

City of Coral Gables
Local Planning Agency (LPA)/Planning and Zoning Board Meeting
Wednesday, January 9, 2013
Coral Gables City Commission Chambers
405 Biltmore Way, Coral Gables, Florida

MEMBERS	J9	F13	M13	A10	M8	J12	J10	A14	S11	O9	APPOINTMENT
	'13	'13	'13	'13	'13	'13	'13	'13	'13	'13	
Eibi Aizenstat - Chair	P										City Manager Patrick Salerno
Robert Behar	P										Commissioner Rafael Cabrera, Jr.
Jeffrey Flanagan - Vice Chair	P										Commissioner Maria Anderson
Julio Grabiell	P										Mayor Jim Cason
Pat Keon	P										Planning and Zoning Board
Vince Lago	P										Commissioner Frank C. Quesada
Javier Salman	E										Vice Mayor William H. Kerdyk, Jr.

P = Present
E = Excused
C = Meeting Cancelled

City Staff and Consultants:

Eric Riel, Jr., City Planner
Walter Carlson, Asst. City Planner
Jill Menendez, Adm. Assistant
Ramon Trias, Planning and Zoning Director
Craig E. Leen, City Attorney
Jane Tompkins, Development Services Director
Martha Salazar-Blanco, Zoning Official
Dona Spain, Historical Resources Director

Court Reporter:

Joan Bailey

Attachments:

1. 01 09 13 Attendance Sign In Sheet.
2. 01 09 13 Planning and Zoning Board Meeting Verbatim Minutes.
3. Exhibit entered into the record by Laura Russo.

Attendance/Speaker Sign In Sheet – January 9, 2013

Planning & Zoning Board Meeting



	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)
1.	G. ED WILLIAMSON TH	5501 OAK LAKE	305-661-5501	<input type="checkbox"/>
2.	BILL TILLETTS	10905 SNAPPER CREEK CORNER RD.	305-987-8225	<input type="checkbox"/>
3.	Robert Sweeney	11000 Old Kenton Rd.	305-661-8270	<input type="checkbox"/>
4.	IGNACIO ZABALETA	2727 SALZEDO ST.	3 / 407-0129	<input type="checkbox"/>
5.				<input type="checkbox"/>
6.				<input type="checkbox"/>
7.				<input type="checkbox"/>
8.				<input type="checkbox"/>
9.				<input type="checkbox"/>
10.				<input type="checkbox"/>
11.				<input type="checkbox"/>
12.				<input type="checkbox"/>

Attendance/Speaker Sign In Sheet – January 9, 2013

Planning & Zoning Board Meeting

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)
1.	Louis J. Risi, Jr	10915 Lakeside Dr Coral Gables, FL 33156	305-666-3831	<input type="checkbox"/>
2.	Heather Quinlan	15647 SW 88 Ave Palmto Bay, FL 33157	305-970-8702	<input type="checkbox"/>
3.	Lani Kahn Druey	10615 Lakeside Drive Coral Gables, FL 33156	31216-1550	<input type="checkbox"/>
4.	Luis Jauregui	2127 SALZEDO ST CORAL GABLES, FL 33134	3/648-2006 785-1110-7	<input type="checkbox"/>
5.	ORLANDO COMAS	7428 SW 48 ST MIAMI, FL	707-2839382	<input type="checkbox"/>
6.	Jo-Ann + Roger Tittig	5240 Fairchild Way Coral Gables, FL	305 661-2319	<input type="checkbox"/>
7.				<input type="checkbox"/>
8.				<input type="checkbox"/>
9.				<input type="checkbox"/>
10.				<input type="checkbox"/>
11.				<input type="checkbox"/>
12.				<input type="checkbox"/>

CITY OF CORAL GABLES
PLANNING DEPARTMENT
2012 JAN 14 AM 9:47

1 CITY OF CORAL GABLES
2 LOCAL PLANNING AGENCY (LPA)
3 VERBATIM TRANSCRIPT
4 CORAL GABLES CITY HALL
5 405 BILTMORE WAY, COMMISSION CHAMBERS
6 CORAL GABLES, FLORIDA
7 WEDNESDAY, JANUARY 9, 2013, COMMENCING AT 6:02 P.M.
8 Board Members Present:
9 Eibi Aizenstat, Chairperson
10 Robert Behar
11 Jeffrey Flanagan, Vice Chairperson
12 Julio Grabiell
13 Pat Keon
14 Vicente "Vince" Lago
15 City Staff and Consultants:
16 Eric Riel, Jr., City Planner
17 Walter Carlson, Assistant Planning Director
18 Craig E. Leen, City Attorney
19 Jill Menendez, Administrative Assistant
20 Jane Tompkins, Development Director
21 Ramon Trias, Building & Zoning Director
22 Dona Spain, Historic Preservation Officer
23 Martha Salazar-Blanco, Zoning Official
24 Others Participating in the Proceedings:
25 Laura Russo, Esq.
Russo & Baker
On behalf of the Applicant
Luis Juaregui, AIA
Eastshore Architects

MR. FLANAGAN: Yes.
MS. MENENDEZ: Julio Grabiell?
MR. GRABIEL: Yes.
MS. MENENDEZ: Vince Lago?
MR. LAGO: Yes.
MS. MENENDEZ: Robert Behar?
MR. BEHAR: Yes.
MS. MENENDEZ: Eibi Aizenstat?
CHAIRMAN AIZENSTAT: Abstain. I was not here that day.
We -- The first thing we're going to do is, people who have signed up to speak, if they would please stand up so they can be sworn.
Do we have people signed up this evening?
MR. RIEL: Four.
CHAIRMAN AIZENSTAT: Four, okay.
(Thereupon, those who intended to speak were duly sworn by the court reporter.)
CHAIRMAN AIZENSTAT: The first item on the agenda -- Actually, 5 and 6 are related.
Craig, should those be done simultaneously, since they're related?
MR. LEEN: One second.
Yes, you can consider them simultaneously, although they should receive separate votes.

1 THEREUPON:
2 The following proceedings were had:
3 CHAIRMAN AIZENSTAT: Let's go ahead and
4 start. Would you call the roll, please?
5 MS. MENENDEZ: Robert Behar?
6 MR. BEHAR: Here.
7 MS. MENENDEZ: Jeff Flanagan?
8 MR. FLANAGAN: Here.
9 MS. MENENDEZ: Julio Grabiell?
10 MR. GRABIEL: Here.
11 MS. MENENDEZ: Pat Keon?
12 Vince Lago?
13 MR. LAGO: Here.
14 MS. MENENDEZ: Javier Salman?
15 Eibi Aizenstat?
16 CHAIRMAN AIZENSTAT: Here.
17 The first item on the agenda is the
18 approval of the minutes. Has everybody had a
19 chance to take a look and read the minutes?
20 MR. FLANAGAN: So moved.
21 MR. BEHAR: Second.
22 CHAIRMAN AIZENSTAT: We have a first and a
23 second. Any comments, any questions? No?
24 Please call the roll.
25 MS. MENENDEZ: Jeff Flanagan?

1 CHAIRMAN AIZENSTAT: Okay, so let's go
2 ahead. Do you want me to read each item
3 individually or together?
4 MR. LEEN: I would read 5 and then 6, but
5 you could read them both now --
6 CHAIRMAN AIZENSTAT: Okay.
7 MR. LEEN: -- and hold a public hearing as
8 to both at the time.
9 CHAIRMAN AIZENSTAT: Thank you.
10 Item 5 is an Ordinance of the City
11 Commission of Coral Gables, Florida, on
12 property legally described as Tract A, Snapper
13 Creek Lakes Subdivision, whose address is 11190
14 Snapper Creek Road, in Coral Gables, Florida,
15 which is requesting the following:
16 A: Site plan review of a proposed
17 two-story community center to replace the
18 existing one-story facility for exclusive use
19 by Snapper Creek Lakes' residents and marina
20 members of a previously annexed subdivision
21 known as Snapper Creek Lakes Subdivision,
22 pursuant to the City of Coral Gables Resolution
23 Number 28947, Ordinance Number 3207 and
24 Ordinance Number 3249.
25 And also, B: Encroachment of landscaping

1 and other associated improvements into the Old
2 Cutler Road public right-of-way, including
3 required codification (sic), providing for
4 severability, repealer, codification, and an
5 effective date, the legal description of which
6 is on file with the City.

7 Item Number 6 is an Ordinance of the City
8 of Coral Gables, Florida, providing for text
9 amendments to the City of Coral Gables Official
10 Zoning Code Appendix A, "Site Specific Zoning
11 Regulations" by creating a new section which is
12 entitled "Section A-94, Snapper Creek Lakes
13 Tract A, providing subdivisions -- providing
14 provisions governing the use of the existing
15 marina facility and community center, on
16 property legally described as Tract A, Snapper
17 Creek Lakes Subdivision, whose address is 11190
18 Snapper Creek Road, Coral Gables, Florida,
19 providing for severability, repealer,
20 codification and an effective date, whose legal
21 description is also on file with the City of
22 Coral Gables.

23 At this time, we'll go ahead and have Staff
24 do their presentation.

25 MR. RIEL: Actually, Mr. Chair, the

1 Commission Chambers.)

2 MS. RUSSO: We are here on two
3 applications, one of which is a site plan
4 approval and the other is a site-specific text
5 amendment, and the reason we are here is
6 because there's an existing one-story building
7 on this property that is approximately 50 to 60
8 years old, about 1,900 square feet, that is in
9 need of replacement and needing to be brought
10 up to Code for handicap accessible ADA, et
11 cetera.

12 This property is in Snapper Creek Lakes,
13 which was annexed by the City of Coral Gables
14 and approved by Miami-Dade County, late 1996,
15 and then early -- and then in 1997, the Zoning
16 Code amendments and the future land use map
17 were changed to reflect the annexation of the
18 Snapper Creek Lakes Subdivision.

19 At the time, and no one knows why, this
20 particular property designated as Tract A was
21 not addressed specifically. It was a legal
22 non-conforming use. It's been an ongoing,
23 existing marina facility since the late 1950s,
24 when it was built, and it has continued to
25 operate. So we are here, not asking for any

1 applicant does their presentation and then
2 Staff --

3 CHAIRMAN AIZENSTAT: Oh, sorry.

4 MR. RIEL: -- will follow up.

5 CHAIRMAN AIZENSTAT: Yeah.

6 MS. RUSSO: Good evening, Mr. Chairman,
7 Members of the Planning and Zoning Board. For
8 the record, Laura Russo, with offices at 2655
9 LeJeune Road. I am here this evening
10 representing Snapper Creek Lakes Club, the
11 owner of the property in question. The
12 address, 11190 Snapper Creek Lakes Road.

13 I want to take a moment to introduce the
14 members of the board who are here on behalf of
15 Snapper Creek Lakes Club: Mr. Lou Risi, the
16 president; Mr. Bill Tillett, the treasurer and
17 the commodore; Mr. Bob Sweeney; Lani Deody; Mr.
18 Ed Williamson, past president; and Heather
19 Quinlan, who is the club administrator and dock
20 master.

21 I'd also like to introduce the architects
22 of record: Mr. Luis Jauregui, of Eastshore,
23 and Mr. Ignacio Zabaleta, and the landscape
24 architect, Mr. Orlando Comas.

