

**City of Coral Gables
 Planning and Zoning Board Workshop
 Wednesday, August 13, 2014
 Coral Gables City Commission Chambers
 405 Biltmore Way, Coral Gables, Florida**

MEMBERS	J9	F12	M12	A9	M14	J11	J9	A13	S10	O8	APPOINTMENT
	'14	'14	'14	'14	'14	'14	'14	'14	'14	'14	
Eibi Aizenstat - Chair	P	P	P	P	P	P	C	P			City Manager Patrick Salerno
Marshall Bellin	P	P	P	P	P	P	C	P			Commissioner Vince Lago
Anthony Bello	-	P	P	P	P	P	C	P			
Jeffrey Flanagan - Vice Chair	P	P	P	P	P	P	C	P			Commissioner Pat Keon
Julio Grabiell	P	P	P	P	E	P	C	P			Mayor Jim Cason
Maria A. Menendez	P	P	P	P	P	P	C	P			VM William H. Kerdyk, Jr.
Alberto Perez	P	P	P	P	P	E	C	P			Commissioner Frank C. Quesada

P = Present
E = Excused
C = Meeting Cancelled

City Staff and Consultants:

Charles Wu, Asst. Development Services Director
 Ramon Trias, Planning & Zoning Director
 Walter Carlson, Asst. City Planner
 Scot Bolyard, Principal Planner
 Megan McLaughlin, City Planner
 Craig E. Leen, City Attorney
 Jane Tompkins, Development Services Director
 Glenn Kephart, Public Works Director

Court Reporter:

Joan Bailey

Attachments:

- A. 08 13 14 Planning and Zoning Board Workshop Verbatim Minutes
- B. Correspondence submitted by Lucia Capote and Orlando Capote, 2915 Coconut Grove Drive.

1 CITY OF CORAL GABLES
2 PLANNING AND ZONING BOARD WORKSHOP
3 VERBATIM TRANSCRIPT
4 CORAL GABLES CITY HALL
5 405 BILTMORE WAY, COMMISSION CHAMBERS
6 CORAL GABLES, FLORIDA
7 WEDNESDAY, AUGUST 13, 2014, COMMENCING AT 6:06 P.M.

8 Board Members Present:

9 Eibi Aizenstat, Chairperson
10 Jeffrey Flanagan, Vice-Chairperson
11 Marshall Bellin
12 Anthony Bello
13 Julio Grabiell
14 Maria Alberro Menendez
15 Alberto Perez

16 City Staff and Consultants:

17 Charles Wu, Assistant Development Services Director
18 Ramon Trias, Planning Director
19 Craig E. Leen, City Attorney
20 Jane Tompkins, Development Services Director
21 Walter Carlson, Assistant City Planner
22 Scot Bolyard, Principal Planner
23 Megan McLaughlin, City Planner
24 Glenn Kephart, Public Works Director

25 Susan Lanelle Trevarthen, Esq.
Weiss Serota Helfman Pastoriza Cole & Boniske
Special Counsel to the City

Also Participating:

Joseph Kohl
Dover, Kohl & Partners
Dan Freed
RTKL Associates
Josh Bailey
RTKL Associates
Mario Garcia-Serra, Esq.,
On behalf of Agave Ponce LLC

1 THEREUPON:

2 The following proceedings were had:

3 CHAIRMAN AIZENSTAT: We're waiting for a
4 sign interpreter to come, because it was
5 requested, so we're going to wait a few minutes
6 for that person to come. We should start
7 momentarily. Thank you.

8 (Discussion off the record)

9 MR. LEEN: Mr. Chair, just for purposes of
10 the record, we're waiting for a sign language
11 interpreter, but the individuals who would like
12 the interpreter are fine with us proceeding
13 now, because the person is late, but what's
14 going to happen is, after the meeting, me and
15 the interpreter are going to meet with them to
16 go over everything else that was said,
17 generally, so that they know what was brought
18 up during the meeting, so I'll be taking some
19 notes, and so you can proceed.

20 CHAIRMAN AIZENSTAT: Thank you.

21 MR. WU: And we'll have a transcript
22 available for the resident when it's completed.

23 MR. LEEN: There will be a transcript, as
24 well, which I'll make sure is provided to them,
25 which is public record, anyway, but we'll make

1 sure to provide it to them personally, so that
2 they can read everything, as well.

3 MR. WU: And I apologize on behalf of the
4 City. This doesn't happen often. We're sorry.

5 CHAIRMAN AIZENSTAT: Okay. Let's get
6 started. Call the roll, please.

7 MR. BOLYARD: Marshall Bellin?

8 MR. BELLIN: Here.

9 MR. BOLYARD: Anthony Bello?

10 MR. BELLO: Here.

11 MR. BOLYARD: Julio Grabiell?

12 MR. GRABIEL: Here.

13 MR. BOLYARD: Maria Menendez?

14 MS. ALBERRO MENENDEZ: Here.

15 MR. BOLYARD: Alberto Perez?

16 MR. PEREZ: Here.

17 MR. BOLYARD: Jeffrey Flanagan?

18 MR. FLANAGAN: Here.

19 MR. BOLYARD: Eibi Aizenstat?

20 CHAIRMAN AIZENSTAT: Here.

21 Tonight I'd like to call the workshop to
22 order. Today is Wednesday, August 13th, 2014.
23 The time is 6:15 in the evening.

24 This workshop is not a public hearing. The
25 intent of this workshop is to present and

1 facilitate discussion on the subject topic
2 between members of the Board and City Staff.
3 Public comment is not to be taken at this
4 workshop. It will be taken at a later time,
5 when it returns to the Planning and Zoning
6 Board as a public hearing item, at which time
7 the opportunity for public hearing will be
8 provided.

9 The item we have on the agenda is a
10 presentation of the Mediterranean Village Form
11 Based Code Overlay District. The Planning and
12 Zoning Division is not seeking a recommendation
13 at this time. The purpose of this workshop is
14 to present the draft Zoning Code text
15 amendments and preliminary development
16 regulations for the Mediterranean Village Form
17 Based Code Overlay District. These development
18 provisions will be utilized for the proposed
19 "Urban Village at Ponce Circle" project, which
20 was formerly known as "Old Spanish Village."
21 The Mediterranean Village Form Based Code
22 Overlay District is envisioned as a separate
23 subsection of Zoning Code Article 3,
24 "Development Review," Division 5, "Planned Area
25 Development." These Zoning Code text

1 amendments and development regulations and the
2 proposed "Urban Village at Ponce Circle"
3 project will be scheduled for presentation at a
4 future Board meeting as a public hearing item
5 for recommendation by the Planning and Zoning
6 Board prior to consideration by the City
7 Commission at two public hearings.

8 Please proceed.

9 MR. WU: Thank you, Mr. Chair. For the
10 record, Charles Wu, and for the record, we do
11 have a communication we received, that you have
12 in front of you, from a resident at 2915
13 Coconut Grove Drive. I just want to make sure
14 you have that for the record, and at this time,
15 I'd like to introduce Ramon Trias, the Planning
16 and Zoning Director, who will introduce the
17 consultant team.

18 MR. TRIAS: Thank you very much, Mr.
19 Chairman. With us, we have a consultant team
20 of two people that are going to make a
21 presentation. The presentation is attached in
22 the background materials that we gave you.

23 The purpose of today's meeting, as you well
24 know, is to have an informal discussion about
25 the concept of the Form Based Code, and the

1 applicant is here, in case you have any
2 questions, any general questions about the
3 project, but let's keep in mind that the
4 project has not been submitted to you yet. It
5 has been submitted to the Board of Architects.
6 They had a meeting on it, about a couple of
7 weeks ago, and it's going through that process.
8 As soon as that process ends, it will come to
9 you.

10 The first person to present will be Susan
11 Trevarthen, and then following her
12 presentation, we have Joe Kohl, who has been
13 working on the actual code language and
14 graphics. If you have any technical questions
15 or any conceptual questions, either Joe, Susan
16 or myself are able to answer.

17 Susan, if you could please give your
18 presentation.

19 CHAIRMAN AIZENSTAT: Thank you.

20 MS. TREVARTHEN: Good evening, Mr. Chair,
21 Members of the Board.

22 Susan Trevarthen, Weiss Serota Helfman,
23 2525 Ponce, for the City, starting the
24 presentation this evening.

25 If we could switch to the PowerPoint,

1 whoever in the sky does that. Thank you.

2 Okay, so we're going to start by talking
3 about what are form-based codes. The purpose
4 of our presentation today is, get you oriented
5 to this new approach to regulation before we
6 bring forward the actual draft of form-based
7 regulations for the project that Ramon
8 referenced.

9 So, form-based codes have their -- are a
10 more recent form of what we think of as
11 traditional zoning regulation, how do we set
12 standards for uses and development standards in
13 our community, and of course, traditional
14 zoning goes back to the 1920s, and it was
15 upheld by the U.S. Supreme Court in Euclid v.
16 Ambler. It was the dominant approach to zoning
17 regulation through much of the 20th Century,
18 and it was part of a public health movement
19 that was intended to separate the pastoral
20 residents and the quiet that was desirable in
21 that neighborhood from the big, smelly,
22 dangerous industrial uses of those eras. So
23 that's the beginning of zoning, and that
24 traditional zoning that we're all very familiar
25 with. You, being a Planning and Zoning Board,

1 you certainly are.

2 What are those main characteristics? Well,
3 they are that the zoning regulations are
4 regulated by use. Everything is defined and
5 determined by use, and it's driven by
6 permitting processes. The uses are separated
7 by zoning district, but the reality is, and
8 we've learned this over time, is that people
9 interact with multiple uses all the time, and
10 these divisions sometimes help us, sometimes
11 hinder us.

12 Another characteristic of traditional
13 zoning is that it tends to require many large
14 roads to connect the far-flung different areas
15 of different uses.

