that's a valid
22 point. I don't think you -- because people are
23 there, parked in those parking lots, using the golf
24 course facilities, to then allow them to negate that
25 use in expanding their facility, it burdens the

1 amount -- I mean, it will reduce the amount of
2 parking, maybe, that is available for that and push
3 that parking elsewhere, whether it be on a street
4 or a residence.

5 MS. MORENO: Okay, but let's take an extreme
6 example.

7 MS. KEON: So I understand that.

8 MS. MORENO: Let's take an extreme example.

9 MS. KEON: But that's not -- this is not a
10 bad thing.

11 MS. MORENO: Let's say that if you took
12 this requirement, you used up every parking space in
13 the Biltmore. That means that if you put that in,
14 you couldn't build one square foot more of the
15 Biltmore, because of this golf requirement. Or at
16 Riviera, let's say that, if you impose this golf
17 requirement, it used up every single parking space
18 there. You couldn't do anything to that building,
19 because you wouldn't have any parking spaces left
20 over for the building.

21 MS. KEON: And I'm saying to you, that may
22 be -- and that may be a good thing. I mean, that may
23 be appropriate. I don't know that --

24 MS. MORENO: I disagree with that.

25 MS. KEON: -- because I don't know what it

1 is, but I think it may be.

2 MS. MORENO: My vote is against imposing
3 golf requirements here, because the reality is, I
4 have never been to Riviera during the day, when golf
5 is on, where you can't find parking, never. You
6 always -- the type of uses that they are is kind of
7 like the mixed use. When the golf is intensive, the
8 clubhouse is not in use. When the clubhouse is
9 intensive, the golf is not in use.

10 MS. KEON: No, you can go to Riviera
11 frequently where the valets are parking --

12 MR. AIZENSTAT: If there's a party going on
13 there.

14 MS. MORENO: But that's at night.

15 MS. KEON: No, no, no.

16 MS. MORENO: That isn't the golf.

17 MS. KEON: No, no, no, all day. Because
18 whatever it is, I mean, there's -- the people are
19 parked all over the lawn in front of, you know,
20 Riviera. That whole lawn, leading up to the
21 clubhouse, there are people -- the valets park there.
22 They park the cars there all the time.

23 CHAIRMAN KORGE: Well, I don't know how you
24 get there, but it seems to me, we need to be able to
25 preserve all of our existing golf courses and the

1 related facilities, so if something, God forbid,
2 happens in the future, the Biltmore or one of these
3 clubs --

4 MS. MORENO: Or Granada or Riviera or
5 Deering Bay --

6 MS. KEON: Right.

7 CHAIRMAN KORGE: That we can do redo what
8 exists without a problem, and --

9 MR. MESSENGER: Mr. Chairman, that will be
10 addressed in Article 6, nonconformities, and really,
11 the appropriate place to deal with burning down or
12 whatever, would be there --

13 MS. KEON: Right.

14 MR. MESSENGER: -- to see what kind of
15 regulations.

16 Now, the golf regulation here may be too
17 strict for this community, but I think Ms. Keon, you
18 know, makes the point, or echoes the point, that if
19 you have no standard -- and, Ms. Moreno, when you say
20 that the golf course requirement may suck up all of
21 the other parking, that just means that when you put
22 an additional square foot on, you have to build a
23 parking space for that square foot, a single parking
24 space.

25 It does not mean you have to make up an

1 existing deficit for a nonconforming use. We only
2 require, in this draft, and the community may differ
3 and may want something else, but in this draft,
4 parking to be required for the marginal impact of the
5 new development, the net new development.

6 So, if I have 10,000 square feet and I want
7 10,500 square feet, I only have to provide additional
8 new parking for 500 square feet, and the same thing
9 would apply --

10 MS. MORENO: See, the problem is, I disagree
11 with what you're saying. If I believed that what you
12 are saying is true, maybe I could go along with it,
13 but everything else we've been told about
14 nonconforming uses negates what you're saying.

15 MR. MESSENGER: The nonconforming use --
16 there's a tremendous amount of flexibility in terms
17 of what you do with nonconforming uses. The
18 limitation on that is the equal protection clause of
19 the Constitution. You have to draw reasonable
20 differentiation and so forth.

21 CHAIRMAN KORGE: But that's a proposal
22 you're going to bring us later?

23 MR. MESSENGER: Later, yes.

24 CHAIRMAN KORGE: So I think we're going
25 to --

1 MS. MORENO: I want to go on record that I
2 am opposed. To me, the nature of our community,
3 it's a community that wants to encourage golf and
4 tennis, and if we impose these limitations, we are
5 going to discourage golf and tennis. So I want to go
6 on record that I am very opposed to imposing these
7 limitations.

8 MS. KEON: But, you know, Cristina, if you
9 look at like the Biltmore golf -- the Biltmore tennis
10 complex, the only parking for the Biltmore tennis
11 complex is, there are maybe about 20 some spaces in
12 back of that parking garage and in front of those --
13 the tennis courts. It's kind of back in there.

14 Now, if they were to expand, if they were to
15 expand that portion of the Biltmore or that garage or
16 whatever else, that would intrude into where that
17 parking is.

18 MS. MORENO: And Salvador Park doesn't have
19 enough parking.

20 MS. KEON: Okay, but let's say at the
21 Biltmore. What it's saying is that you have to
22 account for that parking, because if you didn't, what
23 you would do would be to push that parking for the
24 tennis courts out onto the street --

25 MS. MORENO: And to me --

1 MS. KEON: -- and I don't think it's
2 something that we should do.

3 MS. MORENO: -- the value of having golf and
4 tennis in this community, in this type of community,
5 makes me want to be more lenient about that.

6 MR. BEHAR: Yeah, you're right.

7 MS. KEON: But that's -- it's not the issue
8 of --

9 MR. BEHAR: You're right, but by the same
10 token, if you're going to expand it beyond what you
11 have now?

12 MS. MORENO: If I am convinced that that is
13 the result and that that's -- but I am not convinced
14 that that's the result, under our Code.

15 MS. KEON: See, but I think --

16 MS. MORENO: That's my problem. I'm not
17 convinced.

18 MR. BEHAR: Well, when they come back, they
19 should phrase it that way, that anything --

20 MS. KEON: Yeah.

21 MR. BEHAR: -- in excess of what they have
22 today, they have to provide --

23 MS. MORENO: See, I don't think any -- I
24 don't think Salvador is going to meet this
25 requirement, I don't think the Biltmore is going to

1 meet this requirement, I don't think Granada is going
2 to meet it, I don't think Deering Bay is going to
3 meet it, and I don't think Riviera is going to meet
4 it.

5 MS. KEON: But they don't.

6 MS. MORENO: And I don't want to discourage
7 those amenities.

8 CHAIRMAN KORGE: Park places. I mean,
9 they're open space park uses.

10 MS. MORENO: They're the only parks we have.
11 We have so little --

12 MR. BEHAR: You're absolutely right.

13 MS. MORENO: -- recreation and so little
14 parks.

15 MR. BEHAR: You're absolutely right.

16 MR. AIZENSTAT: They're not the only parks
17 we have. They're the only facilities for that use.

18 MS. MORENO: Yes.

19 MS. KEON: That's fine, and they're
20 nonconforming, and under the provisions that you're
21 asking them to bring back is to protect that status,
22 and whether maybe you take it out of nonconforming
23 and make it one, I don't know what you do, but you
24 protect that status so that those facilities, as they
25 exist today, with the parking that they have today --

1 MS. MORENO: See, I don't believe that you
2 can --

3 MS. KEON: -- isn't affected.

4 MS. MORENO: I don't believe that you can
5 carve out from the nonconforming -- all of a sudden,
6 you're going to say, "Hey, nonconforming, this
7 applies to everybody's house, but it doesn't apply to
8 golf and tennis." I just have a hard time with that
9 concept, that you're going to be able to fix this.
10 We impose this requirement that we know is rendering
11 every one of our facilities nonconforming, and then
12 we're going to fix it when we get to the
13 nonconforming use clause in a way that's beneficial
14 to this? I --

15 CHAIRMAN KORGE: And more to the point,
16 we're not going to get any more new facilities where
17 this would ever be applicable. We know that as an
18 economic matter. That's a fact.

19 MS. KEON: But it's not a matter of getting
20 new. It's a matter of the expansion of the
21 existing. That's the issue. It's the expansion of
22 the existing buildings and facilities that are
23 associated with those existing facilities.

24 CHAIRMAN KORGE: Okay, well, maybe we should
25 continue this when we get to the nonconforming

1 provisions. We're not going to resolve this today.

2 MR. AIZENSTAT: You were going to say
3 something?

4 MR. MESSENGER: Just that that portion of
5 Article 6, nonconformities, that deals with this very
6 problem, has been continued and it will be brought
7 back before you. So we just submit that in tandem
8 with Article 6, we can accomplish and intend to
9 accomplish exactly the result that you're talking
10 about.

11 CHAIRMAN KORGE: Okay. So you need to
12 remember --

13 MS. KEON: Okay.

14 CHAIRMAN KORGE: -- to explain that to us
15 when you bring us back Article 6.

16 MR. MESSENGER: Yes.

17 CHAIRMAN KORGE: Okay, but I think it's time
18 we move on, so we can, you know, get this done at a
19 reasonable hour.

20 Group homes is next?

21 MR. MESSENGER: Square with your current
22 group homes.

23 CHAIRMAN KORGE: Okay, and heliport and
24 helistop, do we have any in town?

25 MR. MESSENGER: You don't, I believe, have

1 any. You don't have any standard for it. It is in
2 the list of uses. It could someday occur.

3 CHAIRMAN KORGE: What's a tie-down? It says
4 one space per tie-down.

5 MR. MESSENGER: It's a helicopter parking
6 space.

7 MS. KEON: It's the pad, the pad that it's
8 on.

9 MR. AIZENSTAT: That's where you take the
10 chopper.

11 CHAIRMAN KORGE: Okay. One space, is
12 that -- let me see, you have -- did you compare that
13 to something anybody else has?

14 No, you don't have any other comparisons.

15 MS. KEON: It usually allows for the people
16 to be picked up, the space that's while you're
17 waiting for people to be picked up.

18 CHAIRMAN KORGE: But not less than five
19 spaces, I see, okay.

20 MR. MESSENGER: We don't think that, in
21 Coral Gables, a heliport or a helistop is going to be
22 a particularly intensive --

23 CHAIRMAN KORGE: Right.

24 MR. MESSENGER: -- parking demand --

25 CHAIRMAN KORGE: Right.

1 MR. MESSENGER: -- if one ever gets
2 proposed.

3 CHAIRMAN KORGE: Right.

4 MR. MESSENGER: And if it is proposed, it
5 will likely be associated with some other use that
6 will have its own parking demand.

7 CHAIRMAN KORGE: Okay. Hospitals.

8 MR. MESSENGER: You have an existing use
9 category called hospitals, which is great, because we
10 just used that standard.

11 MS. KEON: Are the hospitals that we have
12 conforming? Do they conform to this? We have two
13 hospitals, right, within the City? Do we have more?

14 MR. RIEL: I don't know the answer to that.

15 MS. MORENO: But this is an existing
16 requirement. I mean, my opposition to the golf is
17 that it's something we don't have or we're putting it
18 in on --

19 MS. KEON: No, but I'm wondering if the
20 hospitals do. I mean, I just wondered if they're
21 conforming now. I just wondered. I mean, you know
22 what? They've both -- they've all enlarged over time
23 since these were built, and so I'm wondering if they,
24 you know --

25 MR. MESSENGER: This regime would say, if

1 you expand any more, you don't have to make up
2 existing deficits --

3 MS. KEON: Okay.

4 MR. MESSENGER: -- but you have to provide
5 for the new square footage of the hospital.

6 MS. KEON: Okay.

7 MR. MESSENGER: Or the new beds that you
8 would put in the hospital.

9 CHAIRMAN KORGE: Okay. Then go to
10 recreation and entertainment.

11 MR. MESSENGER: This is based on your
12 existing regulation for things like exhibit halls and
13 skating rinks and so forth. There are any number of
14 categories, but they -- the basic demand that you
15 have in your Code that we extrapolated was one space
16 per five fixed seats or one space per 300 square feet
17 of floor area. It was just the best sort of
18 averaging that we could get to create a demand that
19 worked across our definition.

20 CHAIRMAN KORGE: Okay.

21 MR. MESSENGER: Manufacturing, you have
22 manufacturing plants in your Code. You also have
23 manufacturing and assembly in your Code. They're
24 both parked the same way, and that's reflected under
25 our definition for manufacturing.

1 You don't currently have a standard for
2 marinas and marina facilities, although we believe
3 that people do park at those sorts of facilities, and
4 so therefore, we provided this new standard. We had
5 some discussion of this last time, but basically, one
6 space per marina slip, plus one per 350 square feet
7 of floor area of marina facilities, which is things
8 like dry docks or a marina-affiliated retail gas and
9 so forth, is a reasonable standard for the intensity
10 of use that we would expect in those facilities.

11 MS. KEON: Is that the same as, like, you
12 know, buildings that have a marina behind -- you
13 know, boat slips behind them? I mean, if you have a
14 condo that has boat slips, is that --

15 MR. MESSENGER: No.

16 MS. KEON: That doesn't count for this?

17 MR. MESSENGER: No.

18 MS. KEON: Oh, okay.

19 MR. MESSENGER: A condo with a marina as an
20 accessory use is not --

21 MS. KEON: It's not a marina.

22 MR. MESSENGER: -- contemplated as a
23 multiple-use project.

24 MS. KEON: But I didn't think we were
25 allowed marinas in the City of Coral Gables. I

1 thought they struck them from the Code. I thought we
2 didn't have marinas.

3 CHAIRMAN KORGE: There's a yacht club --

4 MS. MORENO: We have Cocoplum.

5 MR. BEHAR: You do at Matheson Hammock.

6 MR. RIEL: Yes, they're permitted.

7 CHAIRMAN KORGE: There's a yacht club at
8 Cocoplum.

9 MR. AIZENSTAT: Uh-huh.

10 CHAIRMAN KORGE: I don't know if that's --

11 MS. KEON: That's right, Deering Bay has
12 one, but it's associated with Deering Bay.

13 MS. MORENO: But it's still in the City.

14 MS. KEON: Right, but somehow -- you know
15 what? I just -- I thought recently I heard Liz say
16 that they didn't. You know why? Because remember
17 when they were -- they wanted to put a marina there
18 on the waterway down behind that -- that water on
19 Alhambra? You know, back in there, somebody wanted
20 to do like a sightseeing thing or something, and they
21 wanted -- and I thought that there was a whole
22 discussion about marinas in the City of Coral Gables,
23 and I thought at that time they did something that
24 affected --

25 MR. RIEL: I don't know.

1 MS. KEON: -- marinas or having marinas. I
2 thought it was a different -- I thought it was a
3 different thing. No?

4 MS. MORENO: We have marinas. I mean, we
5 have Cocoplum, we have Deering Bay.

6 CHAIRMAN KORGE: Right.

7 MS. MORENO: Matheson Hammock, I think, has
8 something.

9 MS. KEON: Matheson Hammock has a marina.

10 CHAIRMAN KORGE: Does this make them
11 nonconforming, or do they conform?

12 MS. KEON: No, I don't know. I just --

13 CHAIRMAN KORGE: Do we know how this
14 affects the existing facilities?

15 MR. RIEL: Well, since we don't have
16 requirements now, so I'm assuming they would probably
17 have zero parking requirements.

18 CHAIRMAN KORGE: Well, I don't think that's
19 a fair assumption.

20 MS. MORENO: Uh-huh.

21 MR. RIEL: Well, those -- I know one or two
22 of those properties were annexed in, so I'm assuming
23 that approval, when it came from the County, included
24 parking requirements, but I'm not sure.

25 MS. MORENO: Well, for example, Cocoplum,

1 their marina, what parking requirements do they have?

2 MR. RIEL: I don't know.

3 MS. KEON: I don't think that they have this
4 many marinas -- I don't think they have that many
5 parking spaces per boat slip, because they must have
6 about -- I don't know, they have about 40 boat slips
7 over there. Do you think they have a 40-space
8 parking lot over there? I don't remember seeing
9 that. But I know there's about --

10 CHAIRMAN KORGE: I mean, that seems a lot,
11 because that assumes that everybody would be using
12 their boats at the same time.

13 MS. KEON: Right, yeah.

14 MR. MESSENGER: Well, you might think of it
15 this way --

16 MS. KEON: Maybe you could look at what
17 exists in the City and some of that other stuff,
18 because I don't think that that's --

19 MR. MESSENGER: You may have people that are
20 working on boats and so forth, where you have more
21 than one car per boat. On a nice day, you might have
22 a very crowded parking lot. And the other thing is
23 that the number of marinas, publicly available
24 marinas, is shrinking in South Florida dramatically.
25 So the additional demands placed on individual

1 marinas --

2 MS. KEON: Right.

3 MR. MESSENGER: -- you would expect to be,
4 towards the future, more and more marinas at full
5 capacity, and on good winter days that people are
6 going to be out on those boats.

7 MS. KEON: Right.

8 MR. MESSENGER: I would just submit that
9 it's a reasonable requirement, in light of that trend
10 in South Florida, the public waterfront disappearing
11 to private condominium properties with accessory
12 docks and marinas associated with them.