25 (Thereupon, Ms. Pat Keon entered the

1 change in the way it is being operated, not
2 asking for anything additional except to
3 demolish the existing building, replace it
4 almost in the identical location of the current
5 building. It will be the same building with a
6 floor on top, which it has air conditioned
7 space, which is to accommodate the meetings of
8 the committee members, the board members that
9 meet monthly for the Snapper Creek Lakes
10 Homeowners, and also, they maintain storage of
11 all the architectural plans for Snapper Creek
12 Lakes.

13 What I'd like to do at this time is turn it
14 over to Luis Jauregui, to give you a little bit
15 of background on, you know, how the building
16 was designed, what it actually does, the
17 similarities to the existing building, because
18 it's really almost identical, with a little
19 floor put on top of it. And then I will take
20 over after he's concluded and given you a
21 little bit about the building.

22 Luis?

23 CHAIRMAN AIZENSTAT: Please note that Pat
24 Keon has arrived.

25 MS. KEON: I'd also like you to note that

1 Mr. Tibley and I have been downstairs since
2 five to 6:00, because there's no security guard
3 to see that the door is open for this public
4 hearing.
5 MS. RUSSO: And it's locked, right?
6 MS. KEON: Yes.
7 MR. LEEN: The door downstairs is locked?
8 MS. KEON: Yes.
9 MS. RUSSO: Uh-huh.
10 MR. LEEN: Well, we have to unlock it.
11 MR. RIEL: No, we have it unlocked. We
12 have -- Apparently, the security didn't show up
13 this evening, so that's why.
14 MR. LEEN: So it's unlocked now?
15 MR. RIEL: Yes. We're going to prop it
16 open.
17 MS. KEON: But when you're downstairs,
18 there's no way to get someone to come
19 (inaudible), except Mr. Tibley texted his wife
20 to ask her to please come down and open the
21 door for me.
22 CHAIRMAN AIZENSTAT: Thank you.
23 MS. KEON: Thank you.
24 MR. JAUREGUI: Can you hear me here?
25 MS. RUSSO: Go ahead.

1 all the way across at 57th Avenue and Old
2 Cutler and left a green tract here. So, in
3 essence, the only people that see this building
4 are the homeowners living in Snapper Creek.
5 The little red mark here is the location of
6 the building, if you can see that.
7 The little red mark here is the location of
8 the building, and the building that we're
9 talking about is this building right here.
10 This is the building that we're planning to
11 knock down, it's about 1,900 square feet, and
12 replace it with a two-story building in more or
13 less the same location. We have to add things
14 like elevators and access and stuff like that,
15 so it increases it a little bit.
16 What I wanted to show you were some
17 pictures that you have there of the marina and
18 how it looks and the road approaching where the
19 building is going to be, and the two houses
20 that are affected, one is a Mediterranean-style
21 house and the other one is a '50s house, set
22 way back.
23 Basically, the Old Cutler access, the road
24 is about seven feet higher than the building
25 baseline is, so Old Cutler goes up, because

1 MR. JAUREGUI: Hi. My name is Luis
2 Jauregui. I'm with Eastshore Architects. Our
3 offices are at 2727 Salzedo. I'm here as the
4 architect for the Snapper Creek Community
5 Center, and what I'd like to do is walk over
6 here, if that's okay, and present it to you.
7 MS. RUSSO: You're going to have to speak
8 really loudly, because we don't have the
9 portable microphone at the moment.
10 MR. JAUREGUI: Okay, great.
11 I'd like to start by showing the aerial
12 view of the property. This area right here is
13 Tract A, which we're talking about.
14 MS. RUSSO: And, Luis, one moment.
15 I want to let you know, you all have copies
16 of this in the package that was submitted, so
17 you should have a copy of the aerial and the
18 majority of the plans that Mr. Jauregui is
19 going to be using.
20 MR. JAUREGUI: It is bordered on one side
21 by Old Cutler Road -- and there's no
22 development there -- on two sides by
23 residential properties inside the Snapper Creek
24 development, and across the canal there by Four
25 Fillies Farm, but they have built their area

1 there's a little bridge there that you can go
2 under with your boat, so it's running at seven
3 feet, but the view there is basically of the
4 second story of the building, and in reality,
5 what we've done is landscape that whole area.
6 We've been asked to landscape that whole area,
7 so you don't see into it at all.
8 The building that we're proposing, which
9 is -- Let me get something out. One second.
10 I don't know if you want to pass this
11 around and look at it. It's a 3-D model of the
12 building. I'll just put it here.
13 So, basically, the building that we're
14 proposing, in comparison to what is there, if
15 you notice, it's a two-story building, but
16 there's a lot of similarities. We've kept the
17 main section in the old building -- oh, I'm
18 sorry. We've kept the main section in the old
19 building, where the boat storage is, to keep
20 those types of boat storage. We have kept a
21 stair and storage in the same area where the
22 old storage was, and this is the dock master's
23 area and where they meet and where they file
24 everything. What we've done with that area is
25 used it as a foyer, lobby and access for the

1 building, and moved everything up.
 2 So now this area, which is -- this whole
 3 area is up high, for the dock master, and they
 4 have a much better view of the entire marina
 5 and what's going on, because there's 24-hour
 6 service here.

7 What we did above the area where the boats
 8 are is put a community center, so that they
 9 could have their meetings and file rooms and
 10 stuff like that, so they can keep all the plans
 11 that they have to keep from the submissions.

12 In terms of the style of the building, we
 13 did research and decided to go with a
 14 Mediterranean building, after looking at things
 15 like the Coral Reef Yacht Club, the Fisher
 16 Island Yacht Club, the Florida Keys Yacht Club,
 17 all in the Mediterranean vein, and felt that
 18 that was probably the best structure and design
 19 to give the building, and this is the product
 20 of the building. This is the side not facing
 21 Old Cutler; this is the side facing the
 22 entrance there.

23 In addition to this, we're proposing a wall
 24 and using the existing gates that are there,
 25 just to tie it all together, and you can see

1 new facility, we have proposed and are
 2 proffering stricter regulations, because what
 3 we are doing is really codifying what is
 4 ongoing.

5 For example, they sell bait and ice, and
 6 there's a vending machine for Cokes. So we've
 7 added restrictions that basically codify the
 8 operation. The meeting room is for the members
 9 of the community, it's not to be leased out,
 10 and we have taken all those restrictions and
 11 put them into the text amendment so that the
 12 City has a tool that they can use, because
 13 right now there is no tool; there is nothing in
 14 the City Zoning Code or the site-specific
 15 regulations that addresses the current use of
 16 this Tract A in Snapper Creek Lakes.

17 And I would request approval of both the
 18 site plan and the specific Zoning Code text
 19 amendments that have been made to include Tract
 20 A, separate and apart from the balance of
 21 Snapper Creek Lakes, which is a bunch of
 22 residential restrictions for homeowners, in
 23 terms of setbacks, side setbacks, awnings and
 24 height. When they annexed Snapper Creek Lakes
 25 and Hammock Lakes, their building restrictions

1 that on your site plans. The square footage of
 2 the building is 4,000 square feet, roughly,
 3 now, and the total height of the building is 34
 4 feet six inches, six inches below the required.

5 One of the reasons why we went with a
 6 second story -- with a two-story building is
 7 because obviously we have to come up to the new
 8 flood criteria. That building was way too low.

9 And there you have it, if you have any
 10 questions.

11 MS. RUSSO: This building has been
 12 preliminarily approved by the Board of
 13 Architects and -- I'm sorry.

14 The building has been presented to the
 15 Board of Architects and received preliminary
 16 approval, and I worked very closely along with
 17 members of the board of Snapper Creek Lakes
 18 Club and Staff, both in the Planning Department
 19 and Zoning Department, with input from Police,
 20 Fire, Public Works and Public Service, in order
 21 to have the text amendments accurately codify
 22 the existing operation that has been ongoing
 23 since the late 1950s, and you will see in the
 24 text amendments, if you compare it to what is
 25 currently allowed if someone were to propose a

1 were different from the existing residential
 2 restrictions of the balance of Coral Gables, so
 3 they became site-specific, and so what we've
 4 done within those site-specific regulations,
 5 we've called out Tract A, which is the parcel
 6 in question, and we've addressed all the
 7 particular issues that Zoning, Planning, Police
 8 or Fire -- that anybody could come up with, and
 9 addressed them in the site-specifics.

10 And so we respectfully request your
 11 approval of this -- of the site plan and of the
 12 text amendments, and we're happy to answer any
 13 questions you have with respect to landscaping
 14 the building, the operations, et cetera.

15 CHAIRMAN AIZENSTAT: Laura, let me ask you
 16 a question. The existing building is of what
 17 age?

18 MS. RUSSO: The existing building, they
 19 started construction in the late 1950s,
 20 somewhere between '57 -- and what we have on
 21 the public records, if you look on the Property
 22 Appraiser's sheet, is 1959.

23 CHAIRMAN AIZENSTAT: Eric, how does it
 24 work, when you have an area that's annexed, as
 25 far as having to go through any historic -- I

1 mean, this building is not old enough, I guess,
2 to be historic?

3 MR. RIEL: Well, as part of the review,
4 when it goes through the DRC, Historic is
5 onboard, so --

6 CHAIRMAN AIZENSTAT: Okay.

7 MR. RIEL: -- there's a determination, and
8 there's been a determination it's not historic.

9 CHAIRMAN AIZENSTAT: Okay.

10 Any questions for Laura? No?

11 At this point, let's let Staff do their
12 presentation.

13 MR. RIEL: The applicants have done a fine
14 job of going over a lot of the history.
15 Basically, as the applicant indicated, in 1996,
16 the property was annexed in, and with every
17 annexation, you know, the parcels that have
18 what I'll call nonresidential uses really
19 didn't have regulations. So that's what this
20 applicant is asking for, is to create
21 regulations to basically memorialize something
22 that's been operating on the property since the
23 1950s.

24 In Staff's viewpoint, we feel that they've
25 gone beyond the Code, in terms of if it were

1 within this application.

2 Previously, they actually did remove -- it
3 was all exotics. So they're putting in new
4 material, and the Public Service Department,
5 which is in charge of the landscaping, did an
6 on-site visit and actually worked closely with
7 the applicant in terms of what type of
8 materials, to make sure that it doesn't impact,
9 although what it will impact is a roadway. I
10 mean, there's essentially nothing on the other
11 side because of the height of the roadway.

12 So, again, on Page 10 and 11, there's a
13 number of conditions, which are a summary of
14 the actual regulations.

15 In terms of notice, the applicant did do a
16 notice within a thousand feet of the entire
17 property, as well as within the homeowner
18 association, and City Staff did, as well, and
19 we also did -- since it's in close proximity to
20 the Village of Pinecrest, we also sent them a
21 notice. And as of today, we've received no
22 objections from anyone, and I have not
23 personally received any phone calls in the
24 office or any types of objections.

25 We do recommend approval, subject to --

1 considered a yacht basin, and if you look on
2 Page 10 and 11 in your packet, I did summarize
3 in fairly good detail in terms of what some of
4 the prohibitions are regarding the operations
5 and management of the marina, as well as the
6 facility. I mean, essentially, it will remain
7 as a private facility for the use of the
8 residents. No overnight stays, no third-party
9 rentals, very strict in terms of what can
10 happen on the property, in terms of the number
11 of boats stored, no dry storage stacking -- all
12 the boats are stored at, you know, ground
13 level -- the heights of the walls, fences.