16 So what are the limitations of the
17 traditional zoning approach? Why are we
18 talking about doing something different? One
19 of the primary ones that has been identified by
20 planning commentators is that zoning is
21 prescriptive in nature and can sometimes stifle
22 creativity in development. Also, development
23 standards such as floor area ratios have
24 reintroduced some flexibility to the zoning --
25 traditional zoning approach, but at the cost of

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1 predictability, and certainly FAR is a big part
2 of the Coral Gables Code, and you're intimately
3 familiar with that as a standard of
4 development.
5 The down side of FAR -- The up side, as I
6 mentioned, was flexibility. The down side is
7 that it's not intuitive. You have to sit and
8 run your calculations. It's not really as
9 transparent to the public, what can be
10 developed. It's hard for them to visualize
11 what a 2.5 or a 3.0 is, and the need to
12 calculate all the different scenarios to
13 compare and contrast different development
14 scenarios.
15 The City's current Code, as you know, is
16 not a hundred percent a traditional zoning
17 code. It already has some elements of
18 form-based regulation in it. But overall, it
19 is driven primarily by FAR, density and height
20 limits.
21 So where did form-based zoning codes come
22 from? Well, they were developed out of the
23 dissatisfaction with the buildings and cities
24 that were developed under traditional zoning.
25 And the form-based zoning codes, instead of

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1 being driven by use, they regulate development
2 by the building form, regardless of the use
3 that's contained within that building, and are
4 driven by design. They focus on the
5 integration of uses, more than the separation
6 of uses, as you would find in traditional
7 zoning, and it really is a back-to-the-future
8 movement. It's a return to the way that many
9 cities were developed before the advent of
10 modern zoning in the 1920s.
11 The concept of form-based codes, as we now
12 understand and work with them, even though they
13 have these deeper historical antecedents, dates
14 back to 1987 and the community of Seaside,
15 Florida, which was designed by Duany and
16 Plater-Zyberk. There's been an accelerated
17 implementation of these form-based regulations
18 since the mid 2000s.
19 It's important to understand at the outset
20 that form-based codes are not the same as
21 architectural style standards. There's a
22 difference between the two. When you have a
23 form-based standard, it is agnostic as to the
24 architectural style. It is more about the
25 volume of the building, and not about the

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1 period or the decoration or the architectural
2 style of it.
3 The organizing principle of form-based
4 codes tends to be the full continuum of an
5 idealized set of urban forms that you find,
6 from completely rural countryside or wilderness
7 all the way to the most intense kinds of
8 downtown urban environments that you would find
9 in major cities.
10 Most individual cities do not have a
11 hundred percent of that form, but this analysis
12 of forms gives you a construct with which you
13 can analyze and define different communities
14 and find where they fit on the spectrum, and
15 this continuum of forms is referred to as the
16 transect. Now, the origin of that term is
17 actually in biology, and over many years,
18 there's been this term for the transect of
19 habitats, and what is shown here happens to be
20 a coastal transect, because it's the one that
21 we, as Floridians, are most familiar with, but
22 you can see how the different ecosystems, as
23 you go from in the ocean all the way up to the
24 coastal ridge, are outlined and shown in
25 section. So it gives you a way to analyze that

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1 environment.
2 Similarly, the form-based zoning code takes
3 the environment, takes a section from the least
4 intense and least oriented to humans, all the
5 way up to the most intense and most urban uses.
6 On this model of the rural to urban transect
7 zones, from the left to the right, you can see
8 the increasing levels of density and intensity
9 of development.
10 And this is an example of that transect
11 concept being applied to a coastal city, in
12 this case, designed by Duany Plater-Zyberk.
13 You can see the ocean on the right, moving
14 through the city, and up into the hills.
15 So that's the transect-based approach to
16 form-based codes. There's a different way that
17 you can also do your form-based regulation, and
18 that is, rather than looking at the transect,
19 looking at the street type, and you organize
20 all of the regulations by what street type each
21 structure fronts on, and so you look at that
22 front door and what that street is, and that
23 dictates everything about the structure that
24 relates to that street type.
25 This is the approach that will be presented

1 to you in greater detail by Joe Kohl from the
2 firm of Dover, Kohl & Partners later, after I'm
3 done presenting.

4 So, in form-based zoning codes, you do find
5 that there's an emphasis on the higher quality
6 public realm and sense of place, a lot of
7 emphasis on the interface between the
8 individual building, the area between that
9 building and the right-of-way, the
10 right-of-way, the street, the pedestrian areas,
11 all of those things, making sure that they're
12 designed to the right kind of scale and with
13 the right kind of amenities to work as a whole,
14 looking at that relationship, looking at the
15 public space, and looking at the quality of the
16 transitions, as well, between the different
17 kinds of uses, whether -- or, excuse me,
18 forms -- whether it be transect zones or street
19 types, where these things come together, is
20 there a smooth transition.

21 Why do we look at doing a form-based zoning
22 code? The purpose is generally to provide an
23 alternative regulatory framework that is
24 designed to produce high value, walkable,
25 mixed-use communities. What it is intended to

1 do is give you a clear vision of the outcome,
2 rather than lists of technical standards or
3 calculations that must be made and laid out
4 before you really know where it is you're going
5 to go.

6 I've provided in your backup a list of the
7 Form-Based Code Institute criteria. We've had
8 form-based codes around long enough that
9 there's now an Institute, and there's a set of
10 criteria, and these are helpful questions for
11 looking at any form-based code, to determine
12 how much it realizes the purposes of form-based
13 regulation. And so you can see, for example,
14 is the focus on form rather than use? Is it
15 regulatory? They want to see that it's not
16 just a suggestion, but a requirement. Does it
17 emphasize standards and parameters for form,
18 with predictable physical outcomes, rather than
19 abstract standards and formulas? Does it
20 require private buildings to shape the public
21 space and contribute to the public space
22 adjacent to their building? Does the code
23 promote or conserve an interconnected street
24 network, not vacating the grid, keeping the
25 grid in place? Are the blocks

1 pedestrian-scaled? Are the regulations keyed
2 to specific locations on a regulating plan?
3 And are the diagrams unambiguous, clearly
4 labeled and accurate in their presentation of
5 spatial information?

6 So these are organizing questions that
7 allow you to approach any form-based code,
8 whether it be for an entire city or a small
9 area within a city, as we're discussing here,
10 and understand how it works.

11 What is the experience with form-based
12 zoning codes? The data on this slide is a year
13 old, so it's only going to be more at this
14 point, but as of May 2013, there were 480
15 form-based codes that met the seven criteria
16 that I just described to you, and there's --
17 This Institute that I mentioned is a source of
18 resources on this, as well as the web site that
19 I've sourced on this slide. There are people
20 that actually count these things and make it
21 available to us. 279 of these proposed codes
22 have been adopted, with 84 percent adopted
23 since 2003, so you can really see that it's
24 starting to accelerate, the rate of growth of
25 this kind of regulation, and at this point of

1 2013, a little over a year ago, communities
2 representing 39 million acres and 42 million
3 people are already under some form of
4 form-based regulation. This can be
5 implemented, as I said, at the scale of an
6 entire city or just a part of that city.

7 This is a graph. You really can't see the
8 details, but the important thing is to see the
9 spike on -- I think it's like the seventh bar,
10 and that says 60 codes, and that happens to be
11 the State of Florida. So we're the home of
12 some of the originators of this form, this
13 approach to form-based regulation, which
14 include not only Duany Plater-Zyberk, but our
15 consultant who's about to present, Joe Kohl,
16 and predictably, they've been active in their
17 own state, and we have a lot of examples here.

18 Here are some examples of communities all
19 across the country, to give you a sense of the
20 diversity of the kinds of communities that look
21 to form-based regulation to regulate all or
22 part of their communities, and as I said, 60 in
23 Florida, as of about a year ago.

24 So, at this point, I'd like to turn the
25 presentation over to Joe Kohl, of Dover, Kohl &

1 Partners, who will present in greater detail on
2 the specific approach to form-based regulation
3 that we're asking the City to consider. Thank
4 you.

5 CHAIRMAN AIZENSTAT: Thank you.

6 MR. KOHL: Thanks, Susan.

7 Good afternoon, everyone. I'm Joseph Kohl,
8 with Dover, Kohl & Partners. Our offices are
9 on Sunset Road in Coral Gables, and it's a
10 pleasure to be here, and I'm always excited
11 about talking about form-based codes.

12 As Susan was referencing the Form-Based
13 Code Institute, I'm actually one of the
14 founders of that. After doing this for a few
15 years, we discovered there were other town
16 planners like ourselves struggling with the
17 ineptitude of conventional zoning in trying to
18 create real sense of place and kind of -- and
19 so what we were calling a build-to line, here
20 in Florida, they were calling a required
21 alignment or something in California. So part
22 of the idea with the Institute was to actually
23 compare notes and to kind of work collectively,
24 and so that was started in 2005, and so I'm
25 very excited about that. I'm still on the

1 advantage of the transit system, the confluence
2 of the highways, the draw internationally of
3 the mall, to make this more of a walkable
4 environment.

5 And so, it's what Susan was referring to as
6 a street-based, form-based code, and so what we
7 did was, we took the existing streets and
8 basically gave them labels. In this case, it
9 was A, B, C and D, because we didn't have any
10 fancy names for them, and so A street was "The
11 Street," and so this is the street where the
12 pedestrian -- enticing pedestrians, because we
13 know no one really was walking down there that
14 much, and make those the principal pedestrian
15 streets, and so that's in red on the screen, on
16 that map. And then the green street was the B
17 street, and C street was a pedestrian or an
18 alley, and then a D street was more like a
19 service road.

20 So what that did is, the codes had specific
21 regulations for these types of streets, so the
22 A street, you could not have a driveway that
23 came out onto that, and you were required to do
24 an arcade over the sidewalk, whereas in B
25 streets, you could have vehicular access and

1 board, and I -- this year, I'm the chair of the
2 Driehaus Form-Based Codes Awards Program, and
3 so we ask municipalities -- it has to be a
4 municipality who has adopted a form-based
5 code -- to submit, and then that's a great way
6 to kind of share information, to see what other
7 communities have been doing, as new people are
8 kind of dreaming up new ways to take more
9 control over their environment, and so we make
10 those available through our web site, as well,
11 so it's a great resource, and so definitely go
12 check out that web site -- it's
13 formbasedcodes.org -- if you like.

14 So, since we got started in this, before we
15 were calling them form-based codes, we didn't
16 have a name for it, we just knew we needed to
17 do something different, and Downtown Kendall is
18 one that happened very quickly. We were a
19 little surprised that it would take place, and
20 so this was a result of Chamber South getting
21 with the County Planning Department and saying,
22 "Hey, you know, we're noticing that ownership
23 is changing hands around Dadeland Mall. What
24 can we do to actually make this, you know, an
25 interesting place?" And so the idea to take

1 you didn't have the arcade requirement. And
2 so, when we actually look at what got built, we
3 can actually kind of see now how that kind of
4 played out, and so that's very exciting.

5 Because, you know, we have to deal with the
6 Bert Harris Act, in that case, we were
7 proposing new streets, and so, worried that a
8 property owner would then come in and say,
9 "You're taking my land because you're drawing
10 it as a street," we put in a rule that said the
11 map -- so the map is a little bit vague and
12 there's no dimensions on it, so it just says
13 you have to put a street somewhere in this
14 location, so that it couldn't actually be tied
15 down to land. So I thought that was kind of
16 innovative.

