

1 CITY OF CORAL GABLES
 2 CITY COMMISSION MEETING
 3 VERBATIM TRANSCRIPT
 4 CORAL GABLES CITY COMMISSION CHAMBERS
 5 405 BILTMORE WAY, CORAL GABLES
 6 TUESDAY, DECEMBER 12, 2006, 11:19 A.M.

7
 8 City Commissioners Attending:

9 Donald D. Slesnick, Mayor
 10 Maria Anderson, Vice-Mayor
 11 Rafael "Ralph" Cabrera, Jr.
 12 William H. Kerdyk, Jr.
 13 Wayne E. "Chip" Withers, Jr.

14 City Staff Participating:

15 David L. Brown, City Manager
 16 Elizabeth M. Hernandez, City Attorney
 17 Walter J. Foeman, City Clerk
 18 Eric Riel, Jr., Planning Director
 19 Walter Carlson, Assistant Planning Director
 20 Javier Betancourt, Principal Planner
 21 Dennis Smith, Assistant Building & Zoning Director

22 Also Participating:

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23 Fernando Menoyo	25
24 Mario J. Garcia-Serra, Esq.	31
25 Amado "Al" Acosta	41
26 Maria Longo	41
27 Elaine Codias	43
28 Rick Holmes	44
29 Jaime Saldarriaga	55
30 Mamta Chaudhry-Fryer	57
31 Zeke Guilford, Esq.	61

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1 THEREUPON:

2 The following proceedings were had:

3 MAYOR SLESNICK: We are going back in
4 session. We are at E-3.

5 Mr. Manager?

6 MR. BROWN: Yes.

7 MAYOR SLESNICK: It's a time certain public
8 hearing.

9 MR. BROWN: This is an Ordinance on First
10 Reading. An Ordinance repealing the Zoning Code of
11 the City of Coral Gables, Florida, as amended, and
12 all other City Code provisions and ordinances
13 inconsistent with the provisions of this Ordinance,
14 and adopting a new Zoning Code to be known as the
15 Zoning Code of the City of Coral Gables, Florida,
16 which pertains to the general provisions of the
17 Zoning Code; the establishment of the decision-making
18 and administrative powers and the duties of the City
19 Commission, Planning and Zoning Board, Board of
20 Architects, Board of Adjustment, Historic
21 Preservation Board, Code Enforcement Board, Ticket
22 Hearing Officers, Enforcement Officers, Development
23 Review Committee and Planning and Zoning
24 Administrators; the establishment of development
25 review procedures, including notice and hearing

1 requirements related to building site approvals,
2 conditional uses, planned area developments,
3 moratoriums, variances, subdivisions, transfer of
4 development rights, historic preservation and
5 procedures, abandonment and vacations, concurrency
6 review, Zoning Code amendments, zoning map and land
7 use plan amendments, developments of regional impact,
8 the protection of landowners' rights, vested rights
9 determinations, Unity of Title and Declaration of
10 Restrictive Covenants, development agreements and
11 appeals procedures; the establishment of zoning
12 districts applicable to all land within the corporate
13 limits of the City, including residential, overlay
14 and special purpose, and non-residential districts,
15 and providing authorized and prohibited uses within
16 each zoning district; the establishment of
17 development standards, including those related to
18 design, landscaping, lighting, parking and loading,
19 construction, platting, roofs, sanitation systems,
20 screening, signs, and walls and fences, which are
21 applicable to uses permitted within the various
22 zoning districts and all other development activities
23 such as accessory uses, automobile service stations,
24 awnings and canopies, clearing, filling, and
25 excavation activities, cottages, docks and other

1 watercraft moorings, group homes, assisted living and
2 child care facilities, heliports and helistops,
3 telecommunication facilities, underground utilities
4 and temporary uses; the establishment of regulations
5 concerning nonconforming uses, structures, signs and
6 lawfully existing uses; the establishment of
7 provisions governing the administration,
8 interpretation and enforcement of the new Zoning
9 Code; providing for the definitions applicable to the
10 Zoning Code; providing appendices in support of the
11 Zoning Code, including site-specific zoning
12 regulations, a foundation map, a campus perimeter
13 map; providing for the severability of the provisions
14 hereof; providing for the proper notice of proposed
15 enactment and to provide penalties for the violation
16 of the Zoning Code; and providing for a repealer
17 provision, a savings clause, and providing for an
18 effective date.

19 Mr. Riel?

20 MR. RIEL: I don't know if you would like to
21 read E-4 and 5 at this time, since they're all
22 related.

23 MR. BROWN: I shall.

24 E-4, Ordinance on First Reading. An
25 Ordinance of the City Commission of Coral Gables,

1 approving a change of zoning to the official zoning
2 map of the City of Coral Gables, Florida, for various
3 properties referenced herein for the purpose of
4 correcting inconsistencies between Comprehensive Land
5 Use Plan Map and the Zoning Map classifications,
6 referenced herein as the "Inconsistencies Location
7 Map" and legally described in the "Inconsistent Uses
8 Table"; and providing for a repealer provision, a
9 savings clause, and a severability clause, and
10 providing for an effective date.

11 E-5, Ordinance on First Reading. An
12 Ordinance of the City Commission of Coral Gables,
13 approving an update and revision of the Zoning Map
14 classifications pursuant to the Zoning Code rewrite
15 and citywide change of zoning and assignment of the
16 new zoning map classifications to the official Zoning
17 Map of the City of Coral Gables, Florida, for all
18 properties located within the City, which is part two
19 of a two-part process, and providing for a repealer
20 provision, a savings clause, and a severability
21 clause, and providing for an effective date.

22 MR. RIEL: As the Manager had indicated,
23 Items E-3, 4 and 5 are related, but there's also a
24 related item as G-3, where the Planning and Zoning
25 Board made a recommendation regarding a specific

1 issue, so that will also be a part of my
2 presentation.

3 I have a PowerPoint, but as the
4 Commission --

5 VICE-MAYOR ANDERSON: I'm sorry, which other
6 item did you say?

7 MR. RIEL: G-3.

8 VICE-MAYOR ANDERSON: G-3.

9 MR. RIEL: G-3. It's on the next page.

10 As was the case at the last meeting we had
11 in October, I'm going to be working off this chart,
12 which is Exhibit A in your packet. I do have this
13 information on a PowerPoint, but if you want to
14 follow through on the chart, it's very helpful.

15 Walter, get the lights.

16 COMMISSIONER CABRERA: Can you remember,
17 when you're done with this, to take these back?

18 MR. RIEL: Sure.

19 COMMISSIONER CABRERA: Please.

20 MR. RIEL: Absolutely.

21 The City Commission, on October 17, did
22 recommend first reading approval and requested the
23 Board -- requested that the Planning and Zoning Board
24 complete further review.

25 We completed that on November 8th. The

1 reason it's back for first reading this morning is,
2 we want to make sure that these issues aren't made
3 for changes. Therefore, we're doing first reading.

4 Second reading will be January 9th, at a
5 special meeting, when we'll hopefully be able to
6 finalize the Zoning Code.

7 As a part of the review at the last meeting,
8 there's several issues that garnered a lot of
9 discussion. As a part of that, Staff has done three
10 studies that I'm going to go through in this
11 PowerPoint. One is the MF1 or the duplex height.
12 Also, the height limitations in the commercial
13 districts when adjacent to residential districts.
14 And also, a parking analysis that we've done of other
15 local governments.

16 The format, again, which I'm going through
17 this chart, Column 1 is the page and line number in
18 the Code. Column 3 is the specific issue. Column 4
19 on this chart is the Planning Department's
20 recommendation, and then Column 5 is the Planning and
21 Zoning Board's recommendation.

22 And the issues that I've highlighted in
23 yellow are what I'm considering -- I don't want to
24 call them major issues, but issues that, again,
25 garnered the most discussion at the Planning and

1 Zoning Board and the Commission when this was
2 considered, not saying that the other ones are minor,
3 but in this presentation, I'm just going to go over
4 the items in yellow on the chart.

5 The first issue had to do with the 50
6 percent calculation of the single-family garages. As
7 you know, the Commission passed the single-family
8 ordinance that is in effect on October 1. As a part
9 of that discussion, when it was reviewed at the
10 Planning and Zoning Board, an issue came up in terms
11 of trying to create smaller properties, in terms of
12 the garage in the back. We had one Board member that
13 requested a change, and I went back in the record and
14 it wasn't really clear from my review of the verbatim
15 that the Board either supported it or did not support
16 it.

17 So this issue came up again, and basically,
18 the Planning Board asked that the Commission consider
19 a change to the calculation of garages in the rear,
20 from basically 75 percent to 50 percent FAR
21 calculation, for only properties that are 50 foot or
22 less in size. It basically ends up being a break for
23 the smaller type properties. If you look at the
24 numbers, it ends up being an 87-square-foot
25 difference.

1 COMMISSIONER CABRERA: Okay, but, you know,
2 this is really important. I've got feedback from a
3 resident who reminded us of our position on this
4 item. I'm sure the rest of the Commission has a copy
5 of this.

6 COMMISSIONER KERDYK: Yes.

7 COMMISSIONER CABRERA: And I vividly recall
8 the Commission specifically looking at this and
9 having a problem, and that in fact looked at it as 75
10 percent of the floor area.

11 MAYOR SLESNICK: That's correct.

12 COMMISSIONER CABRERA: What's that?

13 MAYOR SLESNICK: That's correct.

14 COMMISSIONER CABRERA: Yeah, so --

15 MAYOR SLESNICK: I agree with you.

16 COMMISSIONER CABRERA: -- how did this
17 change? How --

18 MR. RIEL: The Board brought up the issue
19 again and requested that --

20 COMMISSIONER CABRERA: I know, but they --

21 MR. RIEL: Obviously, when the Board makes a
22 recommendation -- I'm just kind of conveying that
23 information to you.

24 COMMISSIONER CABRERA: Okay.

25 MR. RIEL: They brought it up again; that's

1 all I can say.

2 COMMISSIONER CABRERA: And did you bring up
3 our feelings to the Board?

4 MR. RIEL: Absolutely.

5 COMMISSIONER CABRERA: Yeah. And they
6 still said -- okay.

7 MR. RIEL: Yes.

8 COMMISSIONER CABRERA: All right. That's
9 all right.

10 COMMISSIONER KERDYK: Can I expound on that
11 just for a second?

12 COMMISSIONER CABRERA: Sure.

13 COMMISSIONER KERDYK: Because I think the
14 reason that we said that it was going to be 75
15 percent was that we were allowing them to -- allowing
16 them, let's get back and define "them" -- the 50-foot
17 applicant, the 50-by-100-foot applicant, to encroach
18 or get closer to the setbacks than we would on a
19 larger parcel, and one of the reasons we said that it
20 would be okay to do that was that we were going to
21 count only -- count 75 percent, as opposed to 50
22 percent of that, and that's reducing the mass of the
23 structure. Right?

24 MR. RIEL: Right.

25 COMMISSIONER KERDYK: Right.

1 MR. RIEL: I'm just conveying what the
2 Planning Board --

3 COMMISSIONER CABRERA: I know, I know.
4 You're just the messenger here. I understand.
5 Don't kill the messenger.

6 MR. RIEL: The next issue was the
7 multi-family duplex height. The recommendation from
8 the Planning and Zoning Board was 29 feet, and that's
9 also the recommendation of the Department, and a
10 little bit further in my presentation I'll go through
11 the background information, the study that we've done
12 on that.

13 The next issue was commercial properties
14 adjacent to residential properties and the height
15 limitation. The previous recommendation was to --
16 for the first 50 feet, to limit the height.
17 Currently, in the Code, it's a hundred feet. Staff
18 went back and reanalyzed it, and the Board supported
19 it, to go back to the hundred foot which is presently
20 in the Code, although the Code is silent on that
21 issue. So basically, it's kind of a status quo, in
22 terms of what's in the current Code.

23 The minimum townhouse width, there was a lot
24 of discussion about townhouses, as you know. The
25 Commission directed Staff to do a further review of

1 townhouses at a later date, but the issue came up in
2 terms of the townhouse width. The Code, right now,
3 permits a minimum of 16 feet, and again, it's a
4 minimum. There was discussion about increasing that
5 to 23 feet. The Board reviewed it and discussed it
6 in detail. They felt the 16 was a minimum. You
7 could also construct it at 18, 20, 23. They felt
8 that it allowed some flexibility in the design on a
9 property if we had that minimum in there.

10 One thing that they did suggest, also, is an
11 additional amendment which included, if a townhouse
12 faces a street -- now, that could be on the side,
13 fronting, it could be any direction -- that townhouse
14 has to have a door facing that street. So it doesn't
15 necessarily need to be a row house. It could be a
16 townhouse that's side-loaded, two or three facing --
17 they just wanted a door facing the street.

18 VICE-MAYOR ANDERSON: And that doesn't deal
19 with the issue that we brought up at the Commission
20 meeting, but we'll talk about that --

21 MR. RIEL: Great.

22 VICE-MAYOR ANDERSON: -- when you finish
23 your presentation.

24 COMMISSIONER CABRERA: And --

25 VICE-MAYOR ANDERSON: I --

1 COMMISSIONER CABRERA: I just -- I know, I
2 know --

3 VICE-MAYOR ANDERSON: Yeah.

4 COMMISSIONER CABRERA: -- and I'm glad
5 you're going to do that, but is that door a working
6 door, or is it just a facade?