14 One thing that Staff had asked for, that
15 they don't have on the property at this point,
16 is, we asked for some parking spaces, so they
17 accommodated those within, although they're not
18 really required. So they added six additional
19 parking spaces.

20 In addition, as they had indicated, there's
21 a seven-foot drop from Old Cutler down to the
22 property, the actual -- the bottom of the
23 building. We asked that they extensively
24 landscape the Old Cutler right-of-way, and
25 that's why you have an encroachment request

1 There's only two or three conditions, the
2 standard conditions, basically, just indicating
3 that it's in compliance with the submittal
4 package, a restrictive covenant, and then the
5 only other -- what I will call a condition, is,
6 within 60 days of the approval, they have to
7 put the landscaping in.

8 MS. RUSSO: Mr. Chairman, I'd like to, at
9 this time, submit to you additional letters.
10 We do have a letter from one of the neighbors
11 immediately in front of project, one of the
12 most impacted -- one of the most impacted
13 neighbors, and the neighbor immediately
14 adjacent, so the one across the street and the
15 one next door, and two other neighbors were
16 from the adjoining subdivision, Four Fillies.
17 So I'd like to turn those in, so they're part
18 of your package and part of the record.

19 CHAIRMAN AIZENSTAT: Please.

20 Craig, have you gone ahead and reviewed any
21 of the legal that has to do with Tract A and so
22 forth?

23 MR. LEEN: In terms of -- All of this has
24 been reviewed, but in terms of something
25 specific?

1 CHAIRMAN AIZENSTAT: Well, the legality
2 with the City.
3 MR. LEEN: Yes. No, this has all been
4 reviewed for formal legal sufficiency.
5 CHAIRMAN AIZENSTAT: And you're okay with
6 it?
7 MR. LEEN: Yes.
8 CHAIRMAN AIZENSTAT: We're going to go
9 ahead at this point and open it up for public
10 comments. I think there were four people, if
11 I'm not mistaken, that wished to speak?
12 MR. RIEL: Correct.
13 CHAIRMAN AIZENSTAT: Will you please call
14 the names?
15 MS. MENENDEZ: They're actually part of the
16 applicant's team. I don't know if they still
17 want to speak.
18 MS. RUSSO: Excuse me? Is there
19 something --
20 MR. RIEL: There's --
21 MS. MENENDEZ: The speakers that signed up
22 are part of your team.
23 MS. RUSSO: As far as I know, that's all
24 that signed up.
25 CHAIRMAN AIZENSTAT: Right. Would they

1 microphone.
2 CHAIRMAN AIZENSTAT: Let's turn off the
3 microphones.
4 (Inaudible comments)
5 MR. RIEL: Within 60 days of you operating
6 or occupying the building, the landscaping
7 needs to be installed.
8 UNIDENTIFIED MAN: Okay, no problem. Thank
9 you.
10 CHAIRMAN AIZENSTAT: So there's nobody from
11 the public that would like to comment; is that
12 correct?
13 MS. RUSSO: That is correct.
14 CHAIRMAN AIZENSTAT: Should we close the
15 meeting?
16 MR. BEHAR: Close the meeting.
17 CHAIRMAN AIZENSTAT: Yeah, let's go ahead
18 at this time and close it for public comment
19 and just have the Board --
20 (Microphone feedback)
21 CHAIRMAN AIZENSTAT: Let's go ahead and
22 just keep the microphones off at this point.
23 It's going to give us static.
24 No, you probably won't be able to hear
25 anything. Is there somebody back there, the

1 like to speak?
2 MS. RUSSO: Would anyone like to speak?
3 I think in response to any questions that
4 you may have.
5 UNIDENTIFIED MAN: Laura -- I want to ask
6 you a question.
7 (Inaudible)
8 MS. RUSSO: We can't hear.
9 CHAIRMAN AIZENSTAT: Can you stand up? Can
10 you stand up, please, if you're going to
11 address -- and state your name and address.
12 UNIDENTIFIED MAN: My only question is, I
13 just didn't hear for sure what --
14 CHAIRMAN AIZENSTAT: Name and address, please.
15 UNIDENTIFIED MAN: -- what Mr. Riel's last
16 condition was, due to the microphone.
17 MS. RUSSO: The question was for me. He
18 just didn't -- He was asking me for a
19 clarification of what Mr. Riel said with
20 respect to the conditions, because at the time,
21 the microphones were giving some feedback.
22 MR. RIEL: The additional condition is,
23 basically within 60 days of you getting --
24 CHAIRMAN AIZENSTAT: Let's turn off --
25 MS. RUSSO: He can't hear. It's your

1 tech?
2 MR. RIEL: Yeah, we've talked to them
3 upstairs. Unfortunately, the only record we'll
4 have, then -- so let's try to keep them on, if
5 we can.
6 CHAIRMAN AIZENSTAT: Okay. Test?
7 Board discussion? There's some questions.
8 Jeff?
9 MR. FLANAGAN: Yeah, I just have one
10 question, about the landscaping encroachment
11 into the right-of-way. Have we -- Is Old
12 Cutler an historic roadway? And if it is, have
13 we checked with the appropriate authorities,
14 the State FDOT or whoever it might be, to
15 ensure that the landscaping will be allowed
16 within the right-of-way?
17 MR. RIEL: There's actually a condition
18 that requires them to secure outside agency
19 reviews and approvals. They have initially
20 gone to Miami-Dade County and sought their
21 preliminary approval on the installation of
22 landscaping, and they have to go through the
23 formal process, but Miami-Dade County said it
24 appears everything's okay. There's certain
25 liability and release forms that they need to

1 fill and whatnot, but that's included as an
 2 additional condition.
 3 MR. FLANAGAN: And what if they can't get
 4 the approval?
 5 MR. RIEL: Then they're going to have to
 6 accommodate the landscaping on their property.
 7 CHAIRMAN AIZENSTAT: Okay. Any other
 8 comments? Robert?
 9 MS. KEON: May I ask a question?
 10 CHAIRMAN AIZENSTAT: Please.
 11 MS. KEON: So, regardless, the landscaping
 12 is going to be installed?
 13 MR. RIEL: Correct. Correct.
 14 MR. LAGO: My question was a pretty simple
 15 one. In regards to Point Number 10, on Page
 16 11, in regards to signage, can you clarify in
 17 regards to the signage, the location of the
 18 signage, the 50 square feet of signage?
 19 MR. JAUREGUI: Right there.
 20 It's going to be right here, and it's only
 21 on the Snapper Creek side, not on the Old
 22 Cutler side.
 23 MR. LAGO: Very good. Thank you.
 24 MR. RIEL: The only other outstanding thing
 25 I have, if Ms. Russo could indicate for the

1 motion as to the first ordinance?
 2 MR. BEHAR: Yes.
 3 CHAIRMAN AIZENSTAT: As to the first
 4 ordinance, we have a first and second.
 5 MR. BEHAR: And then we'll do it separate
 6 for the second. You need to do it separately?
 7 MR. RIEL: Yes.
 8 MR. BEHAR: Okay.
 9 CHAIRMAN AIZENSTAT: So we've got a first
 10 and we've got a second. So let's go ahead and
 11 call -- Any questions or comments? No?
 12 Call the roll, please, for the first one.
 13 MS. MENENDEZ: Julio Grabiell?
 14 MR. GRABIEL: Yes.
 15 MS. MENENDEZ: Pat Keon?
 16 MS. KEON: Yes.
 17 MS. MENENDEZ: Vince Lago?
 18 MR. LAGO: Yes.
 19 MS. MENENDEZ: Robert Behar?
 20 MR. BEHAR: Yes.
 21 MS. MENENDEZ: Jeff Flanagan?
 22 MR. FLANAGAN: Yes.
 23 MS. MENENDEZ: Eibi Aizenstat?
 24 CHAIRMAN AIZENSTAT: Yes.
 25 Is there a motion for the second one?

1 record she agrees with the conditions.
 2 MS. RUSSO: Yes, I will indicate for the
 3 record that my client, Snapper Creek Lakes
 4 Club, does agree to the conditions that have
 5 been imposed on the Staff report.
 6 CHAIRMAN AIZENSTAT: Any other questions or
 7 comments? Robert?
 8 MR. BEHAR: I like the building. I think
 9 they've done a great job, and, you know, the
 10 only thing I wondered, this is one of the few
 11 areas in Coral Gables that you are allowed to
 12 do metal roofs, that you not incorporate a
 13 metal roof into the building, but you've done a
 14 great job.
 15 I make a motion to approve.
 16 MS. KEON: I'll second it.
 17 CHAIRMAN AIZENSTAT: We have a motion and a
 18 second.
 19 MR. LEEN: You should do separate votes,
 20 though, as to each ordinance.
 21 MS. KEON: Right.
 22 CHAIRMAN AIZENSTAT: All right.
 23 MR. LEEN: So this is as to the --
 24 MS. KEON: That's what I'm saying --
 25 MR. LEEN: Robert -- Mr. Behar, is your

1 MR. BEHAR: I'll make a motion for the
 2 second ordinance, for approval.
 3 MS. KEON: (Indicating).
 4 CHAIRMAN AIZENSTAT: Seconded by Pat Keon.
 5 Any questions, any comments?
 6 Call the roll, please.
 7 MS. MENENDEZ: Pat Keon?
 8 MS. KEON: Yes.
 9 MS. MENENDEZ: Vince Lago?
 10 MR. LAGO: Yes.
 11 MS. MENENDEZ: Robert Behar?
 12 MR. BEHAR: Yes.
 13 MS. MENENDEZ: Jeff Flanagan?
 14 MR. FLANAGAN: Yes.
 15 MS. MENENDEZ: Julio Grabiell?
 16 MR. GRABIEL: Yes.
 17 MS. MENENDEZ: Eibi Aizenstat?
 18 CHAIRMAN AIZENSTAT: Yes.
 19 MS. RUSSO: Thank you.
 20 CHAIRMAN AIZENSTAT: Thank you.
 21 MS. RUSSO: Thank you very much.
 22 CHAIRMAN AIZENSTAT: Thank you very much.
 23 MS. RUSSO: If I may, I'd like your
 24 packages, if you're not going to use them, in
 25 order to --

1 MR. RIEL: Mr. Chair, could I make a
2 suggestion that we take a five-minute break to
3 let them come down and see, perhaps, what's the
4 issue?

5 CHAIRMAN AIZENSTAT: Yeah, let's take a
6 five-minute break. Thank you, everybody, for
7 coming.

8 (Thereupon, a brief recess was taken.)

9 CHAIRMAN AIZENSTAT: Let's go back in
10 session. Is everybody here?

11 MS. MENENDEZ: Yes.

12 CHAIRMAN AIZENSTAT: Okay.

13 MR. LEEN: Mr. Chair, as to Item Number 2,
14 approval of the minutes -- and we spoke about
15 this, briefly, but as a general rule, a Board
16 member can't abstain, under State law.