17 In Columbia Pike -- We did this code about
18 2002. Columbia Pike, if you know Arlington at
19 all, is where, I guess, naturally occurring
20 affordable housing exists. And the street
21 itself had some commercial properties that were
22 a bit run down, one story, parking in the
23 front, nothing fancy, and so the folks that
24 live around this said, "Look, you know, we need
25 better access to shopping and services. We

1 don't have those here. We need to really work
 2 on the character of the Pike."
 3 And so here, for example, is a Safeway
 4 grocery store, and it looks like it's boarded
 5 up, but in fact, it was actually functioning,
 6 its doors opened to the other side, and so what
 7 we did with the form-based code, we were able
 8 to put specific requirements for these
 9 commercially zoned properties to, first of all,
 10 have residential, which wasn't allowed, and
 11 then to make these buildings make sure that
 12 it's kind of -- that doors face the street,
 13 instead of blank walls, and making the
 14 streetscape itself a little more exciting.
 15 So this is actually the result that came
 16 out of that, where we were getting residential
 17 units in the street, more vital commercial,
 18 newer -- I think a Whole Foods came into that
 19 same spot, on the bottom floor, and so it's
 20 really seen an amazing rejuvenation, and so
 21 this, again, was kind of a streetscape --
 22 street-type code. And so these are some of the
 23 graphics that were done. And in it, it kind of
 24 blocks out the key essential things that
 25 control the form.

1 So, with both of these codes that I've
 2 shown you, FAR is not one of the requirements.
 3 It's basically saying how you position
 4 buildings on the ground and how tall you go,
 5 because that's really the controlling factor,
 6 and as Susan was saying, the reason FAR doesn't
 7 really control much is that you can have the
 8 same FAR in a low, big building, or you can
 9 have it in a smaller building and tall, and so
 10 for investment, because often we've been doing
 11 these in areas where we're trying to entice new
 12 investment, investors are more likely to do
 13 their thing when there is that level of
 14 predictability, so they know that what they're
 15 doing, the neighbors can do something similar
 16 or within that context. So that's kind of key.
 17 In South Miami, back in the '90s, this is
 18 probably one of the oldest codes that we've
 19 done, the Hometown Plan, which really kind of
 20 saw the revitalization of Sunset Drive after
 21 Hurricane Andrew, the community came together
 22 and did a master plan for the main street area,
 23 the Downtown of South Miami, and kind of
 24 visualized what that could be like. There was
 25 a lot of fighting going on about building

1 heights. The residential -- the residents of
 2 South Miami were fighting with the commercial
 3 property owners over all sorts of things. And
 4 so when the neighbors discovered that the
 5 commercial properties could carry more of the
 6 tax burden if they were revitalized and
 7 renovated, then that would make the city
 8 function a bit better and make their lives
 9 better, with a lower tax rate, so a lot of
 10 these one-story buildings, we wrote this code,
 11 again, a kind of street-type code and said you
 12 can't do one-story buildings anymore; you have
 13 to do at least a two-story building, which was
 14 a bit of a shock for them.
 15 This was the renovation that came as a
 16 result of it. We had requirements for glass
 17 and doors facing the street. This was a spot
 18 where there was -- We had no historic
 19 buildings, but had this been one, had they had
 20 a historic ordinance, this building would have
 21 been in there. But it had no foundation, and
 22 so when the owners came to renovate it for the
 23 Starbucks that's there now, they couldn't get
 24 insurance on the building. So what we wrote in
 25 there, in this case, was for this "Building of

1 Note" -- we called it a "Contributive Building"
 2 because we couldn't label it historic. We
 3 basically said you have to build on the same
 4 footprint, and so then they had to conform to
 5 the new code, which had the two-story height
 6 limit.
 7 There was a problem with -- We had a
 8 requirement for arcades. There was a problem
 9 there, so the compromise was to build this
 10 projecting balcony, so again trying to make it
 11 nice for pedestrians by creating shade and
 12 shelter on the sidewalk for those folks.
 13 And this was from that ordinance, showing
 14 the different street types and street
 15 cross-sections, and then kind of the main
 16 matrix that shows where the buildings are
 17 situated, where you put parking, how tall are
 18 the buildings, and then the chart of uses.
 19 So a form-based code has all the same stuff
 20 that you have in conventional zoning. It's
 21 basically just kind of steering the design in a
 22 certain way, and how strict you want to -- how
 23 much you want to handcuff the applicants is
 24 really kind of up to the city to be able to do
 25 that.

1 So in South Miami, you know, we don't have
 2 this Mediterranean tradition, so it was not
 3 about the style of architecture. It was really
 4 about where you put doors, and how the
 5 buildings address the street, and how tall are
 6 they, and how do we handle parking. And so the
 7 regulating plan for that, we were very specific
 8 about what kind of details, so the regulating
 9 plan went block by block and drew. Also, the
 10 streets were pretty narrow, so we had to widen
 11 some of the streets, so we wanted very specific
 12 dimensions, and we were widening the streets
 13 not for traffic, but to get sidewalks, because
 14 they were substandard for sidewalks.

15 And there's a fairly more recent building
 16 for South Miami there, following that.

17 So we've been asked to work on this area
 18 that was called the Old Spanish Village, and to
 19 come up with something very specific, so there
 20 is an applicant who has been designing and --
 21 designing this project, so we've been working
 22 with them, to look at what they've come up --
 23 they're in a schematic design phase -- and
 24 actually really take that and see -- and
 25 looking at the streets, because they own more

1 than one block, and so it's -- When somebody
 2 owns both sides of the street, it gives them a
 3 little bit more control, flexibility in the
 4 design, and opportunity.

5 So we took a look at their design, and then
 6 also knowing some of the traditions of Coral
 7 Gables -- also, you have the Mediterranean
 8 Ordinance, which, from kind of a person who
 9 does a lot of coding, it's basically kind of
 10 saying, just emulate the old historic
 11 buildings, and it's not necessarily giving you
 12 direction. And so we saw this as an
 13 opportunity to basically imbed the
 14 Mediterranean Ordinance into a Code, and the
 15 way that it's getting formatted is one that
 16 could be applied elsewhere within the City,
 17 should the City want to do that. So it's laid
 18 out in a way that we can add more street types.
 19 We're applying a street-type organization.

20 The transect, just as kind of a side bar,
 21 as Susan was saying, is something that's very
 22 useful when you have an area that has a lot of
 23 different -- different aspects to it. So
 24 you've got a downtown area, and you might have
 25 an area that's more like a suburban area, or

1 you have an area that's more like apartments
 2 and townhouses, or you have an ecological area,
 3 and so that's when it makes sense to do a
 4 form-based code using a transect, but for
 5 Downtown Coral Gables, it would all be in the
 6 same kind of similar surroundings, so that's
 7 why the street-type code made more sense for
 8 this application.

9 So I actually have some pages that are kind
 10 of the title slides of the code, that I thought
 11 I would go through and just kind of explain
 12 what's in it, and I realize the text is a
 13 little hard to read, especially on a screen.
 14 To actually do a presentation about code is
 15 really kind of boring, but at least I can hit
 16 how it's organized.

17 So what this is, is it's going to -- What
 18 we're thinking is that this ordinance will fit
 19 into your PAD section, Planned --

20 MS. TREVARTHEN: PAD.

21 MR. KOHL: PAD, yes, into the PAD. It will
 22 be a stand-alone section, and it will apply for
 23 the specific area that we've identified on a
 24 map in a regulating plan.

25 So, and just breaking it down into some

1 really key things, there's the administration
 2 part of it, which basically says who it applies
 3 to, what's required as part of the submission,
 4 what's the procedure for applying, and there's
 5 some -- the requirement of a development
 6 agreement and the desire and requirement to
 7 have some green building standards, so an
 8 application would need to follow LEED-ND for
 9 it.

10 The second section is the map, so it's the
 11 equivalent of what a zoning code would be.
 12 It's the regulating plan, and I'll show you
 13 that in a moment. There's two of those.

14 The third section is the building form
 15 standards, and that's the real meat of the
 16 ordinance, so that will be describing how tall
 17 the buildings are, how do you handle parking,
 18 where's the building positioned, and so forth,
 19 and that's broken down by the streets.

20 Then we have general standards. So the
 21 idea with the building form standards is that
 22 the part of a building or a building that
 23 addresses only one street, you only have to
 24 look at that one section, and it has most of
 25 what you need to do, so -- and then the general

1 standards is the code -- the sections of the
2 code that would apply to any building on any of
3 the street types, so it's kind of a catch-all
4 that would apply to everything.

5 And then we've got an architectural
6 section, which is taking the historic buildings
7 from Coral Gables, using those as examples,
8 just like the Mediterranean Ordinance asks you
9 to do, and actually identify some key
10 architectural aspects about it, so again kind
11 of giving a little direction from that, and
12 then there's definitions.

13 So I'm going to hit those one by one. I
14 don't know if you want to ask questions as we
15 go through that, or just kind of wait to the
16 end. Like I said, I've got a preliminary
17 draft, but it's not crystallized or approved
18 yet. So the administration is, you know, kind
19 of the key stuff.

20 The regulating plans, there's two plans.
21 One is the street types plan. So I would say
22 this first one, the street types plan, would
23 correlate to a zoning code. So we've
24 identified a couple streets, and so Ponce de
25 Leon is on the western edge of the site, and

1 part of Ponce Circle is on that northwest
2 corner, so what we've called Ponce in this case
3 is a signature street. It's one of the key,
4 important streets for Downtown Coral Gables, so
5 its attention to detail will be different than,
6 let's say, the street that is on the eastern
7 side, which is Galiano, I believe. And then
8 we've got -- So Galiano is right up against
9 single-family detached houses, and so that the
10 height is lower for buildings that face that
11 street. The intention is to put townhouses on
12 that street, and so it has different kinds of
13 requirements, because on Ponce you'd have
14 arcades or storefronts, and on this street you
15 might have stoops for the townhouses, and
16 windows and maybe balconies on the upper
17 floors, so the requirements are going to be
18 different. So the idea is that we can be very
19 specific about those.

20 Then the streets that are in the middle,
21 there's Malaga to the south. Coconut Grove
22 Drive is the diagonal that goes into Ponce
23 Circle. Sevilla is there, but I can't remember
24 which one it is, one of the east-west streets.
25 And so those we're calling Downtown streets, so

1 those are kind of the typical Downtown Coral
2 Gables streets, and then right at the apex,
3 where there's a historic building at the Ponce
4 Circle, we're calling that a plaza, and so
5 we've called that out special because we would
6 like the treatment for the buildings and the
7 ground plane, the textures on the pavement, the
8 landscaping, to be consistent, so to kind of
9 make that a unifying space unto itself.