7 MR. RIEL: A front door.

8 COMMISSIONER CABRERA: So it's a front door?
9 It's the front door of the property?

10 MR. RIEL: Of the unit.

11 VICE-MAYOR ANDERSON: But it still allows it
12 to be a garden apartment style?

13 COMMISSIONER CABRERA: Right.

14 MS. HERNANDEZ: Yes.

15 MR. RIEL: Yes, it does, and that was
16 discussed --

17 VICE MAYOR ANDERSON: That's my problem.

18 MR. RIEL: -- and that was kind of a
19 compromise between a garden and making it -- making
20 them all row houses. So it was a kind of a
21 compromise.

22 The other change in the Code was medical
23 clinics. As you know, a lot of discussion has
24 occurred regarding medical clinics and the sleep
25 center, the whole issue regarding those types of

1 uses, commercial properties adjacent to
2 single-family.

3 Basically, what the Code provides for is
4 that, when adjacent to single families, there's a
5 limitation on medical clinics of 10,500 square feet.
6 Above that, it needs to go through a conditional use
7 review, which means it needs to come to the Planning
8 and Zoning Board and the Commission for review. This
9 is a change, because they are permitted by right,
10 right now, and as you know, there's a whole set of
11 performance standards that deal with 24-hour uses.
12 So, basically, this is a change in the Code, and this
13 was discussed at length by the Board, as well, and
14 approved by the Board, as well.

15 Also, another change is hotels or overnight
16 accommodations adjacent to single-family. Right now,
17 eight units, eight rooms or less, is permitted by
18 right. Eight rooms or more has to go through a
19 conditional use review. This is a change, and again,
20 it's meant to be -- to provide protection to the
21 single-family properties when you have a certain use,
22 of which a hotel is a heavy generator in terms of
23 nighttime activities and other things that occur as a
24 result of that. So this is a change in the Code, as
25 well.

1 Another request that came, probably in the
2 last month or two, as a part of this whole two-year
3 process, was looking at possibly reducing the minimum
4 frontage requirements and the minimum lot
5 requirements for high-rise sites. Right now, the
6 Code requires 200 foot, 20,000 square feet. This has
7 been in the Code since 1984. There was some
8 discussion about going down to a hundred feet and
9 10,000 square feet. The Commission discussed -- I
10 mean, the Planning Board discussed this at length.
11 This is what the Planning Board made a
12 recommendation, saying that further study is needed.
13 This is what they made a motion, on G-3, that Staff
14 come back within 120 days or at a later date with
15 some recommendations on possibly reducing that.

16 Retail parking requirements versus office
17 parking requirements. That issue came up at the last
18 meeting, and Javier is passing out a study that we've
19 done of other local governments, and I'll get into
20 that a little bit more in detail, but I wanted to
21 give you -- this is in your packet; however, it's not
22 a full size.

23 Basically, what we found out is, local
24 governments vary, but they generally do require four
25 to five spaces per thousand in the Central Business

1 District, unless there's a specific geographic area
2 where they want to try to encourage development; then
3 they do -- they do reduce the parking requirements.

4 We did a study of the multi-family duplex
5 height. What I have here is a series of slides,
6 where Staff went out and did some analysis.
7 Basically, we looked at Segovia Street, Ponce de Leon
8 and LeJeune Road, and these are the locations that
9 duplexes are currently existing within the City.

10 What we did is, we selected buildings that
11 we thought were the greatest height. We went out,
12 several members of the Department went out, and we
13 looked at a building and we thought, "Well, this
14 looks like a high building," based upon, you know,
15 looking at it from the street. So we selected about
16 nine or 10 properties. What we did is, we went
17 upstairs and pulled the information, in terms of the
18 actual height, and we have a photograph on each of
19 these, that shows the exact height, and we just
20 basically determined what the height is.

21 This one is 14 feet, obviously, the top of
22 the roof -- the finished floor, nine feet, eight
23 inches.

24 This one is on Segovia Street. Again,
25 pulled the plans, went out and photographed.

1 VICE-MAYOR ANDERSON: How old are these
2 drawings?

3 MR. RIEL: I am not sure, but they're on
4 microfiche, so I assuming they're probably from the
5 '60s, '70s and '80s.

6 This one was at 25 feet.

7 2828 Segovia, basically 29 feet.

8 23 feet.

9 Ponce, 25.

10 Again, another building on Ponce. This one
11 was more of a newer construction, I'm not sure what
12 year, but I think it was in the '90s.

13 LeJeune Road, about 23.

14 Again, on LeJeune Road, 24 feet.

15 Another one on LeJeune Road, 27 feet.

16 This is one of the newer duplexes. This is
17 south of U.S. 1. This is right behind, I don't know
18 if you know, the Fire Station 2, there was a new
19 office building built. These are the new duplexes.
20 These were just built about a year or two ago. The
21 top of the ridge is 26 feet and the top of the tower
22 29 feet. So this gives you an example of a new
23 construction, and the floor-to-floor height on the
24 first floor is eight to nine feet, and the second
25 floor is nine feet, and it just gives you an idea in

1 terms of something that, you know, is under the 29.

2 COMMISSIONER KERDYK: The 29 feet would be
3 to the top of the ridge, is what the --

4 MR. RIEL: 26 to the top of the ridge. The
5 tower --

6 COMMISSIONER KERDYK: No, I understand that,
7 but our proposal here, 29 feet would be the top of
8 the ridge, or how would that --

9 MR. RIEL: Top of the ridge.

10 COMMISSIONER KERDYK: Top of the ridge, all
11 right.

12 VICE-MAYOR ANDERSON: What is currently
13 allowed by Code now?

14 MR. RIEL: 34 feet. 34 feet.

15 And this is just each of the exhibits, just
16 showing their varying heights.

17 Also, what we did is, we looked at, just in
18 general, the area, and we did a shadow study test. I
19 know these are very, very difficult to see, but you
20 have full color versions in your packet.

21 COMMISSIONER KERDYK: Eric, I've got a
22 question for you, and I'm sorry to digress here, but
23 Vice-Mayor Anderson asked an interesting question,
24 "What is the current Code?" It's 34 feet. Why are
25 you not seeing any of these duplexes built at 34 feet

1 right now, if that's the Code?

2 MR. RIEL: I don't know the answer to that.
3 I really don't.

4 COMMISSIONER KERDYK: I mean --

5 MR. RIEL: It was quite surprising, when we
6 went out, that we found that they were at 29. I was
7 very surprised.

8 COMMISSIONER KERDYK: I thought they were
9 going to be higher, to be honest with you, because --
10 yeah.

11 MR. RIEL: I figured most of them were 30,
12 32, 34, because people usually build to the maximum
13 height of the Code.

14 Again, this is just a comparison of 34
15 versus 29. This is a shadow study. It was done on
16 June 22nd, at 3 p.m. As you can see, there's not
17 much of a difference. December, obviously, the sun
18 is at a different angle. There's a difference in
19 terms of the shadow study.

20 Staff is recommending 29 feet, due to the
21 fact that the existing are 29 feet or below,
22 compatibility with the single-family residence. It
23 does cast less of a shadow, although negligible, and
24 in our opinion, the 29 feet does not impair the
25 building roof design, which is evidenced by the

1 existing construction that has occurred, and the
2 Planning and Zoning Board, you know, understood this
3 information and they did recommend approval of the 29
4 feet.

5 Height limitation is the next issue we
6 studied.

7 VICE-MAYOR ANDERSON: Eric, are you going to
8 go through this, or can we make comment during --

9 MR. RIEL: However you'd like. I mean, I
10 can go through the entire presentation or --

11 VICE-MAYOR ANDERSON: Whatever you all like.

12 MAYOR SLESNICK: Well, we've already gone
13 through a bunch of them, so why don't we just go
14 through the rest of them?

15 VICE-MAYOR ANDERSON: That's fine, no
16 problem.

17 MR. RIEL: We did a study of CL properties,
18 the height limitation. If you were to take a
19 single-family home and put it on the property with
20 commercial in the front, this is the shadow that it
21 creates. This is at a 50-foot, and this is at the
22 limitation of a hundred feet. So you can obviously
23 see there's less of a shadow, and also, you can see
24 the compatibility, in terms of -- although it's kind
25 of difficult to see, this is on an angle, but given

1 the limitation, it does result in a lower height
2 building, and this is kind of like three different
3 examples, if you were to construct a building without
4 the height limitations, with, and without, at
5 different times of the year.

6 MS. HERNANDEZ: One's in January and one's
7 in June?

8 MR. RIEL: We selected when the sun is
9 higher and then obviously when the sun is lower.

10 We're recommending a hundred feet, which, as
11 I indicated earlier, is identical with what's in the
12 current Code and it's the status quo, and the
13 Planning Board did support that, as well.

14 We've already moved through these issues.

15 MAYOR SLESNICK: So that's the key issues
16 that were highlighted from our last hearing?

17 MR. RIEL: Yes, and a little bit -- I have a
18 couple more. Let me just make sure.

19 As I indicated, we did do a parking study.
20 We're recommending the Code be -- remain the same as
21 originally recommended: Retail 1 to 250; office,
22 1 to 300. That's the chart that Javier handed out.

23 One thing that was brought up at the October
24 17th meeting -- actually, Commissioner Withers
25 brought it up -- how good did we do in terms of

1 discovery, you know, when we met in January, it was
2 actually January of 2004, before we even started this
3 process. We went through each one of the items that
4 were indicated by Staff, as well as the Planning and
5 Zoning Board and the City Commission, and we checked
6 off those ones that we felt we accomplished, and I
7 would say, for the most part, about 95 percent of
8 those, we accomplished, and we have those -- we have
9 that exhibit in the back. It's Exhibit M and N.

10 In terms of implementation, just kind of an
11 overview, these were the 10 or 12 issues that we came
12 up with. I can tell you, Staff, we looked through
13 the discovery worksheets throughout the process, to
14 reemphasize the fact that the Commission and the
15 Planning Board wanted us to look at these issues, and
16 as I indicated, 95 percent of those issues have been
17 addressed, debated, discussed, and you have those
18 recommendations that, you know, have gone through the
19 public hearing process part of this Code.

20 We did the same thing with the Charrette
21 recommendations. The Charrette recommendations,
22 there was approximately 50 recommendations. We went
23 through the same -- same exercise, checked off those
24 that we felt we accomplished, as well, and all those
25 that are Zoning Code related, again, we debated, we,

1 you know, got public input, and those are included
2 within this document.

3 This kind of just looks at an overview. We
4 talked about a Master Streetscape Plan in the
5 Charrette, a streetscape palette, height of
6 buildings, street frontage, having to do with
7 Mediterranean -- some of these things were also taken
8 care of in the Mediterranean Ordinance and the
9 Mixed-Use Ordinance, as well. Encouragement of
10 public spaces, undergrounding of utilities.

11 Basically, Staff recommends approval of what
12 is in Column 5, as the Planning Board debated, and as
13 I indicated earlier, January 9th we intend to come
14 back for second and final reading, and hopefully
15 conclude this process. It's been an outstanding
16 process. It's been a somewhat lengthy process, but
17 we look forward to the Commission's direction today
18 so we can come back on second reading, and if there's
19 any further issues that we need to do, and any
20 further study, we can certainly do that between now
21 and January 9, so --

22 MAYOR SLESNICK: Thank you, Eric.

23 Let's go ahead and take the public, and then
24 we can discuss --

25 VICE-MAYOR ANDERSON: Absolutely, yes.

1 MAYOR SLESNICK: And then we'll close it and
2 discuss --

3 VICE MAYOR ANDERSON: Let's hear from the
4 public.

5 MAYOR SLESNICK: For those of you wishing to
6 speak, I remind you that you are asked to fill out a
7 speaker's card so that I will know that you're
8 speaking, and for those of you in the back who are
9 here for the Merrick House items, you may want to
10 come back, because we probably are going to be --
11 after this, we're going to hear one other short item
12 and then we're going to take a lunch break, and if
13 you would give Dona Lubin a contact number, she can
14 call and tell you when we're going to be back, but I
15 would think that we will save it, no matter what,
16 until a time certain for you -- since you are a board
17 and you're volunteers, why don't we say a time
18 certain, for the Merrick House, of about two-thirty,
19 okay?

20 Thank you all. Thanks for what you do.

21 Fernando Menoyo, 744 Biltmore Way.

22 I remind speakers that we ask them to keep
23 their remarks to three or four minutes.

24 COMMISSIONER WITHERS: Thanks, Fernando.

25 MR. BROWN: We need one for the Clerk,

1 Fernando.

2 COMMISSIONER WITHERS: Fernando, we should
3 give one copy to the Clerk.

4 MR. BROWN: The Clerk's got to have one.

5 MR. MENOYO: I don't have an extra one.

6 COMMISSIONER KERDYK: That's all right, I'll
7 give him mine.

8 MR. BROWN: I'll get one.

9 COMMISSIONER WITHERS: He can have mine.

10 MR. MENOYO: Fernando Menoyo, 744 Biltmore
11 Way. I am here, once again, to address our townhouse
12 ordinance. Our townhouse ordinance was written for
13 row townhouses. They are also called street
14 townhouses, because they front the street. Our
15 townhouse ordinance needs to be tweaked, to avoid its
16 use for other types of structures. We suggest two
17 changes. The townhouse must face the street. Each
18 individual townhouse should face the street, and they
19 should have a minimum width of 23 feet, to allow --
20 to allow two-car garages -- that would remove cars
21 from the street -- side by side, and 23 feet would --
22 allows that. It's the minimum.

23 We are not against other types of
24 townhouses. We're not against courtyard apartment
25 buildings, but they should have their own specific

1 ordinances, to address their specific needs.

2 Thank you.

3 COMMISSIONER CABRERA: Mr. Menoyo, I have a
4 question. When -- based upon your vision, what would
5 happen if someone wanted to build a townhouse, based
6 upon your recommendation, and they didn't have an
7 alleyway behind them? How would you propose that
8 their vehicles be stored or parked?