17 CHAIRMAN AIZENSTAT: Okay.

18 MR. LEEN: So, under our codes -- under our
19 rules of procedure, an abstention is treated as
20 a yes vote, and that's fine. It's perfectly
21 understandable, you weren't here, so normally,
22 in most places, you would abstain, because you
23 wouldn't vote on that because you weren't
24 present, but State law doesn't allow it, so
25 your vote, if it's okay with you, will be

1 MR. TRIAS: That's right. It's --

2 CHAIRMAN AIZENSTAT: Welcome to the Board.

3 MR. TRIAS: Thank you very much.

4 The City Commission requested this
5 amendment, and what they requested was a
6 process to allow for those decorative wraps
7 around the fences, and we didn't have a process
8 prior to this. So Staff has amended the City
9 Code, not the Zoning Code, the City Code, which
10 has a provision for staging plans, and what we
11 have added is some language that allows for a
12 process and allows for some very specific
13 recommendations in terms of dimensions, et
14 cetera, for those wraps, and then some other
15 minor changes in the staging plan for signage
16 and other things.

17 So this item is here before you because the
18 City Commission requested your opinion and
19 requested your input. The City Commission has
20 already looked at this in the first reading of
21 the ordinance. They will look at it again as
22 soon as we're able to provide them your
23 opinion.

24 So I'm here to answer any questions, and
25 the illustrations are not meant to be critical,

1 treated as a yes --

2 CHAIRMAN AIZENSTAT: Correct.

3 MR. LEEN: -- although it's noted that you
4 weren't here.

5 CHAIRMAN AIZENSTAT: Okay. Thank you.
6 Okay, let's move on.

7 Item Number 7 is an ordinance of the City
8 Commission of Coral Gables, Florida, amending
9 the Code of the City of Coral Gables, Chapter
10 105, "Building and Building Regulations,"
11 Section 105-28, "Construction Staging Plans",
12 to require City review and approval of
13 decorative wrap and signage placed construction
14 fencing, providing for severability, repealer,
15 codification, and an effective date.

16 The City is now going to go ahead and do
17 their presentation.

18 MR. TRIAS: Thank you, Mr. Chairman. I'm
19 Ramon Trias. I'm the Director of Planning and
20 Zoning.

21 CHAIRMAN AIZENSTAT: Welcome.

22 MR. TRIAS: Thank you very much. Thank
23 you.

24 CHAIRMAN AIZENSTAT: This is the first time
25 you're before us.

1 by the way, of the existing wraps or anything
2 like that. They're simply meant to illustrate
3 the effect of the ordinance, in a fence.

4 CHAIRMAN AIZENSTAT: I see that, from the
5 pictures, you just took one project --

6 MR. TRIAS: Yes.

7 CHAIRMAN AIZENSTAT: -- as opposed to
8 various projects or so forth?

9 MR. TRIAS: And I apologize to Mr. Behar
10 for that. I didn't -- There's no implication
11 that the photograph is a bad photograph. It
12 simply shows the effect of the proposed
13 changes.

14 MR. BEHAR: But for the record, I am not
15 happy to see that that project was selected to
16 be the example. And I accept apologies, but
17 we'll move on.

18 MR. TRIAS: Thank you. And if you want me
19 to change it, if the recommendation is to
20 change the illustration, I'll be happy to do
21 that.

22 CHAIRMAN AIZENSTAT: Okay. Any comments?

23 MS. KEON: Would you like it changed? Have
24 it changed. You can have it removed.

25 MR. BEHAR: Yes. Yes.

1 MR. TRIAS: I'll be happy to remove it.
 2 CHAIRMAN AIZENSTAT: Please make a note --
 3 MS. KEON: I would like to ask that it be
 4 changed.
 5 MR. TRIAS: Mr. Chairman, I think this was
 6 the only ramp, at the time when I took those
 7 photographs, that looked good. So that's why I
 8 chose this one, but I'll be happy to remove it.
 9 MS. KEON: Thank you.
 10 CHAIRMAN AIZENSTAT: Thank you.
 11 Any comments? Who would like to start?
 12 MR. BEHAR: I do. I do. I have some
 13 concerns. I understand the intent to minimize
 14 the amount of signage that is put on a fence,
 15 but I'm going to look at it from a development
 16 side. I think that a project -- and I'm going
 17 to use this project as an example. It's a
 18 project that is in excess of a 110 million
 19 dollar investment in the City of Coral Gables.
 20 The project knows that it needs to reach out to
 21 the community to see what the status of the
 22 project is, what it's doing, what it is,
 23 because otherwise you don't know what type
 24 of --
 25 CHAIRMAN AIZENSTAT: Information.

1 ourselves or we're going to find the City with
 2 another problem, that the building is going to
 3 sit empty and it's not going to be as pleasant
 4 to see.
 5 Now, I do not think that the example of the
 6 Old Spanish Village, that's been sitting there
 7 for years and not being taken care of, is not a
 8 good example. So that's what I think we need
 9 to focus on, are those types of problems, not a
 10 wrap that is on a project that is obviously
 11 under construction, it's clearly under
 12 construction, you can see the movement on the
 13 project, and it's being maintained, because
 14 that wrap was replaced very recently.
 15 MR. TRIAS: Yes.
 16 MR. BEHAR: So I think when we set the
 17 guidelines, I think we need to be very careful
 18 how much we restrict those guidelines.
 19 CHAIRMAN AIZENSTAT: Pat?
 20 MS. KEON: I think that it --
 21 CHAIRMAN AIZENSTAT: Actually, if you don't
 22 mind, I'm sorry. There's one gentleman here.
 23 Was there any public comment? Anybody like to
 24 make any public comment before we open it up to
 25 ourselves?

1 MR. BEHAR: Information. On a project like
 2 this, which is a high-end rental, it needs to
 3 advertise that you are going to do renting at
 4 some point in time, you're going to commence
 5 that. I think that perhaps -- and like what we
 6 did here. We went in for the approvals,
 7 because this got approval from the City. You
 8 just didn't put it up. Possibly, you know,
 9 maybe six months before you start leasing a
 10 project, but I think that if we restrict a
 11 development community too much, we're going to
 12 give them problems that is going to be greater
 13 than us seeing a wrap in a project.
 14 And then the second part to this is, maybe
 15 not -- not a hundred percent of the wrap is
 16 advertising, or for lack of a better word,
 17 advertising the actual project. Maybe we do 50
 18 percent, 60 percent, and then we add some
 19 pictures, some illustrations of the City of
 20 Coral Gables. But, one, you need a wrap around
 21 a fence. Whether it's a solid green color or
 22 whatever other color, you need to do something,
 23 but I think we've got to be very careful, how
 24 we restrict the amount of images that are put
 25 on that, because if not, we're going to find

1 You don't have anybody that's signed up?
 2 MS. MENENDEZ: No.
 3 CHAIRMAN AIZENSTAT: Okay. I'm sorry, Pat.
 4 MS. KEON: I can see where you may want to
 5 restrict the amount of -- It's not just
 6 advertising, but it's repetitive advertising,
 7 over and over again, but I have a problem with
 8 the blank green screen, because I think that
 9 that's an opportunity for people to post other
 10 notices and for graffiti. I think generally,
 11 when there already is some design or signage or
 12 there's something there, it reduces the
 13 invitation to place things along an empty wall.
 14 So I would prefer not to see this blank green
 15 screen. I would prefer to see something on all
 16 of those pictures as they go along. Now --
 17 CHAIRMAN AIZENSTAT: You're saying the
 18 entire project, all the way around?
 19 MS. KEON: I would rather see, you know,
 20 pictures or something on the entire project,
 21 all the way around, so that it isn't an
 22 invitation to post.
 23 Now, you know, how much of it you want to
 24 be advertising, how much of it should be maybe
 25 pictures of the City, pictures of the interiors

1 the building, or maybe it can be advertising in
2 the sense that shows what the building is going
3 to look like, I don't have a problem with that,
4 but I would not like to see this blank green
5 screen, for that reason. Thank you.

6 CHAIRMAN AIZENSTAT: Jeff?

7 MR. FLANAGAN: One of my thoughts was, I
8 don't know why we're limiting it to two street
9 fronts. If a project -- so, using this one at
10 Ponce and LeJeune, it encompasses and it's got
11 frontage on three streets. If we're going to
12 allow it on one street side, we should allow it
13 on all street sides.

14 I don't know where I stand on limiting the
15 amount of advertising. I think if we -- if
16 we're going to do it, I've got some tweaks to
17 the language, as far as what may be allowed or
18 what shall be allowed or what it should be
19 limited to. I'm not quite sure where I stand
20 on, actually, the green --

21 As of now, though, Pat, anybody -- Nobody
22 has to put up advertising. It's purely an
23 option of the developer.

24 CHAIRMAN AIZENSTAT: Yeah, but they have to
25 screen the project.

1 MR. BEHAR: Yes.

2 MS. KEON: It's the screening of the
3 project. In knowing that the project is
4 screened, I would rather see some attractive
5 pictures or murals or something on the screen,
6 as opposed to a blank screen, because I think a
7 blank screen is truly an invitation to post
8 material --

9 MR. FLANAGAN: Sure.

10 MS. KEON: -- or graffiti or whatever else,
11 whereas I think that, you know, something that
12 is tastefully placed, whatever it may be, is a
13 better option, but I don't know --

14 MR. FLANAGAN: But this also doesn't
15 mandate -- These are not mandated decorative
16 wraps. It says you may, and if you do --

17 MR. TRIAS: Mr. Chairman, if I could
18 clarify that issue. The current language, the
19 current language in the Code right now, allows
20 for those green barriers. What we're trying to
21 do is to allow for the decorative barriers.

22 CHAIRMAN AIZENSTAT: Only up to a certain
23 percentage.

24 MR. TRIAS: Right.

25 MS. KEON: Right.

1 MR. TRIAS: And the debate is about how
2 much, how big, and what kind of information.

3 MR. FLANAGAN: The point I'm getting at is,
4 if I was a developer and I came in, I could
5 come in with a green barrier --

6 MR. TRIAS: Yes.

7 MR. FLANAGAN: -- and nothing else.

8 MR. TRIAS: Yes.

9 MR. FLANAGAN: And this doesn't require.
10 It provides the opposite.

11 MR. TRIAS: Right.

12 MS. KEON: Is there a problem, or have you
13 found that there is a problem, with a plain
14 green barrier? Do people post notices on
15 there? Do people stick things on there?

16 MR. TRIAS: I'm not aware of any problem
17 like that.

18 MS. KEON: But I've seen graffiti on a lot
19 of them.

20 MR. BEHAR: Yeah, and you see -- on this
21 one, you see graffiti that -- and that's one of
22 the reasons that it was replaced, you know,
23 recently.

24 MS. KEON: Yeah. I mean, that's what I
25 usually see, graffiti. So I would prefer that

1 there be something on it, but --

2 MR. TRIAS: Yeah, and basically, right now,
3 the Commission approves each design, one by
4 one, because there's no process. So we are
5 setting up -- or what we're proposing is
6 a process, a process that would be in the Code.

7 CHAIRMAN AIZENSTAT: Let me ask you a
8 question. The way -- the way I'm reading your
9 Attachment B, the way you've written it, when
10 you call for visual displays for public, does a
11 definition currently exist for that?

12 MR. TRIAS: I don't believe so. If you
13 think that that would be helpful --

14 CHAIRMAN AIZENSTAT: I do.

15 MR. TRIAS: -- we can probably do that.

16 CHAIRMAN AIZENSTAT: Yeah. I think we
17 should -- I mean, if we're going to do that, I
18 think we should have a concise and clear -- and
19 I think it starts with having a definition for
20 what we're trying, so we have some continuity.