10 Then there's another plan, called the
11 regulating plan, that follows that, and in it
12 there are very specific requirements that are
13 tied to the rules that are in the Code. So,
14 for example, on Ponce, we have a storefront
15 requirement, so the idea is that the buildings
16 that face Ponce will have doors and shops,
17 storefronts, there.

18 Let's see, what else have we got? There's
19 also a pedestrian amenity requirement along
20 Ponce, and into that area we're calling The
21 Plaza, so -- okay, so The Plaza is Palermo and
22 Coconut Grove Drive. So that would be a
23 requirement for certain things. There's a menu
24 of items that would need to be provided,
25 bicycle rack, pedestrian benches, trash cans,

1 cover from the buildings with shade and
2 shelter, just kind of a collection of items to
3 be performed there.

4 There is some spots where we're suggesting
5 they have arcades, because we know how helpful
6 they are, and then we're also identifying some
7 key kind of visual corridors that are framed by
8 some of the streets or some of the corners
9 where we would like them to do some type of
10 architectural expression. We're calling it a
11 terminated vista, because it's kind of -- you
12 can see it when you're down some of these
13 streets, like University. If you're further
14 down University and you're looking at the site,
15 you're going to see that corner of the building
16 at Malaga and Ponce, so we want some kind of
17 architectural expression to kind of celebrate
18 that. So that's -- so it's kind of another
19 layer of very site-specific requirements that
20 we plug in there.

21 So the next section is the building form
22 standards, and there's a summary that kind of
23 goes through the key items for each of the
24 street types. So, just to back up, if I was
25 the architect designing this building, then I

1 would be looking at the rules for the front
 2 part of that building that are facing one of
 3 these street types, and if the building is now
 4 on another corner, then I would be -- or on the
 5 opposite side of the block, then the rules that
 6 would apply for that street then apply to that
 7 facade and that half of the building.

8 So, again here, the things that we've got
 9 on here are minimum and maximum heights. We've
 10 got what we're calling architectural
 11 appurtenances, so those are the things on top
 12 of a building, so maybe perhaps beyond the
 13 height, so those could be decorative towers.
 14 Also, kind of mechanical equipment kind of
 15 falls into that category.

16 We're being very specific about floor
 17 height, so we're saying from floor to floor,
 18 how tall a story should be, and then the
 19 regulations are tied to the number of stories,
 20 in terms of minimums and maximums, and ground
 21 floor has a higher -- the ground floors have
 22 higher floor-to-ceiling heights so that you can
 23 accommodate retail comfortably.

24 So that kind of goes through each of the
 25 street types. So, for example, on Galiano,

1 very specific. Again, we're specifying what
 2 those are.

3 Then for each street type, we're offering a
 4 street cross-section, so then this can be --
 5 This tells you where the curbs go and where the
 6 planting areas go for the area.

7 And then this is the townhouse street, so
 8 there's a three-story height limit. I just
 9 wanted to show you that the diagram changes,
 10 without having to go into all the details.

11 So then we've got the general standards.
 12 These apply to everybody, no matter what type
 13 of street you're fronting, and so some of the
 14 headings that we have here are -- again, the
 15 pedestrian amenities, that's tied to the
 16 regulating plan. You'll know if you have to do
 17 them, do those there. Because often what
 18 happens when one developer owns both sides of a
 19 street, they may want to put a canopy over the
 20 top of the street and so the applicant has been
 21 discussing that and drawing it, so we wanted to
 22 put some regulations about how you do that.
 23 Also, they're talking about creating bridges
 24 that span over the streets, so we do have a
 25 tradition in Coral Gables of that, over at

1 where the townhouses are, there's a three-story
 2 height maximum, and then on Ponce, it goes up
 3 to 17 stories, but an overall maximum height of
 4 190 feet and six inches, which you know is tied
 5 to the Mediterranean Ordinance, so we left it
 6 at that.

7 There is -- actually, there is a -- for
 8 Ponce, we've been talking about actually
 9 allowing, above that height limit, a very
 10 specific use for restaurants, if the restaurant
 11 is publicly accessible, and in fact, they've
 12 been talking about creating a publicly
 13 accessible park on the roof of the building, so
 14 everyone can go up and enjoy the amazing views
 15 from up there, which I know are pretty amazing.

16 For each of the streets, we've also
 17 included street cross-sections. So for each
 18 type -- I showed you the summary. For each
 19 type, we break down with a diagram of the
 20 heights and the stories. It's identifying
 21 where parking can go, where the buildings go,
 22 and certain -- we're calling them frontage
 23 elements, so a frontage element is an arcade or
 24 a shop front, balcony, a canopy, an awning,
 25 those kinds of architectural features that are

1 Merrick Park, and so we wanted to make sure we
 2 were addressing that, as well.

3 And another interesting opportunity that
 4 they are discussing is actually requesting to
 5 build underneath the street and put two levels
 6 of parking underneath, and so, again, we had to
 7 address that. That is actually really amazing,
 8 that an applicant is thinking of doing that.
 9 The other plus with that is that they want to
 10 put all service delivery underground, so we
 11 wouldn't have to have the streets cluttered
 12 with delivery bays and loading docks, and that
 13 would really be astounding, I think.

14 So things like parking garages, the parking
 15 standards. If you're doing a real mixed-use
 16 building, we wanted to address how you could
 17 perhaps reduce your parking requirement through
 18 using a shared parking analysis, so that kind
 19 of -- those kinds of items are in there.

20 And then with the architectural standards,
 21 as I mentioned, we took the drawings of the
 22 historic buildings for Coral Gables, like the
 23 Biltmore and this wonderful building, and
 24 actually tried to break out some of the key
 25 design requirements. So, you know, often

1 when perhaps the untrained eye is looking at
 2 the historic buildings, you don't really catch
 3 that some of the wonderful historic buildings
 4 here are very formal and very classical and
 5 others are a little bit more modest and what we
 6 call vernacular, and so sometimes it's
 7 important just to be able to identify in the
 8 design as to just kind of what -- It's almost
 9 an architectural transect of character, and so
 10 we think bringing that to folks' attention is
 11 important, and it helps the Board of Architects
 12 and it helps the architects themselves, and it
 13 helps the City, to be able to kind of review
 14 buildings.

15 Proportioning, you know, there is a classic
 16 set of proportioning systems that had been used
 17 for centuries in architecture, and I guess they
 18 don't teach those in school anymore. I mean, I
 19 didn't learn proportioning in college, and I
 20 studied architecture, but when you actually
 21 look at these old facades, you can actually see
 22 the system of proportioning that was used, so
 23 we've tried to identify what we can make from
 24 studying the elevations in that, and also kind
 25 of the grouping of the massing of buildings, is

1 also kind of -- is very important, so we tried
 2 to create a little bit of guiding principles.
 3 So, in many ways, this is not necessarily --
 4 This section is not necessarily a requirement,
 5 but almost is kind of a teaching guide for the
 6 designers, whether they're architects or
 7 engineers or someone else.

8 So, again, we go through the different
 9 aspects of the design, for proportioning, to
 10 subdivision, the elements of the buildings, so
 11 we have a little section on the front facades,
 12 and then about doors and windows. Again,
 13 proportioning doors and windows is kind of
 14 critical, awnings and galleries and what
 15 best -- so we're giving minimum thresholds, to
 16 make sure that, again, they're comfortable
 17 spaces, and then that goes down to the columns
 18 and the cupolas and the chimneys. We're
 19 basically trying to hit all of the little
 20 architectural details that we often see in the
 21 design of buildings.

22 And then that section is just followed with
 23 the definitions, and so we know that we're
 24 introducing terms that aren't in the existing
 25 Zoning Code, so we need to define those, and so

1 we put them there. Some municipalities will
 2 just merge them into the general definitions of
 3 the Zoning Code.

4 So, with that --

5 CHAIRMAN AIZENSTAT: Thank you.

6 MR. TRIAS: Mr. Chairman, the presentation
 7 is concluded, so now if you have any questions
 8 or any discussion, or if you want to hear from
 9 the applicant, that's up to you. But again, we
 10 were trying to give you some information, to
 11 get the discussion going, and with the
 12 intention of coming back maybe two or three
 13 times later on for the actual approval of the
 14 review and consideration of the proposed Code,
 15 so --

16 CHAIRMAN AIZENSTAT: Let's start with
 17 some -- I'm sure people have questions and
 18 comments. Who would like to go first?

19 MS. ALBERRO MENENDEZ: I have questions.
 20 I'll be glad to go first.

21 CHAIRMAN AIZENSTAT: Please.

22 MS. ALBERRO MENENDEZ: Can you explain to
 23 me, what is the difference between a PAD, a
 24 Planned Area Development, I think that's what
 25 it stands for, and this method that's being

1 considered by the City for this project?

2 MR. TRIAS: What I will do is, I'll ask
 3 Susan to explain the details.

4 MS. ALBERRO MENENDEZ: The difference.

5 MR. TRIAS: Yeah, because what it is, is
 6 that we are adding a new tool that you can use
 7 as part of the PAD. But Susan will be able to
 8 explain it precisely.

9 MS. TREVARTHEN: This new regulation is
 10 being created inside of the PAD district, so
 11 it's not that they're different; it's rather
 12 that it's a subspecies of PAD. So there's
 13 still going to be PADs as you've always known
 14 them for the past several years in Coral
 15 Gables, but this particular section is
 16 specifically geographically described, so that
 17 it only is between Ponce de Leon, Sevilla,
 18 Galiano and Malaga, and within that area, this
 19 is essentially an overlay or an option, where
 20 all of these alternate regulations would come
 21 into play. But from a procedural standpoint,
 22 from a standpoint of what is it when it gets
 23 approved, it's a PAD. It's just using these
 24 regulations from the form-based, what you could
 25 consider an overlay, basically.

1 MS. ALBERRO MENENDEZ: Is it the City's
 2 intent to first pass these regulations, prior
 3 to presenting the development, or is it the
 4 intent to bring it all together? Because it's
 5 hard to visualize these concepts without seeing
 6 the project.

7 MS. TREVARTHEN: That's definitely a fair
 8 statement, and the two influence each other.
 9 They're moving through the process,
 10 essentially, concurrently. There's a lot of
 11 information to cover, though, and so it may be
 12 that, you know, there may be one or more
 13 meetings at which these things are discussed,
 14 but generally they're moving forward
 15 concurrently, so you would -- at the final drop
 16 of the gavel, you have to bring the regulations
 17 into legal existence before you can apply them
 18 to the project, but essentially, they would be
 19 concurrent.