13 MS. KEON: Right.

14 CHAIRMAN KORGE: Well, if it's a condominium
15 project with accessory docks, it's not a marina?

16 MR. MESSENGER: This does not -- no.

17 MS. KEON: It's not a marina.

18 MR. MESSENGER: It's not a marina.

19 CHAIRMAN KORGE: So Cocoplum may not be a
20 marina?

21 MS. KEON: You see, that's why I'm not --
22 yeah, that's why I'm asking you to look. Would you
23 look into that?

24 MR. RIEL: It's probably an accessory --

25 MR. MESSENGER: If it's accessible to the

1 residents --

2 MR. RIEL: It's probably an accessory use.

3 MR. MESSENGER: -- it's an accessory use.

4 MS. KEON: Yeah.

5 MR. MESSENGER: It depends on how it
6 was approved.

7 MR. RIEL: My guess is, it's an accessory
8 use.

9 MS. KEON: Well, you'll look at it, right?
10 Okay.

11 MS. MORENO: Well, at Cocoplum, they sold
12 the individual docks as separate condominium units.

13 MS. KEON: Right, they do. Yeah.

14 MS. MORENO: They're separate condominium
15 units. You don't -- you know, they're not --

16 CHAIRMAN KORGE: That's true.

17 MS. MORENO: You don't even have to own a
18 property in Cocoplum to own them.

19 MS. KEON: Right, but I know there's not
20 40 -- I mean, I know there's not a parking -- I don't
21 think there's a parking space there for every slip,
22 that's all. Poor Cocoplum has enough nonconformities
23 without having this on them, too.

24 CHAIRMAN KORGE: So what happens if the
25 marina is destroyed? It's nonconforming and they

1 can't rebuild it, and we lose more slips?

2 MS. KEON: I don't know if they want to
3 change the docks.

4 MR. MESSENGER: Article 6.

5 MS. KEON: You know, I have no clue. That's
6 why I'm asking you to maybe just look at it. It's
7 such a limited number of things -- of them in this
8 City that I think you can probably look at it and
9 figure out what it ought to be.

10 MR. MESSENGER: I would respectfully
11 request, and I know Wendy is behind me, so I'm going
12 to get kicked for this later -- that when these
13 issues of what happens when it burns down come up,
14 you can grill Wendy about that, when she comes back
15 on Article 6, but in order to -- in the interest of
16 time, as we go through this chart, if we don't --

17 CHAIRMAN KORGE: Okay.

18 MS. MORENO: Okay, but that's another one
19 that's brand new to us --

20 CHAIRMAN KORGE: Right.

21 MS. MORENO: -- marina and marina
22 facilities.

23 CHAIRMAN KORGE: We need to be careful about
24 that.

25 MS. KEON: Right.

1 CHAIRMAN KORGE: Because we do have some
2 existing facilities that might become nonconforming
3 as a result of this proposal.

4 MR. MESSENGER: The next one is medical
5 clinic. That's at one space per 200 square feet of
6 floor area. We discussed this last time, and there's
7 a correction for this particular one. It should also
8 be plus one per employee, to reflect the consensus of
9 this Board after extensive discussion last time.

10 If you don't mind, I'll just make that
11 correction here, put it in, and we can move to the
12 next one. One per FTE.

13 MS. KEON: Uh-huh.

14 CHAIRMAN KORGE: Right.

15 MS. MORENO: Yeah.

16 MR. MESSENGER: Okay, the next is mixed-use
17 or multi-use, which is, you know, multiple uses on
18 the same parcel. There was a decision by the Parking
19 Board that shared parking reductions were not
20 appropriate. We followed that policy and basically
21 said, see whatever other section you need to see to
22 effectuate the number that you need.

23 CHAIRMAN KORGE: So let me see if I
24 understand this correctly. If the mixed-use is a
25 combination of restaurant, retail, office and

1 residential, it would be the square footage
2 requirements for each of those respective --

3 MR. MESSENGER: Right.

4 CHAIRMAN KORGE: Okay.

5 MR. MESSENGER: You would count each use in
6 this table --

7 CHAIRMAN KORGE: Right. Okay.

8 MR. MESSENGER: -- against its relative --

9 CHAIRMAN KORGE: Okay, perfect.

10 MR. MESSENGER: -- allocated area when
11 dealing with that one.

12 Next is municipal facilities. There's no
13 standard now, and let me just be clear that municipal
14 facilities does not mean municipal offices. It's
15 things like the neighborhood park and facilities that
16 have a public character to them, but not offices or
17 fire stations or police stations, which are
18 separately dealt with as governmental uses.

19 MS. KEON: Oh, I knew that --

20 MR. MESSENGER: This allows some flex in
21 terms of the City's implementation of the parking
22 requirement, but if you're to demand a municipal
23 facility be dedicated as part of a new plat or
24 subdivision or whatever, then you can say, we would
25 anticipate the use would be this, the peak use, and

1 tell the developer we need to have X number of
2 parking spaces with it.

3 Now, if the municipality is doing something
4 on its own account, it can say, we anticipate the
5 demand is going to be less, or it's a neighborhood
6 park and it doesn't need parking.

7 MR. AIZENSTAT: Right.

8 MS. KEON: Okay.

9 MR. MESSENGER: And so we've added the
10 neighborhood park thing in here, I believe.

11 MR. RIEL: Yes.

12 MS. KEON: Okay.

13 MR. MESSENGER: "Neighborhood parks shall
14 not be required to include parking spaces." So we've
15 really, I think, addressed the concerns that were
16 expressed by the Board last time.

17 MR. AIZENSTAT: Good.

18 MR. MESSENGER: And with that, if it please
19 the Chair, I'll move on.

20 CHAIRMAN KORGE: Yeah.

21 MR. MESSENGER: Nursing home lines up
22 squarely with your definition of nursing home, as
23 does office, and these are based on those.

24 Now, we've already talked about how we're
25 going to deal with congregate care and ACLF, and we

1 will deal with nursing home in like fashion.

2 CHAIRMAN KORGE: Uh-huh.

3 MR. MESSENGER: At the pleasure of the
4 Chair, I'll move on, then.

5 Office use is one per 300. It's a very
6 common standard for offices. It's the standard
7 that's in your Code, and we've provided it at your
8 standard.

9 Outdoor recreation and entertainment, we
10 pretty much used the same as municipal facilities,
11 although these sorts of uses have a slightly
12 different character. There's no standard in your
13 Code now, but also, the peak use estimation would be
14 determined, you know, through calculation and would
15 be subject to debate at a public hearing, if there's
16 any question about it, and you could establish,
17 basically, a flexible parking standard based on this.
18 You'd just have to come to some consensus about what
19 the expected peak demand is and, you know, of course,
20 the professionals that design these things will have
21 ways of providing you that information.

22 MS. MORENO: Are we excluding neighborhood
23 parks from that?

24 MR. MESSENGER: Well, neighborhood parks
25 aren't municipal facilities, so they wouldn't be in

1 the outdoor recreation/entertainment. Outdoor
2 recreation/entertainment would be more like the
3 batting cages, the private batting cages, or go-cart
4 tracks or things like that. So you would have a
5 different sort of notion for parking than a
6 neighborhood park.

7 CHAIRMAN KORGE: And if the estimated peak
8 use change -- changes, does it become a nonconformity
9 at that time? If it starts off --

10 MR. MESSENGER: You would have to vest it
11 at the time of application for the parking, and the
12 way that we'll deal with that in Article 6 is that --
13 I anticipate, as a result of this discussion, is that
14 the parking will retain itself as of right, given the
15 impact, and if you rebuild to the same impact, you'll
16 have the same parking.

17 CHAIRMAN KORGE: Well, my real concern there
18 is, in a new facility, figuring out what the parking
19 should be, because it's based on the estimated peak
20 use, which would be the number of visitors,
21 estimated, that would be there.

22 I don't know how you would do that for each
23 facility. It sounds like a very difficult way of
24 measuring the number of parking spaces that would be
25 required.

1 MR. MESSENGER: It can be difficult. There
2 aren't a lot of better ways to do it that have the
3 same level of correlation. It allows you to make
4 that individual assessment. For example, if I have a
5 go-cart track and I anticipate that it will be
6 running a hundred go-carts on it, then I can say, in
7 our experience and our study, we've seen that each
8 go-cart has, you know, one half of a car associated
9 with it, because the parent comes with their two kids
10 and each of the kids takes a go-cart and they go.

11 So, you know, you can calculate those things
12 based on experience and study, and then say, "This is
13 what our peak demand is going to be," and then --

14 CHAIRMAN KORGE: So, then, when someone
15 wants to build a go-cart facility, they're going to
16 have to come with a study to explain how much parking
17 they need?

18 MR. MESSENGER: Basically, they'll have to
19 explain how many visitors. You would expect four
20 visitors per car.

21 CHAIRMAN KORGE: You see what I'm getting
22 at. I mean, to me, the concern is, it's becoming
23 really complicated just to get the facility
24 approved. You have here -- you've listed a variety
25 of very different criteria in the other jurisdictions

1 you surveyed. Do you think any of those might be
2 better applicable here? What's your judgment on
3 that? I mean, that sounds really good in theory, to
4 estimate the number of visitors. I'm just concerned
5 that it's -- you know, it's a hit-or-miss process.

6 MR. MESSENGER: You know, we could just say
7 that the parking standard will be based on the trip
8 generation characteristics and move it to that and
9 let the traffic engineers decide, but the reality of
10 this is that we tried to take, you know, a number of
11 different things that would qualify as outdoor
12 recreation and entertainment, which has a distinct
13 characteristic in terms of community character, but
14 different parking characteristics.

15 CHAIRMAN KORGE: Right.

16 MR. MESSENGER: We assumed four people per
17 car, but we might just say, look to the Institute of
18 Traffic Engineers for the use within this category --

19 CHAIRMAN KORGE: Right.

20 MR. MESSENGER: -- find out what the inbound
21 traffic is, and deal with it that way.

22 CHAIRMAN KORGE: I'd suggest you think about
23 it some more and just come back to us later --

24 MR. MESSENGER: Sure.

25 CHAIRMAN KORGE: -- with some ideas. I

1 just -- I would like -- I'm speaking for myself, the
2 rest of the Board may not care, but I'd like it to
3 be, you know, something that isn't -- that's pretty
4 fixed and determinable.

5 MS. MORENO: I'd like to know what outdoor
6 recreation and entertainment we have in Coral Gables
7 today, what would fall within that category.

8 MR. TEIN: Public pools or --

9 MR. RIEL: Look at the definition.

10 MS. LARSEN: Here, read this to them.

11 MS. MORENO: And is this, for example,
12 Venetian Pool?

13 MR. MESSENGER: It's a business which is
14 open to the public where customers pay. It includes
15 bicycle and skate rentals -- no, I'm sorry, it does
16 not include bicycle and skate rentals. But it's the
17 enjoyment of recreational facilities or equipment
18 outside of an enclosed building. So, I mean, it
19 could be, like I said, like a --

20 MS. MORENO: Like a pool, like Venetian
21 Pool?

22 MR. MESSENGER: Like a pool, yeah, or a
23 water theme park or a go-cart track or batting cages,
24 or bumper cars, any number of different things.

25 But it would be a noncommercial facility

1 designated as --

2 MR. RIEL: A private pool.

3 MS. MORENO: Why private?

4 MR. RIEL: There's a difference between
5 private and public.

6 MR. MESSENGER: Yeah.

7 MR. RIEL: The public would be under
8 municipal facility. Private would be a private pool.

9 MR. MESSENGER: Right, or a park could be a
10 public, as well, but, you know, we're really talking
11 about those private interests where you go, like a
12 driving range --

13 MS. MORENO: Okay, but let's take the
14 Biltmore now. Okay, now you're going to have --

15 MR. RIEL: Biltmore is public.

16 MS. MORENO: No -- the Biltmore Hotel?
17 That's public, or private?

18 MR. RIEL: Public.

19 MS. KEON: A public facility.

20 MR. RIEL: A public facility.

21 MR. AIZENSTAT: It's owned by the City.

22 MS. KEON: Public.

23 MS. MORENO: Riviera, do they have a
24 separate requirement?

25 CHAIRMAN KORGE: Is it owned by --

1 MR. RIEL: Riviera is private.

2 MS. MORENO: Do they have a separate
3 requirement for the pool now?

4 MS. KEON: No, because it's mixed.

5 MR. RIEL: For Riviera?

6 MS. MORENO: Yeah.

7 CHAIRMAN KORGE: Are they operating under a
8 management agreement?

9 MR. RIEL: Riviera is grandfathered, I know
10 that, because they came through with a --

11 MR. BEHAR: The one on the Highway? The one
12 on U.S. 1?

13 CHAIRMAN KORGE: I don't think that's
14 public.

15 MR. BEHAR: Is that the Riviera Hotel?

16 MS. KEON: No, the country club.

17 MR. RIEL: The country club.

18 MS. KEON: But I think that's --

19 (Simultaneous inaudible comments between
20 Chairman Korge and Mr. Aizenstat)

21 MS. MORENO: Okay, if somebody wants to
22 build another Riviera, that means they have a
23 requirement for golf, a requirement for pool and a
24 requirement for the clubhouse?

25 MR. RIEL: Yes. Yes.

1 MR. MESSENGER: An application could come
2 forward with a pool as an accessory use which would
3 not implicate it. I mean, it all depends on how it's
4 ultimately administered, but if you had a separate
5 freestanding facility -- I mean, we have a facility
6 in Boca Raton called Boomers. It has an arcade that
7 has a certain character, and then it has -- it's
8 multiple uses in the sense that there are batting
9 cages, golf cart track and mini-golf, and so you have
10 to look at those things. We're not going to park
11 mini-golf the same way that we're going to park golf.
12 We're going to park mini-golf as, you know, its peak
13 use, and we're not going to say every hole it's going
14 to have, because that's just not how it's going to
15 work out.

16 MS. KEON: But I like using -- estimating it
17 based on peak use.

18 MR. MESSENGER: And it assumes four people
19 per car --

20 MS. KEON: Yeah.

21 MR. MESSENGER: -- which may be high in this
22 community, but typically, you crowd in --

23 (Simultaneous voices)

24 CHAIRMAN KORGE: I like in it theory. I
25 just don't know, in practice, whether it would be

1 very viable.

2 MS. KEON: Well, I don't know, but, you
3 know, my concern would be, I wouldn't like them to,
4 you know, take peak use along with, you know, daily
5 use, put it all together and say, based on seven days
6 a week, this many people, and then all of a sudden
7 have it sit empty Monday through Friday, and then
8 have -- on Saturday and Sunday, not have enough
9 parking.

10 So I guess I like something that relates to
11 peak use, because -- for that intensity, that there
12 is enough parking for when those things are normally
13 intensively used, not like once a year for the Fourth
14 of July, but, you know, if on every Saturday there's
15 a lot of activity in this place, then I'd like to
16 know that there's parking for that time. So some
17 component of it that deals with that issue.

18 CHAIRMAN KORGE: Well, I agree with you,
19 except that --

20 MS. KEON: Yeah.

21 CHAIRMAN KORGE: -- I don't know how you
22 measure that. I mean, that sounds like -- you know,
23 we don't do that for offices, for example. We set a
24 standard of one space per 300 square feet of office
25 space because experience teaches that that is

1 sufficient for the office. So these -- I mean, if
2 someone --

3 MS. KEON: But I think amusement places must
4 have that same --

5 CHAIRMAN KORGE: Well, we can look at --

6 MS. KEON: They have that same information.

7 MR. RIEL: We could look at, obviously, the
8 data that --

9 MS. KEON: Yeah.

10 MR. RIEL: Similar type uses in other local
11 governments and say that this 10,000 square foot
12 facility as an indoor batting cage, or whatever, is
13 required this, and provide that analysis.

14 CHAIRMAN KORGE: Well, it's just that I --
15 the reason I raise it is because I notice that, for
16 example, Aventura, 20 spaces per baseball diamond,
17 so they -- there are different -- different needs for
18 different types of facilities. Just take a look at
19 it and come back to us again.

20 MR. MESSENGER: Sure.

21 CHAIRMAN KORGE: Maybe we end up where we
22 started, but I think it's worth another look,
23 especially since it's new to the City.

24 MR. MESSENGER: Yeah, and I think there's
25 two things, too, that ought to be considered, as we

1 move forward. One is that these aren't very common
2 applications, whereas offices are a common
3 application; and two, they come in with a lot of
4 different sorts of characteristics, and so you may
5 want to allow that flexibility of negotiation, that,
6 "Look, you know, we think that you can fit one person
7 per 10 square feet of ground that you have, because
8 of the characteristics you use. We don't think
9 people would pack any tighter than that for your
10 facility."

11 So you can sort of push it around. We're
12 just assuming four people per car, because you tend
13 to go to these things as families or as groups of
14 friends or whatever, as opposed to an office, where
15 you have the single-passenger automobile, and we know
16 how that generally works. There's some car pooling
17 and whatever, but for the recreational opportunities,
18 we tend to go in groups, and so the question is, how
19 big is the group? And then the next question is, how
20 comfortable do we feel trying to estimate a peak use
21 based on the physical characteristics or economic
22 characteristics of the proposed use? We'll look at
23 it --

24 CHAIRMAN KORGE: Okay.

25 MR. MESSENGER: -- but I just wanted to put

1 that for your consideration.

2 Outdoor retail sales/display is based on
3 your current retail shop's definition, and we've
4 changed retail sales and services to one per 250, but
5 I think in terms of outdoor retail sales, it seems to
6 me that you usually have a lesser impact, although
7 there may be certain circumstances where you have
8 one-per-250 sort of demands, a farmers' market
9 or something like that.