21 MR. TRIAS: This is the language that was
22 reviewed by the City Attorney --

23 CHAIRMAN AIZENSTAT: Okay.

24 MR. TRIAS: -- and he felt comfortable with
25 it, but certainly, if it's helpful --

1 CHAIRMAN AIZENSTAT: Just some comments.
 2 The other comment that I have is, where it
 3 says here, approved architectural renderings,
 4 does that mean that only those items are
 5 allowed to be displayed? A developer can't put
 6 their website or a developer can't put their
 7 name? A developer can't put their contact
 8 information? Can the architect put his or her
 9 information? In other words, I think there's a
 10 lot of items that we need to look at, as what
 11 Robert was saying, that I think would be very
 12 helpful.
 13 MR. TRIAS: If you look at G -- G,
 14 temporary signs, that's where the information
 15 of the owner and so on is contained.
 16 CHAIRMAN AIZENSTAT: It may actually -- To
 17 be honest with you, as a citizen, I may like to
 18 have a cleaner look at maybe having it on this,
 19 as opposed to all -- you know, when you go
 20 through construction sites, when you drive
 21 through, you see all these signs in all
 22 different sizes and dimensions that people put
 23 up.
 24 MR. BEHAR: No, not in Coral Gables, you're
 25 not allowed to do that.

1 MR. TRIAS: Certainly.
 2 CHAIRMAN AIZENSTAT: I guess what I'm
 3 trying to say is, I think it's better that we
 4 have a precise idea or definition for what we
 5 need to do, as opposed to have ambiguity within
 6 there. Does the Code restrict any heights for
 7 this type of fencing or wrapping? Does -- I
 8 don't know that.
 9 Robert, do you know?
 10 MR. BEHAR: It's my understanding and my
 11 knowledge, it's only a six-foot fence that's
 12 allowed.
 13 CHAIRMAN AIZENSTAT: Now, when you say
 14 fence, does it have to be a fence? Does it
 15 state what materials can be used?
 16 MR. BEHAR: Well, temporary -- typically, a
 17 temporary construction fence is, you know --
 18 MR. LAGO: Chain link.
 19 MR. BEHAR: Yeah.
 20 CHAIRMAN AIZENSTAT: Are chain link?
 21 MR. LAGO: Yeah.
 22 CHAIRMAN AIZENSTAT: So somebody cannot go
 23 ahead and do any type of other material? Or
 24 it's just not used, or it's not economical?
 25 MR. BEHAR: One, it's not economical, and

1 CHAIRMAN AIZENSTAT: But I've seen --
 2 MR. BEHAR: You're allowed to have one
 3 project sign, which is, I don't know, three by
 4 five, fifteen foot --
 5 CHAIRMAN AIZENSTAT: With everybody that's
 6 on there?
 7 MR. BEHAR: That's it. You're not allowed
 8 to have -- and typically, if somebody puts
 9 something up, it's immediately taken down,
 10 so --
 11 MR. LAGO: Let me -- Could I ask you --
 12 CHAIRMAN AIZENSTAT: And --
 13 MR. LAGO: I'm sorry, go ahead.
 14 CHAIRMAN AIZENSTAT: What about, let's say
 15 you have a realtor or so forth that's going to
 16 be selling a project or renting a project? Are
 17 they allowed to put an additional sign, also?
 18 MR. TRIAS: Those signs are regulated as
 19 temporary signs under the Zoning Code.
 20 CHAIRMAN AIZENSTAT: So they're under --
 21 okay. The other question is -- let me just
 22 see, now. When you put and you say visual
 23 displays, also, for public information, maybe
 24 we should go ahead and take a look at doing a
 25 definition for that, if we don't have that.

1 two, you know, since you have a lot of moving
 2 components in a construction site, you don't
 3 want to do something that's permanent, because
 4 it doesn't give you the flexibility to move it
 5 back and forth, while a chain link fence like
 6 this gives you that better flexibility.
 7 CHAIRMAN AIZENSTAT: Okay, so we don't have
 8 to put in there -- because I was thinking maybe
 9 instead of using the word fence, use the word
 10 barrier, because there may be another type of
 11 temporary material, as opposed to only saying
 12 what type.
 13 MR. BEHAR: And I think for securing a
 14 construction site, making sure nobody, you
 15 know, from the outside comes in, you're
 16 limited, because you could put a barrier, but
 17 it may not be, you know -- and Vince, you may
 18 shed some light to this -- it may not be as
 19 secure as a chain link fence.
 20 MR. LAGO: No, I agree a hundred percent.
 21 That's what I was thinking about before, as we
 22 discuss further detail, what we're trying to
 23 accomplish here, at least what this gentleman
 24 is discussing, in regards to the
 25 standardization of the actual fence. I have

1 not seen, in any of my job sites, that there's
 2 really a big issue in regards to graffiti. I
 3 think that when you look at what is being
 4 proposed here, you know, I would like to see a
 5 little bit more detail in regards to the
 6 proposed changes. I know you're talking about
 7 certain aspects of the City and certain
 8 details, but I think I would like to see a
 9 little bit more, like what is actually
 10 happening, because I'm also not in favor of
 11 having the silk fence exposed like that, you
 12 know, for such a long run, and then you have a
 13 City design and then you have an advertisement,
 14 but, you know, this is something that I
 15 wouldn't really feel comfortable.

16 CHAIRMAN AIZENSTAT: Just meaning -- just
 17 the green --

18 MR. LAGO: Yeah. Like, you know, a City
 19 landmark, then you have the silk fence for an
 20 extended period of time, and then have an
 21 advertisement.

22 CHAIRMAN AIZENSTAT: Should there be a
 23 limitation of color? Does the Code -- Is there
 24 anything in anything in the Code?

25 MR. BEHAR: I don't --

1 MR. LAGO: I'm not a big fan of that,
 2 because I mean, it's a selling feature, a
 3 selling feature --

4 CHAIRMAN AIZENSTAT: If somebody wants to
 5 put a purple wrap, it's okay? Let -- I guess
 6 what I'm getting to is, let's say we have a
 7 project -- sorry, Robert -- the size of
 8 Robert's project. You know, it takes --
 9 well -- and we go ahead and pick a fuchsia
 10 purple and every other color. Is that
 11 something that we do? Because as I see it now,
 12 for example, in Miracle Mile, we restrict the
 13 coverage of windows that are on empty spaces
 14 that are there.

15 MR. LAGO: That's standardized.

16 CHAIRMAN AIZENSTAT: Which is standardized,
 17 and that's why I'm asking, and it's a specific
 18 type of paper that they have to use to cover.
 19 And all I'm saying is, if we're not going to
 20 use the green or we don't want -- we want
 21 something, should there be something such as
 22 that there, whether it's specific colors or
 23 logos or design or anything?

24 I mean, I'm just bringing this up to the
 25 Board, to see how they feel about it.

1 MR. GRABIEL: I've just got to understand a
 2 little bit, because I'm not sure I understand
 3 this paragraph. A hundred foot length of
 4 construction, as I understand it, 50 percent of
 5 it can have images?

6 MR. TRIAS: Yes.

7 MR. GRABIEL: Okay. Out of that 50
 8 percent, half of it can be visual display for
 9 public information?

10 MR. TRIAS: And the other half --

11 MR. GRABIEL: And what is that? And what
 12 is --

13 MR. TRIAS: Right, and those are the
 14 renderings of the building and that type of
 15 information.

16 MR. GRABIEL: And the other 25 percent?

17 MR. TRIAS: Historic buildings of the City
 18 and --

19 MR. GRABIEL: But it's not mandated? It's
 20 up to the developer to put --

21 MR. TRIAS: The developer -- and there's
 22 the aesthetics. The developer proposes a
 23 design to the City Architect, and the City
 24 Architect reviews the design. Hopefully he
 25 will have good sense in terms of the color and

1 so on. That's what is proposed.

2 MR. GRABIEL: So what you're proposing is,
 3 out of the hundred feet, hundred percent of the
 4 length of the site, the developer has 25
 5 percent to put the specific project
 6 information?

7 MR. TRIAS: That's what's being proposed,
 8 yes.

9 MR. GRABIEL: Okay.

10 MR. TRIAS: And keep in mind, that's really
 11 the issue at hand, is that a good idea or not,
 12 should it be differently? That's the kind of
 13 input that the Commission is looking for.

14 CHAIRMAN AIZENSTAT: What happens -- Let's
 15 say the project doesn't go forward. They go
 16 ahead, they put up their wrap, and the project
 17 doesn't go forward, like Robert was mentioning
 18 Spanish Village or so forth. Is there anything
 19 in the Code that requires that to be taken
 20 down? Is there anything that requires that to
 21 be changed to a different type? How do we
 22 treat that?

23 MR. TRIAS: Right, and that's why we have
 24 the language of current and approved
 25 renderings, because if that is not the case

1 anymore, then it becomes a Code Enforcement
2 issue, and yes, it will be taken down.

3 CHAIRMAN AIZENSTAT: So, if I have a
4 project that --

5 MR. LAGO: Who upkeepes that?

6 CHAIRMAN AIZENSTAT: I'm sorry?

7 MR. LAGO: Who's responsible for upkeeping
8 that, if a project or a property falls in the
9 hands of Code Enforcement?

10 MR. BEHAR: It's the property owner.

11 MR. LAGO: Right. Now, if it's a
12 foreclosure issue, and you have a silk fence
13 that's, you know -- You know what happens to
14 the silk fence eventually, if you don't
15 maintain it. It becomes dilapidated and torn
16 or vandalized.

17 MS. KEON: Then it belongs to the bank.
18 You know, it belongs to somebody.

19 MR. BEHAR: Somebody. Somebody's going to
20 have it, whether it's a bank or -- Somebody's
21 going to have to be responsible.

22 CHAIRMAN AIZENSTAT: Should there be a
23 maximum period of time that this temporary
24 fence should be up?

25 MR. BEHAR: Well, and this is what I was

1 think there should. Maybe no more than -- you
2 know, no more than six months prior to the
3 opening of the building, or -- you know, or
4 delivery of the CO of the building, for
5 example. That gives you a good point,
6 reference point. During -- whether it's a
7 green color or not, yeah, you would have the
8 potential to get graffiti for the first six --
9 you know, year, year and a half of the project,
10 which, in our case, it was taken care of on
11 an almost daily basis.