9 MR. MENOYO: Well, at the moment, you can't
10 build a townhouse without an alley. The Code
11 requires that you have parking through the back.

12 COMMISSIONER CABRERA: That's the critical
13 component?

14 MR. MENOYO: Yeah, and that change is being
15 made right now.

16 COMMISSIONER CABRERA: And so, in essence,
17 if somebody did have property in that same area,
18 there's just no way that they could build that
19 townhouse unless they had an alleyway behind them?

20 MR. MENOYO: That is correct.

21 COMMISSIONER CABRERA: That's the critical
22 component?

23 MR. MENOYO: Right.

24 COMMISSIONER CABRERA: Okay. I just wanted
25 to be certain.

1 MR. MENOYO: But they could build one with a
2 one-car garage in the back.

3 COMMISSIONER CABRERA: In the back, but not
4 in the front.

5 MR. MENOYO: With tandem parking, because
6 they require two parkings -- two parkings, but when
7 you -- when you build anything less than 23 feet,
8 then you would require tandem parking.

9 COMMISSIONER CABRERA: In the rear?

10 MR. MENOYO: In the rear. But tandem
11 parking does not -- it pushes cars to the street,
12 because it doesn't work as well as side-by-side
13 parking.

14 COMMISSIONER CABRERA: Okay.

15 COMMISSIONER KERDYK: Fernando, I have a
16 question, too. You have two points, one that he
17 addressed, the 23 feet, and the other was regarding
18 the facing of the town homes to the street.

19 MR. MENOYO: Correct.

20 COMMISSIONER KERDYK: But isn't that
21 already taken care of with the new recommendations
22 from the Staff?

23 MR. MENOYO: No.

24 COMMISSIONER KERDYK: It says -- no? Why
25 not?

1 MR. MENOYO: Because it's not requiring
2 every individual townhouse to face the street.

3 VICE-MAYOR ANDERSON: Basically, also, if I
4 might add, Mr. Menoyo, that basically allows, still,
5 the garden apartment, and that's my big problem with
6 that particular language.

7 MR. MENOYO: It only requires the ones that
8 are fronting the street to have --

9 VICE-MAYOR ANDERSON: Yeah.

10 MR. MENOYO: -- main entrances.

11 VICE-MAYOR ANDERSON: But still --

12 MR. MENOYO: The ones in the back can have
13 entrances through the courtyard.

14 COMMISSIONER CABRERA: Yeah. Commissioner,
15 then you have two units --

16 COMMISSIONER KERDYK: Right.

17 COMMISSIONER CABRERA: -- facing the street,
18 with an entrance -- you know, correct me if I'm
19 wrong. Then you have a center entrance, and then you
20 have the garden, and then I guess what would happen,
21 in that instance -- situation is that you have
22 parking either on the side or -- well, you'd have to
23 have parking on the side.

24 MR. MENOYO: Or underground.

25 COMMISSIONER CABRERA: Or subterranean.

1 MR. MENOYO: Like the project that was
2 proposed and passed. It has underground parking.

3 COMMISSIONER CABRERA: So, then, you would
4 have a center opening --

5 MR. BROWN: Right.

6 COMMISSIONER CABRERA: -- into a courtyard.

7 VICE-MAYOR ANDERSON: And what we started
8 out with, when we did the moratorium area, I was of
9 the firm conviction that this was passed, that these
10 would be the town home --

11 COMMISSIONER KERDYK: The row house.

12 VICE-MAYOR ANDERSON: And the row house --
13 you have to use the term loosely in architectural
14 terms, because it has a different connotation in
15 different ways, but they're side by side, in Boston
16 and New York, all those great cities.

17 COMMISSIONER KERDYK: Right, right.

18 VICE-MAYOR ANDERSON: That's what I'm
19 looking for. Now, I have nothing against the garden
20 apartments, but this particular change that the
21 Planning Board made that day, when I saw that, was
22 just basically, put the door on the street so that --
23 let's take care of it. They were kind of in a rush.

24 MR. MENOYO: See, for instance --

25 VICE-MAYOR ANDERSON: And it doesn't address

1 the two different building typologies.

2 MR. MENOYO: Right. They have their
3 specific needs. Courtyard apartment buildings
4 generally have side setbacks.

5 VICE-MAYOR ANDERSON: Right.

6 MR. MENOYO: Because if you don't have those
7 side setbacks, then the units that are in the middle
8 of the building are very dark.

9 VICE-MAYOR ANDERSON: Right.

10 MR. MENOYO: Are extremely dark. So, you
11 know, each typology -- and that's the way it's done
12 in most cities.

13 COMMISSIONER KERDYK: Right.

14 MR. MENOYO: Most cities have specific
15 ordinance for specific typologies.

16 COMMISSIONER CABRERA: And the Planning
17 Board does not concur with your -- with your vision?

18 MR. MENOYO: I don't think they have given
19 it enough thought, to be quite frank.

20 VICE-MAYOR ANDERSON: I agree. They were
21 very rushed. I don't think they got the full
22 picture, honestly.

23 COMMISSIONER CABRERA: Okay.

24 VICE-MAYOR ANDERSON: They're on a time
25 limit now, to get out at nine, and even members get

1 up and leave sometimes.

2 MAYOR SLESNICK: Thank you, Fernando.

3 COMMISSIONER CABRERA: Okay.

4 MAYOR SLESNICK: Thank you very much.

5 Mario Garcia-Serra.

6 MR. GARCIA-SERRA: Good morning, Mr. Mayor
7 and Commissioners. Mario Garcia-Serra, with offices
8 at 1221 Brickell Avenue, representing Gables
9 Catalonia, Limited, the owner of the property located
10 at 283 Catalonia Avenue, indicated on this aerial
11 photograph. You'll be happy to know that this is the
12 only board I expect to use today, so I'm going to try
13 to keep my comments as brief as possible.

14 The building on this site houses, right now,
15 Mr. Ramon Rasco's law firm, the principal of Coral
16 Gables, Catalonia, known as Rasco, Reininger, Perez,
17 Esquenazi & Vigil, as well as a few other offices.
18 The site is presently zoned CB and is subject to a
19 unity of title which binds the six platted lots into
20 one building site.

21 The new proposed zoning map essentially
22 divides the property in half by designating the
23 westerly half as commercial limited, the part to the
24 left of that dotted line, or excuse me, to the west
25 of that dotted line, and the easterly half as

1 commercial.

2 The designation of the western half of this
3 property to CL is what my client is objecting to.
4 Several of the uses which the property presently has,
5 as of right, such as hotels in excess of eight units
6 and medical clinics in excess of 10,000 square feet,
7 would become conditional uses under the CL
8 designation, and the property's ability to have a
9 mixed-use project would disappear altogether.

10 While we recognize that we are located in
11 close proximity to single-family residential zoning,
12 we believe that there are other restrictions which
13 are already in place or which are proposed to be
14 strengthened by the Zoning Code rewrite, such as
15 restrictions on height, nighttime uses and noise,
16 which are sufficient to ensure the single-family home
17 character of this area, and that this essential
18 down-zoning of the western half of the property is
19 unnecessary to serve that end and only deprives my
20 client of property rights which he presently has.

21 At the last Planning and Zoning Board
22 meeting, we presented our case and requested that the
23 entire property be zoned C, commercial. A motion to
24 zone the entire property C, commercial, except for
25 the westernmost lot, was withdrawn due to concerns

1 regarding public notice.

2 After that meeting, we had discussions with
3 Staff, and Staff requested that we propose language
4 to amend the text which would address our concerns.

5 I now provide you with copies of that
6 proposed language, which was presented to Staff
7 yesterday.

8 COMMISSIONER KERDYK: So, Mario, the Staff
9 asked you for this language here; is that correct?

10 MR. GARCIA-SERRA: Correct. I don't think
11 they've had sufficient time to review and respond,
12 but they did request that, and it was provided.

13 And part of that is, the changes in the
14 proposed zoning map have changed over time. At
15 first, this property was designated to be C in its
16 entirety. At some point in the process, it changed
17 to the split designation of CL and C. As soon as my
18 client became aware of it, he retained me, and we've
19 commenced discussions with Staff and meeting with the
20 Zoning Board.

21 However, at this time, we've come at this
22 late stage in the game, let's say, because of that,
23 and what we're requesting is not necessarily any
24 substantive action today, but at least the direction
25 to Staff to continue working with us, consider our

1 proposed language, and report back.

2 MAYOR SLESNICK: Any questions?

3 COMMISSIONER WITHERS: So what would be the
4 mechanics on this? We would refer it back to the
5 Planning and Zoning Board, is that what would --

6 MR. GARCIA-SERRA: Well, right now, I think
7 it's in Staff's hands.

8 MS. HERNANDEZ: Right.

9 MR. GARCIA-SERRA: Staff would review the
10 language that we have proffered.

11 MS. HERNANDEZ: We still have final reading
12 in January. This has been presented to us. While
13 we've given it an initial review, I'm not supportive
14 of this change at the present time.

15 COMMISSIONER WITHERS: Right.

16 MS. HERNANDEZ: I don't believe that Mr.
17 Riel is, either. So we'll continue to study it and
18 to meet with Mario and Mr. Rasco, and obviously, make
19 our final recommendations for the final public
20 hearing. At that time, they will preserve whatever
21 objections, or convince the Commission to do what
22 they believe is appropriate.

23 COMMISSIONER WITHERS: When you say "we,"
24 you mean we, the Staff, or we, the Planning --

25 MS. HERNANDEZ: We, the Staff, will meet

1 with them, and we may come to a joint agreement. It
2 may be that we cannot agree, and then the Commission
3 will be charged with making a final decision.

4 COMMISSIONER WITHERS: Well, are there other
5 areas of the City that affect neighbors like this?

6 MR. GARCIA-SERRA: If you look at the entire
7 western sort of half of these three blocks, they're
8 in the same situation, currently zoned CB, and now
9 their westerly hundred feet is being proposed to be
10 zoned CL and the rest commercial. There might also
11 be, on the border, other --

12 COMMISSIONER CABRERA: And then don't you
13 have the same situation in the north quadrant of the
14 City, along Ponce de Leon Boulevard?

15 MR. RIEL: Yes. Let me -- let me, if I
16 can, outline what the change is and why we did this.

17 As you know, the whole impetus of rewriting
18 the Zoning Code was the impact of commercial
19 properties adjacent to residential, more
20 specifically, single-family. That's why we did the
21 nighttime provisions.

22 COMMISSIONER KERDYK: Right.

23 MR. RIEL: What we did is, when we went
24 through the map, we looked at CB properties, and we
25 looked at those that are adjacent to single-family,

1 and we had to make a call, an interpretation, in
2 terms of, you know, whether to assign it CL or
3 commercial zoning. This property, there are three
4 lots, which is about 120 feet, which our guide was
5 the hundred foot that we just discussed --

6 COMMISSIONER KERDYK: Right, right.

7 MR. RIEL: -- in terms of commercial. We
8 decided to put CL on that portion and C on the
9 remaining.

10 What we've done in terms of changing what's
11 permitted from the CB to the CL uses, there's three
12 or four uses that were removed. That's the only
13 changes. Car sales, alcohol sales, drive-through
14 facilities are no longer permitted, and nightclubs
15 are no longer permitted, because they were
16 previously. We've added a couple uses. We added an
17 ALF, a nursing facility.

18 This property in question was not permitted
19 mixed-use before. It was not in the mixed-use
20 district. So they didn't have the opportunity to do
21 the mixed-use. They cannot do mixed-use on the CL
22 portion, but they can on the C portion.

23 COMMISSIONER KERDYK: You know what's
24 unusual about this property? I haven't really
25 studied it, but I can just tell you by going by it,

1 that the commercial building happens to fall inside
2 the CL, and then their parking that is for that
3 building falls into the other classification. That's
4 the problem.

5 VICE-MAYOR ANDERSON: Yes.

6 COMMISSIONER KERDYK: And the parking is
7 required by the City, so they're in a Catch, you
8 know, 21 there. So that's unusual for that piece of
9 property. That's the only thing -- that's where I
10 see a difference. You know, if it was flipped
11 over -- yeah, I can see a problem there.

12 MR. RIEL: But further, there's no change in
13 FAR, no change in height.

14 COMMISSIONER KERDYK: I understand. I
15 understand.

16 MR. RIEL: There's three or four uses that
17 are not permitted and a couple that they need to go
18 through a conditional use.

19 MAYOR SLESNICK: Okay, but obviously, this
20 has negatively impacted the owners of this property,
21 so therefore, I think we're all concerned, because
22 they brought it to our attention. Other owners have
23 not. And if you look at the picture again, the fact
24 is that --

25 MR. GARCIA-SERRA: The aerial?

1 MAYOR SLESNICK: Yeah. This is a
2 specifically situated piece of property that is
3 across the street, not from single-family, but from a
4 vacant lot. I guess it someday could become single
5 family.

6 VICE-MAYOR ANDERSON: Well, it is --

7 MAYOR SLESNICK: But it's shared on a block
8 that has commercial directly behind --

9 VICE-MAYOR ANDERSON: Right.

10 MAYOR SLESNICK: -- the single-family. So,
11 therefore, unlike some of the others as we go further
12 south, who are directly across from total
13 single-family blocks, this is not, and is unlike the
14 entire stretch down Ponce de Leon, which is backed
15 totally by single-family.

16 COMMISSIONER KERDYK: Or 8th Street.

17 MAYOR SLESNICK: This is not. So this has a
18 particularly -- but I am particularly concerned with
19 the language that was presented, because I hadn't
20 seen this before, and it addresses all properties in
21 the same situation, and I am not interested in all
22 properties in the same situation.