10 So I leave it to you whether you want to
11 reduce that or whether we should leave it at one per
12 350.

13 MS. MORENO: Okay, my question is, what
14 happens to temporary things, like Christmas tree
15 sales and --

16 MS. LARSEN: That's an accessory use.

17 MR. MESSENGER: Yeah, that's either
18 accessory -- it's not listed --

19 MS. LARSEN: It's not in that.

20 MS. MORENO: It's not that category?

21 MS. LARSEN: No.

22 MR. MESSENGER: No.

23 MS. LARSEN: It's in another division, under
24 accessory uses.

25 MR. MESSENGER: That would be like a

1 nursery, I think, would be an outdoor sales, things
2 like that. I don't think we have a separate for
3 nursery. We do not.

4 So should we leave that one per 350?

5 Overnight accommodations, we took your
6 definition for motel, one space plus one per sleeping
7 room. I believe, in that sense, we also reduced --
8 we took out the one eighth additional fraction.
9 Again, we're rounding up on our fractional spaces.

10 Private club, you have a definition of
11 private club that fits very nicely over this one, one
12 space per 250 square feet of floor area.

13 Private yacht basin, I believe this would be
14 the sale of yachts slips, no?

15 MS. LARSEN: No.

16 CHAIRMAN KORGE: That might be the
17 Cocoplum.

18 MS. MORENO: But what's the difference
19 between marinas and marina facilities and private
20 yacht basin? There's a difference between them.

21 CHAIRMAN KORGE: I have no idea.

22 MR. MESSENGER: Private yacht basin is an
23 existing definition from the Code. It provides dock
24 slips, piers, pilings, bollards, et cetera, for
25 yachts or pleasure boats for the residents, by

1 ownership, lease or rent. And so we've just ported
2 it over to this one, and it's three spaces per four
3 yacht slips. It's a new requirement. There's no
4 current requirement, except that the definition says,
5 "and such off-street parking and buildings and
6 structures as are required," and then there's no
7 requirement, to my knowledge, for this use.

8 CHAIRMAN KORGE: As are required by whom?

9 MR. MESSENGER: Required for the operation
10 of such yacht basin, not including docking facilities
11 as provided as an accessory use.

12 CHAIRMAN KORGE: So that would be at the
13 discretion of the City, what amount would be
14 reasonably required?

15 MR. MESSENGER: You know, it says "as
16 required." Typically, we wouldn't have the level of
17 discretion of infinity built into a Zoning Code for
18 this. I think a developer could reasonably argue "as
19 required" doesn't provide me a clear standard."
20 There should be --

21 MS. MORENO: Well, what's the difference
22 between marina and marina facilities and a private
23 yacht basin?

24 MR. MESSENGER: Marina facilities would be
25 for service to vessels, in other words, dry dock

1 storage, repair, things like that. So it has a
2 different character. It's usually, you know, some
3 enclosed facility or some facility where you're
4 having that sort of work going on.

5 Marina would be, you know, where you're
6 parking the boats, and how that compares to yacht
7 basin --

8 MS. LARSEN: One is a private yacht basin.
9 It's basically an accessory to another use.

10 MR. MESSENGER: Okay. The private yacht
11 basin is basically an accessory to, you know, some
12 other sort of --

13 MS. MORENO: But why are we having different
14 standards, which -- the ownership or whatever, it
15 seems to me, doesn't affect the use, but you should
16 have the same standard for marina and marina
17 facilities -- for marinas and private yacht basin. I
18 don't see the difference.

19 MS. LARSEN: How about use of the public.

20 MR. MESSENGER: Yeah, it's the public use of
21 the marina creates a more intensive demand set on the
22 facilities. If in the private yacht basin, you're
23 leasing or owning those slips, it has a different
24 sort of characteristic, because a marina, you could
25 be, you know, moving the boats in and out and having,

1 you know, a lot of different activities. It's a
2 higher turnover.

3 CHAIRMAN KORGE: Work done on the boats.
4 That's like a dry dock, you know, I guess.

5 MS. MORENO: Okay. I mean, I'm not a boat
6 person.

7 MS. KEON: But in the private yacht basin,
8 you're saying that's the accessory use, so that's the
9 condo with the docks with it --

10 MR. MESSENGER: No, I think --

11 MS. KEON: -- is that right, or that's
12 different, too?

13 MR. MESSENGER: The private basin says
14 that -- as opposed to marina, where I can dock there
15 as a member of the public and, you know, pay whatever
16 charge just for that time that I'm there, I'm doing
17 the private thing on a long-term basis, so that I may
18 have my yacht in Maine for part of the year. I still
19 own my slip down here, and nobody else is putting a
20 demand on it. That's why we reduced the parking,
21 because it has a lower use.

22 MS. KEON: But could that be in a condo
23 complex? Is that what you're saying?

24 MS. LARSEN: Yes.

25 MR. MESSENGER: If it's sold privately.

1 MS. KEON: But if -- all right, but, you
2 know, most of the condo complexes that have marinas
3 with them, they require -- it's required that the
4 person that has -- that the slips are only sold to
5 residents or people that own condos within the unit,
6 in most instances. So does the requirement for
7 residential parking satisfy that need?

8 MR. MESSENGER: I believe, as a -- if a dock
9 is an accessory to a residence, the residential
10 parking should satisfy that. If the dock is not an
11 accessory to the residence, in terms of its ownership
12 function tie-in --

13 CHAIRMAN KORGE: It needs its own space.

14 MR. MESSENGER: -- then it needs its own
15 space. So, if the country club has, for example, the
16 condominiums, and you have the option to purchase a
17 slip, or those slips are also available for anybody
18 else that doesn't own there to purchase, that would
19 have one characteristic.

20 MS. KEON: Right.

21 MR. MESSENGER: And that would be a private
22 yacht basin in a multiple-use project. But if
23 they're limited to the people that live there and you
24 can require this as a condition of approval, in terms
25 of condominium documents or whatever to make sure

1 that they provide them sufficient parking, then you
2 would have no --

3 MS. KEON: Okay, is that clear in our Code,
4 then, that if it's -- is that clear by all of this,
5 that if, you know, there is a requirement to live
6 there, to dock your boat there, that the resident --
7 that, you know, you're not required additional slips
8 because of that? I mean, is that -- that's clear?
9 These are -- I mean, because all of the different
10 yacht basins, marinas, all of this sort of thing that
11 you have in here --

12 CHAIRMAN KORGE: Let me pose an example that
13 would raise that question more clearly. Suppose, for
14 example, that a condo has boat slips that are
15 available for purchase by the condo -- purchased and
16 used by the condo owners, and say two thirds of them
17 are purchased by the condo owners and a third of them
18 are purchased by third parties who don't live or own
19 units at the condo. Would the parking space
20 requirements be for all of the yacht slips, or only
21 for the slips of the boats -- only for the boat slips
22 that are owned by persons who don't own condominium
23 units?

24 MR. MESSENGER: I think, if the condominium
25 documents make all of those slips available to

1 anyone, you would want to park them all accordingly,
2 because if the yacht slip is severable from my
3 interest in my condominium, then at any time somebody
4 that doesn't live there could come into ownership of
5 one, and in that case, you want to have them have
6 their own parking.

7 MS. MORENO: See, I --

8 MR. MESSENGER: So I would submit that
9 unless the condominium -- I didn't mean to interrupt,
10 I'm sorry.

11 MS. KEON: But I think --

12 MS. MORENO: Cocoplum, I know -- Cocoplum,
13 I know, permits the purchase of docks by non-owners.

14 CHAIRMAN KORGE: Right.

15 MR. MESSENGER: And in that case, as a
16 public policy, it seems to me, you would want to park
17 those spaces, because people are going to come in
18 from the outside and use parking spaces to board
19 their yachts and maintain their yachts and so forth.

20 MS. MORENO: And how are we going to
21 address the fact that this renders Cocoplum
22 nonconforming and that -- Wendy's going to do it?

23 MR. MESSENGER: In Article 6.

24 MS. MORENO: Wendy?

25 MR. MESSENGER: You're going to dog Wendy

1 with that question.

2 MS. KEON: But I'd like to -- I mean, I
3 really think you have to look at the whole issue of
4 marinas in the City, because then, in that case, if
5 the condo has docks there and they're not for the use
6 solely of the individuals that own units there, then
7 they are, in essence, operating a marina out of that
8 condo --

9 MR. MESSENGER: They are.

10 MS. KEON: -- facility, and then that's a
11 whole other issue.

12 MS. MORENO: No, no, because what he told me
13 was the difference between a marina and a private is
14 that I could buy a dock at Cocoplum, living here in
15 Coral Gables --

16 MR. MESSENGER: Right.

17 MS. MORENO: -- in the North Gables, but
18 it's only for my boat. Only my boat gets to use that
19 dock. In a marina, that same dock could be used by
20 seven or eight different people, that same one single
21 dock --

22 MR. MESSENGER: In the same way.

23 MS. MORENO: -- because people park there
24 temporarily.

25 CHAIRMAN KORGE: Like at Monty's.

1 MS. KEON: Yeah, but at Monty's, people --
2 they rent those slips.

3 CHAIRMAN KORGE: As well, but there are also
4 some public slips.

5 MS. KEON: Right, but there's also slips
6 that are leased. I mean, I really think you need to
7 clarify what is and what's not a marina.

8 MS. LARSEN: Yeah.

9 MR. MESSENGER: We'll clarify the
10 definitions. Long-term, it just has a different
11 impact, is what we're getting at.

12 MS. KEON: Okay.

13 CHAIRMAN KORGE: Public transportation
14 facility.

15 MR. MESSENGER: That's really the bus
16 terminals and the terminals such as that, and we say
17 one per hundred square feet of terminal and station
18 area.

19 MS. MORENO: Is that our current
20 requirement?

21 MR. MESSENGER: There's no current
22 requirement for these facilities, and in terms of the
23 park-and-ride sort of situation, you want to have
24 some base, it seems to me, and that's a base. It may
25 be less intense parking that you'd want in some

1 facilities, because there's a lot of outdoor area
2 where people wait for things, but in this sense,
3 you've got at least a minimum if you were to exact
4 something from a developer in terms of providing a
5 station in a mixed-use project or whatever they might
6 do.

7 MS. MORENO: Okay, this would affect the
8 Metromover parking by UM?

9 MR. MESSENGER: No, the UM has a
10 separate --

11 MS. KEON: That's owned by the County, no?

12 MS. MORENO: Right, that's owned by the
13 County. So, I mean, do we render the County
14 nonconforming?

15 MR. MESSENGER: It's -- there are -- in
16 terms of UM, UM is a separate entity.

17 MS. MORENO: No, I'm sorry, I just said UM
18 because it's located nearby. It's a Dade County-
19 owned Metromover parking area.

20 MR. MESSENGER: I think, in terms of the
21 Metromover station, I don't know what the square
22 footage on it is, but, you know, when the County
23 plans for its stations, my guess is that they'll have
24 more parking than one per 100 square feet --

25 CHAIRMAN KORGE: I didn't know it was

1 subject to our zoning.

2 MR. MESSENGER: -- but if they don't, then
3 you can dog Wendy about the question in Article 6.

4 (Simultaneous inaudible comments between
5 Chairman Korge and Mr. Aizenstat)

6 MS. KEON: I don't know even -- yeah, I'm
7 not sure it's even subject to our zoning. Is it?

8 MR. RIEL: Yeah.

9 MS. KEON: Well, I guess that one is,
10 because it's in the City of Coral Gables.

11 MR. RIEL: Yes, it is.

12 MS. MORENO: It is subject to our zoning?

13 MR. RIEL: Yes, because it's in the City.
14 Yes, absolutely.

15 CHAIRMAN KORGE: They put -- how do they
16 decide how many parking spaces to place there?

17 MR. RIEL: When it was built, I don't know
18 the answer to that. My assumption is, it's based
19 upon what they have provided in other local
20 governments.

21 CHAIRMAN KORGE: Well, you know, we're never
22 going to get a good answer to that, at this point.

23 MR. RIEL: Right.

24 CHAIRMAN KORGE: I guess it will come up
25 when eventually, if ever, another public

1 transportation facility is built, and at that time,
2 it will come back for rezoning, probably.

3 MS. MORENO: I know, but I think it would
4 be useful to know, one, is the parking there adequate
5 or are we having spillover, and if it is adequate,
6 then what is the parking? You know, are they one per
7 100 square feet, or are they one per 200? You know,
8 what is existing? And if we know it's adequate, then
9 that's what we should adopt.

10 MR. MESSENGER: I would say that not all of
11 these uses have equal dignity, in terms of their
12 importance for your consideration, but the Article 6
13 nonconforming question is really the question you
14 want answered, too, in that what happens to
15 Miami-Dade County, you know, if something happens to
16 their station or whatever, and how do we calculate
17 the deficit if we're going to look at it in terms of
18 an expansion in the future.

19 But if you set a minimum, they can certainly
20 exceed that, and if public transportation and
21 multimodal centers increase in their function and
22 popularity, then more parking will be provided. It's
23 a question of getting the appropriate fare box
24 recovery on the transit portion of it. So I wouldn't
25 worry too much about this standard, in terms of

1 spending Staff time on investigating it, would be my
2 recommendation. The Board can do what it would
3 please, but --

4 CHAIRMAN KORGE: I think, when push comes
5 to shove, and somebody actually builds public
6 transportation around here, it will come back to this
7 Board.

8 MR. RIEL: For the most part, I will tell
9 you that there's adequate parking down there.

10 MS. MORENO: I think so.

11 MR. RIEL: There's a lot of spaces that are
12 always empty.

13 MS. MORENO: Yeah.

14 MR. RIEL: Maybe during certain events,
15 perhaps, at, you know, the University, but also, the
16 City does have lots down there, as well, so --

17 CHAIRMAN KORGE: I do want to be clear that
18 in my understanding, this does not affect the trolley
19 system at all, correct?

20 MR. RIEL: No, it does not.

21 CHAIRMAN KORGE: Okay. Why don't we go to
22 religious institutions.

23 MR. MESSENGER: You have a definition for
24 churches in your existing Code. It's square. This
25 is your definition.

1 CHAIRMAN KORGE: Okay, good.

2 MR. MESSENGER: Research and technology
3 uses, you have a couple of definitions that fall
4 within this. They all have the same parking. The
5 one that we took is research laboratory. It's square
6 with that. We have a few other things, where there's
7 additional -- or, I'm sorry, lesser parking demands
8 in some of them and a little bit greater in others,
9 but, you know, for the most part, we think this
10 works. For example, photography developing.
11 Wholesale would be --

12 MS. MORENO: Wait, wait, wait. What
13 happened to religious institutions? Why did we skip
14 over that?

15 MR. MESSENGER: Well, we just did -- we have
16 churches --

17 CHAIRMAN KORGE: It's existing.

18 MR. AIZENSTAT: It's the same.

19 MR. MESSENGER: Existing, churches, the same
20 regulation.

21 MS. MORENO: What happens to a church that
22 has a school? Does the school parking count towards
23 the church parking?

24 MS. LARSEN: If it's accessory.

25 MR. AIZENSTAT: So you look at both?

1 MS. LARSEN: The way it's drafted now, if
2 the school or day care is accessory to the church, it
3 has no separate calculation.

4 MR. AIZENSTAT: So, if it's an accessory,
5 you don't go and look at one column and then a
6 separate column and add them together?

7 MS. LARSEN: No.

8 MR. MESSENGER: Right.

9 MR. AIZENSTAT: You look at the primary
10 column and you do away with the secondary?

11 MS. LARSEN: It doesn't mean it has to be
12 that way, but that's the way it's drafted now.

13 MR. MESSENGER: Accessory would be
14 subordinate.

15 MS. MORENO: Like St. Phillip's, that we
16 had all the problems with, what counts for them, the
17 church or the school or which one?

18 MR. RIEL: It was both, actually. We did
19 cumulative, because it was the classrooms. I think
20 it was one space per classroom for the teacher, and
21 those uses are an S use and they have to come before
22 this Board, so they're all conditional uses. So you
23 would have an opportunity to look at them.

24 MS. LARSEN: In that particular case, is
25 that school subordinate to the church, or is it more

1 like a principal use?

2 CHAIRMAN KORGE: I don't know, but I don't
3 think we should be changing that, at this point. I
4 mean, we've got enough on our plate without --

5 MS. MORENO: Yeah, but I do -- well --

6 CHAIRMAN KORGE: -- re-doing the churches
7 and schools.

8 MS. MORENO: I just don't understand what
9 this --

10 MS. KEON: I think it's an issue, too,
11 because it --

12 MR. MESSENGER: The way it works --

13 MS. KEON: -- creates tremendous traffic
14 congestion in --

15 MR. MESSENGER: The way it works in this is
16 actually, if it's an accessory use -- the definition
17 of religious institution would include schools as an
18 accessory use, but an accessory use would have to be
19 clearly subordinate to a principal use.

20 So, if it's a mostly school site with an
21 accessory church, sort of -- I mean, churches aren't
22 really accessory uses to schools, but you get the
23 idea -- if you had a circumstance like that, then it
24 would be a multiple-use project and you would park
25 both. But if it's accessory to the church, in that

1 it's subordinate in its intensity of use and so
2 forth, then, although you've removed shared parking,
3 what you have is a circumstance where we know that
4 during the week we're not going to have parking
5 demands that exceed our sanctuary demand on Saturday
6 or Sunday, so we allow it as an accessory use and we
7 don't require additional parking for the school.

8

9 That's how this draft works. If you want a different
10 draft, we can certainly provide that. But to clarify
11 it, if it's subordinate in its impact and intensity,
12 then it can be accessory under the definition, and
13 doesn't have to be separately parked.