12 MR. TRIAS: Mr. Chairman, that idea is not
13 in the proposed language --

14 CHAIRMAN AIZENSTAT: Right.

15 MR. TRIAS: -- but that's a good idea.

16 CHAIRMAN AIZENSTAT: But that's what will
17 give you some --

18 MR. TRIAS: Yeah.

19 MR. GRABIEL: I like that time limit.

20 CHAIRMAN AIZENSTAT: Okay.

21 MR. TRIAS: And just so that --

22 MS. KEON: You should have -- You should
23 allow for an extension due to whatever
24 circumstances, because you can think you're
25 going to deliver a building in six months and

1 trying to, before, explain. You're going to
2 have a temporary, you know --

3 CHAIRMAN AIZENSTAT: Barrier.

4 MR. BEHAR: -- barrier, you know.

5 CHAIRMAN AIZENSTAT: That's --

6 MR. BEHAR: And that could be -- The
7 advertising, for lack of a better word, again,
8 you know, it's only allowed to come in maybe,
9 you know, six months before the scheduled
10 opening of the project, not during the whole
11 duration. In our particular case, we had a
12 green, you know, silk up to about four months
13 ago, when we put up the wrap, because that's
14 when we're intending to start, you know --

15 CHAIRMAN AIZENSTAT: Selling.

16 MR. BEHAR: Yes, or leasing the building.
17 So I don't think -- you know, in this
18 particular case, it was not there since the
19 very beginning. It was a solid green
20 colored --

21 CHAIRMAN AIZENSTAT: That's why I'm asking
22 those type of questions. In other words,
23 should there be a time period? Should there be
24 a point when these things --

25 MR. BEHAR: There should. In my opinion, I

1 things happen, and so it would be subject to
2 some --

3 MR. BEHAR: But Pat, you know, we --

4 MS. KEON: Or whatever, no?

5 MR. BEHAR: Yes, you're right. It could
6 have, potentially, an extra, you know -- I
7 don't know, 60 or 90 days. If you're on a
8 project, on any project, if you're that much
9 delay --

10 MR. GRABIEL: You've got problems.

11 MR. BEHAR: -- then you've got major
12 problems.

13 MR. GRABIEL: Yeah.

14 MS. KEON: But it could be 60 or 90 days, I
15 mean, so it doesn't trigger Code Enforcement.

16 MR. BEHAR: Extension, yes, correct, and
17 that's a great idea.

18 MS. KEON: So you have a reasonable factor
19 built in that doesn't trigger Code Enforcement.

20 MR. BEHAR: Yeah, and then going back to
21 Julio's comment, you know, where he -- where
22 it's 25 percent of the area, I think that's --
23 You're really restricting a developer, an
24 owner, too much. I think you need to do a
25 little bit more. If not, you know -- for a

1 period of time. Again, we're going back to a
2 period of time. I think it should have -- I
3 would say a minimum, minimum, of 50 percent of
4 that area.

5 MR. GRABIEL: I think if there's a time
6 limit. My fear is to have this thing up for
7 the two years of construction, but if there's a
8 time restriction on the time that you can have
9 that information, we can increase the size of
10 the --

11 CHAIRMAN AIZENSTAT: I mean, I'm wondering
12 if we should look at -- I mean, typically, what
13 are lots in the Gables, 200 by 100, a typical
14 lot that's being constructed? Not -- just in
15 size, how would those look there? And also --

16 MR. TRIAS: That would be a reasonable
17 size.

18 CHAIRMAN AIZENSTAT: -- does this --
19 Since we're talking about being in construction
20 and so forth, I assume in residential areas, it
21 pertains to multi-family, but this does not
22 pertain to single-family. If a developer's
23 doing a single-family home that he wants to
24 sell, he can't wrap it, correct?

25 MR. LAGO: Right.

1 MR. BEHAR: The whole fencing?

2 CHAIRMAN AIZENSTAT: The whole project done
3 something, but I'd like to see some kind of
4 uniformity in it, and from -- This is me, my
5 point of view. I agree with Pat for posting --
6 even though you don't have that much. I think
7 you don't have that many problems with posting
8 and graffiti within our City, at least not that
9 I've seen, but I do -- I would like to have
10 some kind of uniformity within the project, and
11 the reason I say that is, if we're requiring
12 merchants within Miracle Mile, let's say, or
13 any other areas that have a vacant storefront,
14 and we're being very specific as to the type of
15 paper that they have to put to enclose their
16 space from the public, shouldn't we look at
17 this further, within the same theories?

18 MR. BEHAR: Mr. Chairman, let me go back,
19 because I do want to state for the record that
20 we did have graffiti problems --

21 CHAIRMAN AIZENSTAT: Okay.

22 MR. BEHAR: -- at the beginning. The
23 developer was very conscious and before Code
24 Enforcement would come out, they would take
25 care of it. But you do.

1 MR. TRIAS: Correct.

2 MR. LAGO: I'm with you --

3 CHAIRMAN AIZENSTAT: I mean, it's not --

4 MR. LAGO: I'm with you 110 percent.
5 That's not even a question.

6 CHAIRMAN AIZENSTAT: Right. It's not
7 specified. But I'd like to have it specified.

8 MR. BEHAR: You're right. That's a very
9 good point.

10 MR. LAGO: We should --

11 MR. BEHAR: Commercial.

12 MR. GRABIEL: Commercial only.

13 CHAIRMAN AIZENSTAT: You know, I mean, if
14 you're --

15 MR. TRIAS: We could make that clear.

16 MR. LAGO: Yeah, make that very clear with
17 regards to the residential.

18 MR. FLANAGAN: Very good.

19 CHAIRMAN AIZENSTAT: Any other comments or
20 questions?

21 MR. BEHAR: Do you think that, you know,
22 going from a 25 percent to a 50 percent is a --

23 CHAIRMAN AIZENSTAT: Personally, for me,
24 I'd like -- I would rather see the whole
25 project.

1 CHAIRMAN AIZENSTAT: But not all developers
2 are the same way.

3 MR. BEHAR: Well --

4 MR. LEEN: And I did want to clarify
5 regarding that. We do have a graffiti
6 ordinance, as you probably know, and it does
7 apply to signs, posting and notices. It
8 includes a definition of graffiti. So, if
9 there is graffiti, there's a process by which
10 we can ask the property owner to fix it, and if
11 they don't, the City can fix it at their
12 expense. And so, you know, it is possible you
13 could add to this particular provision,
14 something about maintenance of the fence, but
15 we do already have that power under other
16 provisions.

17 MR. TRIAS: Mr. Chairman --

18 CHAIRMAN AIZENSTAT: Yes.

19 MR. TRIAS: The last sentence does say that
20 the wraps are to be kept clean and in good
21 condition --

22 MR. LEEN: That's true.

23 MR. TRIAS: -- and the information should
24 be valid and current, and that was the intent
25 of that, so --

1 MR. LEEN: That's true. That's true. We
 2 added that, as well.
 3 CHAIRMAN AIZENSTAT: Okay. I mean, I think
 4 we need to have definitions for a lot of the
 5 words that we're using here, just to have
 6 continuity and clarity. I would encourage
 7 Staff to do that.
 8 MR. TRIAS: On visual displays --
 9 CHAIRMAN AIZENSTAT: Visual displays for
 10 public information. When you put on here,
 11 maybe, current and approved architectural
 12 renderings, are those the only ones permitted?
 13 MR. TRIAS: Yes. I mean, that's the
 14 intent.
 15 MR. LEEN: The intent was to not create --
 16 Well, there was two parts of the intent. One
 17 was to not create a public forum, so that
 18 people couldn't -- We wanted to make it clear
 19 that this was not a public forum. People can't
 20 post whatever they want here. That's not the
 21 purpose of this.
 22 CHAIRMAN AIZENSTAT: Okay.
 23 MR. LEEN: So that's why we also gave them
 24 the option to have a completely bare wrap --
 25 CHAIRMAN AIZENSTAT: Right.

1 MR. LEEN: I think you could.
 2 CHAIRMAN AIZENSTAT: -- that a developer
 3 can put in here, that we're not clear that he's
 4 allowed to do it.
 5 MR. LEEN: I think you're correct. I don't
 6 think this would allow that. You could allow
 7 it. I don't think that that would create any
 8 problems, as long as it's the business that's
 9 going into that particular place and it's not
 10 just commercial advertising.
 11 CHAIRMAN AIZENSTAT: It's not an
 12 advertisement for a store that's four miles
 13 away or a pawn shop.
 14 MR. LEEN: Exactly.
 15 CHAIRMAN AIZENSTAT: No, no. It's
 16 intended for that -- it needs to somehow be
 17 intended for that development project. But
 18 like Robert said, you know, if we're going to
 19 tell them that they have to put up their sign
 20 within a certain period -- up to a certain
 21 period, they may not put these wraps at the
 22 beginning stage, but they may want to put the
 23 wraps at a certain point where they're getting
 24 ready to lease out the space or they want to --
 25 whatever it is.

1 MR. LEEN: -- so that it's up to them.
 2 They're not compelled to do something.
 3 Two, we tied it to public information,
 4 because the idea was, well, that relates to the
 5 property site itself, and it seemed, at least
 6 to me, in my review of this, that that was an
 7 acceptable condition at a construction site,
 8 that you're providing public information
 9 regarding what's occurring there.
 10 CHAIRMAN AIZENSTAT: So, if you want to
 11 show the type of business that's going in
 12 there, into that project, you can't do that; is
 13 that correct? The way I'm reading this, if I
 14 want to show the restaurant spaces that are
 15 coming in, I want to motivate the public, I
 16 want to get people in here, the way I'm reading
 17 this, I can't do that, then, because that's not
 18 within my -- that's not within my architectural
 19 approved renderings.
 20 MR. TRIAS: Well, maybe we need to clarify
 21 that language.
 22 MR. LEEN: You're right. I read it the way
 23 you said it.
 24 CHAIRMAN AIZENSTAT: I mean, I think
 25 there's more information --

1 Also, I would very much encourage -- for
 2 example, if you have here clean and in good
 3 conditions, the way it has to be kept, I would
 4 encourage that to be defined more clearly, just
 5 so there's a way to enforce that. Do we have a
 6 definition that says clean and in good
 7 condition? I mean, how does somebody -- Is
 8 that subjective?
 9 MR. LEEN: The idea of that is, normally
 10 the test is, is this sufficiently clear, these
 11 terms? Are they understandable enough that
 12 a -- and it's not even the Code Enforcement
 13 officers. The hearing officer or the Code
 14 Enforcement Board, can they enforce this?
 15 And you can have terms like reasonable,
 16 good condition, but if you want to make it more
 17 specific, it's always better in some sense,
 18 because it makes it clearer what you can and
 19 can't do. It's worse in another sense, in that
 20 sometimes you can't anticipate everything that
 21 might occur that would be a problem, and now
 22 you've limited yourself. So there's always
 23 a --
 24 CHAIRMAN AIZENSTAT: Well, but by the same
 25 token, you could have somebody challenge

1 something that is just not clear. There are
2 two sides to it.

3 MR. LEEN: I did sign off on this. I don't
4 think it's so vague that it can't be enforced.
5 I think that you could enforce that. On the
6 other hand, you could make it more specific.
7 It's certainly within your discretion to
8 recommend that. So --

9 CHAIRMAN AIZENSTAT: I would like to have
10 certain definitions to be more -- to be what
11 we're doing, because like I said, visual
12 displays of public information, I'd like to
13 have a definition if that doesn't exist.

14 MR. LEEN: Well, I think that the visual
15 display for public information, the intent was
16 for it to be defined by the next sentence. So
17 it says that visual display for public
18 information may be current and approved
19 architectural renderings. If you want us to
20 make that clear that that's the only thing it
21 can be, that's the definition of it, we could
22 do that.

23 CHAIRMAN AIZENSTAT: Well, that's --

24 MR. LEEN: We could do that. We could
25 certainly amend it to make it --

1 clarity, then. So, for example, clean, I
2 think -- to me, I think, clean, I don't know
3 how we would define that better, except that
4 it's within the judgment of the Code
5 Enforcement officer, then ultimately the Board.
6 I do think good condition could be defined,
7 like it shouldn't be ripped, it should be
8 complete, but if you -- I'm just trying to
9 think of clean, how we would define that
10 better. If you have any suggestions, we'll
11 certainly do that, but --

12 MR. TRIAS: We'll work on it.

13 MR. LEEN: And I'll do some research into
14 that and see if we can give some -- if there's
15 been someone who's defined clean, and how we
16 can -- No, certainly, I understand that, so
17 we'll look to try to put more definitions.