20 MS. ALBERRO MENENDEZ: Let me ask you,
 21 Susan, can you apply the regulations without
 22 adopting a special code for this area?

23 MS. TREVARTHEN: No, this is new
 24 legislation, that there needs to be a
 25 legislative decision whether to create this --

1 been done, and I would just ask a clarifying
 2 question. You couldn't really do an analysis
 3 of PAD versus this, because PAD by its very
 4 definition is very open-ended. You know, it
 5 allows you to vary almost anything in the code.
 6 So it's not like there's a very precise example
 7 of what the PAD regulations would be. There
 8 certainly is the example of a prior approved
 9 PAD on this property. That is something that
 10 could be a comparison and is being looked at by
 11 your Staff. And finally, I would say, you
 12 know, no action has been taken yet. This is
 13 something where the Commission, you know, has
 14 indicated interest. Your Staff is continuing
 15 to review and work with the applicant on
 16 this --

17 MR. TRIAS: Yes.

18 MS. TREVARTHEN: -- but no votes have been
 19 taken at this point.

20 MR. TRIAS: I will answer your question
 21 directly. Yes, we've done the analysis. The
 22 only issue is that the project is still
 23 changing, and that's why it's not before you
 24 tonight. It's changing through the process of
 25 the Board of Architects. It's changing

1 you want to call it a form-based overlay,
 2 within the PAD, for this specific geographic
 3 area. That legislative decision needs to be
 4 made, along with some other decisions,
 5 including a Comp Plan map amendment, a Comp
 6 Plan text amendment, and some zoning text and
 7 zoning map changes. So it's a comprehensive
 8 set of applications that are necessary to bring
 9 the particular project forward, and those are
 10 all moving forward.

11 MS. ALBERRO MENENDEZ: Have we done an
 12 analysis to show what the project would be
 13 without this code, versus what the project is
 14 going to be with this new code? Have we kind
 15 of like seen what the advantage, I guess, there
 16 is to either the applicant or the City, because
 17 I'm assuming the City is advocating this Code?
 18 Have we done that kind of analysis?

19 MS. TREVARTHEN: Well, the City is working
 20 with the applicant on this project. We've
 21 already been to the City Commission twice, at
 22 this very rough conceptual type of level, with
 23 some drawings, as well, and the applicant, to
 24 get some initial feedback from the Commission.
 25 But you asked about whether an analysis had

1 sometimes in some of the dimensions and things.
 2 So it's not ready for you, but we have done the
 3 analysis and we will be ready to present it to
 4 you as soon as the project is approved by the
 5 Board of Architects and ready to go.

6 MS. ALBERRO MENENDEZ: Okay. The --

7 MR. LEEN: Maria, can I add something on
 8 this, Ms. Menendez?

9 Susan, could you comment -- I do think one
 10 part of the question was whether this project
 11 could be done if you did not adopt a form-based
 12 code, which I do think that the City has a lot
 13 of reasons why it's proposing a form-based
 14 code, and ultimately, I think that's going to
 15 be recommended on its merits, as well as this
 16 project, but let's say, for example, the
 17 Commission, or the Planning and Zoning Board
 18 through their recommendation and the Commission
 19 through its action decided it didn't want to do
 20 a form-based code, could you still, through our
 21 current Code, approve a project like this? Are
 22 there amendments that could be done to the
 23 Code?

24 I thought that that's part of what your
 25 question was.

1 MS. ALBERRO MENENDEZ: Yes. That's my
2 question.

3 MS. TREVARTHEN: The answer to that is
4 possibly. Legislative change is necessary, but
5 it doesn't necessarily have to take the form of
6 form-based regulation. The fact that it is
7 being expressed through form-based regulation
8 reflects the input of your Staff, of the
9 applicant, of consultants, that that is a
10 desirable way to go, but it is possible to
11 draft other legislation that is not framed as
12 form-based code regulations, that would allow a
13 similar project.

14 MS. ALBERRO MENENDEZ: Let me --

15 MR. FLANAGAN: If I can ask -- Sorry.

16 MS. ALBERRO MENENDEZ: Sure.

17 MR. FLANAGAN: So does that basically mean
18 this project could be done under the City's
19 current PAD process, without adding this
20 overlay district?

21 MS. TREVARTHEN: At the level of the PAD,
22 yes, but as I mentioned before, I want to be
23 careful to note that there are a number of
24 approvals associated with the particular
25 project, and so there are Comp Plan map

1 amendments, there are Comp Plan text
2 amendments, that are apart from and not at all
3 part of the PAD section of the Code, so --

4 MR. FLANAGAN: That need to be done if --

5 MS. TREVARTHEN: Those are necessary for
6 this project to happen.

7 MR. FLANAGAN: For getting this overlay?
8 There are still other --

9 MS. TREVARTHEN: Well, they're the
10 preconditions.

11 MR. TRIAS: In addition, in addition to
12 this.

13 MS. TREVARTHEN: They're the preconditions.

14 MR. FLANAGAN: Forget the overlay for a
15 second. You're saying that in order to
16 accommodate the proposed project, additional
17 entitlements are needed, including Comp Plan
18 changes?

19 MR. TRIAS: Yes.

20 MS. TREVARTHEN: The nature of the Comp
21 Plan changes are to address what the Comp Plan
22 currently requires for FAR limitations, which
23 the form-based approach to regulation replaces
24 that and no longer looks at FAR. It looks at
25 all the kinds of things that Joe just described

1 to you, as well as those targeted potential
2 areas of additional height for publicly
3 accessible uses like restaurants and parks at
4 higher levels.

5 MS. ALBERRO MENENDEZ: My impression of
6 this form-based code is that it's strictly
7 driven by design, and so my concern is the
8 impact that that may have to the neighborhoods.
9 I mean, you know --

10 MS. TREVARTHEN: I think that's a question
11 that Joe and Ramon could address.

12 MR. TRIAS: Yeah, let me address that
13 issue. That is one of the concerns that we
14 have, is how to explain the project in a way
15 that is clearly understood by the neighbors and
16 you can actually evaluate the impact. So what
17 happens is that when you have a form-based
18 code, it's actually much easier to evaluate the
19 impact, because you have the graphics, you have
20 the actual location of the buildings and so on,
21 as opposed to when you don't.

22 Now, when you don't have it, you can also
23 design a project and you can get it approved,
24 but it's not as clear, it's not as predictable,
25 and that's what Susan was explaining, and also

1 what Joe was explaining. So one of the
2 difficulties that we're having, obviously, is
3 that it would be much easier to have this
4 discussion with the Code, right, and with the
5 project. Now, if you want to see the project,
6 if that makes it easier for you and provides
7 you information, the applicant and the
8 architect are here, and they can show you some
9 of the renderings, so you can get a more clear
10 picture of what they're trying to do, what
11 they're proposing.

12 From my perspective, the easiest, simplest
13 and most clear way to deal with zoning and Comp
14 Plan issues is the way that is being proposed
15 right now, with the form-based code. Anything
16 else, sure, it can be done, also, but it just
17 adds more confusion and less predictability to
18 the outcome. So that's the recommendation and
19 that's why we're here, but we're not here to
20 ask for your approval. We're simply here to
21 discuss the concept.

22 MS. ALBERRO MENENDEZ: And that's what
23 we're doing. I have -- I'm sorry, go ahead.

24 MR. KOHL: I just wanted to add, the
25 utility of a form-based code, what we've been

1 finding is that with a PAD, an applicant has to
 2 come in with elevations and a footprint of the
 3 building and basically all the details, and
 4 it's frozen. So, if they decide, you know, "I
 5 need to move this wall five feet," when they
 6 actually get to the construction documents or
 7 they actually get to the zoning approval
 8 process, or they want to come back later and
 9 say, "I need to move this 10 feet," and if the
 10 form-based -- because despite the rigidity of
 11 this language, it still allows that kind of
 12 flexibility, as long as the building is still
 13 doing what it's supposed to do in the relation
 14 of the street. Do we really care if that
 15 window or door moves over a few feet? So it
 16 can actually make your life a little easier,
 17 because it does allow some flexibility of
 18 movement on issues that are minor.

19 The other advantage is that -- I lost it,
 20 sorry.

21 MR. TRIAS: That's all right. That's all
 22 right.

23 MS. ALBERRO MENENDEZ: That happens to all
 24 of us. I have a question also related to the
 25 samples that you gave us. Are there any

1 studies that have been done on the aftermath,
 2 as far as the predictable impacts that were
 3 stated prior and what is happening today?
 4 Because I'll tell you, I go to South Miami a
 5 lot, and it's hard to find parking, and there's
 6 a lot of traffic a lot of times. So, I mean, I
 7 would love to see some of these studies of the
 8 different places that you have implemented the
 9 form-based code, to see, in fact, if it's
 10 working, if that's possible.

11 MR. TRIAS: In fact, I --

12 MS. ALBERRO MENENDEZ: I don't know if that
 13 exists, but it would be an interesting case.

14 MR. TRIAS: I got an e-mail yesterday from
 15 an academic that listed a variety of academic
 16 studies. Let me look through them and see if
 17 they deal specifically with the codes. They
 18 dealt with mixed-use infill development. Some
 19 of it was driven by code, so I'll do that
 20 research for you and forward it to you.

21 MS. ALBERRO MENENDEZ: Okay. I just
 22 thought that maybe the experts had those like
 23 right there.

24 CHAIRMAN AIZENSTAT: Let me ask a question.
 25 Ramon, has the City looked at, the way the Code

1 is written today, what could be put there? Has
 2 the developer brought you something and said,
 3 "According to what is there today, this is what
 4 we can do or this is what we want to do," or is
 5 it that they have designed a project and then
 6 come to the City and said, "Let's set up a
 7 form-based code, or let's set up some kind of a
 8 code to where we can do a project"? How are
 9 you proceeding with this?

10 MR. TRIAS: Well, you may recall that there
 11 was a project approved back in 2007 for that
 12 area.

13 CHAIRMAN AIZENSTAT: Yes. That's why I'm
 14 asking.

15 MR. TRIAS: Yeah. So that's the precedent
 16 that we can see as something that was approved
 17 for that area.

18 CHAIRMAN AIZENSTAT: And have you compared
 19 the two?

20 MR. TRIAS: Yes.

21 CHAIRMAN AIZENSTAT: It would have been
 22 nice, maybe even for tonight, to see what was
 23 already approved and then also have an overlay
 24 to what you're proposing, and I think that
 25 would give us an idea --

1 MR. TRIAS: Absolutely.

2 CHAIRMAN AIZENSTAT: -- as to what the
 3 changes mean, because we would visually see
 4 something like that.

5 One of the other questions that I have is,
 6 when you say 190 feet and you're proposing
 7 certain distances from ground floor to ceiling
 8 for different areas, how many stories is that
 9 going to give you a building, roughly?