14 MS. KEON: Do you have to somehow show that
15 it is subordinate in its intensity, or is it just
16 assumed it will be?

17 MR. MESSENGER: When you bring it in for
18 site plan and say -- I guess it's a use that would
19 require additional review -- you would say, "We
20 expect a capacity of X students, we have this floor
21 area dedicated to it," it would be a call that would
22 have to be made at the Staff and Board level, if
23 you've gotten close to the line, as to whether it's a
24 subordinate accessory use or a principal use, in
25 fact, that's shared with another principal use that

1 is the institution itself.

2 MS. KEON: Okay, so you would make that
3 determination?

4 MR. RIEL: For instance, when St. Phillip's
5 came in and they added classrooms, we required them
6 the additional parking spaces for that additional
7 classroom, whatever the requirements were, and it's
8 an S use, so all of those uses come through this
9 Board, anyway.

10 CHAIRMAN KORGE: Right.

11 MR. RIEL: Just like schools would and
12 anything else.

13 MS. KEON: Okay.

14 MR. MESSENGER: You'll make those calls as
15 they come up, as to how to --

16 CHAIRMAN KORGE: So we really don't need to
17 dwell on that here.

18 MR. MESSENGER: No, it's the same that
19 you --

20 MS. MORENO: I just want to be clear, and
21 Wendy, I hope when you do nonconforming, that works,
22 that it's the additional impact --

23 MS. LARSEN: Right.

24 MS. MORENO: -- that triggers more parking,
25 but not the -- you know, if the school decides to

1 remodel, which I think a lot of schools need to do,
2 that doesn't trigger additional parking because
3 they're nonconforming today.

4 MS. LARSEN: Right.

5 MS. MORENO: Or if the church decides to
6 remodel, even if it's more than 50 percent.

7 MS. LARSEN: Right.

8 MR. MESSENGER: Let me just say, we
9 partially addressed that on the first page of the
10 draft that we sent in for tonight's discussion, in
11 Subsection B1. B1, b and c, we've dealt with net new
12 impacts, implicating these parking regulations to the
13 extent of the net new area, because it only applies
14 to the net new area or the net new impact of the use.

15 CHAIRMAN KORGE: Okay, let's --

16 MR. MESSENGER: And when we do the net, we
17 mean only the marginal increase over the existing
18 condition, nonconforming or not.

19 CHAIRMAN KORGE: We were going to deal with
20 that in nonconforming. We shouldn't spend too much
21 time on that here, because we're getting -- you know,
22 we've got a lot still left to be done.

23 Let's go on to restaurants and restaurants,
24 fast food, which are identical here.

25 MR. MESSENGER: These used to be -- and the

1 reason that they're -- they may have different
2 districts where you're allowed these uses. That's
3 why we've broken them out, even though they're the
4 same in terms of parking. They have other
5 characteristics where we differentiate them. But
6 this used to be one per 67, which is on the order of
7 15 spaces per thousand square feet. We've reduced it
8 to 12, consistent with experience in other
9 jurisdictions, plus --

10 MR. AIZENSTAT: So it's one per 67?

11 MR. MESSENGER: No, it was one per 67 in
12 your Code, and we changed it --

13 MR. BEHAR: Oh, reduced it.

14 MR. MESSENGER: -- from 15 per thousand with
15 that. We reduced it to 12.

16 MR. BEHAR: One per 83 spaces.

17 MR. AIZENSTAT: One per --

18 MR. BEHAR: 83 spaces. 83 square feet,
19 sorry.

20 MR. MESSENGER: Right.

21 MR. AIZENSTAT: So that's reducing it?

22 MR. BEHAR: Reducing the spaces.

23 MR. MESSENGER: It's reducing the parking
24 requirement to --

25 MR. AIZENSTAT: Why? Why are you doing

1 that?

2 MR. MESSENGER: Well, in some sense, the one
3 per 67, we believed, was too high, given the amount
4 of area in restaurants that are dedicated to
5 non-customer-service uses that have a lesser parking
6 intensity.

7 MR. AIZENSTAT: Wouldn't it be better to
8 look at certain districts and have it -- the parking
9 for restaurants in certain districts where you really
10 don't have the parking and they rely upon that valet
11 parking, as opposed to other areas where you have to
12 have on-site parking?

13 MR. MESSENGER: We allow remote parking in
14 the calculation. Valet parking for restaurants can
15 be up to 25 percent of the required parking. There
16 are different ways of dealing with it. We have
17 lessee parking --

18 MR. AIZENSTAT: What about the Central
19 Business District?

20 MR. RIEL: Restaurants -- just for right
21 now, restaurants in the CBD are one per 200 square
22 feet, and outside are 100 square feet.

23 MS. MORENO: But most restaurants in the
24 CBD don't even have any parking.

25 MR. AIZENSTAT: So it's required, but what

1 spaces are available to the valet is the way that
2 it's counted?

3 CHAIRMAN KORGE: Huh?

4 MR. AIZENSTAT: Is that correct?

5 MS. MORENO: Well, aren't they -- isn't --

6 CHAIRMAN KORGE: It says 25 percent can be
7 valet.

8 MS. MORENO: Aren't they exempted because
9 they're less than 1.25 or whatever?

10 MR. RIEL: Yes, yes, yes.

11 MR. MESSENGER: I'm sorry --

12 MS. MORENO: So the CBD restaurants aren't
13 subject to any parking requirements if they're in a
14 building that's -- whatever, that 1.25 --

15 MR. AIZENSTAT: But that's what I'm
16 saying --

17 MR. RIEL: Correct.

18 MR. AIZENSTAT: -- shouldn't certain
19 districts have their own requirements for parking, as
20 opposed to generalizing all restaurants?

21 CHAIRMAN KORGE: Eric, why don't you explain
22 it to us?

23 MR. RIEL: You can do that. You can do
24 that.

25 CHAIRMAN KORGE: Explain to us what exists

1 now and how we're changing it.

2 MR. RIEL: For instance, a restaurant that
3 occupies a building that's less than 1.25 FAR does
4 not have to have any parking requirements. For
5 instance, Houstons does not have any parking.

6 MR. MESSENGER: In the CBD.

7 MR. RIEL: In the CBD.

8 MR. MESSENGER: And we've changed that in
9 this draft.

10 MS. MORENO: How is that?

11 MR. AIZENSTAT: So it's going to be
12 required?

13 MR. RIEL: It's going to be required.

14 MR. AIZENSTAT: One per every 83 square
15 feet, is the way you're proposing it?

16 MS. MORENO: But Tarpon Bend --

17 MR. MESSENGER: All over.

18 MR. AIZENSTAT: All over. Now, these
19 restaurants --

20 MS. MORENO: -- because it's part of
21 Starwood Urban, does have this requirement?

22 CHAIRMAN KORGE: Wait. One at a time. One
23 at a time.

24 MR. AIZENSTAT: Wait, wait. These
25 restaurants -- let's take Houstons as an example.

1 Houstons does not have a parking area. It relies
2 upon valet. So does that mean that that valet must
3 account for all the parking spaces for that
4 restaurant, for that restaurant to be able to open?

5 MR. RIEL: No.

6 MR. AIZENSTAT: How does it work?

7 MR. RIEL: It's considered -- that was
8 considered a -- the use on the site was considered a
9 nonconforming -- it was a nonconforming building --

10 MR. AIZENSTAT: Okay.

11 MR. RIEL: -- and therefore went at --
12 although it may have been reconstructed, that
13 nonconformity continued. Therefore, that restaurant
14 was able to open up with no parking spaces, because
15 it was under the 1.25 threshold.

16 MR. AIZENSTAT: I have a little bit of a
17 hard time with something like that.

18 MR. RIEL: I'm just saying, that's the way
19 it was interpreted.

20 MR. BEHAR: Well, but by the same token, the
21 nice thing about Miracle Mile is that the life has
22 come back to that area.

23 MR. AIZENSTAT: Right.

24 MS. MORENO: Yes.

25 MR. BEHAR: And if I have to impose a

1 parking on Houstons, which has no way to do it --

2 MR. AIZENSTAT: Which it can't.

3 MR. BEHAR: You can't, so --

4 MR. AIZENSTAT: Right.

5 MR. BEHAR: I mean, I'd rather not -- for
6 them not to provide parking, but bring that night
7 life, where you're going to have --

8 MR. AIZENSTAT: But that's why I'm saying
9 to do it for certain areas, as opposed to having --

10 MR. RIEL: The problem is delineating that
11 area.

12 MR. AIZENSTAT: But then you're going to
13 have all these restaurants coming in for certain
14 variances, and I'm trying to do away with that
15 uncertainty.

16 MR. RIEL: Well, I know, throughout this
17 process, one of the things they talked about was to
18 try to preserve that, under 1.25 FAR, not park it,
19 but as a result of this, we've heard a lot of concern
20 about those larger type restaurants that have a lot
21 of turnover, you know, an eight, nine thousand square
22 foot restaurant that has possibly 60 to 70 employees
23 at the greatest shift, and probably 250 seats in
24 there, and no parking.

25 MR. AIZENSTAT: Yeah, but --

1 CHAIRMAN KORGE: So what's the solution?

2 MR. RIEL: The solution is, we have
3 suggested that you provide parking for restaurants.

4 MR. AIZENSTAT: So another -- so an area
5 that is revitalized, that has a night life now, a
6 restaurant would not be able to open in that Business
7 District unless it had its own parking?

8 MR. RIEL: Well, if it's an existing
9 restaurant, right now, my assumption is, if the Codes
10 change, it would be a nonconforming use, so if the
11 use discontinues for 12 months -- so any restaurant
12 that occupies a space right now, probably in
13 perpetuity another restaurant would be coming into
14 it.

15 MR. AIZENSTAT: Okay, let's take the
16 assumption -- I think, if I'm not mistaken, on
17 Miracle Mile, don't you have Benihana going in there?

18
19 MR. RIEL: Well, for instance, like
20 Starwood. When Starwood came in, they had a
21 restaurant on the first floor. That's parked in the
22 building.

23 MR. AIZENSTAT: Okay, but let's --

24 MR. BEHAR: But that's a new project.

25 MR. AIZENSTAT: Right, but let's take -- let

1 me take a look, as an example, there's Benihana
2 that's going into Miracle Mile. There was not a
3 restaurant in that space. So they came in and they
4 went before -- to get -- before the Board of
5 Adjustments, to get a variance.

6 MR. RIEL: I don't know. Since that did not
7 come through my department, I don't know the answer
8 to that.

9 MR. AIZENSTAT: Okay, but let's assume that
10 a restaurant opens up now. Let's assume that
11 Benihana, today, wants to come in and open up in the
12 same place where it's going to open up or it wants to
13 open up. Would it be able to, under your
14 guidelines?

15 MR. RIEL: Would it be able to open up?

16 MR. BEHAR: Right.

17 MR. AIZENSTAT: Would there be able to be a
18 restaurant in that space, where there was not a
19 restaurant before?

20 CHAIRMAN KORGE: Where there was a retail
21 store, previously.

22 MR. RIEL: Well, they could -- they could
23 utilize remote parking.

24 MR. AIZENSTAT: Remote parking meaning a
25 valet? I mean --

1 MR. RIEL: Well, remote parking.

2 MR. BEHAR: What --

3 MR. AIZENSTAT: What do you mean, remote?
4 What do you mean, remote parking?

5 MR. RIEL: Within three --

6 MR. BEHAR: The remote parking means that
7 they have to provide X amount of spaces in a remote
8 location, but --

9 MR. RIEL: Remote, right.

10 MR. AIZENSTAT: Yeah, but that, you see --

11 MR. RIEL: That's in the Code right now.

12 MR. AIZENSTAT: I understand that, but I
13 would -- I like the fact that we're revitalizing
14 certain areas. Look at what has happened to Miracle
15 Mile. And I'd hate to stifle that and put that on
16 hold.

17 MR. RIEL: It's a policy direction issue.
18 It's a balancing, what are -- I mean, it's --

19 MR. BEHAR: But, if we do this, we would
20 discourage --

21 MR. AIZENSTAT: Exactly.

22 MR. BEHAR: -- for that to happen, and I
23 give you an example. Ten years ago, nine years ago,
24 whatever, we started looking at Einstein's and
25 Starbucks on the corner of LeJeune Road. You know,

1 the only reason that that has a recessed sitting area
2 is because at the time, we could not put outdoor
3 seating anywhere on the Mile. So we had to propose
4 to them, to Starbucks, we need to cut X amount of
5 square feet of sellable, in order to accommodate it,
6 and I think if we do this, we're going to discourage
7 further more spaces that are going to give the
8 Mile --

9 CHAIRMAN KORGE: What this is really crying
10 for, to me, is an impact fee that would go into a
11 fund to pay for future public garages --

12 MS. MORENO: That's the answer.

13 CHAIRMAN KORGE: -- that would accommodate
14 this use.

15 MR. RIEL: You know, I agree, but to set up
16 that program is obviously not --

17 MR. AIZENSTAT: It's a separate issue.

18 MR. RIEL: It's a separate issue, and --

19 MS. MORENO: But in reality, that's part of
20 what happens today. I mean, if you go to Giralda,
21 you can park -- and if you don't want to do the valet
22 parking, you can park yourself at the City's public
23 parking garage.

24 MR. AIZENSTAT: And walk.

25 MS. MORENO: If you go -- if you go on

1 Miracle Mile, there's a couple of parking garages
2 behind where you can usually find a space at night.

3 So the answer for that, in you want to
4 maintain that life on Miracle Mile, which at least I
5 do, is to create a parking fee to permit some of
6 those open lots that the City owns to become parking
7 garages in the future.

8 MR. RIEL: And I agree, but sometimes that
9 parking fee could be a lot of money, as well, and
10 could also discourage a small restaurant from coming
11 in. Just say, for instance, we decided it to be
12 \$6,000 a square foot, and a restaurant comes in and
13 they need to put in 20 spaces. That's a substantial
14 amount of money.

15 CHAIRMAN KORGE: What about the retail sales
16 facilities, like on Miracle Mile? They don't have
17 parking, usually, attendant with the facility.

18 They do? Where are they?

19 MS. MORENO: But you would have to do --

20 MR. RIEL: No, they don't. They don't.

21 CHAIRMAN KORGE: They don't.

22 MR. RIEL: No, they don't.

23 CHAIRMAN KORGE: So how do they satisfy the
24 parking requirement?

25 MR. RIEL: They're just considered

1 nonconforming uses.

2 MS. KEON: But that's -- you know, those
3 are simply --

4 MS. MORENO: They're not nonconforming.
5 They're under the 1.25.

6 MR. RIEL: Either that or nonconforming.

7 MS. KEON: Right.

8 MS. MORENO: So the answer is probably an
9 impact fee for everybody, and all the 1.25 spaces
10 would need to pay, you know, some -- some fee towards
11 building parking garages to accommodate them.

12 MR. RIEL: I agree, and that can be set up,
13 but that's -- you know.

14 CHAIRMAN KORGE: That's not going to be done
15 tonight.

16 MR. RIEL: No, it's not, and it's not going
17 to be done with the Zoning Code, either. I'm going
18 to be quite honest with you.

19 CHAIRMAN KORGE: Right. So what do we do
20 now? Are we going to create a significant impairment
21 on future restaurants --

22 MS. MORENO: Well, you're still --

23 CHAIRMAN KORGE: -- converting existing
24 retail spaces to restaurants, for example?

25 (Simultaneous inaudible comments between Mr.

1 Aizenstat and Mr. Behar)

2 MS. MORENO: You're still subject to the
3 1.25 exemption. If you're in a building that's less
4 than 1.25 FAR, there's no parking requirement.

5 MR. RIEL: Except if you're a restaurant.

6 CHAIRMAN KORGE: Except if you're a
7 restaurant.

8 MS. MORENO: Except if you're a restaurant?

9 MR. RIEL: Yes, we put that provision.

10 CHAIRMAN KORGE: That's in the proposal.

11 MR. MESSENGER: Except as provided in
12 Article 6. Dog Wendy about that. That's my other
13 point.

14 CHAIRMAN KORGE: Right, but that's for
15 existing places.

16 MR. MESSENGER: Existing bays.

17 MS. MORENO: Do we want to do that, except
18 if it's a restaurant?

19 MR. RIEL: That's the direction we've gotten
20 from the Parking Advisory Board and several other
21 boards.

22 CHAIRMAN KORGE: I'm just not sure that's
23 the way to go.

24 MS. MORENO: I don't, either -- I'm not,
25 either.

1 MR. BEHAR: This one can be detrimental
2 for --

3 MS. MORENO: Yeah.

4 CHAIRMAN KORGE: If we're going to do that
5 to restaurants, we have to do it to retail
6 facilities, as well, and everything else. I mean, it
7 just doesn't make sense to --

8 MR. RIEL: And again, that's --

9 CHAIRMAN KORGE: -- target one facility.

10 MR. RIEL: We're just reacting to the policy
11 direction that we've received, that restaurants are
12 an intensive use and they should be parked. I mean,
13 we could scale that down and come up with a different
14 recommendation. Maybe they're parked at a certain
15 percentage --

16 MR. AIZENSTAT: I just feel that certain
17 areas merit a certain type of parking, and I just
18 don't feel that you can group all restaurants within
19 all areas the same way.

20 MS. MORENO: Well, if we take out the
21 "except restaurants" from that 1.25 exemption in the
22 CBD area, you accomplish what you're talking about.