18 CHAIRMAN AIZENSTAT: And just the other
19 comment which I had is, when you go down to i,
20 under "temporary parking management," I would
21 insert "plan," "temporary parking management
22 plan."

23 MR. TRIAS: Very good.

24 MR. LEEN: So, just to sort of summarize,
25 because I'm going to be taking this back, as

1 CHAIRMAN AIZENSTAT: I mean, that's my
2 question, but then you're --

3 MR. LEEN: But that's very limited.

4 CHAIRMAN AIZENSTAT: -- not allowing
5 somebody to go ahead --

6 MR. LEEN: Yes.

7 CHAIRMAN AIZENSTAT: -- and put their wrap
8 with what's going into that location.

9 MR. BEHAR: And I will give you an example,
10 now that we're going through. We have signed
11 Epicure, the gourmet market, to come in. We
12 cannot advertise that. And I think that when
13 you talk to the whole community, the whole
14 community is excited to see something like
15 that, but yet we can't do it, and I think
16 that's something that, for everybody, it should
17 be, you know, somehow allowed to be done.

18 MR. TRIAS: Mr. Chairman, what the
19 Commission is looking for is ideas on what
20 should be in the ordinance, so whatever you can
21 provide right now, yes.

22 CHAIRMAN AIZENSTAT: Whatever -- You've
23 heard what we've had to say, some of the points
24 we made.

25 MR. LEEN: Mr. Chair, if I may, just to get

1 well, to the Commission, you would want public
2 information, to make it clear what that means,
3 and are you saying that you want it to include,
4 perhaps, the businesses that will be going in
5 there? Is that the sense of this --

6 CHAIRMAN AIZENSTAT: For me, yes, because I
7 think it's informative. I don't think it
8 should be a sign of a business that wants to
9 advertise on there, but if I'm doing a wrap and
10 I've got certain tenants going in there, why
11 not?

12 MR. LEEN: Okay.

13 CHAIRMAN AIZENSTAT: You know, why not, if
14 I've got Epicure, for example, that's going in
15 there? Why can't I show a picture of a store
16 with, you know, a -- That's just my opinion.

17 By the same token, I'd rather see
18 continuity and uniformity, which I don't see
19 here. That's just my opinion. I don't know
20 how the other Board Members feel.

21 MR. BEHAR: No, I agree with you, because
22 if you see, you know, just a little portion
23 there --

24 CHAIRMAN AIZENSTAT: Right.

25 MR. BEHAR: -- it stops and then it starts

1 again.
 2 MR. TRIAS: Mr. Chairman, by continuity, do
 3 you mean one hundred percent visual displays of
 4 information or --
 5 CHAIRMAN AIZENSTAT: I would like to see a
 6 hundred percent covered. Pat, who's not here
 7 right now, said she'd like to see a hundred
 8 percent covered.
 9 MR. LAGO: I agree.
 10 CHAIRMAN AIZENSTAT: He'd like to see a
 11 hundred percent covered. Robert would.
 12 MR. FLANAGAN: I've got no problem with it.
 13 CHAIRMAN AIZENSTAT: Jeffrey.
 14 There's your answer.
 15 MR. LEEN: Now, do you want to still give
 16 them the choice not to have coverage at all?
 17 MR. FLANAGAN: Yes.
 18 MR. GRABIEL: Oh, yeah.
 19 MR. BEHAR: Yes.
 20 MR. LAGO: Yes, absolutely.
 21 MR. GRABIEL: It's not mandated. Oh, yeah.
 22 MR. LAGO: And that's something that we
 23 discussed before, with regards to residential.
 24 CHAIRMAN AIZENSTAT: Correct.
 25 MR. LAGO: I believe we should include that

1 on it, but it's clean inside.
 2 MR. BEHAR: Well, you're right, and before,
 3 the City and the stores required it to be white
 4 with green letters. Now you've got images, and
 5 that image repeats in all the storefronts, yet
 6 you're allowed to do it in the stores but you
 7 can't do it here.
 8 CHAIRMAN AIZENSTAT: Correct.
 9 MR. BEHAR: You know, that's a
 10 contradiction.
 11 CHAIRMAN AIZENSTAT: That's what I --
 12 MR. BEHAR: The stores are very full of
 13 images.
 14 MR. LAGO: But it also goes back -- In the
 15 store, it says "Coming soon," that this
 16 business --
 17 MR. BEHAR: No, no, no.
 18 MR. LAGO: No?
 19 MR. BEHAR: No. When there's a blank
 20 store, they put images of Miracle Mile itself,
 21 very colorful.
 22 MR. GRABIEL: You can have a hundred feet
 23 of storefront with images.
 24 MR. BEHAR: Covered. And yet you're trying
 25 to prohibit it --

1 and be very clear and state it concisely that
 2 residential keep the silk fence green.
 3 MR. LEEN: Okay, so --
 4 MR. FLANAGAN: But I think even in
 5 commercial, they can have a plain green.
 6 MR. LAGO: Yeah.
 7 MR. BEHAR: Or a black, for example.
 8 MR. LAGO: A black?
 9 MR. BEHAR: It doesn't have to be green.
 10 MR. LAGO: Right.
 11 MR. BEHAR: I mean, not a -- not a neon
 12 yellow, but --
 13 MR. LAGO: Even though I think green is a
 14 little more appealing, you know, I mean, me
 15 personally.
 16 CHAIRMAN AIZENSTAT: I just brought that up
 17 because in the City, you know, we have -- We
 18 live in a City that has certain strict rules
 19 for the way we protect our community, and I
 20 keep going back to these stores that have to
 21 put a certain type of paper to cover their
 22 storefronts, but yet a lot of times I'll drive
 23 through certain construction sites, wherever
 24 they may be, and to me that looks worse than if
 25 I have a storefront that doesn't have the paper

1 MR. LEEN: So, at least as I hear it, and
 2 it's probably best for you to do it by motion,
 3 but it sounds like the sense -- the unanimous
 4 consensus here is that you would like these
 5 definitions, which we'll do.
 6 MR. BEHAR: Correct.
 7 MR. LEEN: You would like it to be a choice
 8 between having no images, so it would be
 9 uniform, so -- and you can pick whatever color
 10 you'd like, you're not restricting the color,
 11 at least --
 12 MR. BEHAR: No, I think you're restricting
 13 the color.
 14 CHAIRMAN AIZENSTAT: I think you need --
 15 MR. BEHAR: Green, black, you know, maybe
 16 white.
 17 MR. LEEN: Okay.
 18 CHAIRMAN AIZENSTAT: I think you need to
 19 look at colors. I'm wondering if --
 20 MR. BEHAR: You've got to keep it clean.
 21 CHAIRMAN AIZENSTAT: You know, I think it's
 22 up to Staff to really -- to meet --
 23 MR. TRIAS: We have the City Architect
 24 reviewing the aesthetics.
 25 CHAIRMAN AIZENSTAT: Correct.

1 MR. TRIAS: Is that enough?
 2 MR. BEHAR: That's enough. That's enough.
 3 MR. LEEN: Okay, so the City Architect, and
 4 then if they choose to have images, you want it
 5 to be uniform throughout, so there wouldn't be
 6 spaces where it would just be green?
 7 MR. FLANAGAN: See, I -- personally,
 8 uniformity, yes, but I don't think we should
 9 mandate that it has to then be a hundred
 10 percent. It could be. And I don't know any
 11 developer that's not going to take advantage of
 12 a hundred percent, but I don't think we should
 13 dictate.
 14 MR. BEHAR: I think that's a good
 15 compromise, where, you know, you give the
 16 option up to -- you know, and if there's
 17 graffiti put on there, you have to, you know,
 18 remove it.
 19 CHAIRMAN AIZENSTAT: The way it says -- the
 20 way I read this here, is it up to 50 percent?
 21 MR. TRIAS: Right.
 22 CHAIRMAN AIZENSTAT: So it's up to 50
 23 percent?
 24 MR. BEHAR: Well, no, no, no, no.
 25 CHAIRMAN AIZENSTAT: Or is it always 50

1 CHAIRMAN AIZENSTAT: Commercial areas only.
 2 MR. LEEN: So, based on all those things
 3 that were just said, does anyone have a motion
 4 related to that?
 5 CHAIRMAN AIZENSTAT: Is there a motion?
 6 MR. BEHAR: I'll make a motion for
 7 whatever --
 8 MR. FLANAGAN: Do you want to say it again?
 9 MR. LEEN: So the motion would be that we
 10 define the terms that you requested -- Do you
 11 want me to redo it, or do you want to do it,
 12 Mr. Chair?
 13 CHAIRMAN AIZENSTAT: Well, I'm wondering if
 14 we should -- I think Jeff was ready --
 15 MR. FLANAGAN: I'll move to defer the item,
 16 so Staff can work to recraft it and bring it
 17 back.
 18 MR. BEHAR: I'll retract my motion, you
 19 know, my motion to --
 20 CHAIRMAN AIZENSTAT: Should we -- Do you
 21 want to see any type of renderings or any --
 22 MR. BEHAR: Illustrations?
 23 CHAIRMAN AIZENSTAT: -- illustrations?
 24 MR. GRABIEL: There's a building on LeJeune
 25 and Ponce which I think --

1 percent, must be?
 2 MR. BEHAR: It was -- it was 50 --
 3 MR. TRIAS: It says no more than 50
 4 percent.
 5 MR. BEHAR: Really, like Julio pointed out,
 6 it really comes out to 25 percent, because the
 7 other 25 percent was historic buildings.
 8 MR. TRIAS: Right, right.
 9 MR. BEHAR: So the developer, right now,
 10 only had an option of 25 percent.
 11 MR. TRIAS: Right, and that's really a
 12 policy decision, and it could be either way. I
 13 mean, certainly, that's a choice you make, or
 14 the Commission makes, if it's a hundred
 15 percent. That's a choice.
 16 And -- well, Mr. Leen, if you could finish
 17 them, maybe --
 18 MR. LEEN: Yeah, so I think those -- That's
 19 all that I -- Those were the different comments
 20 that I took from this.
 21 CHAIRMAN AIZENSTAT: And not allowed in
 22 single-family homes.
 23 MR. LEEN: And then what you had said
 24 previously about the single-family.
 25 MR. BEHAR: Commercial only.

1 MR. BEHAR: Thank you.
 2 CHAIRMAN AIZENSTAT: Yeah, but if it looks
 3 clean, green light.
 4 You know, I think if we see some computer
 5 illustrations, you don't have to take -- I'm
 6 not saying go specifically and take a picture
 7 of a project, but as long as we have --
 8 MR. LAGO: Conceptually.
 9 CHAIRMAN AIZENSTAT: -- illustrations,
 10 conceptually, of what it is --
 11 MR. TRIAS: Okay. All right.
 12 CHAIRMAN AIZENSTAT: Does everybody agree
 13 with that?
 14 MR. BEHAR: And, Ramon, you're more than
 15 welcome to use -- if you need to use that
 16 building again, for illustration purposes.
 17 MR. TRIAS: It was never meant to be
 18 critical. It was the best one I could find.
 19 All right. We'll do that, sure.
 20 CHAIRMAN AIZENSTAT: Any other questions or
 21 comments on this item?
 22 MR. BEHAR: No.
 23 CHAIRMAN AIZENSTAT: Thank you.
 24 MR. TRIAS: Thank you very much.
 25 MR. RIEL: So you made a motion to defer.