23 MR. RIEL: That's somewhat of our concern,
24 as well.

25 MAYOR SLESNICK: I'm interested in this

1 property. If there is a justification to modify the
2 impact on this property, I'd be interested in hearing
3 it.

4 COMMISSIONER KERDYK: I agree with that. I
5 agree.

6 MR. RIEL: I just wanted to make sure the
7 Commission understood the --

8 VICE-MAYOR ANDERSON: Yeah, I understand.

9 COMMISSIONER KERDYK: I appreciate your
10 coming up.

11 VICE-MAYOR ANDERSON: No, I do.

12 MR. GARCIA-SERRA: Thank you.

13 VICE-MAYOR ANDERSON: I just have a quick
14 question for the City Attorney. Since I don't have a
15 license to practice law, I'm just going to ask it,
16 and just throw it out there. You talk here about --

17 MAYOR SLESNICK: We can issue you one.

18 VICE-MAYOR ANDERSON: We can issue one? All
19 right, that's fine. By a resolution, or are we going
20 to do it on two readings and -- all right.

21 Staff talks here in the permitted uses, and
22 it talks about that the property -- it goes on and
23 on, and then at the end, it goes, that have all
24 commercial uses on portions of the property
25 designated commercial limited on the condition that

1 the property is developed or redeveloped as one unit
2 by parcel.

3 Could a possibility -- and I don't know, be
4 that it's subject to site review, site plan review,
5 or that somebody will have to look at it?

6 MS. HERNANDEZ: Right. That would be some
7 of the, you know, issues that we would look at.

8 In reality, my initial review of that,
9 basically, property owners would come in and unify
10 their property and therefore keep their C
11 designation. You know, it doesn't achieve the
12 ultimate end goal that the Commission charged us
13 with, when we started down this road.

14 So, you know, we're going to have to study
15 it more and see if we can come to a -- you know, to a
16 point where everybody's satisfied.

17 VICE-MAYOR ANDERSON: Okay.

18 MR. GARCIA-SERRA: We're open to all
19 alternatives. Thank you.

20 MAYOR SLESNICK: Thank you.

21 VICE-MAYOR ANDERSON: Thank you.

22 MAYOR SLESNICK: Mr. Rasco, thank you.

23 MR. RASCO: Thank you.

24 MAYOR SLESNICK: We have Mr. Acosta, from
25 the RNA. Did you want to -- I know you told me that

1 the attorney wasn't here and that you may want to
2 just pass and talk next time or -- you want to?
3 Welcome to the Riviera Neighborhood Association.

4 MR. ACOSTA: Good morning, Mr. Mayor,
5 Commissioners. The Riviera Neighborhood Association
6 is very pleased to say that we have been fully
7 participative in the zoning rewrite process for the
8 two plus years, and we look forward to the
9 resolution.

10 As you said, Attorney Tucker Gibbs could not
11 be here today, so we look forward to the next
12 opportunity in January.

13 MAYOR SLESNICK: Thank you very much, and
14 thank you and please pass along our thanks to the
15 homeowners for their participation.

16 MR. ACOSTA: I will. Thank you.

17 MAYOR SLESNICK: Maria Longo.

18 She was here.

19 COMMISSIONER CABRERA: She's here.

20 MR. BROWN: She's here.

21 MAYOR SLESNICK: Oh, there she is. She
22 changed seats.

23 MS. LONGO: Good morning -- good
24 afternoon --

25 VICE-MAYOR ANDERSON: It's just after noon.

1 MS. LONGO: -- Mr. Mayor and Commissioners.
2 I'm here to speak about the duplex height. I am
3 against the reduction of duplex height from 34 to 29
4 feet. I am in favor of a combination of both
5 heights, 29 and 34.

6 Given the fact that some of our best
7 architects, Maria de la Guardia and Jorge Hernandez,
8 have spoken in front of the Planning Board throughout
9 the last year, and the last two meetings, Maria de la
10 Guardia spoke in favor of keeping the 34 feet high,
11 because according to them, Segovia, as well as the
12 other duplex streets, can take the height, due to the
13 scale and proportion.

14 I'm in favor of a combination, because we
15 have -- Mrs. Mamta Chaudhry-Fryer has agreed for a
16 compromise. We can apply -- we can come up with a
17 solution similar to the one that we have used with
18 townhouses, applying the same -- first 25 feet
19 contiguous or adjacent to single-family homes, to
20 keep it at 29, as a step-down, and the rest at 34.
21 This solution will meet the needs of the City,
22 aesthetic needs, because we -- again, I like
23 beautiful things, and I have consulted with
24 architects that I respect, and after speaking with
25 architects that I respect, they continue and

1 consistently say, "Don't reduce duplex height,
2 because these streets can take it."

3 Therefore, I am recommending a simple
4 solution that meets the needs of the single-family
5 residents and the City. Thank you.

6 MAYOR SLESNICK: Thank you, Maria.

7 Elaine Codias, from 1604 Casilla.

8 MS. CODIAS: Yes, hi. Good morning.

9 MAYOR SLESNICK: You can pull that up a
10 little bit. There you go.

11 MS. CODIAS: Is that better?

12 COMMISSIONER CABRERA: Yes.

13 MS. CODIAS: Yes, okay.

14 I support setting the height of duplexes in
15 the MF1 districts at 29 feet. And we live at the
16 corner of Casilla and Zamora, and my basic concern
17 about the height of duplexes arises from a duplex
18 that's being built on the southwest corner of LeJeune
19 and Zamora. So that's -- there's one small apartment
20 building on the northwest corner and this duplex is
21 on the other corner, and I would be very surprised if
22 this duplex is not 34 feet. It's gigantic, and the
23 single-family home that's next to it is completely
24 dwarfed. So I would be in favor of anything we can
25 do to keep the height of these buildings down.

1 And I think -- a second point is that, as
2 you could see from the study that Staff has done of
3 existing buildings, all of the ones that they found
4 were 29 feet or less, and I think one of the things
5 that makes buildings stand out and look inappropriate
6 to the neighborhood is having a very -- a height
7 that's higher than the rest of the buildings around
8 them.

9 Thank you.

10 MAYOR SLESNICK: Thank you very much.

11 Rick Holmes.

12 MR. HOLMES: Is this good sound here?

13 COMMISSIONER KERDYK: Uh-huh.

14 MR. HOLMES: Okay. I want to express my
15 concern and make a very strong point that y'all have
16 started the train, it's left the station, to making
17 Miracle Mile a concrete canyon. I thought you
18 weren't going to do it, but you're doing it. I want
19 to make it absolutely clear to you and to the voters
20 of Coral Gables that that's what you've done. You're
21 on the train that's left the station and you're
22 deciding to make Miracle Mile a concrete canyon, even
23 though you told the voters you weren't going to do
24 it.

25 With respect to the report on the Zoning

1 Code, Planning Director Riel said that you all -- or
2 the Zoning Code has implemented recommendations on
3 the height of Miracle Mile and the height of the
4 adjoining streets, Andalusia and Aragon. It's not
5 true. The Charrette recommended that Miracle Mile
6 heights be lowered. That hasn't happened. The
7 height on Miracle Mile is 12 to 15 stories, recently
8 confirmed by our City Manager in a meeting. That's
9 the height. It hasn't been changed. Even though he
10 said that that recommendation of lowering the height
11 had been adopted, it hasn't.

12 Likewise, a recommendation out of the
13 Charrette was to raise the height on the streets
14 adjoining Miracle Mile, that is, Andalusia and
15 Aragon, so that we have this sculpted effect, where
16 what the City voters want is a residential charm and
17 character preserved of Coral Gables, with a low-rise
18 Miracle Mile.

19 I talked earlier today about a referendum.
20 Who would like to bet me that the City's voters would
21 not vote to keep Miracle Mile low-rise, to preserve
22 the residential charm and character of our City?
23 That's what they want, and you're giving them the
24 exact opposite.

25 VICE-MAYOR ANDERSON: Let me ask a question

1 of the City Attorney and the City Manager. Didn't we
2 enact the Friedman -- Albert Friedman Overlay
3 District on Miracle Mile, to protect development on
4 the frontage of Miracle Mile?

5 MR. BROWN: On the front.

6 MAYOR SLESNICK: Zane/Friedman.

7 VICE-MAYOR ANDERSON: Zane/Friedman?

8 What are the height limitations on the
9 overlay district that we enacted as a result of the
10 Starwood project? Because I want to make sure that
11 the record is correct. We did try to limit the
12 height on Miracle Mile.

13 MS. HERNANDEZ: I believe -- I don't have
14 the ordinance in front of me, but I believe it's no
15 more than three stories, right?

16 COMMISSIONER KERDYK: Yeah.

17 VICE-MAYOR ANDERSON: Let's get the facts
18 straight here.

19 MR. RIEL: It's referred to as the Downtown
20 Overlay District. The building height shall be
21 limited to no more than --

22 MAYOR SLESNICK: No, no, it's referred to as
23 the Zane/Friedman Downtown Overlay District.

24 VICE-MAYOR ANDERSON: Right, right.

25 MR. RIEL: Zane/Friedman, yeah. It's no

1 more than six stories or 70 feet in height.

2 MR. BROWN: On the front.

3 MR. RIEL: On Miracle Mile.

4 COMMISSIONER KERDYK: So it was down-zoned
5 from 12 -- not down-zoned, it was lessened in height
6 from 12 --

7 MR. RIEL: It was reduced, from the ability
8 to go to 16 stories, down to six.

9 COMMISSIONER KERDYK: Down to six.

10 VICE-MAYOR ANDERSON: Down to three -- down
11 to six.

12 MR. RIEL: Down to six.

13 VICE-MAYOR ANDERSON: And then the other
14 streets, unfortunately, have already been developed
15 in the back.

16 MR. RIEL: Correct.

17 VICE-MAYOR ANDERSON: We did that as a
18 result of a high-rise project which had threatened to
19 come onto Miracle Mile and be 12 stories or 16
20 stories on Miracle Mile, and the overlay district
21 which we helped pass was to help protect the frontage
22 on Miracle Mile.

23 So, I mean, I just want you to know that, so
24 you don't -- so that you're educated on that.

25 MR. HOLMES: Well, no --

1 MR. RIEL: LeJeune to Douglas.

2 VICE-MAYOR ANDERSON: Right.

3 MR. HOLMES: No, but you're saying this --
4 Miracle Mile, the maximum height now is six stories?

5 COMMISSIONER KERDYK: Correct.

6 MR. BROWN: On the front.

7 VICE-MAYOR ANDERSON: On the front.

8 MR. HOLMES: What do you mean by the front?

9 VICE-MAYOR ANDERSON: Miracle Mile, when
10 you walk down Miracle Mile, the streets that -- the
11 storefronts on Miracle Mile, when you walk down,
12 that's what we protected, that first layer, where --

13 COMMISSIONER CABRERA: Frontage.

14 VICE-MAYOR ANDERSON: Designed within
15 reach, some of them --

16 MS. HERNANDEZ: All properties that front --

17 VICE-MAYOR ANDERSON: All those properties
18 that front Miracle Mile.

19 MR. HOLMES: Well, first of all, Miracle
20 Mile stores have a total depth, as required by the
21 Zoning Code, I believe, of what is, in fact, 120
22 feet. It has to be a minimum of a hundred. So I
23 don't know what you mean by the front of 120 feet.
24 What do you mean? Is that at 10 feet, or is that all
25 120?

1 VICE-MAYOR ANDERSON: It's the street
2 frontage.

3 MS. HERNANDEZ: Mr. Holmes --

4 VICE MAYOR ANDERSON: The street frontage.

5 MS. HERNANDEZ: Mr. Holmes, there are some
6 properties that go from Miracle Mile to the street
7 immediately behind it. Some property owners have
8 amassed all the lots.

9 MR. HOLMES: But most of it -- most of it
10 are just alleyways there.

11 MS. HERNANDEZ: I'm not going to argue what
12 it is. I'm not going to argue what it is. I'm just
13 telling you, the properties that front Miracle Mile
14 have that limitation.

15 VICE-MAYOR ANDERSON: Six stories.

16 MR. HOLMES: Of six stories. And this was
17 passed when?

18 VICE-MAYOR ANDERSON: In 2001, 2002.

19 MS. HERNANDEZ: Yeah.

20 VICE-MAYOR ANDERSON: We passed it. The
21 Planning Board looked at it out of our concern that
22 projects, when there's land assembled of over 200
23 lineal feet, they could have put the full height
24 story on Miracle Mile, not the back part of Miracle
25 Mile, but the front part, and the overlay district

1 was enacted to protect the height on the street.

2 MR. HOLMES: First of all, that's great
3 news, but secondly, I have -- you know, trust but
4 verify. When you're saying the back part of Miracle
5 Mile, what are you referring to?

6 COMMISSIONER KERDYK: They're talking
7 about --

8 COMMISSIONER WITHERS: You know, there's an
9 alley?

10 COMMISSIONER KERDYK: Yeah.

11 COMMISSIONER WITHERS: Behind the alley is
12 the back side.

13 MR. HOLMES: Well, that would be the part
14 facing Andalusia or Aragon.

15 MR. BROWN: That's correct. That's
16 correct.

17 COMMISSIONER WITHERS: The other side of the
18 alley, that's the back side.

19 MAYOR SLESNICK: Which is what you said
20 should be built --

21 VICE-MAYOR ANDERSON: Which is the old --
22 it's the 10 Aragon --

23 MR. HOLMES: Well, if that's the case, if I
24 may ask a question, when you called and asked
25 someone, during our meeting with the Finance

1 Director, how come we were told different?

2 MR. BROWN: You told me -- you asked me what
3 it was land used at. I said it was 12 to 15.
4 However, you didn't ask me about an overlay district,
5 but the overlay district dropped it to six. The
6 question you asked me was not --

7 COMMISSIONER KERDYK: You have to ask him
8 that question.

9 COMMISSIONER CABRERA: Oh, come on, Dave.
10 Come on.

11 COMMISSIONER KERDYK: No, he missed it.

12 COMMISSIONER CABRERA: Yeah, you know --

13 MR. BROWN: He asked me --

14 COMMISSIONER CABRERA: You're the big
15 picture guy.

16 MR. BROWN: I know.

17 COMMISSIONER CABRERA: You know, I mean,
18 you're not supposed to --

19 MR. BROWN: He didn't ask me about the
20 overlay district, and I didn't bring that up at that
21 time, but he asked me what the land use was, and I
22 told him that.