23 CHAIRMAN KORGE: Right.

24 MR. AIZENSTAT: Yes.

25 CHAIRMAN KORGE: I think so.

1 MS. MORENO: So that's my recommendation.

2 MR. AIZENSTAT: That is a way. Yes, that is
3 a way.

4 CHAIRMAN KORGE: Why don't we go quickly --
5 Robert, why don't you tell us, do you agree
6 with that?

7 MR. BEHAR: Yes.

8 CHAIRMAN KORGE: Michael?

9 MR. TEIN: Yes.

10 CHAIRMAN KORGE: Eibi?

11 MR. AIZENSTAT: Obviously.

12 CHAIRMAN KORGE: Yeah.

13 MS. MORENO: Obviously.

14 MS. KEON: Yeah.

15 CHAIRMAN KORGE: It's unanimous, okay.
16 Let's move to the next one, which was the
17 restaurants, fast food. Is there --

18 MS. KEON: You know, I have one other thing,
19 very quickly, with regard to this parking. I think
20 that all of that, particularly in your Central
21 Business District, where you are trying to create
22 foot traffic -- I think that you need to be very
23 careful when you start demanding and requiring
24 certain parking requirements where you are trying to
25 encourage foot traffic.

1 MS. MORENO: Uh-huh.

2 MS. KEON: You know, if there's not enough
3 parking for these -- for people to be able to use the
4 restaurant or to go to the shops, or whatever else,
5 they're going to close down because they don't have
6 enough people, and I think that takes care of it, in
7 itself. And I think creating foot traffic is
8 probably a greater good, and so I really think, as a
9 planner, you know, your department and you really
10 need to look at how you want those areas of the City
11 to function, and then in turn, what the appropriate
12 parking or other issues are, and not necessarily a
13 parking department, that is only concerned with how
14 you park things. I think that's -- I mean, with all
15 due respect to them, that's very limited in scope,
16 and I think --

17 MR. RIEL: And I will tell you, the policy
18 direction from the City Commission was that they feel
19 there's inadequate parking in the Downtown, and they
20 asked us to look at all different types of uses and
21 come up with recommendations.

22 MS. KEON: Right.

23 MR. RIEL: So that's what we're delivering
24 to you.

25 MR. AIZENSTAT: Yes. We need more parking

1 there. Yes, that is for sure.

2 MS. KEON: Right.

3 MR. AIZENSTAT: But it's not to tax it based
4 upon --

5 MR. RIEL: So, if we don't tax it on the
6 restaurant, you know, and we're not changing the
7 office, the retail is the only one we're really
8 changing.

9 CHAIRMAN KORGE: Retail's got the exemption,
10 right, the 1.25 exemption? That's what we're talking
11 about, is the 1.25 exemption.

12 MS. MORENO: What we're saying is, the 1.25
13 exemption should apply across the board.

14 MR. AIZENSTAT: Exactly.

15 MR. RIEL: No, I understand.

16 MS. MORENO: It shouldn't differentiate
17 between a retail, an office or a restaurant. It
18 should apply across the board.

19 Now, what we're also saying to you is
20 that --

21 MR. AIZENSTAT: Within that district.

22 MS. MORENO: -- our belief is that the way
23 that this needs to be addressed is to do some type of
24 fee imposed on all of those 1.25 uses, including, in
25 my opinion, the existing uses, that will allow the

1 construction of additional parking garages.

2 CHAIRMAN KORGE: But that's for further
3 study.

4 MS. MORENO: That's for further study. But
5 that, really, I think, is the answer to that.

6 CHAIRMAN KORGE: Okay, let's stop that
7 discussion and move on to fast food. Is there
8 anything different about fast food that -- or
9 anything additional about restaurants, fast food, you
10 wanted to add to this discussion?

11 MR. MESSENGER: No, just, you have a
12 definition called lunch counter that was at 1 to 67,
13 but you also have restaurant definitions in various
14 other things. We had parked it at the most intense
15 of all of it, but then we decided that it would be
16 better and more equitable to bring it to 12 per
17 thousand, as opposed to 15 per thousand, given the
18 range of different uses that could fall under this
19 category and the restaurant category. So that's how
20 we got to these numbers. We think they're
21 appropriate numbers. And, you know, the CBD thing,
22 obviously, is an issue for another day and another
23 strategy.

24 CHAIRMAN KORGE: Well, is there a need to
25 specify restaurants, fast food, as a separate

1 category?

2 MR. MESSENGER: Yes, because it has
3 different zoning districts in which it's permitted --

4 CHAIRMAN KORGE: Okay.

5 MR. MESSENGER: -- and different standards
6 that apply to it, from a community character
7 perspective.

8 CHAIRMAN KORGE: Fair enough. Okay, let's
9 move on.

10 MR. MESSENGER: Retail sales and services is
11 a very broad category. It used to be one per 350,
12 which in some jurisdictions is the requirement. But
13 if office is at one per 300, we would just assume
14 that in this jurisdiction, retail would be more
15 intensive in terms of parking than office, and so we
16 changed that to one per 250, after consultation with
17 Eric. We wanted to resolve that as an inconsistency.

18 Sales and/or leasing offices, it's a use
19 that has its own set of restrictions, in terms of
20 zoning districts, so we break it out here, but it's
21 parked the same as office.

22 CHAIRMAN KORGE: Well, going back to retail
23 sales for just a second, I have a quick question.
24 How would this affect that big development, Merrick
25 Place or Merrick Village, whatever it's -- I forget

1 what it's called, the shopping.

2 MR. AIZENSTAT: Village of Merrick Park.

3 CHAIRMAN KORGE: Village of Merrick Park.

4 MR. RIEL: That was done through a different
5 DRI process and they utilized the shared parking mix
6 and use.

7 CHAIRMAN KORGE: So this won't apply to
8 them?

9 MR. RIEL: No, it won't apply.

10 CHAIRMAN KORGE: Okay, thank you.

11 Go ahead.

12 MR. MESSENGER: Schools, I think we just --
13 let's see. We changed this from your existing Code
14 of one per 100 square feet, to one per FTE, plus one
15 per four students aged 16 years or older, based on
16 maximum capacity. The FISH ratio for schools is
17 something that's relatively easy to calculate. That
18 calculates the maximum capacity based on established
19 procedures. So you can get this from a site plan,
20 and then you can estimate the number of employees.
21 We think, administratively, this isn't as difficult
22 as some of the other challenges that we've seen.

23 MS. MORENO: But this only applies to
24 private schools, because we can't do anything about
25 public schools, right?

1 MR. MESSENGER: Right. That's a very good
2 analysis. Public schools have their own
3 constitutional stature.

4 CHAIRMAN KORGE: So how is this going to
5 affect our private schools that are not associated
6 with a church?

7 MR. MESSENGER: Let me just say, also, it
8 doesn't affect the University of Miami.

9 CHAIRMAN KORGE: Right, okay. Other than
10 the University of Miami --

11 MR. MESSENGER: If that's -- I'm sorry.

12 CHAIRMAN KORGE: We do have some private
13 schools, don't we, in the City, that are --

14 MS. MORENO: Uh-huh.

15 MR. KEON: (Inaudible).

16 MR. MESSENGER: The effect upon existing
17 conditions is that if they want to create net new
18 parking impacts, those parking impacts would be
19 addressed according to this, and any deficits that
20 they may currently have would not have to be made up.

21 CHAIRMAN KORGE: Okay.

22 MR. MESSENGER: Self-storage warehouse, you
23 have something called storage establishment, and we
24 think that's square with this. It's one per 300 for
25 whatever office is accessory to the use, plus one

1 space per 1,000 square feet of all other floor area.

2 Telecom towers, you don't have a standard
3 for this, but I think we discussed, last time,
4 maintenance trucks do go to telecom towers, so you
5 want to provide some space there.

6 CHAIRMAN KORGE: I've got a real issue with
7 that. You know, they don't -- it's not a regular
8 visit. They don't come every day. It's to repair,
9 right? Are we going to require two spaces to be
10 always at these towers because someone will need to
11 be there for an hour, once every six months? Why are
12 we doing this?

13 MR. MESSENGER: It's really a question --

14 CHAIRMAN KORGE: It doesn't make sense.

15 MR. MESSENGER: The question would be, do
16 you want them to park their repair vehicles in the
17 right-of-way, in the swale, you know, where --

18 CHAIRMAN KORGE: It depends on how long
19 they're going to be parking there. If they're going
20 to be parking there for four hours a day, for, you
21 know, three weeks a month, no. But if they're there
22 just to make a quick repair, like the phone company
23 does, and they park in alleys, probably illegally,
24 but they'll stop there, make the repair and then move
25 on, we don't create extra spaces for -- you know, for

1 the switching facilities -- the switching board that
2 happens to be attached to a building in an alley, do
3 we? No. I just think that's overkill. That's my
4 personal opinion.

5 MR. AIZENSTAT: Do you feel that it's
6 unsightly, that the area will look -- too
7 much concrete or -- I mean, I'm just trying to feel
8 your reasoning.

9 CHAIRMAN KORGE: I just -- I don't see any
10 need for it. I wouldn't impose a requirement where
11 there's no need at all.

12 MR. AIZENSTAT: Because, for me, I would
13 rather see -- I don't know when a truck is going to
14 go out there, or a service vehicle is going to go out
15 there, and when it is, I'd rather see it concealed or
16 within its defined space, to work on it. You might
17 have people that go there for whatever reasons, to
18 service or to even wait, that work for the
19 companies. I just would rather not --

20 MR. BEHAR: I think Tom makes a good point.
21 You know, how often are they going to be there? And
22 the times they're not going to be there, you're going
23 to see an asphalt space.

24 MR. AIZENSTAT: Right. That's why I'm
25 asking if --

1 MR. BEHAR: I'd rather see a green space
2 than, you know --

3 CHAIRMAN KORGE: I'd just leave it unsaid,
4 because then there's not a need. I don't know what
5 would be there. I'm not suggesting that it would be
6 green space or not asphalt.

7 (Simultaneous inaudible comments between Ms.
8 Moreno and Ms. Keon.)

9 CHAIRMAN KORGE: I'm just suggesting that
10 if there's no real need, we don't -- we shouldn't
11 impose a requirement. It just doesn't make sense.

12 MS. MORENO: Are they independent or are
13 they -- because I'm used to seeing
14 telecommunication --

15 MR. RIEL: Most of them are associated with
16 buildings.

17 MR. AIZENSTAT: They're on top of buildings.

18 MR. RIEL: On top of buildings.

19 MR. BEHAR: You'd never have a freestanding
20 communications tower anywhere.

21 MS. KEON: Well, what is the one over on
22 Grand? What is that? What is that building and all
23 that -- there's a whole thing over there. There's
24 that tower, but there's some whole thing over
25 there that has --

1 MR. RIEL: Most of the ones I know are
2 either like on the schools or churches or on top of a
3 building or -- like, you know, on top of the Hines
4 building, or things of that sort.

5 MR. BEHAR: And the facilities have parking
6 spaces already.

7 MS. KEON: Right.

8 MR. RIEL: Right, but this is talking about
9 a stand-alone facility.

10 MR. AIZENSTAT: This is a freestanding
11 tower.

12 MS. KEON: Well, in some ways --

13 MR. RIEL: A stand-alone facility.

14 MS. KEON: I don't know, but I think if it's
15 something -- I find it really annoying to have
16 utility trucks block my traffic, to be honest with
17 you.

18 MR. RIEL: It's basically --

19 MS. KEON: So I don't mind having them on
20 some off-street parking for them to be at, for
21 whatever -- just even if it's one space, or I don't
22 even know if it has to be a space, but that they
23 require some sort of, you know, off-street area for
24 them to park in while they're doing work there, so
25 they don't block the street traffic.

1 MR. AIZENSTAT: And I would also think if
2 there's a telecommunication tower, as far as seeing
3 the concrete, it should have to be enclosed, whether
4 it's with hedges or a wall or something, so you don't
5 see it.

6 MS. KEON: Well, a tower --

7 MR. AIZENSTAT: Well, the tower, you're
8 going to see, either way, but we're talking about the
9 parking of the vehicles or the concrete.

10 MS. KEON: Yeah, I don't know.

11 MR. RIEL: I don't think we'd have any
12 heartburn whether or not --

13 MS. KEON: I don't think so.

14 MR. RIEL: -- if you require it, yes or no.
15 So, I mean, it's really up to the Board.

16 MR. AIZENSTAT: Should we cut it down to one
17 space from two? Does it make a difference?

18 MR. RIEL: That's a good compromise.

19 MR. MESSENGER: You could say a 10-by-20
20 area available for parking, too.

21 MS. KEON: I mean, it could just be an area
22 to pull off into. I don't care what it is.

23 CHAIRMAN KORGE: Well, you can pull off on
24 the street. I mean, there's street parking
25 everywhere. I don't get it. Honestly, I don't get

1 it, but whatever. It's never going to happen.
2 Nobody's going to build a communications tower here.
3 When they do, they'll come for a variance.

4 MR. RIEL: When they do, they'll come to
5 this Board, so we can obviously bring up the issue.

6 MS. KEON: I guess.

7 MR. MESSENGER: If you intend to, in the
8 future, require parking for that use when it comes --

9 MR. RIEL: Right.

10 MR. MESSENGER: -- don't punt now. That's
11 all I would say.

12 The next is TV/radio studios. There's no
13 standard for this now. There's no use that really
14 matches that in your existing list of uses, that I
15 was able to divine out it. It's -- we recommend one
16 space per 300 square feet of floor area, plus one per
17 three studio audience members, if there's a studio
18 audience, at maximum capacity. Your Fire Department
19 can tell you what that maximum capacity is.

20 Utility/infrastructure facilities. These
21 are, I guess, like the BellSouth switching buildings
22 and things like that. That would be one space per
23 2,000 square feet of floor area. They're not heavily
24 parked, but there's certainly people that work
25 there. You don't have a standard for that in your

1 existing Code, but we think those sort of -- you
2 know, those windowless buildings that you see, they
3 do create parking demands and you want to make sure
4 that you have a standard.

5 Utility substations, these are the big
6 electrical switching stations and so forth, the major
7 substation facilities, and we just say four spaces,
8 and that would be for those trucks that have to come
9 in to maintain. Those are the sort of stations that
10 when you do have a maintenance event, you're going to
11 have more than one vehicle there in many cases, so
12 that's why we put it as four. Again, you've got your
13 cell tower situation, is there enough space around to
14 it park.

15 I mean, I see the quizzical look, and I
16 understand it.

17 CHAIRMAN KORGE: I'm thinking, there's
18 one -- isn't there one on Douglas and Bird?

19 MR. RIEL: It's not in the City.

20 CHAIRMAN KORGE: That's not? What is that?

21 MR. RIEL: That's a utility station.

22 CHAIRMAN KORGE: That's a utility
23 substation?

24 MR. RIEL: An FP & L substation, yes.

25 MS. MORENO: But it's not ours.

1 MS. KEON: It's in the City of Miami.

2 MR. RIEL: I don't think it's in the City.

3 MS. MORENO: How about Miami-Dade Water &
4 Sewer Authority?

5 MR. BEHAR: That's City of Miami. That's
6 City of Miami.

7 MR. RIEL: That's Miami. I'm sorry, the
8 other?

9 MS. MORENO: Miami-Dade Water & Sewer
10 Authority?

11 MS. KEON: That's City of Miami, too.

12 MR. RIEL: That's Miami.

13 CHAIRMAN KORGE: A pump station would be --
14 you know, a typical pump station, would that be a
15 utility?

16 MR. RIEL: Yes. Yes.

17 CHAIRMAN KORGE: So every time there's a
18 pump station put up in a -- that doesn't make sense
19 to me, either.

20 MS. LARSEN: No. A pump station is --

21 MR. MESSENGER: It's not that?

22 No, a pump station isn't --

23 MR. RIEL: The infrastructure facility says
24 pump station in it. Water or waste water pumping
25 station is in the definition.

1 MS. LARSEN: It's not a substation.

2 MR. RIEL: No, it's not a substation.

3 CHAIRMAN KORGE: It's a sewer pump station;
4 you know what I'm talking about.

5 MR. MESSENGER: Yeah, but many of these
6 stations won't have any --

7 MR. RIEL: A utility substation is only
8 electric.

9 MS. LARSEN: Right.

10 CHAIRMAN KORGE: Only electric. And that
11 would mean -- when I referred to the one on
12 Douglas --

13 MR. RIEL: I know, yes.

14 CHAIRMAN KORGE: -- that's what we're
15 talking about --

16 MR. RIEL: Yes.

17 MS. MORENO: Right.

18 CHAIRMAN KORGE: -- that type of facility?

19 MR. RIEL: Utility infrastructure facility
20 is a waste water pumping station.

21 CHAIRMAN KORGE: That is a utility
22 infrastructure facility?

23 MR. RIEL: Yes.

24 CHAIRMAN KORGE: So we're going to have --

25 MS. KEON: One space per 2,000 square feet

1 of floor area.

2 MR. MESSENGER: Does it have floor area, the
3 thing that you're contemplating?

4 CHAIRMAN KORGE: I just -- honestly, I mean,
5 do you see people coming to the pump stations all the
6 time? That --

7 MS. KEON: No, and they're usually in
8 neighborhoods, and you really don't need all that
9 junk around them. It just --

10 CHAIRMAN KORGE: You don't need parking
11 spaces around them.

12 MS. KEON: Yeah.

13 CHAIRMAN KORGE: You just want to hide them,
14 that's it.

15 MS. KEON: You want to hide them. You
16 don't want anybody to be able to see --

17 CHAIRMAN KORGE: You don't want to put
18 parking spaces.

19 MS. KEON: Yeah.

20 CHAIRMAN KORGE: You know, does anybody else
21 require that? Let's see what other jurisdictions
22 do. Weston has one per 500 square feet of floor
23 area. That makes sense. It's all by floor area.