10 MR. KOHL: Seventeen.

11 CHAIRMAN AIZENSTAT: Seventeen stories?

12 MR. KOHL: That's the max you can do.

13 CHAIRMAN AIZENSTAT: Okay, and within the
 14 immediate area, for example, the buildings
 15 across from Ponce Circle, how many stories are
 16 those buildings? I'm sorry? They're 17?

17 MR. PEREZ: (Inaudible).

18 CHAIRMAN AIZENSTAT: Do you know? I'm just
 19 curious.

20 MS. TREVARTHEN: I believe the height is
 21 equivalent across Ponce Circle Park, that older
 22 tall building, directly across.

23 CHAIRMAN AIZENSTAT: Marshall, do you know
 24 that answer, what the heights are?

25 MR. BELLIN: It's probably 16 stories --

1 CHAIRMAN AIZENSTAT: Okay.
 2 MR. BELLIN: -- because I think that's the
 3 maximum you can go. When you're finished --
 4 When you're finished, I have a --
 5 CHAIRMAN AIZENSTAT: Okay. And then my
 6 other question would be, you have a small
 7 parcel there that says not included, and if I
 8 remember correctly, that was a property that
 9 the individual did not want to sell or
 10 something, with a residence.
 11 MR. TRIAS: That's correct. That's an
 12 existing house --
 13 CHAIRMAN AIZENSTAT: Right.
 14 MR. TRIAS: -- and the owner provided that
 15 memo that was given to you before the meeting.
 16 CHAIRMAN AIZENSTAT: Okay. But if we zone
 17 everything around and don't do anything with
 18 that property at all, doesn't that create an
 19 issue for the City, by leaving that little
 20 piece of property just on the inside?
 21 MR. WU: Mr. Chair, it's already zoned that
 22 way today.
 23 CHAIRMAN AIZENSTAT: Say that again,
 24 please?
 25 MR. WU: It's already zoned that way today,

1 with the prior project.
 2 CHAIRMAN AIZENSTAT: That way. But now
 3 you're talking about changing it and doing a
 4 new zoning or an overlay.
 5 MR. WU: Yes.
 6 CHAIRMAN AIZENSTAT: And you're talking
 7 about excluding that property.
 8 MR. WU: Which is already excluded today.
 9 MS. TREVARTHEN: What Charles is saying is
 10 that the entire site that we're talking about
 11 has a zoning of commercial, except for that
 12 property only.
 13 CHAIRMAN AIZENSTAT: Right, but now that
 14 we're looking at maybe doing something for the
 15 whole area, should we not look at that
 16 property, also?
 17 MR. TRIAS: Mr. Chairman, you are correct.
 18 That is one of the key issues that needs to be
 19 discussed, because that area, the area
 20 surrounds that house.
 21 CHAIRMAN AIZENSTAT: Right.
 22 MR. TRIAS: And it has to be part of the
 23 discussion, yes.
 24 CHAIRMAN AIZENSTAT: Okay.
 25 MR. BELLIN: I've got a couple questions.

1 CHAIRMAN AIZENSTAT: Marshall.
 2 MR. BELLIN: Yeah. First of all, I'd like
 3 to know what the criteria that you use to
 4 develop a form-based code. Are all form-based
 5 codes the same, generally the same, or are they
 6 crafted, as in this case, to a specific
 7 project?
 8 MR. KOHL: Every form-based code, to my
 9 knowledge, has been done -- is crafted
 10 separately. There are a couple templates, but
 11 you always need adjustment, and what we
 12 recommend is that a community actually start
 13 with a vision. It's not recommended to start
 14 with a form-based code if you don't have a
 15 vision, because then you don't actually know
 16 what kind of requirements to put in it.
 17 So, you know, the key requirements for any
 18 building in Coral Gables is, you know,
 19 generally in Coral Gables we build to the
 20 property line, and that's the historic
 21 tradition, so that was what we put in there.
 22 In the residential side, for that townhouse
 23 street, we know that the buildings set back a
 24 little bit, so in some cases we allow a little
 25 more range and flexibility for that front plane

1 of the building. The height, the maximum
 2 height comes right from the Mediterranean
 3 Ordinance. Basically, we're imbedding the
 4 Mediterranean Ordinance as it exists today into
 5 this ordinance or section, and actually being a
 6 little bit more specific in guiding to it.
 7 We're hoping we get a better result than if
 8 they just used the Mediterranean Ordinance as
 9 it is right now. And so the 190 is the bonus
 10 that you get if you follow that ordinance. So
 11 just by the nature of using this, you're
 12 complying with the Mediterranean Ordinance, so
 13 we're giving you that same height, so there's
 14 nothing extra there.
 15 MR. BELLIN: One of the things that
 16 concerns me is, Madruga is considered a
 17 Downtown street.
 18 MR. KOHL: Yes.
 19 MR. BELLIN: Okay. You can go to the
 20 property line with a 190-foot building, 190
 21 foot plus a little. Across the street is
 22 single-family residences.
 23 MS. ALBERRO MENENDEZ: Yeah.
 24 MR. BELLIN: How do you manage to do that,
 25 or would you want to do that?

1 MR. KOHL: Well, I mean, I would like to
2 include them into that, but -- to give them the
3 same benefit, but then that's also --

4 MR. BELLIN: Well --

5 MR. KOHL: That's the kind of thing that
6 needs to be discussed, yeah.

7 MR. BELLIN: Okay. They're zoned
8 single-family, and you know what the
9 requirement is within -- Adjacent to
10 single-family, you're limited in height to 45
11 feet or three stories. How do you put a
12 190-story -- a 190-foot building across the
13 street from single-family residences? And I
14 realize that those are things that you have to
15 work out, but that seems to me to be a bit of a
16 problem.

17 MR. TRIAS: Mr. Bellin, as you know, this
18 is going through the Board of Architects'
19 review, and that was one of the comments that
20 they made, and I think it's a very valid
21 comment, and what we have here is a code that
22 is very close to what the developer has
23 proposed. Now, that code could be modified
24 based on good town planning criteria, and
25 hopefully the project may get better. I mean,

1 that is the opportunity that we have tonight
2 and in the next few meetings of the Board of
3 Architects. If you have some specific ideas or
4 need some specific information in terms of
5 recommendations to make it better, that's
6 really what we're looking for.

7 MR. GRABIEL: I've got a couple of
8 questions, some basic ones. Who initiated the
9 need to have a form-based code on this
10 particular district, the City or the developer?

11 CHAIRMAN AIZENSTAT: That's what I
12 wondered.

13 MR. TRIAS: The developer came to the City
14 with a proposal, and then it was evaluated by
15 the City Staff in terms of what was needed to
16 make it happen or to make it better and so on.
17 So the decision was made that the best approach
18 would be a form-based code.

19 Now, I want to clarify that the consultants
20 are working for the City. They're working for
21 you, Susan and Joe.

22 MR. GRABIEL: That was my second question.

23 MR. TRIAS: Yeah, they're working for you.
24 The developer is paying for the cost, but they
25 are working for you. The contract is through

1 our consultant, Susan. So think of this as
2 individuals that are a resource for you and are
3 able to help you come up with a good decision
4 on this, on this issue.

5 MR. LEEN: And if I can add something here.

6 You know, ultimately, the decision of
7 whether to do a form-based code anywhere in the
8 City is a significant policy decision, and it's
9 separate from the decision of whether to
10 approve this particular project. However, I
11 mean, you should look at it on its merits, and
12 there may be a reason to do it here. Certainly
13 it facilitates this project. Could you do the
14 project without doing a form-based code? Well,
15 you should ask the consultants and talk about
16 it. You probably could. But I mean, one of
17 them is a purely legislative issue, really a
18 policy issue, for you and the Commission to
19 consider, and so -- and the City is supporting
20 it. You know, they're recommending the
21 form-based code, at least the consultants, and
22 I've talked to them a lot about form-based
23 issues and they believe it's better.

24 But one other thing you should recognize
25 is, this would only be a form-based code in

1 this one area.

2 MR. GRABIEL: Right.

3 MR. LEEN: So there's no proposal that's
4 been given to you or to the Commission to adopt
5 a form-based code everywhere. However, the
6 logic may support that. I mean, ultimately,
7 this is a policy decision.

8 MR. FLANAGAN: And I think I asked the
9 question if it could be done under the existing
10 regulations, and the answer was, I think,
11 essentially yes, it could be.

12 MS. TREVARTHEN: Yes, with modification.

13 MR. FLANAGAN: Right, and so one of my
14 thoughts is that I hear a form-based code
15 creates certainty in what something is going to
16 look like when it's all built out, and if
17 you're going to do a large-scale area, if you
18 had a large swath of undeveloped land or you
19 took an entire municipality, like the City of
20 Miami, and you did that, I could appreciate
21 that to a much greater extent than I can
22 appreciate doing it for a single development,
23 and if you're doing it for a single
24 development, I think it's just as easy to
25 create the certainty for the neighbors, for the

1 Staff, for the decision-makers, by having the
2 site plan. And I know you can get hamstrung
3 with a site plan. It happens a lot of times,
4 unfortunately, and you say it can be
5 ridiculous, but there's also ways that you can
6 mitigate or alleviate that by creating some
7 sort of substantial compliance determination or
8 whatever other administrative review is out
9 there.

10 So, sitting here, I'm looking forward to
11 the future meetings and the discussion, the
12 analysis.

13 MR. TRIAS: Sure.

14 MR. FLANAGAN: I think it's good to be
15 creative, but I have a hard time understanding
16 why it's needed for one specific project, when
17 that specific project could be accomplished
18 without going through all this.

19 MR. TRIAS: And the main explanation that I
20 can give you is that if it was a project within
21 one block, I think you would be a hundred
22 percent right, it would probably be easier to
23 deal with the PAD regulations. In this case,
24 we're dealing with three city blocks. We're
25 dealing with a large park right across two of

1 those blocks. We're dealing with a historic
2 building right in the center that requires some
3 specific treatment in terms of plaza and so on.

4 I can assure you that if this was easy to
5 do in a conventional way, that would be my
6 preference, because it's a simpler process, we
7 don't have to go through all of this, but to
8 achieve the level of quality over three blocks,
9 which include historic buildings, which include
10 some ideas that you may or may not agree in
11 terms of the intensity of the project, which
12 are the developer's proposal -- to achieve all
13 of that in a way that is cohesive and in a way
14 that is easy to understand, my recommendation
15 to you is that this is the best approach. Now,
16 you may take it or not take it, but that's
17 really what I believe.