23 COMMISSIONER CABRERA: Well, are you happier
24 now? Because I want to --

25 MR. HOLMES: Of course.

1 COMMISSIONER CABRERA: I want to --

2 MR. HOLMES: Trust but verify. I'm happy
3 with what -- but I need to verify.

4 COMMISSIONER CABRERA: Yeah, okay, you're
5 allowed to do that. You're certainly welcome to do
6 that. But you know what? I really want to make sure
7 we walk away that you're comfortable, because quite
8 frankly, I will listen to you any time you want to
9 come up and speak to us as a collective body, but,
10 you know, I just want to make sure that you have that
11 comfort level, so at least you can talk about
12 something else, you know, whatever it is that you
13 want to --

14 MR. HOLMES: I don't think the City's voters
15 are willing to give up on Miracle Mile and talk about
16 something else.

17 COMMISSIONER CABRERA: Who's talking about
18 the City's voters?

19 MR. HOLMES: I think it's the Main Street of
20 our City. I don't think --

21 COMMISSIONER CABRERA: Mr. Holmes, you don't
22 even live in Coral Gables.

23 MR. HOLMES: -- that George Merrick would
24 give up on Miracle Mile.

25 COMMISSIONER CABRERA: You don't even live

1 in Coral Gables, Mr. Holmes, and, you know, we all
2 tolerate you and we're all nice to you, because it's
3 our nature to be, but I think it's ridiculous --

4 MR. HOLMES: I plan to move here and run for
5 City Commission in 2009.

6 COMMISSIONER CABRERA: Well, you have to
7 restore your rights to be -- to run for office. You
8 have to restore --

9 MR. HOLMES: Okay.

10 COMMISSIONER CABRERA: -- your rights to be
11 a citizen of this country, okay?

12 MR. HOLMES: I'm working on that, yes, thank
13 you.

14 COMMISSIONER CABRERA: So today I'm going to
15 take you on, because Ms. Anderson has really brought
16 up a very, very good point, and the point is that
17 your argument absolutely carries no weight, and so as
18 long as we get you to understand this, I hope you can
19 move forward --

20 MR. HOLMES: So you're saying you're in
21 favor of six stories up and down Miracle Mile?

22 COMMISSIONER CABRERA: Don't put words in my
23 mouth. I don't play that game.

24 MR. HOLMES: Well, that's what I'm talking
25 about today.

1 COMMISSIONER CABRERA: You're not good
2 enough to make me play the game with you.

3 MAYOR SLESNICK: Mr. Holmes --

4 MR. HOLMES: What I'm saying is that
5 you're --

6 MAYOR SLESNICK: Mr. Holmes --

7 MR. HOLMES: You've got the train started,
8 it's left the station. If it's true that Miracle
9 Mile has a six-story limitation, great, but you're --
10 the train is making Miracle Mile a six-story street,
11 and I don't think the voters of Coral Gables want
12 that, either.

13 MAYOR SLESNICK: Mr. Holmes -- Mr. Holmes,
14 that's not quite right, but I think you've made your
15 point, okay?

16 MR. HOLMES: I don't think I have,
17 because --

18 MAYOR SLESNICK: Well, Mr. Holmes, your
19 time --

20 MR. HOLMES: -- you're turning Miracle Mile
21 into a six-story street --

22 MAYOR SLESNICK: Your time --

23 MR. HOLMES: -- and I don't think the
24 voters of the City of Coral Gables want that.

25 MAYOR SLESNICK: Then your point is made.

1 MR. HOLMES: Thank you.

2 MAYOR SLESNICK: Thank you.

3 COMMISSIONER CABRERA: Thank you, Don.

4 MAYOR SLESNICK: Jaime Saldarriaga.

5 MR. SALDARRIAGA: I hate to come after this
6 discussion.

7 VICE-MAYOR ANDERSON: It's okay.

8 COMMISSIONER CABRERA: It's open
9 government. It's a good discussion.

10 MR. SALDARRIAGA: This is Jaime
11 Saldarriaga, from 2711, and I do live in a duplex on
12 Segovia, and I'm against the reduction from 34 feet
13 to 29.

14 It's amazing that this reduction, all of a
15 sudden, appears, and there seems to be no sponsor to
16 that reduction. Eric just said he didn't know where
17 it came from. We asked the Planning and Zoning
18 Board. They said they didn't do it. So it's a
19 mystery reduction that came by the grace of God into
20 the changes. To me, it's -- Eric has his points, but
21 you chose to ignore one element, or several elements.
22 One is that the ceiling heights dictate the
23 building. In the '50s, when these buildings were
24 built, the ceiling heights were eight and a half.
25 Nowadays, planners go to 10, because you get a more

1 spacious, harmonious design.

2 And if you take that into account, which
3 adds three feet more, and you take the crawl space,
4 that adds two and a half, of the nine examples that
5 Eric chose, four already exceed the 29 feet.

6 The other thing is, I did a calculation on
7 the shadows. The shadows -- this is a -- I don't
8 know why Eric presented that, because this doesn't
9 make any sense. The difference between 34 feet and
10 29 in December is less than one foot. That's taking
11 into account that there are no trees. I have trees
12 in the back of my duplex that are much higher, oak
13 trees, that cast a shadow on the other building.
14 It's not my building that casts the shadow, it's the
15 trees, and the shadows of my trees get dispersed by
16 all the plants that exist in my duplex and the
17 single-family homes.

18 So I propose that we go forward with what
19 Mrs. Longo had indicated, that we go to the
20 compromise, in the back, 29, and in the front, 34,
21 because it makes -- it allows you to go to ceiling
22 heights that are 10 feet, instead of eight and a
23 half, which is what they used to do.

24 And again, who changed this existing Code?
25 Who knows? I mean, it probably -- at night, somebody

1 came and made the change, because nobody seems to be
2 the sponsor.

3 Thank you.

4 MAYOR SLESNICK: Thank you, Jaime.

5 By the way, I've learned recently the
6 problems with eight and a half foot ceilings. When
7 you buy a nine-foot Christmas tree, it doesn't work.
8 It looks really strange when you have it cut off at
9 the top.

10 VICE-MAYOR ANDERSON: Yeah.

11 MAYOR SLESNICK: Mamta Fryer.

12 MS. CHAUDHRY-FRYER: My name is Mamta
13 Chaudhry-Fryer. I live at 640 Majorca Avenue.

14 I had a couple of points I wanted to bring
15 up about the single-family ordinance that you passed,
16 which just went into effect October 1st, but I think
17 you've dealt strongly enough with one of them, which
18 was increasing the bonus from what had already been
19 passed. So I would leave it at what you said, that
20 you wished it to remain at -- if I understand, at
21 what was passed.

22 MAYOR SLESNICK: Well, no, no, it hasn't
23 been decided yet, so you'd better --

24 MS. CHAUDHRY-FRYER: Okay.

25 MAYOR SLESNICK: You support what Mr. Kerdyk

1 said -- or I think you said --

2 COMMISSIONER KERDYK: Right.

3 MAYOR SLESNICK: -- that we stay the same as
4 our single-family ordinance.

5 MS. CHAUDHRY-FRYER: Correct.

6 The other point I wanted to bring up was
7 something that we had discussed at the last hearing,
8 which was about carport canopies, and you remember, I
9 was really concerned about the canvas or cloth
10 canopies being a hazard in times of hurricanes and
11 storms, and I suggested that for aesthetic, as well
12 as for safety reasons, that we not allow carport
13 canopies. But at the last Planning and Zoning Board
14 meeting, what the Planning and Zoning Director -- the
15 Planning Director suggested was that it would no
16 longer allow carport canopies of these materials that
17 would need to be taken down, but instead would allow
18 carport canopies if they were made of the same
19 material as the buildings, which would mean stucco,
20 tile roofs, okay?

21 Here's the problem, though. This has a
22 chain of unintended consequences. You take an
23 impermanent structure and now make it permanent,
24 which has consequences for water runoff on the
25 ground. You already have a carport provision,

1 right? The way the carport canopy is now defined,
2 it's exactly the same as a carport. I don't think
3 you intended or the Planning and Zoning Board ever
4 intended homes to have two carport canopies.

5 If you look at any of the historic homes,
6 none of them have the two carports. So what we're
7 doing is saying you can build a carport, and since
8 you have the carport canopy provision, which is
9 exactly the same as a carport, you can build another
10 carport. I don't believe that was the intent, and I
11 think that by not thinking it through, it is allowing
12 people to build an extra carport, which was not
13 intended.

14 Another point that I have is about the
15 definition section, and by my count, I've brought
16 this up -- this is the sixth time, okay? It is not a
17 huge and debatable issue. It simply says that in
18 Section 8, in Article 8 of the Code you have before
19 you, the floor area for single-family homes is
20 inconsistent with what was passed in the
21 single-family ordinance, okay?

22 As you remember, there are two different
23 requirements, one for the flood zone, the flood
24 hazard zone, and one for North Gables. They're
25 counted in different ways. The height is different

1 if you're in a flood hazard zone. It's different in
2 North Gables. The second floor porches/balconies
3 count differently. All I'm saying, and I have
4 spelled this out in writing to the Department, is
5 that, you know, this is a small issue, but if the
6 whole purpose of doing this Code was to make it
7 consistent, then surely this is something that is a
8 no-brainer to fix, and should be fixed already by now
9 without my having to again bring it up before you.

10 And the last thing that has come up a lot
11 today is the height. I think the Planning Department
12 made a compelling presentation about how none of the
13 duplexes currently are over 29 feet, even the new
14 ones, because regardless of whether in 1950 they had
15 lower ceiling heights, you know, new ones have been
16 built that still do not exceed the 29 feet.

17 So my first choice would be, since
18 single-family homes have been reduced to 29 feet,
19 that the duplexes also, because the whole purpose was
20 to keep them harmonious in context. And if it is
21 your desire to increase or leave it at 34, then
22 definitely to stagger it back so that it's 29 feet
23 where it is contiguous to single-family homes.

24 Thank you very much.

25 MAYOR SLESNICK: Thank you, Mamta.

1 Our last speaker is Mr. Guilford, Zeke
2 Guilford.

3 VICE-MAYOR ANDERSON: We deferred the metal
4 roofs.

5 MR. GUILFORD: Mr. Mayor, Commissioners,
6 for the record, Zeke Guilford, 400 University Drive,
7 here representing Crescent Properties, the office
8 component of the Alhambra Hyatt.

9 I mentioned this to you once before, and
10 also to the Planning Board at their last meeting.
11 What we have is actually -- what is actually being
12 proposed to the property is two different zonings, CL
13 on the Alhambra side and C on the rear portion of the
14 property, on the Giralda portion.

15 What we're asking is obviously for the
16 entire project, because it is a single project, to
17 all be C, and in fact, in your map, the Planning
18 Staff actually, in June 2005, they recommended that
19 the whole block be C.

20 What happens here, even under the new Code,
21 is that you would be allowed to have mixed-use on the
22 rear portion; you could not have it on the front
23 portion. You could have certain uses on the rear
24 portion, and you can't have certain uses on the front
25 portion. We believe that it all should be one

1 unified zoning category for that piece of property.

2 It's not abutting single-family, and --

3 MAYOR SLESNICK: Why is it being recommended
4 CL?

5 MR. GUILFORD: Because it was originally CA,
6 and what they did is, all property CA, they just
7 changed to CL. But we're not against -- we're not
8 abutting single-family, and it would actually be the
9 only half block on all of Alhambra Circle that would
10 have the CL zoning district.

11 MAYOR SLESNICK: Okay.

12 COMMISSIONER CABRERA: Why don't we fix
13 this?

14 MAYOR SLESNICK: Thank you.

15 Why don't we?

16 MR. GUILFORD: Thank you.

17 COMMISSIONER CABRERA: Yeah, I mean, I said
18 to Mr. Slesnick, "Why don't we just fix this?"

19 MR. GUILFORD: That would be great.

20 COMMISSIONER CABRERA: You'd like that,
21 wouldn't you?

22 MR. GUILFORD: Yes, I would. Thank you.

23 MAYOR SLESNICK: Okay, we're going to close
24 the public hearing and move into discussion.

25 Why don't we start with the last one first?

1 That might be the --

2 COMMISSIONER CABRERA: Easiest.

3 MAYOR SLESNICK: -- easiest.

4 VICE-MAYOR ANDERSON: It seems the --

5 MAYOR SLESNICK: I don't know of any reason
6 why we shouldn't -- I have no problem --

7 VICE-MAYOR ANDERSON: I don't, either. I
8 don't have any problem with it.

9 MAYOR SLESNICK: Well, by consensus, why
10 don't we add --

11 And Mr. Clerk, if you're keeping -- if
12 you're keeping count -- what I'd like someone to do
13 is keep count of the changes we make, because we want
14 to incorporate them into the final motion, so that
15 when we move to adopt the ordinance, it's including
16 these changes. So the first change will be to change
17 the half of the number two Alhambra building back to
18 C.