24 MR. RIEL: Yeah, so we're more lenient
25 than --

1 CHAIRMAN KORGE: You know, that makes sense
2 to me, floor area. That -- because then you've got
3 people working in there.

4 MS. KEON: They have that at the utility
5 infrastructure facility.

6 MR. RIEL: Right. We're more lenient.

7 MS. KEON: That's the pump station. That's
8 above the utility substation.

9 MR. MESSENGER: Utility substation is the
10 power switching station. That's all.

11 CHAIRMAN KORGE: I understand. I'm looking
12 at infrastructure facilities.

13 MR. MESSENGER: Right.

14 MS. KEON: That's the pump stations, right.

15 MR. MESSENGER: The infrastructure
16 facilities --

17 MS. KEON: The 2,000 square feet. I don't
18 think they're that big.

19 MR. MESSENGER: Right. You may have to have
20 a space for some of them, but in some cases --

21 MS. KEON: So you don't need any space.
22 It's only if they're huge that you need a space, I
23 guess, right?

24 MR. MESSENGER: Well, no, we round up, in
25 terms of spaces. So it's legitimate criticism --

1 MS. KEON: Oh.

2 MR. MESSENGER: -- if there's floor area.

3 MS. KEON: Oh.

4 MR. MESSENGER: But in many spaces -- in
5 many circumstances here, you would be able to
6 calculate a zero floor area.

7 MR. RIEL: If the Board is uncomfortable
8 with this, just take it out.

9 CHAIRMAN KORGE: Get rid of them?

10 Okay, keep going.

11 MR. MESSENGER: Do you want to remove that?

12 MR. RIEL: Yes.

13 MR. MESSENGER: Infrastructure facilities?

14 MS. LARSEN: For both of them?

15 CHAIRMAN KORGE: Yes.

16 MS. LARSEN: Okay.

17 MR. MESSENGER: Now, vehicle sales/displays
18 is car dealerships. You have an existing car sales
19 and service. This lines up with that.

20 CHAIRMAN KORGE: This is current law?

21 MR. MESSENGER: Current Code.

22 CHAIRMAN KORGE: Okay.

23 MR. MESSENGER: Vehicle displays, major, is
24 boat sales facilities, not marinas but, you know,
25 boat sales.

1 CHAIRMAN KORGE: Right.

2 MR. MESSENGER: That is out of boat displays
3 and sales, from your current Code.

4 CHAIRMAN KORGE: Okay.

5 MR. MESSENGER: So that's an extrapolation
6 of your existing requirements.

7 Vehicle service, major, you have auto repair
8 shop and auto body shop in your Code. They have the
9 same requirement, and it's this one, one per 300,
10 plus one per 500 of all floor area -- oh, other floor
11 area. One per 300, I'm sorry, of office, and one per
12 500 of everything else.

13 You have animal hospital in your existing
14 Code. We took that and applied it to veterinary
15 offices.

16 You have wholesale/distribution with
17 warehousing, and several other wholesale warehousing
18 combinations of various types in your list of
19 definitions. They all have the same requirement.
20 It's one space per 300 of office, plus one per 1,000
21 of all other floor area.

22 CHAIRMAN KORGE: Right.

23 MR. MESSENGER: And so we just translated
24 that standard here.

25 Now, we had some discussion before about

1 whether fire stations and police stations ought to
2 have standards at all. We suggest that you ought to
3 have standards in terms of, if you're going to
4 require a developer to provide something like this,
5 you want to have a standard by which you can hold
6 them to for providing the parking area that's
7 affiliated with that building. So we recommend, in
8 terms of fire stations, three spaces plus one per two
9 employees on maximum shift.

10 CHAIRMAN KORGE: Let me ask you about that.
11 Three spaces plus one per two employees, wouldn't it
12 be more appropriate to just have one space per
13 employee on maximum shift?

14 MR. MESSENGER: You know, a lot of times,
15 fire stations have employees that work many days on
16 and then many days off, and so you wouldn't
17 necessarily have to have a car there for each
18 employee during those periods, because there's a lot
19 of ride sharing and different things going on, in
20 fire circumstances. So you might consider having
21 less. Plus you have three spaces, so in case you
22 have a few that don't, and those would also
23 accommodate public users that come in, that, you
24 know, "I want to do my child's safety seat check at
25 the fire station" kind of thing, but you don't get a

1 lot of that sort of turnover in those circumstances.

2 Police station, two spaces for three
3 employees on maximum shift, plus one per vehicle
4 stored on site. That covers those situations where,
5 you know, most of those vehicles would be out during
6 a lot of the shifts and so, you know, you have the
7 opportunity for police officers that have their
8 cruisers at home and so forth. You don't have to
9 park one per employee at a police station.

10 Libraries, one per 250. You have an
11 existing libraries designation in your Code. It's
12 taken from that.

13 Offices, we think that the governmental
14 impact is the same as the private sector impact, one
15 per 300, and post office, you have post office in
16 your Code at one per 200, and I would submit that's
17 appropriate. Post offices are pretty darned
18 intensive.

19 MR. AIZENSTAT: Has the Building Department
20 looked at these proposed requirements, the people
21 that actually see the plans when they're brought in
22 and what is needed, and if so, what are their
23 comments?

24 MR. RIEL: We've provided the information to
25 them. I'll be candid. We did not receive comments

1 back.

2 MR. AIZENSTAT: I mean, I'd like --
3 personally, I'd like to hear comments from them,
4 because those are --

5 MR. RIEL: I would, also. I would agree
6 with you.

7 MR. AIZENSTAT: Well, I think it's
8 important, because the individuals that actually look
9 at this are the ones who see it on a day-to-day
10 basis, and I think that they're the best ones to give
11 us a guide.

12 CHAIRMAN KORGE: Do you want to make that
13 as a motion? Maybe that --

14 MR. AIZENSTAT: Yeah, I would very much like
15 that.

16 CHAIRMAN KORGE: Do you think that would get
17 their attention better? Is there a set --

18 MS. MORENO: Let's make a motion that the
19 next time we review the parking requirements, we have
20 someone here from the Building Department.

21 MR. RIEL: I will certainly pass that
22 message on --

23 MR. AIZENSTAT: I would like to make that
24 motion.

25 MR. RIEL: -- but I don't have the authority

1 to --

2 MS. MORENO: Okay, well, we can make the
3 request, right?

4 MR. RIEL: Absolutely.

5 MR. AIZENSTAT: It's a motion. I'd like to
6 do that.

7 CHAIRMAN KORGE: Moved and seconded. Any
8 discussion?

9 Let's vote. Call the roll for that.

10 MS. MENENDEZ-DURAN: Pat Keon?

11 MS. KEON: Yes.

12 MS. MENENDEZ-DURAN: Cristina Moreno?

13 MS. MORENO: Yes.

14 MS. MENENDEZ-DURAN: Michael Tein?

15 MR. TEIN: Yes.

16 MS. MENENDEZ-DURAN: Eibi Aizenstat?

17 MR. AIZENSTAT: Yes.

18 MS. MENENDEZ-DURAN: Robert Behar?

19 MR. BEHAR: Yes.

20 MS. MENENDEZ-DURAN: Tom Korge?

21 CHAIRMAN KORGE: Yes.

22 MR. RIEL: And that was to have them review
23 and also be present? That's --

24 MS. MORENO: Yes.

25 MR. AIZENSTAT: With their comments.

1 MR. RIEL: I will make sure --

2 MR. AIZENSTAT: Whoever looks at this on a
3 day-to-day basis, I want to know their thoughts.

4 MR. RIEL: I agree.

5 CHAIRMAN KORGE: Yeah, this is a real
6 sensitive issue. Parking is a real issue.

7 MS. KEON: Well, yeah, what about, like,
8 your development authority? That's one side, and the
9 people that are bringing people into the City for
10 businesses, do they -- are they concerned with these
11 things, your Chambers or whatever else?

12 MR. AIZENSTAT: No, I mean, for me, I'm
13 really more concerned with the officials in the
14 Building Department that see it on a day-to-day
15 basis.

16 MS. KEON: Okay.

17 MS. MORENO: And that enforce it.

18 MS. KEON: Yes.

19 MR. AIZENSTAT: I'm sorry?

20 MS. MORENO: And that enforce it.

21 MR. AIZENSTAT: And that enforce it,
22 correct.

23 CHAIRMAN KORGE: Okay. Why don't we -- are
24 there comments on the rest of the draft of this
25 division that we've been reviewing?

1 MS. MORENO: Well, Robert had comments at
2 the beginning --

3 CHAIRMAN KORGE: Yes, I know.

4 MS. MORENO: -- on the size of the parking
5 spaces.

6 CHAIRMAN KORGE: I want to go through -- we
7 could either go through it -- probably, we should
8 just go through it, page by page, and gather all the
9 comments that way, and maybe we can conclude for the
10 evening, because that will probably wrap it up,
11 right?

12 MS. KEON: What?

13 MR. RIEL: I think so.

14 CHAIRMAN KORGE: Yeah, so let's go through.
15 We'll start at Page 1 of 11, and we'll take comments
16 as we go through, page by page.

17 MR. MESSENGER: Mr. Chairman?

18 CHAIRMAN KORGE: Yes.

19 MR. MESSENGER: Just to let you know, I made
20 a cheat sheet yesterday that corresponds each of
21 these to your existing Code --

22 MR. RIEL: Right.

23 MR. MESSENGER: -- and so if you like, I can
24 tell you in advance of each page what's new.

25 CHAIRMAN KORGE: Okay. That would be very

1 helpful.

2 MR. MESSENGER: What's new in the first page
3 is 15 -- or 5-1401, A, all of it.

4 CHAIRMAN KORGE: Uh-huh.

5 MR. MESSENGER: And B1, c. Everything else
6 is really adopted from your existing materials. In
7 some cases, it's highly distilled, but it reflects
8 existing policy.

9 CHAIRMAN KORGE: Are there any questions or
10 comments on anything appearing on Page 1?

11 Okay, then, let's move to Page 2, which is a
12 chart.

13 MR. AIZENSTAT: Oh, if I may, just one
14 question, and I'm sorry.

15 On Number 2, when you talk about, to promote
16 the lighting for public safety, I have to assume that
17 somewhere in our Code, it reflects to the amount of
18 candle light of power and so forth --

19 MR. RIEL: The Building Code.

20 MR. AIZENSTAT: -- so as not to disturb the
21 residents or --

22 MR. RIEL: The Building Code has standard --

23 MR. AIZENSTAT: Okay.

24 MR. RIEL: -- illumination for private as
25 well as public.

1 MR. AIZENSTAT: So it is covered.

2 MR. RIEL: Engineering standards that cover
3 the public right-of-way.

4 MS. KEON: Isn't that in the Florida
5 Building Code?

6 MR. RIEL: Yes.

7 MS. KEON: (Inaudible).

8 MR. MESSENGER: We have standards on Page
9 7, too.

10 MR. AIZENSTAT: Okay.

11 MR. MESSENGER: And we'll get to that.

12 CHAIRMAN KORGE: Page 2.

13 MR. MESSENGER: These are adapted from your
14 existing drawings. These are simplified to show the
15 parking angles and for ease of photocopying and
16 distribution.

17 CHAIRMAN KORGE: Okay. Page 3.

18 MS. KEON: Is there a particular reason why
19 you have all these? I guess they take up one --

20 MR. AIZENSTAT: Different configurations,
21 you mean?

22 MR. BEHAR: Different parking
23 configurations.

24 CHAIRMAN KORGE: Right.

25 MR. AIZENSTAT: In certain methods, you

1 might be able to fit more cars in.

2 MR. BEHAR: Right.

3 MS. KEON: But it's the same number of
4 spaces and everything, no?

5 MR. MESSENGER: Yeah, these are all the same
6 parking configurations, in terms of the number of
7 spaces. It's just shown in different ways, in terms
8 of the space that it occupies.

9 MR. BEHAR: The layout.

10 MR. AIZENSTAT: Right.

11 MS. KEON: Is there a public safety issue in
12 the way they're laid out so that you're backing into
13 traffic or something? I thought I read that
14 somewhere. Is that an issue?

15 MR. MESSENGER: The backing into traffic on
16 the street is dealt with on another page.

17 MS. KEON: Oh, okay.

18 MR. MESSENGER: The aisle widths here, these
19 reflect one-way aisle conditions, these drawings.

20 MS. KEON: Oh, okay.

21 MR. MESSENGER: If you had two-way aisles on
22 the angled parking spaces, obviously, on the opposite
23 direction, your spaces would face the opposite
24 direction.

25 MS. KEON: Okay.

1 MR. MESSENGER: But, basically, in terms of
2 laying out parking, it depends on the geometry of
3 your site, which sort of stuff that you're going to
4 need to do here to maximize your parking yield.

5 CHAIRMAN KORGE: Right.

6 Okay, Page 3.

7 MS. MORENO: Is the eight and a half
8 width --

9 MR. AIZENSTAT: That's what Robert --

10 MR. BEHAR: Right.

11 MR. MESSENGER: Eight and a half by 18 is
12 your existing Code parking space, which we think is
13 an appropriate size for a parking space. We'll
14 address Number 4. We actually modified Number 4 from
15 your existing drawing, which would allow the six-inch
16 encroachment on both sides of the -- bringing you
17 down to seven foot six in width at the front and at
18 the back. Now, you can't do it where your doors
19 are. We think that's a little small, because this
20 car that's dropped into this illustration is pretty
21 much an actual size car --

22 MR. BEHAR: Yeah, it's small.

23 MR. MESSENGER: -- and I'm pretty bad at
24 negotiating that. I think my mirrors would come off.
25 This car doesn't --

1 MR. BEHAR: I think you have to maintain an
2 eight-foot-six clear dimension, in my opinion.

3 MR. MESSENGER: What this does is makes the
4 half compromise, which says you can only put the
5 encroachment on one side of a parking space. So, if
6 your columns are coming down, it's only on one side.
7 But it's up to the discretion of this Board whether
8 to allow that at all.

9 MR. AIZENSTAT: Do you have a definition --
10 do you separate the parking spaces into compact and
11 regular or --

12 MR. BEHAR: No.

13 MR. AIZENSTAT: There's just one --

14 MR. BEHAR: Standard.

15 MR. AIZENSTAT: -- standard.

16 MR. BEHAR: And this is going throughout the
17 whole country, where it's just standard parking
18 spaces and --

19 CHAIRMAN KORGE: And -- I'm sorry, go ahead.

20 MR. BEHAR: And the minimum dimension that
21 you're finding now, the clear dimension, is eight
22 foot six, because, you know, a good number of cars
23 nowadays are SUVs and big cars, and there's no way to
24 maneuver. Less than eight foot six is --

25 MR. AIZENSTAT: Is that a standard that's

1 used in practice for --

2 MR. BEHAR: Yes, yes.

3 MR. AIZENSTAT: Then I would suggest that we
4 maintain that.

5 MS. KEON: I do, too. I hate those ones
6 that are so skinny.

7 MR. RIEL: And I will ask the architects on
8 the Board, I mean, is this a concern, because of --

9 MR. BEHAR: Yeah -- well, no --

10 MR. RIEL: -- column spacing? Because that
11 is a big issue.

12 MR. BEHAR: Yeah, it is, but the module --
13 if you had eight foot six and you had ideal column
14 spaces, like between a 27 and 30-foot span, eight
15 foot six clear gives you the 20-foot -- 27-foot bay.
16 There's no reason to decrease that, because even when
17 you break that up into the units and you have a
18 mixed-use project, you have, you know, units above
19 that, it doesn't affect you. So I don't think it's
20 really a point where -- I would take it out, leave it
21 eight foot six clear.

22 MR. MESSENGER: I agree with that. I would
23 say that cars are getting smaller, but eight foot six
24 is -- that's a good dimension for a width.

25 MR. AIZENSTAT: So we'll change that?

1 CHAIRMAN KORGE: Does anybody have an
2 objection to that?

3 MR. MESSENGER: Yeah, I'll just delete 4.

4 CHAIRMAN KORGE: No? Then we'll change
5 that.

6 MS. KEON: That just takes out this
7 encroachment; is that what you're saying?

8 MR. BEHAR: Right, take out the
9 encroachment.

10 MS. KEON: It takes out the encroachment.

11 MR. AIZENSTAT: Correct.

12 MS. KEON: It leaves it and removes the
13 encroachment.

14 CHAIRMAN KORGE: Okay.

15 MR. RIEL: Yeah, remove the encroachment.

16 MS. KEON: Yeah.

17 MR. MESSENGER: The dimensions of the
18 garages and carports. This is from your existing
19 Code. Now, I did notice here that the carport, you
20 have a one-car and two-car carport in your Code. For
21 whatever reason, we didn't get the two-car in here.
22 We can do that. It would be 12 -- I'm sorry, it
23 would be 20 by 20, but -- or, I'm sorry, 22 by 20.
24 In this case, we changed only the carport dimensions
25 from 12 by 22 to 10 by 20, and the reason for that

1 is, you know, in other jurisdictions, if you have
2 that extra two feet at the back, you put in a storage
3 cabinet there, you know, and I don't think you want
4 your carports used for outdoor storage, and it really
5 just invites it when you have the extra two feet.

6 CHAIRMAN KORGE: Yeah, but the width -- the
7 width should be 12. Why would it be more narrow?

8 MR. MESSENGER: Well, 10 by 20 is a big
9 parking space in most jurisdictions. So it's enough
10 room to open your doors and get out of your car, and
11 if you invite too much additional space in a one-car
12 carport, again, you're inviting it to be used for
13 something other than parking a car.