18 MR. FLANAGAN: Discussion is good, but we
19 managed to accomplish it with Merrick Park.

20 MR. TRIAS: Sure.

21 MR. FLANAGAN: We have a mixed-use project
22 there, very walkable, arcades, paseos. We have
23 bridges and what have you, over the public
24 streets. So we accomplished it with the entire
25 Village of Merrick Park development, and it

1 seems like we're accomplishing it, also, with
2 Gables Ponce One, Two and Three, which also
3 have the walkways, the arcades right up to the
4 street. We've got the wide sidewalks, we've
5 got the public realm improvements and the Art
6 in Public Places, amongst other things. So
7 just my thoughts.

8 MR. TRIAS: Absolutely, it can be done, and
9 the question is, what is the most effective
10 way, given what the applicant is proposing? It
11 would be easier to discuss this all at once,
12 and that's what's going to happen once they
13 actually have the finalized project. You will
14 have the project, you will have the Code, and
15 then I think it will become more clear, and at
16 that point you can make a choice. If this is a
17 good idea, you say yes. If you don't, then you
18 say no.

19 MR. BELLIN: Ramon.

20 MR. TRIAS: Yes, Mr. Bellin.

21 MR. BELLIN: Yeah, a project could be built
22 on that site, obviously, but because of this
23 overlay and this form-based code, what does it
24 really do to the scope of that project? Does
25 it make it 10 percent larger? Does it make it

1 a hundred percent larger? And I think those
2 are the kinds of things that are really
3 important to us, and if you tell me that this
4 form-based code allows this project to build a
5 hundred percent more square footage, that seems
6 a little aggressive.

7 MR. TRIAS: Yeah, exactly, and those are
8 the issues that will be discussed in detail. I
9 mean, at this point, I can tell you what I
10 know, which is what has been submitted to the
11 Board of Architects. There's a request to
12 provide less parking. I believe it's about
13 perhaps 19 percent less parking. That's what
14 the applicant is requesting.

15 MS. ALBERRO MENENDEZ: Ninety percent?

16 CHAIRMAN AIZENSTAT: Nineteen.

17 MR. TRIAS: Nineteen. Nineteen percent. I
18 believe it's somewhere in that neighborhood.
19 I'm sorry if I misspoke, but it's 19, more or
20 less. It could be more, it could be less. I
21 mean, it could be -- It's up to you to decide
22 whether it makes sense.

23 There's also a request to have two stories
24 of underground parking, which in this case,
25 because it's three blocks, requires going

1 through right-of-way, so it's complex from that
2 point of view, and that's why I'm saying, it's
3 easier to do it this way than it would be to do
4 it in a more conventional way, just because of
5 the practicality. If you want to keep the
6 urban form of the blocks and keep the streets,
7 and at the same time go underneath, and at the
8 same time maybe in some places cross over, to
9 keep those issues in a cohesive plan, it's
10 quite a challenge from a regulatory point of
11 view.

12 So that's the other thing, and they are
13 requesting -- One of the things that they're
14 requesting, that Susan described, is a
15 restaurant at the very top of the hotel, the
16 tallest building, that is a little bit taller
17 than what's allowed now.

18 So those are the basic parameters of what
19 we're talking about. They're requesting some
20 things that are not allowed in the Code. I
21 mean, the answer to your question is no, it
22 cannot be approved as the Code is today. What
23 Susan was saying is, you could amend the Code,
24 if you wanted to, in a conventional way, or in
25 a form-based way, either way, and then end up

1 with a regulatory environment that allows the
2 project.

3 Now, those are the issues, and the issues,
4 unfortunately, at this point, are very
5 conceptual. I wish I could have the project
6 before you. I wish I could have the overlay
7 before you. I hope to have that within the
8 next couple of months, depending on the
9 applicant's ability to prepare the application.
10 But right now we're going through the
11 architecture.

12 Yes, Mr. Grabiell?

13 MR. GRABIEL: I thought I understood that
14 the applicant has the project to the level
15 that's been developed here today.

16 MR. TRIAS: The applicant can -- yeah,
17 could show you.

18 MR. GRABIEL: Can we see it?

19 MR. TRIAS: Yeah, absolutely.

20 MR. GRABIEL: I don't know about the rest
21 of the Board, but I would love to see it.

22 MR. TRIAS: If the Chairman --

23 MR. GRABIEL: I feel like I'm trying to
24 interpret a sculpture with my eyes closed. I
25 mean, it's doable, but --

1 MR. TRIAS: Mr. Grabiell, I think you're
2 correct, and like I said, they're here, the
3 architect is here, if you want to give them an
4 opportunity to show the project.

5 MR. GRABIEL: I would. I don't know about
6 the rest of the Board.

7 MR. LEEN: But, you know, one thing I
8 wanted to add, you know, so think about that.
9 If you -- I mean, in terms of setting a
10 precedent or what this does, if you amend the
11 Code to allow these things, it may apply in
12 other places, too.

13 CHAIRMAN AIZENSTAT: Of course.

14 MR. LEEN: You know, I mean, that's the
15 issue. Really, what's being done here is a
16 form and that this is the best code for that.
17 You may want to consider that, you know, so --

18 MR. BELLIN: Craig --

19 MR. LEEN: Yes.

20 MR. BELLIN: It doesn't apply in other
21 places. It only applies to this site.

22 MR. LEEN: Well, a form-based -- Well, the
23 form-based code does, but if you amend the Code
24 to allow restaurants, for example, to be over a
25 certain height in a certain district, you'll be

1 allowing that in every district where that
2 applies, unless you do it site-specific.

3 MS. TREVARTHEN: Actually, no, the proposal
4 is only within this area --

5 MR. LEEN: No, what I'm saying is --

6 MS. TREVARTHEN: -- but the logic behind
7 it might be --

8 MR. LEEN: What I'm saying is, though, if
9 you just go out and amend the Code to say in
10 a -- I don't know the exact zone, but in a
11 commercial zone, you can have a restaurant over
12 this amount of height, or if you allow certain
13 architectural features, that may apply more
14 than in just this area, unless you make it
15 somehow a site-specific or something like that.
16 The form-based code that is being proposed is
17 only applicable in this area, so it does not
18 apply in other areas.

19 MR. TRIAS: And that's what I'm saying.

20 Mr. Chairman --

21 Yes, go ahead.

22 MS. ALBERRO MENENDEZ: No, I was just going
23 to make a comment. It seems to me, after
24 hearing, you know, what we've talked about,
25 there's different criteria for this form-based

1 code. So, to me, this is more of the mechanics
 2 of how to get it done once you've kind of
 3 accepted the design and accepted the impact and
 4 accepted the project. To me, this is more --
 5 This form-based code is the mechanics.
 6 Depending on what's approved, design-wise, then
 7 you can apply this form-based code, but why
 8 even consider the form-based code concept if we
 9 haven't looked at the project yet, you know?

10 MR. TRIAS: Ms. Menendez, I think you're
 11 correct. I think that the best -- what I would
 12 recommend is, let the applicant show the
 13 project in general, understand that the project
 14 is not finalized and it's still going through
 15 design changes through the Board of Architects,
 16 and then ask questions and we'll be happy to
 17 assist.

18 MR. GARCIA-SERRA: Good evening, Mr. Chair,
 19 Members of the Board. Mario Garcia-Serra, with
 20 offices at 600 Brickell Avenue, representing
 21 the property owner and future applicant here,
 22 Agave Ponce LLC, joined today by Eddie Avila,
 23 of Agave Ponce LLC, as well as our project
 24 architects, Dan Freed and Josh Bailey.

25 You know, the way I like looking at this is

1 that we have a lot invested in the City, when
 2 you consider the amount of land that we own and
 3 the location that it is in the City, but at the
 4 same time, the City has a lot invested in us.
 5 We have to make sure that this project is done
 6 properly and something that everybody can be
 7 proud of, and that it really works and is
 8 cohesive with the rest of the City.

9 We have historically, I think, always been
 10 well served by the Zoning Code here in Coral
 11 Gables. What we're asking now is, is there a
 12 better way perhaps still of even doing things,
 13 of improving and building upon what
 14 historically has been done here, and that's why
 15 this idea has been thrown out here, and it does
 16 look at zoning regulations in a different way.
 17 We think it's in a better way. Is there going
 18 to be an exceptional mix of uses here? Yes.
 19 In some portions, will the project be taller
 20 than what is currently permitted? Yes. Will
 21 it perhaps be bigger than what is currently
 22 permitted, if you look at it in a certain way?
 23 Correct. Will there be less parking provided?
 24 But this will also be a project that will be
 25 exceptional in its quality of architecture, in

1 the public spaces it's providing, in the public
 2 art it's providing, in the LEED building
 3 standards, in the fact that all loading is
 4 internalized.

5 We're trying to change the way that, I
 6 think, zoning has traditionally been looked at
 7 in general, across the practice area, from one
 8 that was a zero sum game, the City required
 9 this, the developer tried to get something else
 10 out of it and it was only to the developer's
 11 benefit, to a situation where City and
 12 developer, working together, might be doing
 13 things differently and we're getting a benefit,
 14 but the City is also getting a benefit from it.

15 So that's sort of a brief description of
 16 it, and I'll let Dan walk through some of the
 17 drawings that we have here, and going in the
 18 amount of detail that we can go right now,
 19 because this still is a project that of course
 20 is in development, but we will give you the
 21 picture of what we're thinking of and the
 22 vision that we're hoping to have implemented
 23 through this code.

24 MR. FREED: Good evening. My name is Dan
 25 Freed. I'm with RTKL Associates. We're based

1 at 396 Alhambra, here in the Gables. We've
 2 been working with Agave Development for about
 3 the last two and a half years on this project,
 4 and I'm pleased to go through it with you very
 5 briefly today.

6 The image on the left, we just want to
 7 describe the uses that are -- The image on the
 8 left is basically from our BIM model, where
 9 we've just generalized the shapes and forms of
 10 the project. It's all to scale. The uses are
 11 described by color. So this is Ponce de Leon,
 12 and so north is to the left. South is to the
 13 right. Douglas is in the background, and
 14 University is coming up here on the right.

15 So on the circle, on Ponce Circle, the blue
 16 is first-class office, and the purple is a
 17 five-star hotel. The yellow is all
 18 residential, essentially for-sale residential,
 19 and there's two levels of retail that pass over
 20 all three city blocks, that activate the
 21 streets and provide restaurants, retail, cafe,
 22 things of that nature.