19 COMMISSIONER CABRERA: To C.

20 MAYOR SLESNICK: To C.

21 VICE-MAYOR ANDERSON: I just have one
22 question that I want to put on the record. Is there
23 any notification issue we need to deal with?

24 MS. HERNANDEZ: No, because it's consistent
25 with what's there now.

1 VICE-MAYOR ANDERSON: All right.

2 MAYOR SLESNICK: It already is.

3 VICE-MAYOR ANDERSON: No problem.

4 MAYOR SLESNICK: Okay.

5 MS. HERNANDEZ: Okay, say it again. It
6 was -- I apologize.

7 MAYOR SLESNICK: That particular piece that
8 has been changed to CL, proposed change to CL, be
9 changed to C.

10 COMMISSIONER CABRERA: Commissioner Kerdyk,
11 we're dealing with the last first.

12 COMMISSIONER KERDYK: Last first. Thank
13 you.

14 MR. BROWN: Last first.

15 MAYOR SLESNICK: We just took care of Mr.
16 Guilford.

17 COMMISSIONER KERDYK: All right.

18 Now, how do we handle the other building?
19 How are we going to do that, if we're going to do
20 anything about that? We're going to refer that as a
21 separate study or --

22 COMMISSIONER CABRERA: The old Mayor's?

23 COMMISSIONER KERDYK: Yeah, the executive --

24 MAYOR SLESNICK: Yeah, the old Mayor's.

25 COMMISSIONER CABRERA: The executive

1 building.

2 COMMISSIONER WITHERS: I think we should
3 look at that whole corridor.

4 MS. HERNANDEZ: My recommendation is that
5 you direct us to continue studying that between --

6 COMMISSIONER KERDYK: First and second
7 reading.

8 MS. HERNANDEZ: -- this hearing and the
9 final hearing on January -- and if we are unable to
10 reach consensus at that time, the Commission can
11 decide if they wish to extrapolate it or --

12 COMMISSIONER WITHERS: You know, I know
13 nobody really wants to talk about this, but if you
14 look at the overall plan, that residential area, a
15 century from now --

16 VICE-MAYOR ANDERSON: Oh, it's going to be
17 very different.

18 COMMISSIONER WITHERS: -- it's going to be
19 commercial.

20 VICE-MAYOR ANDERSON: Yeah, I understand
21 that.

22 COMMISSIONER WITHERS: So whatever -- you
23 know, I'm not trying to open up a can of worms here.

24 VICE-MAYOR ANDERSON: No, actually -- no,
25 Chip -- no, I've actually --

1 COMMISSIONER WITHERS: No, but I mean, we
2 really need to be realistic about it.

3 VICE-MAYOR ANDERSON: I think it's realistic
4 to talk about it. I think we -- when there are
5 portals -- I mean, when we approved the Old Spanish
6 Village, that whole area came into play.
7 Commissioner Kerdyk wisely suggested we study it. I
8 support that. I think, in the future, that area will
9 change, because it's a small portion that might
10 change in the future. We might want to vision that.

11 COMMISSIONER WITHERS: So I guess the
12 encouragement towards Staff --

13 COMMISSIONER KERDYK: Yeah, I think so.

14 COMMISSIONER WITHERS: -- is to say, look,
15 no longer on what is this going to be 10, 20 years
16 from now, 30 years from now.

17 VICE-MAYOR ANDERSON: Correct. Well, I
18 think that's --

19 MAYOR SLESNICK: I do think that we're
20 going to owe some definitive answer to --

21 COMMISSIONER WITHERS: No, no, I know,
22 but --

23 MAYOR SLESNICK: -- the one property owner
24 that made an appearance.

25 COMMISSIONER WITHERS: Right, right.

1 COMMISSIONER KERDYK: Yes.

2 COMMISSIONER WITHERS: But the big picture
3 is --

4 MAYOR SLESNICK: And that definitive answer
5 may be, we're going to study it, I don't know.

6 VICE-MAYOR ANDERSON: Yeah, I think it's
7 worthy of --

8 MAYOR SLESNICK: Okay. Would you like to
9 handle this issue by issue, and then everybody take
10 their shot at that issue?

11 COMMISSIONER WITHERS: Yeah.

12 COMMISSIONER KERDYK: I think so.

13 COMMISSIONER WITHERS: The townhouse issue,
14 I just want to make sure we're clear on where we --

15 MAYOR SLESNICK: Well, let's start right
16 down the line.

17 VICE-MAYOR ANDERSON: I'll be happy to
18 share --

19 MAYOR SLESNICK: Separate garages. The
20 issue is, do we want to stay with what we decided
21 when we adopted the single-family -- ours was 75
22 percent, or differentiate between 50 foot-lots and
23 ours?

24 COMMISSIONER KERDYK: You know how I feel.

25 MAYOR SLESNICK: Well, you'd better tell

1 everybody.

2 COMMISSIONER CABRERA: Tell us again.

3 COMMISSIONER KERDYK: I'm for counting

4 it --

5 MAYOR SLESNICK: Staying --

6 COMMISSIONER KERDYK: -- yeah, 75

7 percent, as opposed to --

8 COMMISSIONER CABRERA: So am I.

9 MAYOR SLESNICK: So am I, which is what we
10 adopted just previously.

11 VICE-MAYOR ANDERSON: I'm sorry, the
12 townhouse --

13 MAYOR SLESNICK: No, this is --

14 COMMISSIONER KERDYK: No, this is the --

15 MAYOR SLESNICK: -- the single -- this is
16 the detached garages.

17 COMMISSIONER KERDYK: -- calculation for
18 garages.

19 VICE-MAYOR ANDERSON: Garages.

20 COMMISSIONER KERDYK: Yeah.

21 COMMISSIONER WITHERS: With regard to the
22 FAR.

23 MS. HERNANDEZ: Is this garages?

24 COMMISSIONER KERDYK: Yeah.

25 MAYOR SLESNICK: Yeah. So would you note

1 that it's a consensus that we go back to where we
2 were with the single-family ordinance, the 75
3 percent, consistently, no matter the size of the lot.

4 COMMISSIONER CABRERA: So four of us are --
5 I don't know what Mr. Withers wants to do.

6 MAYOR SLESNICK: Well, I heard three and
7 four.

8 VICE-MAYOR ANDERSON: As we originally
9 passed it.

10 MAYOR SLESNICK: Okay, let's do this one.
11 This is not highlighted, but it's been brought up,
12 carport canopies. Is there anyone that favors not
13 allowing a separate provision for carport canopies on
14 top of carports?

15 COMMISSIONER CABRERA: Yeah, I'm not for
16 that.

17 MAYOR SLESNICK: I'm not for it.

18 VICE-MAYOR ANDERSON: I don't -- honestly, I
19 don't have an opinion on it.

20 MAYOR SLESNICK: Well, there's three of us
21 that are not for it, so --

22 VICE-MAYOR ANDERSON: But it's not -- it's
23 nothing that I would vote against anything -- I would
24 be in the consensus.

25 MS. HERNANDEZ: So what is it, no carport

1 canopies?

2 MAYOR SLESNICK: Yes. Well, three of us
3 have said that.

4 MR. BROWN: No canvas.

5 MAYOR SLESNICK: No canopies.

6 COMMISSIONER KERDYK: All right, next one.

7 MAYOR SLESNICK: I mean, Chip, just chime
8 in, if you really have a heartburn. I mean --

9 COMMISSIONER WITHERS: No, I have no
10 heartburn.

11 COMMISSIONER KERDYK: Sorry we're
12 interrupting you.

13 COMMISSIONER WITHERS: No, no, I'm just
14 thinking, I was on the side of it, and now --

15 MAYOR SLESNICK: I'm just trying to get --
16 I'm just trying to get consensus --

17 COMMISSIONER WITHERS: Right.

18 MAYOR SLESNICK: -- and I didn't want to
19 overlook someone, and I -- you didn't say anything.

20 COMMISSIONER WITHERS: No, what I'm doing
21 is, I'm going through those ones where I know I've
22 seen them in the neighborhoods, that are already
23 existing, and I'm assuming they're permanent, so --

24 MAYOR SLESNICK: We don't know that.

25 COMMISSIONER WITHERS: Well, no, I mean, if

1 we haven't, our Code Enforcement has been asleep at
2 the switch for 25 years.

3 COMMISSIONER CABRERA: Well, they've been
4 there for -- yeah.

5 COMMISSIONER WITHERS: Yeah. So what do we
6 do with those?

7 COMMISSIONER CABRERA: You're talking about
8 Anastasia, for example?

9 COMMISSIONER WITHERS: Well, there's -- I'm
10 not going to give streets, but I mean, I --

11 MAYOR SLESNICK: I think that we could
12 certainly work on a provision for grandfathering --

13 COMMISSIONER KERDYK: They're grandfathered.

14 MAYOR SLESNICK: -- if they've been there,
15 and permitted. And permitted.

16 VICE-MAYOR ANDERSON: Right.

17 COMMISSIONER WITHERS: That's a good point.

18 MR. BROWN: We use the same thing we do with
19 annexation.

20 COMMISSIONER CABRERA: So, in essence, what
21 we're saying is, the carport canopy provision is
22 going to be deleted.

23 COMMISSIONER WITHERS: Right. It's going to
24 be deleted, but there's already some --

25 COMMISSIONER CABRERA: Right.

1 COMMISSIONER WITHERS: -- in existence.

2 COMMISSIONER CABRERA: And then we'll look
3 at those and grandfather those that have been
4 properly permitted.

5 MAYOR SLESNICK: Okay. Duplex height.

6 MR. BROWN: I mean, can I ask a question?
7 As we talk about the grandfathering, are you talking
8 about, as long as that canopy stays there --

9 VICE-MAYOR ANDERSON: I think that's --
10 that's a portion that has to be clarified.

11 MR. BROWN: -- or if it goes under repair or
12 replacement? I just want to --

13 MR. RIEL: There's a whole section on
14 nonconformities --

15 MR. BROWN: Okay. All right.

16 MR. RIEL: -- in Article 7.

17 MR. BROWN: Got it.

18 COMMISSIONER CABRERA: Which addresses this.

19 MR. RIEL: Yes.

20 MR. BROWN: Yeah. Okay, we're all set.

21 MAYOR SLESNICK: We -- the duplex height, I
22 think we have three proposals on the table. We have
23 29 feet, 34 feet, and a combination thereof.

24 VICE-MAYOR ANDERSON: I definitely have an
25 opinion on this one. I believe, for a variety of

1 reasons, that either we should leave the 34 feet or
2 do the hybrid approach of 39, and when it abuts
3 single-family --

4 COMMISSIONER CABRERA: Well, you meant 34.
5 34. You said 39.

6 VICE-MAYOR ANDERSON: Thirty -- I'm sorry,
7 thirty -- whatever it is --

8 COMMISSIONER CABRERA: 34.

9 VICE-MAYOR ANDERSON: -- the 34 feet. Thank
10 you. First of all, it's permitted now. If people
11 wanted to do that, it's 34. To me, that's something
12 that's already -- they have the right to do if they
13 wanted to. Whether they choose to or not, that's a
14 different story.

15 Second of all, I do believe that in all
16 cities, you have different heights and you have
17 different proportions of streets. Wider streets can
18 take a little bit of height, and the smaller streets,
19 you know, take -- we talked about that at the last
20 Commission meeting, when we looked at the
21 development. You know, some streets can take eight
22 stories, some streets can take 12, and single-family,
23 when you have a smaller street, I believe, a smaller
24 scale.

25 I believe five stories -- five feet is not

1 going to make a huge difference, and I think they're
2 already allowed to do it. Whether they've done it or
3 not, that's a different thing, but I really feel very
4 strongly that we shouldn't mess with it, or allow a
5 hybrid solution to come into play when it abuts the
6 single-family.

7 MAYOR SLESNICK: Okay. I would support the
8 hybrid.

9 COMMISSIONER CABRERA: You would support the
10 what?

11 MAYOR SLESNICK: Hybrid.

12 COMMISSIONER CABRERA: The hybrid, okay.
13 Yeah, me, too.

14 VICE-MAYOR ANDERSON: That's fine.

15 COMMISSIONER KERDYK: I'm for the hybrid.

16 MS. HERNANDEZ: So we have three for
17 hybrid?

18 MR. BROWN: Hybrid.

19 COMMISSIONER CABRERA: A bunch of hybrids.

20 VICE-MAYOR ANDERSON: It's starting to sound
21 like a dim sum menu.

22 MR. BROWN: 34 on the front and 29 on the
23 back.

24 COMMISSIONER WITHERS: What is that? What
25 is the height --

1 COMMISSIONER KERDYK: Hybrid.

2 COMMISSIONER WITHERS: What is the height on
3 single-family?

4 MAYOR SLESNICK: There's three hybrids?

5 VICE-MAYOR ANDERSON: When it comes --

6 MR. RIEL: 29 feet.

7 COMMISSIONER KERDYK: But you would have
8 34 --

9 MR. BROWN: 34/29.

10 VICE-MAYOR ANDERSON: 34, and then stepping
11 down when it reaches the single-family, when it --
12 whatever the word, abuts or adjacent to, whatever the
13 correct word is --

14 MAYOR SLESNICK: But then how many feet --

15 VICE-MAYOR ANDERSON: 29.

16 MR. RIEL: Well, we need to talk to
17 architects, in terms of how many feet. We need to
18 get some more input on it.

19 COMMISSIONER KERDYK: Okay, but just when --

20 MAYOR SLESNICK: And will you include
21 everyone that spoke here today --

22 MR. RIEL: Absolutely.

23 MAYOR SLESNICK: -- in that discussion?

24 MR. RIEL: Absolutely.

25 MAYOR SLESNICK: Including you, Maria. No,

1 not now. I mean --

2 COMMISSIONER WITHERS: So duplexes can be
3 two-story duplexes?

4 MR. RIEL: Yes.

5 COMMISSIONER WITHERS: If there are four
6 units, would you consider that a duplex?

7 MR. RIEL: Yes.

8 COMMISSIONER WITHERS: So, really --

9 MAYOR SLESNICK: Four units is a duplex?

10 COMMISSIONER WITHERS: -- duplex is really
11 not two, it could be four?

12 MR. RIEL: It could be four. It could be a
13 fourplex or --

14 MAYOR SLESNICK: How can you have a
15 four-unit duplex?

16 COMMISSIONER WITHERS: Huh?

17 MAYOR SLESNICK: Doesn't the word duplex
18 mean two units?

19 COMMISSIONER WITHERS: That's what I was --

20 COMMISSIONER KERDYK: No, multi-family is
21 over two. Two or over.

22 COMMISSIONER WITHERS: So that's what I'm
23 trying to get --

24 COMMISSIONER KERDYK: Plus three or over.

25 COMMISSIONER WITHERS: I just don't want to

1 get caught up in the details, as far as definitions
2 go.