14 CHAIRMAN KORGE: Okay.

15 MR. AIZENSTAT: What is it today?

16 MR. MESSENGER: It's 12 by 22 for a carport,
17 is the minimum size for a carport, the same as the
18 one-car garage.

19 CHAIRMAN KORGE: Are we not going to
20 have double carports allowed?

21 MR. MESSENGER: What's that?

22 CHAIRMAN KORGE: There will be no provision
23 for double carports?

24 MR. MESSENGER: Well, it would really -- you
25 would double it. We could add it for a double

1 carport. I think you want to allow those. It's in
2 your Code that you do allow those. We're not trying
3 to change existing policy.

4 CHAIRMAN KORGE: Okay.

5 MR. MESSENGER: This was just an oversight,
6 so we'll just add it. The only policy was that we
7 wanted to take care of the storage issue.

8 MR. AIZENSTAT: You see, for me, I have a
9 carport at home, and it would be interesting to find
10 out if there has been a problem with -- it relates
11 back to the Building Department people that look at
12 this.

13 MR. RIEL: Yes, there has been a problem.
14 Yes.

15 MR. AIZENSTAT: There have been problems?

16 MR. RIEL: Absolutely.

17 MR. AIZENSTAT: Okay, that's good. Okay,
18 that's perfect.

19 CHAIRMAN KORGE: Good enough.

20 MR. MESSENGER: So we'll add in the two-car
21 carport.

22 CHAIRMAN KORGE: Right.

23 Page 4.

24 MR. MESSENGER: One-car garage and two-car
25 garages that existed -- I'm sorry, one-car and

1 two-car carports that existed prior to 10/1/1992 may
2 be enclosed. This is the existing policy. It's in
3 13-2(n) of your existing Code. We just translated
4 it. There's really -- the only new things are when
5 we start at Line 15 of the draft that we submitted,
6 down to the -- down to Line 26, the intersection
7 connections, the ingress/egress driveways, it's
8 existing policy, except we've just codified it here.
9 You have to try to be at a right angle when you do an
10 intersection with the street, with a driveway. It's
11 a public safety issue.

12 I believe you have a requirement that when
13 you have a parcel of land where you have to connect
14 across a parkway -- I can't remember where I saw
15 this, but I know I took it from your existing
16 materials, but it's not in your existing regular
17 codified Code -- that you have to either provide the
18 connection across the parkway or put it in a
19 performance bond that you're going to do the
20 driveway, and we just reflected that existing policy
21 there. It's just that -- I just -- I --

22 MS. LARSEN: It's in their existing Zoning
23 Code.

24 MR. MESSENGER: It's in your existing Code,
25 okay. It's just in another location, that parking

1 area.

2 Existing development, the same thing, if
3 you have a use that requires access across the
4 parkway, you have to provide that driveway if it's
5 not there. Those are reflections of existing policy.

6 Now, in the next page, Page 5 of 11, there
7 are three changes from existing policy. One is with
8 the general location. We talked about this in B1,
9 which is Line 6, down to Line 11. We're going to add
10 residential into this, so that you can't see the
11 stuff from the street, is the discussion we had
12 during parking numbers, so we'll move on.

13 In terms of the setbacks for parking decks
14 and accessory decks that were less or equal to three
15 and a half feet in height, when we looked at those
16 setbacks, which were 10 feet and 20 feet, depending
17 on which side yard it is, in some cases those
18 setbacks were actually more restrictive than a
19 parking garage that was full height, so we just -- we
20 changed it to say that you have to meet your
21 perimeter landscaping requirements for the underlying
22 zoning district, and once you've done that, you know,
23 you can build that accessory deck at three and a
24 half. If you build an accessory deck larger than
25 that, then you have to meet the building setbacks for

1 the underlying zoning district. It's just to try to
2 be consistent about how that's going to be applied.

3 MS. KEON: I want to ask a question about
4 setbacks. Is this in -- is this throughout the City,
5 everywhere?

6 MR. MESSENGER: These are for -- those
7 setbacks are parking garages and accessory decks.
8 This is structured parking. It's not parking for a
9 single-family home in an enclosed garage.

10 (Thereupon, Ms. Moreno left the Commission
11 Chambers.)

12 MS. KEON: These are decks and things?

13 MR. RIEL: This is residential.

14 MR. MESSENGER: So anywhere you have
15 structured parking in the City, these setbacks would
16 apply to it.

17 MR. RIEL: Parking districts.

18 MS. KEON: All right, but you know, I
19 notice, in some areas of the City, where there are
20 buildings and different things that have these very
21 little, narrow setbacks and there's like this little
22 strip of grass in front of them. They look awful,
23 most of the time.

24 MR. MESSENGER: When you get to Downtown
25 CBD stuff, there are different screening requirements

1 for structure.

2 MS. KEON: But not even -- it wouldn't even
3 be the CBD. It could be in a mixed-use district. I
4 mean, that whole area that's the other side of
5 LeJeune, most of it, that's east of LeJeune, if they
6 make those kind of little strips of things to meet
7 the requirement of setbacks and then nobody -- they
8 don't ever do much with them, I mean, they look a
9 mess. I mean, I would be more concerned than with
10 setbacks, again, that whole issue of how these
11 buildings meet the street, and I don't know if that's
12 here or not.

13 MR. MESSENGER: We've taken the landscaping
14 out of parking Code and transferred it to the
15 landscaping section, which is a different day. But
16 suffice it to say that there are landscape buffers
17 that are required, that are more meaningful than just
18 a patch of grass.

19 CHAIRMAN KORGE: Okay, so we'll look at that
20 detail when you bring it up to us.

21 MR. MESSENGER: Yes. The other thing is,
22 there's a vehicular use area setback that is for, you
23 know, surface asphalt, basically, that is applicable
24 now to buildings that are greater than 45 feet tall,
25 and those are 15 to 20-foot setbacks just for the

1 edge of the asphalt on site. We removed that to make
2 it consistent with all other vehicular use areas, in
3 that you would comply with the perimeter landscaping
4 requirements, which are at least five feet all the
5 way around, and also with the sight triangle
6 requirements for the clear when you exit the
7 driveway.

8 If there's no perimeter landscaping or sight
9 triangle requirement, it would be 18 inches, and that
10 would just be for the single-family home, where
11 you've got to keep your driveway pretty much 18
12 inches off of your neighbor's property.

13 You know, if there's a good reason to bring
14 back in -- that this Board sees a reason that they
15 want to bring back in the extensive setbacks for just
16 surface parking areas for buildings that are taller
17 than 45 feet, we can certainly put it back in.

18 We leave that at your discretion, you know,
19 whether the community character impacts of a taller
20 building need to be mitigated by a 15-foot setback
21 before you see the asphalt, again remembering that in
22 the landscaping we'll bring forward, perimeter
23 landscaping does have a vertical component.

24 CHAIRMAN KORGE: Does anybody have any
25 comments on it? No?

1 MS. KEON: You know, I don't know,
2 specifically. I just know I have a grave concern
3 with how those things look as you're walking down the
4 street, you know, and I just want to be assured that
5 as I'm walking down the sidewalk, what I see is
6 pleasing to the eye.

7 MR. MESSENGER: We agree with that, as
8 planners, and we have perimeter buffering
9 requirements and low walls and things like that, to
10 try to mitigate the effect of cars parked five feet
11 off --

12 MS. KEON: Maybe when that comes back, maybe
13 you can share that, point that out to me.

14 MR. MESSENGER: Sure.

15 MS. KEON: Okay.

16 MR. MESSENGER: Other than that, everything
17 else -- the materials, construction and drainage,
18 the surfacing stuff, is in your existing Code. We
19 took out the technical specifications. We want to
20 leave that for your engineers to decide.

21 The drainage, there's a fill-in blank here
22 on Line 47 that Eric is going to eventually get from
23 the engineers, and the engineering standards is sort
24 of a punt that says if there's any technical stuff,
25 not discretionary design stuff, but technical stuff

1 that's not covered here, that the engineers will set
2 those standards and publish them in a different --

3 Line 2 of Page 6, we just moved this stuff
4 to the landscaping division, and it occupies, I
5 think, almost five pages of your existing
6 regulations. It's just in a different place now, and
7 we'll talk about it a different day.

8 Visibility triangles. The only change we
9 made here, there's an inconsistency in your existing
10 documents for the top of the clear -- for the
11 visibility triangle, you have to provide an area
12 where there's no obstructions, and that area is
13 between three feet and either six feet, in some of
14 your provisions, or eight feet in others. We just
15 made it eight feet, standard. There's a reference in
16 the Code and there's another reference in the
17 illustration. We think the eight feet is a better --
18 given the variety of heights of today's vehicles, you
19 want to have it at eight feet.

20 MR. AIZENSTAT: And this applies both to
21 residential and commercial?

22 MR. MESSENGER: Yes, all over the City.

23 MR. AIZENSTAT: So, if somebody has a wall
24 pertaining to a corner of the property, that's the
25 triangle you would be talking about?

1 MR. MESSENGER: The triangles are actually
2 drawn on the next page, so we can walk through how
3 they are. That was our change. The other change
4 that we made was the existing -- if you look on Page
5 7 of 11, the illustration B.1. shows the sidewalk.
6 Your existing diagram showed that the right angle of
7 those two triangles is actually on the street edge of
8 the sidewalk and not on the property owner edge of
9 the sidewalk, which means that there's less of a
10 clear area required, and if the sidewalk is 10 to 12
11 feet wide, the standard no longer has any real
12 meaning. So we moved it up to the inside property
13 edge of the sidewalk, to make it consistent and
14 protect pedestrians.

15 MS. KEON: Yeah, because you ran over the
16 kids on the sidewalk.

17 MR. MESSENGER: Exactly. I mean, it
18 just -- at some point, it loses its sense of meaning,
19 and then in B.2. it shows if there's no sidewalk,
20 then you provide 20 feet instead of 15 feet. But
21 these illustrations we provided, they're simplified
22 over the existing. They photocopy better, they
23 distribute better. I mean, it's just a housekeeping.

24 All the rest of this stuff is existing City
25 Code. The illumination comes from the existing City

1 Code.

2 The common driveways section, in 5-1408, A,
3 comes from the existing Code. We've made some
4 modifications to remote off-street parking. I think
5 that the existing Code provides that the perimeter
6 has to be within 500 or 600 feet. We've reduced it
7 to 300. Our experience is that people don't want to
8 walk 600 feet or 500 feet to a parking space in a
9 remote location.

10 CHAIRMAN KORGE: Eric, do you recall what
11 we -- this came up in the -- it was either the
12 Mediterranean Ordinance or the mixed-use district,
13 did it come up?

14 MR. RIEL: It came up in the moratorium --

15 CHAIRMAN KORGE: The moratorium?

16 MR. RIEL: -- department.

17 CHAIRMAN KORGE: Well, we didn't make a
18 decision, at that time --

19 MR. RIEL: I can't remember how we ended up.

20 CHAIRMAN KORGE: -- on the remote parking?

21 MR. RIEL: I can't remember. All I know is,
22 the current Code allows it to happen at 600 feet, and
23 I had a little bit of a concern about that. That's
24 almost -- beyond a city block.

25 MR. MESSENGER: That's a long walk for your

1 groceries, if it applied to residential uses.

2 MR. RIEL: I'll really be honest with you.
3 I have a concern even with 300, to be honest with
4 you.

5 MS. MORENO: 300 is what?

6 MR. RIEL: Half a block.

7 MS. KEON: That's okay.

8 MS. MORENO: That's okay.

9 MR. MESSENGER: We allowed this in the CBD.
10 That's another change. Before, it was allowed in
11 many other areas than the CBD. Now it's changed to
12 the CBD only.

13 MR. RIEL: But I think, Todd, didn't we
14 have a percentage in here, or did we remove that?

15 MR. MESSENGER: That's in the counting of
16 spaces --

17 MR. RIEL: All right.

18 MR. MESSENGER: -- at a later location.

19 Okay, amount of required parking. The
20 exemptions, we added the Mediterranean bonus, we
21 added the restaurant, which we'll now remove, but
22 other than that, that's existing policy.

23 Then -- we've gone through the required
24 parking table. So we go to 11 of 11. We're almost
25 done.

1 The alternative parking requirements, on
2 Lines 1 through 3, is 13-7(b) of your existing Code,
3 except that in your existing Code it says,
4 "Developer, if you don't like it, you make a direct
5 petition to the City Council." We're not sure,
6 procedurally, what that means, so basically we just
7 allow an appeal under the other appellate provisions
8 from Staff decisions, which is almost the same thing.

9 CHAIRMAN KORGE: I have one quick question
10 on Line 13 of that page, Subparagraph b, "Off-street
11 parking spaces that are provided for residential and
12 overnight accommodation uses and are available only
13 upon payment of a fee." Those spaces are excluded
14 parking spaces? They're not counted in determining
15 the amount of parking? So a hotel that charges for
16 its parking to the guests wouldn't include those
17 parking spaces, meeting the requirements for parking
18 for the hotel; is that correct?

19 MR. MESSENGER: It's 13-8(b) of your
20 existing Code. We didn't make any sort of
21 determination there. We just brought it in.

22 CHAIRMAN KORGE: You already said that, but
23 what --

24 MR. AIZENSTAT: But what does it mean?
25 What's the definition?

1 MR. MESSENGER: Yeah, that's what it means.
2 If I were bringing an application forward, that's how
3 I would interpret this.

4 CHAIRMAN KORGE: So --

5 MS. MORENO: So that means that a hotel is
6 discouraged from charging for parking.

7 MR. MESSENGER: You build it into your rack
8 rate.

9 CHAIRMAN KORGE: It seems to be prohibited
10 from charging for parking.

11 MS. MORENO: Well, they can do it, but
12 they've got to provide extra spaces for that purpose.

13 CHAIRMAN KORGE: Right.

14 MS. KEON: That's good.

15 MS. MORENO: I think that's good.

16 CHAIRMAN KORGE: That's good? Okay.

17 MR. TEIN: Let me ask about the illumination
18 part.

19 MR. MESSENGER: The what, I'm sorry?

20 MR. TEIN: 5-1407.

21 MR. MESSENGER: 5-1407.

22 MR. TEIN: Page 7, Intensity.

23 MR. MESSENGER: Okay.

24 MR. TEIN: Does this address the use of
25 those really, really bright, fluorescent-type lights

1 in residential areas to illuminate driveways and
2 parking areas on the sides of houses and fronts of
3 houses? I see it says, "No luminance ratio shall
4 exceed 12 to 1," but there are -- sometimes there's a
5 concern that those non-incandescent lights can be
6 very much a nuisance to neighbors, that shine into
7 the windows of the house next door.

8 Does this address that at all, or is this
9 the appropriate place to address it?

10 MR. MESSENGER: I'd say that Lines 13
11 through 15 address the design, in terms of
12 deflection, shading and focusing away from adjacent
13 properties, and not disturbing the use of adjacent
14 properties or passing vehicular traffic.

15 Now, I would interpret this, if I brought an
16 application forward, as a minimum standard for
17 illumination, so if I wanted to provide more than
18 one-third foot-candle on the surface of a vehicular
19 use area, I would feel empowered to do so by this
20 regulation. You know, you may want to put a maximum
21 on it, no daylight --

22 MR. TEIN: Well, the maximum is that, "No
23 luminance ratio shall exceed 12 to 1," right?

24 MR. MESSENGER: Right. Well, that is, in a
25 sense, a maximum, but on the other hand, if you

1 provide sufficient coverage to have an even
2 distribution of light, you could light it like
3 daylight.

4 MR. TEIN: So what does that mean, the
5 luminance ratio?

6 MR. MESSENGER: A luminance ratio means,
7 when you look over the entire area that's being
8 illuminated, you look at the brightest patch on the
9 ground, in terms of its foot-candles of illumination,
10 and then you look at the darkest patch, and if the
11 darkest patch is 12 times darker, then, you know,
12 you've met the ratio, but if it's 13 times darker and
13 there's too much difference between the lighting here
14 and the lighting here, then that wouldn't be
15 allowed. It means that you have to have an even
16 coverage of light. So you don't have to provide
17 one-third foot-candle everywhere. You have to
18 provide an average of one-third foot-candle when you
19 look across the luminance ratio.

20 MR. TEIN: Well, I can understand that for a
21 commercial parking area, you want a minimum of
22 illumination, and this provides for that in Section
23 A1, right?

24 MR. MESSENGER: Yes.

25 MR. TEIN: But is there anything in here

1 that limits the illumination that -- in a residential
2 area?

3 MR. MESSENGER: No.

4 MR. TEIN: And wouldn't this be the
5 appropriate place in the Code to have that
6 limitation, if there were going to be a limitation?

7 MR. MESSENGER: Yes, it would.

8 MR. RIEL: I think it needs to be in two
9 places, because this deals with parking, lighting of
10 parking.

11 MR. TEIN: And it needs to be in the
12 residential Code.

13 MR. RIEL: It needs to be in the
14 single-family provisions, as well. So it should be
15 in here as well as in the single-family, is that what
16 our understanding is?

17 MR. TEIN: I don't recall it being in the
18 single-family.

19 MR. RIEL: It's not. It's not.

20 MR. MESSENGER: We also have an outdoor
21 lighting section that applies to the uses other than
22 vehicular use areas, so we would have put it there
23 for the side yard, and we would put it here for the
24 driveway.

25 MR. TEIN: Well, I haven't seen it. I

1 haven't seen a maximum, and I think it's a problem,
2 and I think it's a problem that exists in a lot of
3 different neighborhoods, and it's a frequent
4 problem.