1 Have we got a second?
 2 CHAIRMAN AIZENSTAT: Is there a second?
 3 MR. BEHAR: I'll second it. I'll second
 4 it.
 5 MR. RIEL: Don't we need a vote on that?
 6 MR. LEEN: Well, it looked like it was
 7 unanimous consent, but it's up to you, Mr.
 8 Chair.
 9 CHAIRMAN AIZENSTAT: Yeah, let's go ahead
 10 and vote on that, please.
 11 MS. MENENDEZ: Vince Lago?
 12 MR. LAGO: Yes.
 13 MS. MENENDEZ: Robert Behar?
 14 MR. BEHAR: Yes.
 15 MS. MENENDEZ: Jeff Flanagan?
 16 MR. FLANAGAN: Yes.
 17 MS. MENENDEZ: Julio Grabiel?
 18 MR. GRABIEL: Yes.
 19 MS. MENENDEZ: Pat Keon?
 20 Eibi Aizenstat?
 21 CHAIRMAN AIZENSTAT: Yes.
 22 The next item that we have on the agenda is
 23 an ordinance of the City Commission of Coral
 24 Gables, Florida, providing for various text
 25 amendments to the City of Coral Gables Official

1 about a year or two ago, we did about 15
 2 amendments. Today we're requesting your review
 3 and approval for approximately 18 of those.
 4 The amendments -- all the amendments that
 5 you see here, the 18, the Board of Architects
 6 did review and approve. Those that are
 7 relative to Historic Preservation, which are
 8 specifically Items 3, 4, 5 and 9, we went to
 9 the Historic Board, and they also did recommend
 10 approval of those. And then, obviously, that
 11 recommendation will go forward to the
 12 Commission, as well as your recommendation.
 13 So what I'd like to do is just go through,
 14 briefly, kind of in the same format we did when
 15 we did the Zoning Code, if you have any
 16 questions or comments on each one, and then
 17 we're looking for a motion for all 18 -- not
 18 each one separately -- at the end.
 19 And obviously, if there's some that you
 20 feel require further information, you don't
 21 want to -- or you want to defer, we'll be happy
 22 to provide that information, whatever you
 23 all -- what the Board needs.
 24 So, with that --
 25 MR. LEEN: And then it is -- and if you do

1 Zoning Code, adopted via Ordinance Number
 2 2007-01, as follows. Do you want me to -- How
 3 do I read this all into the record?
 4 MR. RIEL: I don't think you need to read
 5 them all into the record. You can just say,
 6 "as presented on the agenda."
 7 CHAIRMAN AIZENSTAT: "As presented on the
 8 agenda."
 9 MR. RIEL: What I'd like to do is --
 10 CHAIRMAN AIZENSTAT: Jeff, any --
 11 MR. FLANAGAN: No.
 12 CHAIRMAN AIZENSTAT: Okay. Go ahead.
 13 MR. RIEL: I'm going to be working off of
 14 the chart, obviously, in your binder. There's
 15 18 amendments. Each of the amendments, the
 16 actual text language is noted in the binder by
 17 an appropriate tab.
 18 As some of you know, about every 12 or 24
 19 months, we -- Staff, obviously, working with
 20 the Code on a daily basis, there's amendments
 21 that are necessary to the Code. When we
 22 adopted the Code in 2007, we -- if you recall,
 23 I made numerous statements that, you know, it's
 24 a fluid Code, it will be subject to change and
 25 further revisions. So, about -- actually,

1 not agree with one of them, for example, but
 2 the other 17, you can -- you don't have to vote
 3 on all of them, but that's the Staff
 4 recommendation, that you vote on all of them at
 5 once, which is fine.
 6 CHAIRMAN AIZENSTAT: Jeff?
 7 MR. FLANAGAN: If I may, I'm usually very
 8 good about reading everything that we're given
 9 between the Friday afternoon it comes to us and
 10 the meeting, but due to timing constraints and
 11 these 18 items, I haven't looked at these yet.
 12 It's 7:20. We're here, it's a good use of the
 13 time, but as I look at this, there are some
 14 that seem to have a lot of changes, such as the
 15 first one. Number 2 doesn't look so bad; 3,
 16 it's a lot, 5. 6 looks easy.
 17 So I'm -- I guess my initial gut instinct
 18 was to ask that we defer these so that I could
 19 give it the proper review. That would be my
 20 thought, personally. If everybody else has
 21 reviewed it, that's fine, you know, I'll play
 22 along as we go, but I would -- I think Number
 23 16 looks fairly -- 16 looks very significant.
 24 MR. BEHAR: Number 8.
 25 MR. FLANAGAN: Mr. Behar says Number 8.

1 Yep. So if we can go, maybe, through the easy
2 ones, I would have no problem with that, but
3 when it gets to the ones that I would consider
4 to have more significant changes, my preference
5 would be to defer at least those, so that I can
6 give it the proper review.

7 MR. LAGO: I'm with you. I agree.

8 CHAIRMAN AIZENSTAT: Do you agree?

9 MR. LAGO: Yeah, I think we should take
10 some -- defer this to the next meeting, so we
11 can review, have a little bit more time to
12 digest this.

13 MR. FLANAGAN: All of it or just -- all of
14 it?

15 MR. LAGO: I'd prefer.

16 MR. FLANAGAN: So all of it. Okay.

17 MR. GRABIEL: Would deferring any
18 particular one of them cause a problem to you
19 at this time?

20 MR. RIEL: No, no. I mean, yeah, we've
21 been working on these for some time. I mean, a
22 month deferral is not a problem, but I would --
23 if you all have questions on each of them
24 between now and next month, please, I encourage
25 you to call Staff, and we'll be happy to

1 the next meeting.

2 MR. BEHAR: I'll second that.

3 CHAIRMAN AIZENSTAT: I don't think that we
4 have to call the roll for that, do we?

5 MR. LEEN: Say again?

6 CHAIRMAN AIZENSTAT: We don't have to call
7 the roll for that?

8 MR. LEEN: No, you don't, as long as
9 there's unanimous consent.

10 CHAIRMAN AIZENSTAT: Does everybody agree?
11 (Thereupon, all Board Members said yes.)

12 CHAIRMAN AIZENSTAT: Okay. Any other new
13 business or anything?

14 MR. RIEL: Nothing. Nothing from Staff.

15 CHAIRMAN AIZENSTAT: Okay, having none, the
16 meeting is adjourned. Thank you.

17 Thank you, everybody, for coming.

18 (Thereupon, the hearing was adjourned at
19 7:20 p.m.)

1 clarify those. But my preference is, rather
2 than just picking one, two, five and eight, and
3 saying, "Let's go forward with those," and then
4 come back with 10 more next month -- I'd rather
5 go through wholesale and say that you agree
6 with either 15 or 16, and if we require further
7 research, we'll do that kind of the next round.

8 CHAIRMAN AIZENSTAT: Do we have a meeting
9 next month?

10 MR. RIEL: Yes. Well, obviously, if this
11 is deferred, we will have this item on next
12 month.

13 CHAIRMAN AIZENSTAT: Are there any other
14 items that you see that will be coming up?

15 MR. BEHAR: The signage and the wraps.

16 MR. LAGO: The wraps.

17 MR. RIEL: The wraps, so yes. As of today,
18 those are the only two items, if you defer
19 this.

20 CHAIRMAN AIZENSTAT: How does everybody
21 feel?

22 MR. BEHAR: I think it would be, also --
23 you know, I think if Jeff would make a motion
24 to defer and --

25 MR. FLANAGAN: Sure. I move to defer till

1 CERTIFICATE

2
3 STATE OF FLORIDA:

4 SS.

5 COUNTY OF MIAMI-DADE:

6
7 I, JOAN L. BAILEY, Registered Diplomate
8 Reporter, Florida Professional Reporter, and a Notary
9 Public for the State of Florida at Large, do hereby
10 certify that I was authorized to and did
11 stenographically report the foregoing proceedings and
12 that the transcript is a true and complete record of my
13 stenographic notes.

14
15 I further certify that all public speakers were
16 duly sworn by me.

17 DATED this 14th day of January, 2013.

18
19
20 SIGNED COPY ON FILE

21
22 JOAN L. BAILEY, RDR, FPR

23
24 Notary Commission Number EE 083192.

25 My Notary Commission expires 6/14/15.

SNAPPER CREEK LAKES CLUB, INC.

11190 SNAPPER CREEK ROAD

CORAL GABLES, FLORIDA 33156-4216

Lou Risi, Jr., President
Bill Tillett, VP & Treasurer
Carol Williamson, Secretary

Phone: (305) 661-0505
Email: scmdock@bellsouth.net

January 2, 2013

Mr. & Mrs. John Ruiz
11180 Snapper Creek Road
Coral Gables, FL 33156

Dear Mr. & Mrs. Ruiz,

Please accept this letter as confirmation that you have had the opportunity to view the plans of the Community Center that will be located at the Snapper Creek Marina where the Dock Office and boat shelter are presently.

It would be greatly appreciated if you would sign below indicating that you have no opposition to this new building.

Warm Regards,

Heather Quinlan
Club Administrator



Mr. John Ruiz



Mrs. Myra Ruiz

ENTERED AS EXHIBIT
LAUREL KASSO AT
THE PLANNING AND ZONING BOARD
ON Jan 9, 2013
LAUREL KASSO

SNAPPER CREEK LAKES CLUB, INC.

11190 SNAPPER CREEK ROAD

CORAL GABLES, FLORIDA 33156-4216

Lou Risi, Jr., President
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January 6, 2013

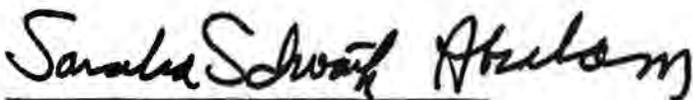
Dear Ms. Abraham,

Please accept this letter as confirmation that you have had the opportunity to view the plans of the Community Center that will be located at the Snapper Creek Marina where the Dock Office and boat shelter are presently.

It would be greatly appreciated if you would sign below indicating that you have no opposition to this new building.

Warm Regards,

Heather Quinlan
Club Administrator



Signature

Sandra S. Abraham
11395 Smathers Circle
Pinecrest, FL 33156

SNAPPER CREEK LAKES CLUB, INC.

11190 SNAPPER CREEK ROAD

CORAL GABLES, FLORIDA 33156-4216

Lou Risi, Jr., President
Bill Tillett, VP & Treasurer
Carol Williamson, Secretary

Phone: (305) 661-0505
Email: scmdock@bellsouth.net

January 6, 2013

Dr. John Oeltjen
11406 Smathers Circle
Coral Gables, FL 33156

Dear Dr. Oeltjen,

Please accept this letter as confirmation that you have had the opportunity to view the plans of the Community Center that will be located at the Snapper Creek Marina where the Dock Office and boat shelter are presently.

It would be greatly appreciated if you would sign below indicating that you have no opposition to this new building.

Warm Regards,

Heather Quinlan
Club Administrator



Dr. John Oeltjen