3 COMMISSIONER KERDYK: Right.

4 COMMISSIONER WITHERS: Because along
5 Segovia, there are units with four.

6 MR. RIEL: Four, right.

7 COMMISSIONER WITHERS: And, I mean, where
8 there's wide streets, I think the 34 feet works well.
9 I'm assuming we're talking the Ponce corridor,
10 between Bird and the Circle?

11 COMMISSIONER KERDYK: Yeah.

12 MAYOR SLESNICK: You're going to need to --

13 MR. BROWN: And Segovia.

14 MAYOR SLESNICK: When you come back, you're
15 going to need to explain to me, if we're building
16 four units in a duplex zone --

17 MR. RIEL: We'll look at it.

18 COMMISSIONER KERDYK: Yeah, and I don't know
19 where that is. Tell me where that is.

20 COMMISSIONER WITHERS: I don't know. That's
21 what I'm just saying, are there?

22 COMMISSIONER KERDYK: I've never seen it.

23 COMMISSIONER WITHERS: Are there any units
24 on Segovia that are four units?

25 COMMISSIONER KERDYK: I've never seen one.

1 COMMISSIONER WITHERS: No?

2 COMMISSIONER KERDYK: No.

3 COMMISSIONER WITHERS: None?

4 COMMISSIONER KERDYK: None.

5 MR. RIEL: I don't know. I --

6 VICE-MAYOR ANDERSON: That are four?

7 COMMISSIONER KERDYK: I haven't.

8 COMMISSIONER WITHERS: Are there any that
9 are two-story?

10 MR. RIEL: I don't know. It's going to be
11 hard to figure out, because obviously, you know, we
12 would need to go look at the meters and things like
13 that.

14 COMMISSIONER KERDYK: Let me tell you,
15 there's not. But let me ask Commissioner Withers
16 this question.

17 So are you saying that you're for the hybrid
18 on the major thoroughfares, like Segovia --

19 COMMISSIONER WITHERS: Yeah, absolutely.

20 COMMISSIONER KERDYK: All right. How about
21 the side streets that -- for instance, I don't think
22 there are many side streets that have duplexes, but
23 there is -- there was one that --

24 MR. BROWN: Santander.

25 COMMISSIONER KERDYK: Uh-huh, Santander, and

1 also the one that was just recently built by McBride,
2 is another smaller street. How do you feel about
3 that?

4 COMMISSIONER WITHERS: Well, I have -- you
5 know, I want it to conform. Where it's single-family
6 homes, I think the duplexes should conform to
7 single-family homes. Where there's wider
8 boulevards -- I mean, if --

9 COMMISSIONER KERDYK: Right.

10 COMMISSIONER WITHERS: If it's the hybrid,
11 it's the hybrid.

12 MAYOR SLESNICK: No, but I'd be glad to
13 consider that where it's a single-family -- I mean, I
14 don't know how to describe it right now, but we had
15 talked about, and I think Maria and others, Jaime,
16 had talked about the major corridors of duplexes --

17 COMMISSIONER KERDYK: Yeah, two blocks of
18 Santander.

19 MAYOR SLESNICK: -- which were Segovia,
20 University -- if there's any on University --
21 whatever the other --

22 VICE-MAYOR ANDERSON: Smaller streets would
23 be a different scale.

24 MR. RIEL: We'll look at a map and we'll
25 come back --

1 COMMISSIONER KERDYK: Yeah.

2 VICE-MAYOR ANDERSON: Right.

3 MR. RIEL: -- with a hybrid.

4 MS. HERNANDEZ: Okay.

5 MAYOR SLESNICK: And I'll tell you the
6 truth, I'd consider University and Campo Sano
7 thoroughfares south of Blue Road.

8 COMMISSIONER CABRERA: Yeah.

9 MAYOR SLESNICK: Because they're not --
10 they're backed up to a canal, they're backed up to a
11 hospital --

12 COMMISSIONER KERDYK: I think it's a good
13 idea.

14 COMMISSIONER WITHERS: Yeah.

15 COMMISSIONER KERDYK: I like it.

16 MAYOR SLESNICK: -- they're backed up to a
17 golf course.

18 MS. HERNANDEZ: Okay.

19 COMMISSIONER KERDYK: All right. Next one?

20 MAYOR SLESNICK: Okay. Then townhouses.

21 COMMISSIONER KERDYK: Wait, hold on. No,
22 no, I think we have to go to the hundred foot, the
23 50 --

24 MAYOR SLESNICK: Oh, okay, I'm sorry. A
25 hundred foot versus 50 foot on building next to a

1 residential --

2 COMMISSIONER KERDYK: I'm strongly for the
3 hundred feet. Let me just go ahead and start it.
4 Yeah, that's mine.

5 MAYOR SLESNICK: I think everyone down here
6 is nodding yes, so do the --

7 Eric, who's keeping track here? No, no,
8 who's keeping track? I just want to make sure --

9 MR. RIEL: I am. I've got them all.

10 MAYOR SLESNICK: A hundred foot.

11 MR. RIEL: I've got it. I've got it.

12 MAYOR SLESNICK: Consensus.

13 VICE-MAYOR ANDERSON: This is starting to
14 look like a dim sum menu.

15 COMMISSIONER CABRERA: We're consensus
16 builders.

17 VICE-MAYOR ANDERSON: Three --

18 MR. RIEL: This is great. This is good.
19 Keep going.

20 MAYOR SLESNICK: Okay, townhouses.

21 VICE-MAYOR ANDERSON: From my point of view,
22 we need two separate building -- two separate
23 ordinances. I don't think -- I love garden
24 apartments. I think they should be allowed. I think
25 they should come under a separate ordinance, and town

1 homes should be what they are. And I think the
2 language that was suggested by the Planning Board
3 does not accurately reflect the intent that we wanted
4 or for that building typology.

5 MS. HERNANDEZ: So you feel that they
6 should be divided in the Code?

7 VICE-MAYOR ANDERSON: Yes, absolutely.

8 COMMISSIONER KERDYK: There's two issues
9 here, the 16 and the --

10 VICE-MAYOR ANDERSON: Well --

11 COMMISSIONER CABRERA: How do you feel about
12 that? You spoke to one. How about the other one, as
13 far as the 16 or the 23 feet? The 16 feet minimum is
14 okay with you?

15 VICE-MAYOR ANDERSON: That's fine. I don't
16 really, you know --

17 COMMISSIONER KERDYK: I support what she
18 says.

19 COMMISSIONER CABRERA: I do, too. I support
20 what Ms. Anderson is suggesting. Is the demarcation
21 alleyways?

22 VICE-MAYOR ANDERSON: I don't know. I mean,
23 I --

24 COMMISSIONER CABRERA: No, I'm not trying to
25 put you on the spot.

1 VICE-MAYOR ANDERSON: No, it's -- the
2 question of parking, I guess --

3 COMMISSIONER CABRERA: Yeah.

4 VICE-MAYOR ANDERSON: -- is my concern.

5 COMMISSIONER CABRERA: Yeah.

6 VICE-MAYOR ANDERSON: I'd like to see -- you
7 know, I don't -- I can't vision it now.

8 COMMISSIONER CABRERA: Right.

9 VICE-MAYOR ANDERSON: I can't vision it, but
10 my gut feeling says -- I worry about the two, the
11 garage on the front --

12 COMMISSIONER CABRERA: Well, that's what I
13 don't want.

14 VICE-MAYOR ANDERSON: Unless properly
15 designed -- that's my concern. If I haven't seen a
16 picture, I don't know.

17 MAYOR SLESNICK: Let me say this. It is not
18 going to be a row house if it's got a garage in
19 front.

20 MR. RIEL: No, there's rear access only for
21 town homes. That's the way it's written in the Code,
22 right now. That's in there.

23 COMMISSIONER CABRERA: So, therefore, you
24 have to have an alleyway.

25 MS. HERNANDEZ: Right.

1 MR. RIEL: Right. You have to create a
2 drive, or if you have an existing alleyway.

3 COMMISSIONER CABRERA: Yeah.

4 MR. RIEL: That's the way the Code reads.

5 COMMISSIONER CABRERA: So that's a
6 demarcation line, for me.

7 VICE-MAYOR ANDERSON: Right, yeah.

8 COMMISSIONER CABRERA: And then it's easy.
9 You adopt the second ordinance on garden-style
10 apartments or townhouses, whatever it is you want to
11 call them, and I think the alleyway --

12 MAYOR SLESNICK: And they have to be in what
13 zones they fit in, yeah.

14 VICE-MAYOR ANDERSON: Yeah.

15 COMMISSIONER CABRERA: Well, see --

16 MR. RIEL: That's a part of the townhouse
17 study that we're going to do. We're going to look at
18 that garden typology.

19 VICE-MAYOR ANDERSON: To allow that to
20 happen --

21 MR. RIEL: Yeah, we'll look at that.

22 VICE-MAYOR ANDERSON: -- which is a nice --
23 it's a nice --

24 MR. RIEL: But I want to be sure I
25 understand. You're saying row houses -- only row

1 houses that face the street?

2 COMMISSIONER KERDYK: Right, and have
3 separate legislation if you want them --

4 MR. RIEL: I just want to make sure we're
5 clear on that.

6 VICE-MAYOR ANDERSON: And the language that
7 was proposed --

8 MR. RIEL: No garden apartments.

9 VICE-MAYOR ANDERSON: To me -- to me, that
10 front door thing just doesn't cut it.

11 COMMISSIONER WITHERS: Are we going to --

12 MAYOR SLESNICK: I would even agree to the
13 23 feet, based on the argument that was made by
14 parking. Counter that argument, Eric. I mean, no
15 one has said anything opposite. The argument is --

16 MR. RIEL: It doesn't allow flexibility in
17 design.

18 MAYOR SLESNICK: When we talked -- let me
19 say this. When we talked, you explained to me,
20 architecturally, it doesn't allow flexibility and
21 everything will be the same, as opposed to certain
22 varieties.

23 Counter the argument on the fact that you
24 have to have 23 feet to have a side-by-side garage,
25 as opposed to tandem garages.

1 MR. RIEL: Well, the 16 feet does allow for
2 tandem, and that was discussed, and that's why the 16
3 was --

4 MAYOR SLESNICK: Are they the same to build?
5 I mean, we're requiring them to build two parking --
6 interior parking spots, right?

7 MR. RIEL: Yes.

8 MAYOR SLESNICK: So they're going to have to
9 build the tandem?

10 MR. RIEL: Yes.

11 MAYOR SLESNICK: How deep does a tandem --
12 cars are what, 12 -- what do they --

13 MR. RIEL: It's in the Code, in the parking.
14 We did discuss the issue, and there's a design
15 standard that --

16 MAYOR SLESNICK: I mean, the practicality,
17 will there be room for a tandem two-car garage and
18 still have room in a 16-foot townhouse?

19 MR. RIEL: Yes. Our consultant did the
20 studies.

21 MAYOR SLESNICK: Or will you have your car
22 in your living room? I mean, that's a --

23 VICE-MAYOR ANDERSON: Could we have, when we
24 see this again, kind of some studies, or work with
25 folks that are proposing it --

1 MR. RIEL: We've got that information.

2 VICE-MAYOR ANDERSON: -- to show it visually
3 to us?

4 MR. RIEL: We'll bring that back.

5 MAYOR SLESNICK: I agree about the front
6 door, so I think -- and I'm not even pushing the --

7 COMMISSIONER CABRERA: On the garden style?

8 MAYOR SLESNICK: Yeah. No, I agree that the
9 door should face the street.

10 COMMISSIONER CABRERA: Okay, on the row
11 houses.

12 MAYOR SLESNICK: Right, on the row houses.

13 MR. RIEL: Row house, front door facing --

14 COMMISSIONER CABRERA: But then --

15 MR. RIEL: Rear alley --

16 VICE-MAYOR ANDERSON: Right.

17 MR. RIEL: -- auto access.

18 VICE-MAYOR ANDERSON: Right.

19 COMMISSIONER CABRERA: And what about the
20 garden style?

21 VICE-MAYOR ANDERSON: The garden style
22 apartments are a different thing.

23 MR. BROWN: A separate ordinance.

24 VICE-MAYOR ANDERSON: And I would wait for
25 Staff to recommend --

1 COMMISSIONER WITHERS: The legislation,
2 yeah, different legislation.

3 MAYOR SLESNICK: I'm just -- I don't have
4 any big thing about 16 or 23. I'm just concerned
5 that the argument sounds valid, that you're going to
6 end up with not two cars parked in tandem, you're
7 going to end up with the husband or the wife who has
8 to leave earlier in the morning just leaves the car
9 out on the street because they can't get in, so -- on
10 the swale.