5 MS. KEON: That it's too lit? You mean,
6 it's too much light?

7 MR. TEIN: Yeah. I think that -- for
8 example, there's incandescent lights in here, but
9 when there are these --

10 MR. BEHAR: Metal halide.

11 MS. KEON: Those vapor lights?

12 MR. TEIN: They're like --

13 MR. AIZENSTAT: Mercury.

14 MR. TEIN: Yeah.

15 MR. BEHAR: Mercury vapor or metal halide.

16 CHAIRMAN KORGE: Or sodium vapor lights.

17 (Thereupon, Ms. Moreno returned.)

18 MR. RIEL: FP & L sodium vapor lights.

19 MR. TEIN: And they really can impact on --

20 MS. KEON: They're those vapor lights.

21 MR. TEIN: Yeah. They not only impact on
22 the neighboring property, frequently they're on the
23 side of the house, but talk about something that
24 stands out in a neighborhood. When you have mostly
25 incandescent lights for street lamps, for garage and

1 front door lights and driveway lights, in all the
2 residential areas, and then you have one of these
3 vapor lights, it becomes a beacon, and I don't think
4 it is consistent with the type of neighborhood design
5 that we've been talking about.

6 MR. MESSENGER: To the extent that it's not
7 addressed by the deflected, shaded and focused away,
8 and not interfering with neighboring uses --

9 MR. TEIN: The problem with that is --

10 MR. MESSENGER: And it may not be.

11 MR. TEIN: Yeah. The problem with C is,
12 it's in the eye of the beholder --

13 MR. MESSENGER: Correct.

14 MR. TEIN: -- and you cannot enforce that.
15 So you need to have a bright line, so to speak, that
16 can be enforced when there's a problem that
17 interferes with the neighbors' use and enjoyment of
18 their property.

19 MR. MESSENGER: We would be more than happy
20 to suggest some illumination --

21 MR. RIEL: Single-family is coming back
22 November 9th. We'll put something in that --

23 MR. TEIN: Okay.

24 MR. RIEL: -- in those provisions that deal
25 with illumination.

1 MR. MESSENGER: Now, I think --

2 MS. MORENO: Tom, I need to go.

3 MR. MESSENGER: Board Member Tein --

4 CHAIRMAN KORGE: Okay.

5 MS. MORENO: Okay? Thank you.

6 CHAIRMAN KORGE: Good night.

7 MS. MORENO: Excuse me, you guys.

8 MR. BEHAR: Good night.

9 (Thereupon, Ms. Moreno left the Commission
10 Chambers.)

11 MR. MESSENGER: You raise a good point about
12 the illumination, the maximum illumination in
13 nonresidential areas, in that there's a Burger King
14 on Sunrise Boulevard, I believe it is, or Broward
15 Boulevard, in Fort Lauderdale, that's day-lit at
16 night for security reasons. Do you want to have
17 daylighting of your commercial uses in Coral Gables,
18 or do you want to put some limitation on that?

19 If you do, we can certainly investigate and
20 come back with some options, but if you don't, then
21 we won't worry about it.

22 CHAIRMAN KORGE: I think -- Michael, you
23 were talking about in the residential area?

24 MR. TEIN: I'm talking about the residential
25 area.

1 MR. MESSENGER: Right.

2 MR. TEIN: I mean, obviously, where you
3 have, for example -- just east of LeJeune, you have a
4 McDonald's or a Burger King there, and then -- like
5 you have a Burger King and then you have a mixed-use
6 area right around it, and you have multi-family homes
7 right behind that. You may have that problem, and
8 that would be something I would be concerned about,
9 too. That's going to only occur in a couple places
10 in the entire City. It's a concern, but the idea of
11 a residence overilluminating -- you know,
12 overilluminating its driveway is something I think we
13 should have some type of quantitative --

14 MR. MESSENGER: Got it.

15 MR. TEIN: -- limitation on.

16 MR. MESSENGER: We'll do it.

17 On Page 11 of 11, like I said, we took out
18 the petition, the direct petition to the City Council
19 for alternative parking requirements. It's an appeal
20 of a Staff decision.

21 CHAIRMAN KORGE: Right.

22 MR. MESSENGER: We have procedures for that
23 in another section.

24 CHAIRMAN KORGE: Right.

25 MR. MESSENGER: And other than that, the

1 only changes start at E3 and go down from there. In
2 E3, we've got -- this is the remote parking spaces
3 that Eric was talking about. 50 percent of the
4 parking spaces may be remote for residential uses in
5 the CBD.

6 No other uses are calculating these things
7 as required parking. That may or may not be
8 consistent with how you want to do it, but this is
9 kind of where we got to after discussions with Staff,
10 that we don't want to encourage a lot of distant,
11 remote parking for other sorts of uses, and in the
12 CBD you have circumstances where residential uses
13 have to provide parking, but you may not want to have
14 them have to provide parking on site directly when
15 you have existing buildings that are under an FAR of
16 1.25 and you have configurations that don't allow for
17 that very well. You still might want to allow for
18 that second floor residential use, in which case you
19 could park it within 300 feet, if you can make
20 arrangements.

21 CHAIRMAN KORGE: Okay.

22 MR. MESSENGER: The rest it's new, and it
23 has to do with the mechanical access parking
24 structures, and we provided some additional language
25 based on our discussions with Eric that's not in this

1 draft, but it has to do with putting these mechanical
2 access parking lifts inside an enclosed facility so
3 they're screened from the street. In Downtown Miami,
4 there's some lifts that are up against the side of
5 the building near the courthouse -- some of you may
6 have seen that, also.

7 MR. TEIN: City National Bank.

8 MR. MESSENGER: Yeah, they look terrible,
9 and we don't think that's consistent with your
10 community character. If you're going to have lifts,
11 you can count them as required parking for
12 residential uses, but don't have them outside.

13 MR. BEHAR: Inside the building, in a
14 garage, I think it's a good idea --

15 MR. MESSENGER: And that's how this will
16 provide.

17 MR. BEHAR: -- but I think you should put a
18 percentage of them, you know. You don't want to have
19 a hundred percent of your required parking --

20 MR. AIZENSTAT: Be lifts.

21 MR. BEHAR: -- to be lifts.

22 MR. RIEL: We need to look at this section
23 further.

24 MR. AIZENSTAT: Yeah, that needs to be
25 tailored further.

1 MR. BEHAR: I mean, I think it's a good
2 idea, because it's really going to save a lot of
3 space, it's going to reduce having to -- especially
4 condominium buildings, where there's office condos or
5 residential condominiums, you could provide more
6 spaces in less of a volume.

7 MR. MESSENGER: Right. What we've done here
8 is said, you've got to do a functional analysis with
9 your traffic engineer when you come in with this, and
10 you have to make sure that you have not so many lifts
11 in the garage that you're going to actually interfere
12 with its function, in terms of queuing and flushing,
13 so that you can have the same number of connections
14 that you would have for maintaining a safe and
15 orderly traffic flow --

16 MR. BEHAR: Right.

17 MR. MESSENGER: -- as if you had a regular
18 parking facility, which, depending on the size of the
19 facility, may be more or less percent, as a
20 percentage of the area or number of parking spaces in
21 the facility.

22 So we think you should leave that to a
23 technical determination in terms of its function and
24 make that qualitative judgment on an individual
25 basis.

1 MR. BEHAR: Presently, you have to go for a
2 variance, correct, if you want --

3 MR. RIEL: Correct.

4 MR. BEHAR: -- to allow that? This will
5 permit it as of right?

6 MR. RIEL: Yes.

7 MR. BEHAR: Okay.

8 MR. MESSENGER: For certain uses.

9 MR. RIEL: Satisfying these provisions.

10 MR. BEHAR: Okay.

11 MR. MESSENGER: It would be very difficult,
12 in our estimation, as attorneys, to demonstrate a
13 hardship for which you would need to install a
14 parking lift.

15 MR. AIZENSTAT: You'd be surprised.

16 MR. BEHAR: It may not be a hardship, but if
17 you could reduce the parking envelope, therefore
18 reducing maybe the massing of a building, I think
19 it's a positive contribution.

20 MR. MESSENGER: That's in this regulation.
21 That's part of the deal. You would have to also
22 design it such that the building volume, including
23 the structured parking, would actually be less than
24 if you were to conventionally park it with the same
25 number of spaces. You don't do it to increase

1 capacity. You do it to --

2 MR. AIZENSTAT: That's what I'm afraid of --

3 MR. MESSENGER: -- improve community
4 character.

5 MR. AIZENSTAT: -- that it's going to be
6 used that way, to increase capacity.

7 MR. RIEL: And I have the same concern, and
8 that's why we had discussed the language, and I think
9 we need to be really, really clear that the intent is
10 not to increase the intensity of a development by the
11 use of those lifts.

12 MR. AIZENSTAT: Yeah.

13 MR. RIEL: It's to reduce.

14 MR. AIZENSTAT: It's to reduce, and also, I
15 don't know how that works with the way that it would
16 allow people to go before the Board of Adjustments
17 for variances on that, also. You know, I think
18 that's something very serious, that has to be looked
19 at carefully.

20 MR. RIEL: So -- in terms of possibly not
21 allowing variances if we have these provisions in
22 place? I just want to make sure we're clear.

23 MR. AIZENSTAT: What I'm concerned about is,
24 if you take a look at it and you're saying that you
25 don't want to increase the mass of the building, what

1 stops somebody from going to the Board of Adjustments
2 and asking for additional parking, based on those
3 lifts now? So I would contend that if you're going
4 to be using those lifts because you want to make
5 whatever best use of it, that you cannot go before
6 the Board of Adjustments and ask for even more
7 parking.

8 MR. RIEL: Okay.

9 CHAIRMAN KORGE: Right.

10 MR. MESSENGER: In that instance, you know,
11 part of it is culture and part of it is legal, but in
12 terms of demonstrating a hardship, once you have an
13 existing, functioning use with parking lifts, and if
14 you're trying to intensify that use, a Board of
15 Adjustment, in almost every case, would be able to
16 say no. Now, the question is, can they say no as a
17 practical reality?

18 CHAIRMAN KORGE: Or would they?

19 MR. AIZENSTAT: Or would they?

20 MR. RIEL: That's the question.

21 MR. MESSENGER: If you classify it here or
22 there --

23 MR. AIZENSTAT: You'd be surprised on
24 whether somebody would --

25 CHAIRMAN KORGE: Well, how about this?

1 Could we specify in these regulations that no
2 variance would be permitted even if a demonstrated
3 hardship were shown?

4 MS. KEON: That's kind of tricky.

5 MR. MESSENGER: Yes, that's pretty tough.
6 I mean, what you're talking about is --

7 MR. RIEL: We've done that in other
8 provisions in this Code, I can tell you. We said
9 that no variances are achievable.

10 CHAIRMAN KORGE: Right. I mean, I don't --
11 I'm just asking if that's legal. Can we --

12 MS. LARSEN: Yes.

13 MR. MESSENGER: You can do it.

14 CHAIRMAN KORGE: Okay.

15 MR. MESSENGER: But --

16 CHAIRMAN KORGE: So that would be the way to
17 address that --

18 MR. RIEL: Yes.

19 CHAIRMAN KORGE: -- if you really wanted to
20 be serious about it.

21 MR. RIEL: We'll look at it. We'll look at
22 it.

23 MR. MESSENGER: It's all a question of
24 administering it.

25 MR. BEHAR: Well, be very careful of how you

1 do the analysis, because if you -- for example, if
2 I'm able have a building that FAR allows me to have
3 100,000 square foot of FAR, but then the parking
4 requirement will exceed my maximum height because you
5 require, you know, five levels and -- five levels of
6 offices and you go beyond the eight stories, if you
7 use the mechanical lift, you may not have to go up
8 any higher, but you'd be able to incorporate all your
9 requirement --

10 MR. AIZENSTAT: Within that.

11 MR. BEHAR: -- within that. So the analysis
12 has to be very carefully done, because --

13 MR. RIEL: No, it's -- we need to really
14 tighten up the language here. I agree with you.

15 CHAIRMAN KORGE: Okay.

16 Then, going to this -- real quickly, to this
17 spreadsheet of previous recommendations, is there
18 anything on this spreadsheet that we have previously
19 recommended and has not been incorporated in here,
20 that we should focus on?

21 MR. RIEL: Well, you've given us some
22 different policy direction, and obviously we --

23 CHAIRMAN KORGE: Well, I mean, other than
24 what we've already -- putting aside what we've
25 already discussed, on this existing spreadsheet there

1 were a series of team recommendations, other City
2 board recommendations and then Planning & Zoning
3 Board discussions/recommendations. We've already --
4 they've already been incorporated in here, anything
5 that was on there, correct?

6 MR. RIEL: Correct.

7 CHAIRMAN KORGE: So we don't need to go
8 through this spreadsheet again?

9 MR. RIEL: No. No, we don't.

10 CHAIRMAN KORGE: That's what I was trying to
11 get at.

12 Okay, then, if there's nothing else, I think
13 we're done for today.

14 MR. RIEL: All right, and obviously, we'll
15 bring back these regulations. We'll update the
16 comparison sheet.

17 CHAIRMAN KORGE: Right, and you'll bring
18 Dennis with you.

19 MR. RIEL: We'll do our best attempt to have
20 a representative from Building & Zoning.

21 MR. AIZENSTAT: Now, on the sheet that you
22 gave us, it doesn't have the meeting of October
23 26th. We do have a meeting on October 26th?

24 MS. KEON: Yes.

25 MR. RIEL: That's a regular meeting, that's

1 why.

2 MR. AIZENSTAT: It's a regular meeting?

3 MR. RIEL: Right.

4 MR. AIZENSTAT: This is just the zoning
5 rewrite?

6 MR. RIEL: This is just Zoning Code
7 meetings, correct.

8 MR. BEHAR: Could I make a -- or could I say
9 something? For these Zoning Code meetings, you know,
10 perhaps, can we maybe start a little bit earlier? Is
11 that a possibility?

12 CHAIRMAN KORGE: If that's the consensus. I
13 think you'd better poll the Board to see.

14 MR. RIEL: Well, I know we've done that in
15 the past, and I will tell you, Ms. Moreno has had
16 some concerns about that, about having the ability to
17 get here. I've suggested that, you know, we start --
18 whatever --

19 CHAIRMAN KORGE: Well, if it's convenient
20 for everybody else. We don't want to lose members
21 because we --

22 MR. BEHAR: No, absolutely not, but I --

23 CHAIRMAN KORGE: You might poll everybody to
24 see if we started a half an hour earlier --

25 MR. RIEL: Half hour or an hour or -- okay.

1 CHAIRMAN KORGE: Or an hour, whatever.

2 Maybe we can run this even more efficiently than we
3 have in the past.

4 MR. BEHAR: It gets to a point where it's
5 late and you're not being as productive.

6 CHAIRMAN KORGE: Right.

7 MR. BEHAR: I mean, I speak for myself.

8 MR. RIEL: This is fairly early compared to
9 a year or two back.

10 MR. BEHAR: Well, listen, I was here about
11 two months ago, and we were here to like past eleven
12 o'clock, but --

13 MS. KEON: Right. But you don't want to get
14 to the point where you just sort of let things go by
15 because you're too tired.

16 MR. TEIN: I personally would support
17 starting an hour earlier.

18 MR. RIEL: And we tried to -- I mean, I know
19 sometimes we put a lot on the agenda, but, you know,
20 I try to do the best job I can to make sure that
21 we're not here till the late hours, but I mean, as
22 you can see, the items that we have on December 14th,
23 there's a lot on that agenda. We will not be
24 covering all those issues that evening.

25 MR. TEIN: You know, when it's something

1 that's a -- when we have to get a ton -- I mean, I
2 personally would not have a problem if the meeting
3 were called for three, instead of five. Certainly,
4 our average meeting -- today we started at six and
5 it's now a quarter of ten, so that's three hours and
6 forty-five minutes. On a meeting like this, I would
7 suggest that if we have more than two hours of work,
8 why not start it at four, rather than five?

9 MR. AIZENSTAT: You might also not be able
10 to have the public, if you're looking for public
11 input in that hour, either.

12 MR. TEIN: Well, most of the time, you know,
13 there are issues that -- well, I don't know that I
14 entirely agree. If we started at five, as opposed to
15 four, if people want to be here, they'll make it
16 their business being here. But I think that running
17 the meeting past nine, after, you know, a lot of us
18 have had a full day already, it's tough to
19 concentrate that late.

20 CHAIRMAN KORGE: Okay. We might poll to see
21 if we get a response on that --

22 MR. RIEL: We'll do that.

23 CHAIRMAN KORGE: -- and we'll see what we
24 can do, but maybe we're trying to do too much at one
25 time, also, is a big part of it. And maybe we could

1 say a little bit less and still get the same amount
2 of work done.

3 MR. TEIN: I did my part for saying less,
4 this meeting.

5 CHAIRMAN KORGE: Well, you can't say much
6 less than you already do.

7 MR. TEIN: Exactly.

8 CHAIRMAN KORGE: Well, I guess we're
9 adjourned till next week.

10 MR. BEHAR: Thank you.

11 MR. AIZENSTAT: Thank you.

12 MR. RIEL: Don't forget to take your
13 packages with you for the next meeting.

14 (Thereupon, the meeting was adjourned at
15 9:45 p.m.)

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

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

DATED this 3rd day of November, 2004.

JOAN L. BAILEY, RDR

Notary Commission Number DD 190412.
My current notary commission expires 6/14/07.