11 MR. RIEL: We have the scenarios. I'll
12 bring them back.

13 COMMISSIONER KERDYK: Why don't you, yeah,
14 show that to us --

15 VICE-MAYOR ANDERSON: That would be
16 important.

17 COMMISSIONER KERDYK: -- so that we can
18 visualize it.

19 VICE-MAYOR ANDERSON: Yeah.

20 MAYOR SLESNICK: Well, tandem means you've
21 got to move the car to get out.

22 COMMISSIONER CABRERA: Yeah.

23 MAYOR SLESNICK: I mean, no matter what your
24 scenario is, you've got to move a car to get out, and
25 the question becomes, will people do that or just

1 leave their car --

2 COMMISSIONER KERDYK: Right.

3 MAYOR SLESNICK: -- on the swale?

4 MR. BROWN: Or bring it in.

5 COMMISSIONER KERDYK: All right.

6 MAYOR SLESNICK: Does anyone else --
7 everybody is for 16 feet?

8 COMMISSIONER KERDYK: No, I think we're
9 going to wait until he comes back --

10 MAYOR SLESNICK: Oh, okay. All right.

11 COMMISSIONER KERDYK: -- to the next --
12 So that's sort of up in the air. Right?

13 MAYOR SLESNICK: Yeah.

14 COMMISSIONER KERDYK: Yeah, it's in
15 abeyance.

16 MAYOR SLESNICK: Now, here's one that's
17 highlighted. We didn't spend much time on it.
18 Medical clinics.

19 MR. RIEL: Well, we have the medical, hotel,
20 conditional use versus by-right issue.

21 VICE-MAYOR ANDERSON: I'm supportive of the
22 review process.

23 COMMISSIONER CABRERA: Same here.

24 MAYOR SLESNICK: Yeah.

25 COMMISSIONER CABRERA: Yeah.

1 MR. BROWN: There you go.

2 MR. RIEL: On both of those?

3 COMMISSIONER CABRERA: Review.

4 VICE MAYOR ANDERSON: Yes.

5 MR. RIEL: Conditional use, okay.

6 VICE-MAYOR ANDERSON: Right.

7 COMMISSIONER CABRERA: And just real quick,
8 back to the apartment issue, the thing with the
9 garden style. I like -- yeah, I know we're looking
10 at it totally separately, as another provision, but I
11 like the idea of having that front door design
12 feature, okay?

13 MR. RIEL: (Nods head).

14 MAYOR SLESNICK: Okay, the reduction in the
15 minimum standards for high-rise from 20,000 to
16 10,000, your recommendation is further study. I
17 would support that.

18 MS. HERNANDEZ: Right.

19 VICE-MAYOR ANDERSON: Yeah.

20 COMMISSIONER KERDYK: His recommendation is
21 denial.

22 MR. RIEL: Our original recommendation was
23 not to support it.

24 MAYOR SLESNICK: Oh, a denial.

25 COMMISSIONER KERDYK: Yeah, not to support

1 it.

2 MR. RIEL: The Planning Department did not
3 support the reduction.

4 MAYOR SLESNICK: Okay.

5 COMMISSIONER KERDYK: That's what his is.

6 MAYOR SLESNICK: Okay, well --

7 VICE-MAYOR ANDERSON: I'd like more
8 information, though. I would tend to support the --
9 I'd rather have lower -- I just need more
10 information. I think the Planning Board did, too.

11 MAYOR SLESNICK: The Planning Board voted
12 five to one -- I'm sorry, it was the Planning Board
13 that said that they would like more information.

14 VICE-MAYOR ANDERSON: Yeah. I mean, I
15 would, too.

16 MAYOR SLESNICK: I just don't think that
17 that's going to happen in this --

18 VICE-MAYOR ANDERSON: This writing, yeah.

19 MR. RIEL: Oh, well, it's the intent not to
20 be in this. That was clear.

21 VICE-MAYOR ANDERSON: I would like --

22 MR. RIEL: It was not going to be
23 included in the Zoning Code rewrite.

24 MAYOR SLESNICK: I would give you more than
25 120 days, though. I mean, we are really --

1 COMMISSIONER WITHERS: Swamped.

2 MAYOR SLESNICK: -- backing up here.

3 COMMISSIONER WITHERS: Swamped, yeah.

4 MR. RIEL: I kind of made that comment, and
5 they said, "Whenever you can come back," so that's
6 fine.

7 COMMISSIONER WITHERS: How does the floor
8 area ratio get into this, also? It would somewhat
9 restrict the height, wouldn't it?

10 MR. RIEL: Yes, it does. We need to --

11 COMMISSIONER WITHERS: It might be a moot
12 point.

13 MR. RIEL: We need to look at it.

14 COMMISSIONER KERDYK: So what happens here,
15 though, is that --

16 MAYOR SLESNICK: You need parking, too.

17 COMMISSIONER WITHERS: No, I --

18 COMMISSIONER KERDYK: I'd be listening --
19 huh?

20 COMMISSIONER WITHERS: I don't think it's
21 going to happen, but go ahead. I mean --

22 COMMISSIONER KERDYK: No, I just think
23 that, you know, we've had that 200-foot frontage, you
24 know, for a long time, not to say that it's always
25 correct. I mean, maybe we should study it --

1 MR. RIEL: And a lot of the reason we did
2 the Mediterranean Ordinance was to, you know, deal
3 with that 200-foot frontage, minimum 20,000. You
4 know, breaks in the facade, step-backs and all those
5 issues. So we, you know, addressed a lot of those
6 issues.

7 VICE-MAYOR ANDERSON: This -- and I'm asking
8 the question, and you answered it yesterday, but I
9 want it on the record. Does this deal with land
10 assemblages?

11 MR. RIEL: Not really. That's kind of a
12 separate thing we're doing. We actually had it on
13 the Planning Board agenda, but we delayed it. But
14 we're looking at the whole land assemblage issue on
15 single-family and commercial.

16 VICE-MAYOR ANDERSON: That's really
17 important, on my part.

18 COMMISSIONER KERDYK: You know would
19 happen -- you know what would happen here, it might
20 make sense to do this on the major thoroughfares,
21 because then you would have more smatterings of the
22 smaller buildings, eight-story buildings, instead of
23 a big, massive 16-story, but where you have problems
24 is, on all the side buildings -- on all the side
25 streets, where you only have an eight-story height

1 restriction now, you would be popping up eight-story
2 buildings every 10,000 square feet that was
3 assembled. Then you'd have a massive amount of
4 eight-story buildings. So I don't know, I just --

5 COMMISSIONER WITHERS: Just like the CBD.

6 COMMISSIONER KERDYK: Inside the CBD. I
7 think it would be opening up floodgates, but --

8 MAYOR SLESNICK: And the last -- and the
9 last highlighted --

10 MR. RIEL: So I'm hearing further study?

11 MR. BROWN: Further study, a minimum of 120.

12 MAYOR SLESNICK: The last highlighted issue
13 is the retail parking issue, which the recommendation
14 is to stay the same as the recommendation was.

15 COMMISSIONER KERDYK: I brought that up at
16 the last meeting. I'm willing to support Staff's
17 recommendation. I brought it up from the standpoint
18 that I was concerned that when you discourage the
19 retail from being built on the ground level, that you
20 would have on these mixed-use projects more office
21 usage on the downstairs space, and we want retail
22 usages down there. So that's where I brought it up
23 from, that standpoint. But I'll support that.

24 MR. RIEL: There's also a maximum of office
25 frontage that's permitted in the mixed-use.

1 COMMISSIONER KERDYK: Yeah, you told me
2 that. That's the reason I'm supporting it.

3 MAYOR SLESNICK: Thank you.

4 MR. BROWN: That's one, two --

5 MAYOR SLESNICK: And I have no problems with
6 that, and Chip, you have no --

7 COMMISSIONER WITHERS: No.

8 MAYOR SLESNICK: Okay.

9 VICE-MAYOR ANDERSON: No problem.

10 MAYOR SLESNICK: Maria?

11 COMMISSIONER KERDYK: Very good.

12 MR. BROWN: Okay.

13 MAYOR SLESNICK: The one last issue I think
14 that was addressed was Mamta's issue about the
15 definition difference between the flood zone and the
16 non-flood zone. Can you --

17 MR. RIEL: I just need to get clarification
18 from Building & Zoning and get that language.

19 MAYOR SLESNICK: Could you work with her on
20 that and see if there is something -- if it is
21 something that needs to be corrected, let's correct
22 it now, and --

23 MR. RIEL: I don't know if Dennis wants
24 to -- he can clarify it right now.

25 MAYOR SLESNICK: Mr. Smith. We haven't

1 heard from you today.

2 MR. SMITH: Good afternoon.

3 In that definition, we had taken out the
4 language for single-family, but we left a sentence in
5 there, and I think we just need to take that sentence
6 out, because the definition for square footage for
7 CL, C and I-zoned properties is in the definition
8 sections and they're all the same. The definition --
9 the -- how you calculate square footage for
10 single-family is kept within the single-family
11 regulations, because it's easier to find.

12 MAYOR SLESNICK: Could you just make sure
13 that --

14 MR. SMITH: That's an easy correction to
15 make.

16 MR. RIEL: -- you and Ms. Fryer are on the
17 same sheet of music? Could you just make sure that
18 you and Ms. Fryer are on the same sheet of music?

19 MR. SMITH: Yes.

20 MAYOR SLESNICK: Because if she's trying to
21 do a good public service in pointing out an
22 inconsistency, we should try to get rid of it, if
23 it's true. I mean, you may need to explain to her
24 why it's not.

25 MR. SMITH: Thank you.

1 COMMISSIONER CABRERA: You're going to take
2 these back, right, Eric?

3 VICE-MAYOR ANDERSON: Eric --

4 MAYOR SLESNICK: I need a motion.

5 VICE-MAYOR ANDERSON: I'll move it.

6 COMMISSIONER CABRERA: Second.

7 MAYOR SLESNICK: Okay, this has been moved
8 by Ms. Anderson, seconded by Mr. Cabrera, on E-3.
9 This is the ordinance which was read as E-3. We have
10 a series of motions and votes coming up on this.
11 They're all related, and -- any further comments,
12 discussion?

13 Mr. Clerk?

14 THE CLERK: Commissioner Kerdyk?

15 COMMISSIONER KERDYK: Yes.

16 THE CLERK: Commissioner Withers?

17 COMMISSIONER WITHERS: Yes.

18 THE CLERK: Vice-Mayor Anderson?

19 VICE-MAYOR ANDERSON: Yes.

20 THE CLERK: Commissioner Cabrera?

21 COMMISSIONER CABRERA: Yes.

22 THE CLERK: Mayor Slesnick?

23 MAYOR SLESNICK: Yes, and please note, I
24 don't want to overlook the fact that that was E-3 as
25 amended by our comments, okay?

1 MR. BROWN: Correct.

2 MAYOR SLESNICK: E-4, do I have a motion?

3 COMMISSIONER KERDYK: So moved.

4 VICE-MAYOR ANDERSON: Second.

5 MAYOR SLESNICK: It's been moved by Mr.

6 Kerdyk, seconded by Mr. -- Ms. Anderson. Excuse me,

7 Ms. Anderson.

8 Any other comments or discussion?

9 Mr. Clerk?

10 THE CLERK: Commissioner Withers?

11 COMMISSIONER WITHERS: Yes.

12 THE CLERK: Vice-Mayor Anderson?

13 VICE-MAYOR ANDERSON: Yes.

14 THE CLERK: Commissioner Cabrera?

15 COMMISSIONER CABRERA: Yes.

16 THE CLERK: Commissioner Kerdyk?

17 COMMISSIONER KERDYK: Yes.

18 THE CLERK: Mayor Slesnick?

19 MAYOR SLESNICK: Yes.

20 E-5. Motion?

21 COMMISSIONER KERDYK: So moved.

22 COMMISSIONER CABRERA: Second.

23 VICE-MAYOR ANDERSON: Second.

24 MAYOR SLESNICK: Moved by Mr. Kerdyk,

25 seconded by Mr. Cabrera. Any further discussion?

1 Mr. Clerk?

2 THE CLERK: Vice-Mayor Anderson?

3 VICE-MAYOR ANDERSON: Yes.

4 THE CLERK: Commissioner Cabrera?

5 COMMISSIONER CABRERA: Yes, sir.

6 THE CLERK: Commissioner Kerdyk?

7 COMMISSIONER KERDYK: Yes.

8 THE CLERK: Commissioner Withers?

9 COMMISSIONER WITHERS: Yes.

10 THE CLERK: Mayor Slesnick?

11 MAYOR SLESNICK: Yes. And G-3 is related,

12 but I think we've already -- have we not handled

13 that?

14 MR. RIEL: Yes.

15 MAYOR SLESNICK: Okay, we've handled that,

16 so -- that is the thing we just talked about, right?

17 MR. RIEL: Yes.

18 MR. BROWN: Yes.

19 MAYOR SLESNICK: Okay, so we've handled

20 that.

21 Thank you very much, Mr. Riel. Thank you

22 and your Staff. Thank the Planning and Zoning Board.

23 We'll go on now to a second reading, and --

24 MR. RIEL: We'll bring back those three

25 issues that you wanted additional information, and

1 try to keep it brief.

2 COMMISSIONER KERDYK: Great so far. Very
3 good.

4 VICE-MAYOR ANDERSON: We're counting on
5 that.

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7 (End of item)

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