23 We've maintained both major city -- both
 24 streets. I'll jump to the plan. Palermo and
 25 Malaga -- excuse me, Coconut Grove Drive and

1 Palermo are being maintained, and we are asking
 2 that we're able to develop two levels of
 3 below-grade parking, underneath both of those
 4 streets, as well as asking for above-grade
 5 parking to be able to cross over those streets,
 6 as well, in a smaller form than the actual
 7 footprint, typical footprint, of the levels
 8 above.

9 This is showing a ground floor plan only,
 10 so the orange is indicating retail, restaurants
 11 and cafes. The yellow is indicating
 12 residential. So one thing I didn't mention is,
 13 we have about 20 units of town homes that
 14 surround our project on the east side and on
 15 the southeast side. That is a great buffer
 16 between us and the single-family homes to the
 17 southeast.

18 Behind that, we're creating an alley of
 19 sorts, private alley, that allows access to
 20 those town homes, again adding additional
 21 buffer between us and the neighborhood to the
 22 east, and then beyond that is more of the
 23 project that you've seen in the massing, that's
 24 more evident in the massing. There's a -- I
 25 mentioned that the five-star hotel is accessed

1 major service that would have to happen for any
 2 commercial project occurring at grade, at the
 3 street.

4 Some more watercolor views, renderings of
 5 the project. They're based in overlay off of
 6 our BIM three-dimensional model. So, if you
 7 could just put both of them up there.

8 I think -- The site plan talks to -- I'm
 9 sorry, Josh. The site plan talks to a lot of
 10 finishes, and throughout this process, in
 11 conversations with the City, as well as
 12 conversations with our development team, we've
 13 always intended that the project be designed to
 14 a very high level, that I frankly haven't -- I
 15 don't think we see, typically, on projects that
 16 we work on, certainly, domestically, and
 17 we're -- and those finishes that are being
 18 shown and indicated, both in these imagery as
 19 well as in the architecture and the materials
 20 that are being suggested for the exterior of
 21 the project, we're making a very large
 22 commitment to natural materials on the project,
 23 based on requests by the City and goals of the
 24 development team. We're committing to a
 25 LEED-certified project that would most likely

1 off of Ponce de Leon. We're providing a full
 2 dropoff here in this location, that allows for
 3 a lobby and check-in to occur above, in a sky
 4 lobby location.

5 Access to the site or access to the project
 6 by vehicle happens in a number of locations.
 7 It happens here on Malaga; it happens here on
 8 Palermo; as well as here on Sevilla. Once you
 9 enter into the project by vehicle, you're able
 10 to go up and down ramps that give you immediate
 11 access to below-grade parking or above-grade
 12 parking, so all parking spaces are -- all
 13 parking spaces are accessible and connected
 14 vertically. And I think the other thing of key
 15 note is that we decided early on that the
 16 project really can't have a back door, and so
 17 we have encouraged and the developer has agreed
 18 to provide one single point of access for all
 19 trash and service. That single point of access
 20 is here on Sevilla. It takes those vehicles
 21 down to a below-grade condition, with service
 22 that rings our below-grade parking. If you
 23 park downstairs, you will never be aware of
 24 that service loop. They're completely
 25 independent. But it really allows us to avoid

1 be LEED-ND, that's LEED Neighborhood
 2 Development, and that would require us to also
 3 get at least one of the major buildings,
 4 office, hotel or residential, certified by
 5 LEED, as well.

6 We're committing to green roofs on any roof
 7 that's over 1,000 square feet of area, so even
 8 some of the smallest flat roofs on the project
 9 will be a green roof. We're committing to
 10 about almost -- almost 60,000 square feet of --

11 Thank you, Josh, that's very helpful.

12 This is a floor plan of our roof plan, and
 13 we are designing two locations for publicly
 14 accessible green gardens that happen on the
 15 roofs. And then the other green amenities here
 16 are amenities for the residents of the project.
 17 There's almost 250 residential units and also
 18 green spaces for the hotel and accessible from
 19 the office, as well.

20 So, at every turn, there's a very high
 21 level of commitment by the development team,
 22 and it frankly has been quite a pleasure to
 23 work with a group that really is so committed
 24 to a community and so committed to doing the
 25 right thing for the projects that they develop.

1 These two renderings are -- this is over
2 Coconut Grove Drive. We're kind of hovering
3 over Douglas -- I'm sorry, Douglas. I drive up
4 every street -- every morning, I drive up, and
5 I can't remember the name of it. If you take a
6 left off of Douglas, you'd be coming in on
7 Coconut Grove Drive, and so you see the project
8 here from Coconut Grove Drive, looking back to
9 the more commercial side of Coral Gables.

10 This view is hovering over Ponce de Leon
11 and looking back at the project, the offices
12 here. This is a residential building, a
13 residential building, two more residential
14 buildings on Malaga, and this building here,
15 the one that we're asking for a little bit
16 higher height relief, basically, above the 190,
17 is the hotel.

18 Happy to answer any other questions.

19 MR. BELLIN: I have a question for
20 Mr. Kohl. Generally, form-based codes, do they
21 always bring increased intensity, or sometimes
22 they actually --

23 MR. KOHL: They don't have to. You could
24 use them like, let's say, in a historic
25 district, to freeze whatever you wanted. Yeah,

1 you could, but generally they've been used
2 to -- I guess like the Florida Redevelopment
3 Association figured out that the communities
4 that have installed form-based codes have seen
5 a big boom in investment, and so they've been
6 running around saying, "This is a great
7 redevelopment tool."

8 MR. BELLIN: Well, I guess for developers,
9 that would make sense, because the dollars --

10 MR. KOHL: But if you're trying to match a
11 certain character of a place, and certainly in
12 Downtown South Miami, you know, they were
13 fighting over eight stories versus four
14 stories, and the Bakery Center, when it was the
15 Bakery Center, actually had a development order
16 that it could go up to 22 stories, and so the
17 community was just fighting over all this and
18 that thing was expiring and they decided four
19 stories was what they wanted, and we figured
20 out the parking code didn't allow them to go
21 above four stories, anyway, you know, because
22 the lots are smaller and whatnot. So, by kind
23 of capping it in at the four stories, they kind
24 of stilled -- killed the fight, and the
25 community didn't have to argue over it anymore.

1 MR. WU: Mr. Chair, if I can add,
2 form-based code typically adds bonus based on
3 criteria. For example, affordable housing
4 could be a bonus for a form-based code
5 criteria, or LEED building could be another, I
6 see it as a criteria for increased bonus for a
7 form-based Code, so -- and we have a
8 Mediterranean bonus already imbedded in our
9 Code, so that would be our bonus for
10 consideration. So that is quite often, is to
11 increase development capacity through a bonus
12 situation.

13 CHAIRMAN AIZENSTAT: But you can get those
14 bonuses today, without a form-based code, could
15 you not, for what you describe, or you're not
16 able to?

17 MR. WU: We're not able to. All we have
18 the is the Mediterranean bonus.

19 CHAIRMAN AIZENSTAT: Okay. It's just, the
20 two examples that you have showed us in your
21 project here, whether it's Downtown Kendall or
22 South Miami, to me those don't work. You know,
23 living here, seeing what's gone on in South
24 Miami, currently, I don't know what it's going
25 to be in the future, but currently, those, to

1 me, just haven't worked up to this point.

2 MR. TRIAS: Mr. Chairman --

3 CHAIRMAN AIZENSTAT: You know, I'm familiar
4 with them.

5 MR. TRIAS: What I would recommend -- Given
6 the fact that the applicant is here and has
7 given a presentation, it would be more useful,
8 probably, to focus on the project. I mean,
9 clearly, all that we're trying to show is that
10 they have worked on some other form-based codes
11 that have been applied and so on.

12 CHAIRMAN AIZENSTAT: But that's your
13 presentation that you've given --

14 MR. TRIAS: Right.

15 CHAIRMAN AIZENSTAT: -- and that's why I'm
16 talking about it. In your presentation, you've
17 used those as examples.

18 MR. TRIAS: Yeah, go ahead.

19 CHAIRMAN AIZENSTAT: Go ahead, please.

20 MR. KOHL: Well, if you ask the Chamber of
21 Commerce, they would tell you that Downtown
22 Kendall has seen incredible improvement, and
23 the value -- the property values in the
24 adjacent areas outside of it also increased, to
25 the benefit of all those folks. In South

1 Miami, you ask the merchants and --
 2 CHAIRMAN AIZENSTAT: They --
 3 MR. KOHL: Well, maybe not all of them do,
 4 but certainly the cash registers have been
 5 ringing and there's a certain vitality there
 6 and a liveliness to it that used to be a 6:00
 7 p.m. shutdown. You know, it was pretty
 8 desolate. So, you know, and yes, there's
 9 parking problems, but there were parking
 10 problems then, and, you know -- and the fact
 11 that the Coconut Grove Business Improvement
 12 District came knocking on our door and saying,
 13 "How did you turn South Miami around," was
 14 astounding, because when I kind of grew up,
 15 when I first came to Miami and kind of grew up
 16 here as a college student, you know, Coconut
 17 Grove was The Place. And so now for Coconut
 18 Grove to come knocking on our door, I was kind
 19 of stunned. So, you know, it depends on --
 20 and, you know, I have an insurance agent down
 21 the street, she used to come to lunch on Sunset
 22 Drive, and she said, "I can't park there
 23 anymore, so I don't come there," and I
 24 realized -- you know, I felt bad, and then I
 25 realized, well, there's all these other people

1 here at lunchtime that weren't here before and
 2 there's all these restaurants that weren't
 3 here, because my office was down the street
 4 there, and now I have a huge variety of places
 5 to go have lunch, and I can go to the bank and
 6 I can go and do stuff, so my quality of life as
 7 a resident there, or as a business owner there,
 8 has improved, and so by my standards, I'm like,
 9 this is a whole lot better than it was in 1995.
 10 So I think it's what you're interested in, and
 11 an urbanized area like that is not what
 12 everybody wants, and that's fine. There are
 13 other places there, so --
 14 MR. BELLIN: I'd like to ask another
 15 question. One of the provisions in this is, if
 16 you own adjacent property, across the street,
 17 you can then go under the street for parking.
 18 MR. KOHL: I misunderstood the question.
 19 MR. BELLIN: In other words, if you own a
 20 piece of property that's adjacent to this
 21 particular project --
 22 MR. KOHL: Yes.
 23 MR. BELLIN: -- you can then go under the
 24 street for parking.
 25 MR. KOHL: No, not as it's written.

1 MR. BELLIN: I think that's what it says.
 2 MR. KOHL: Well, the map that we're showing
 3 actually goes to the center line of the street.
 4 So, in this case, the applicant, if you owned
 5 both sides of the street -- and actually, the
 6 way we wrote the rule is so that it only --
 7 it's only an opportunity if you control both
 8 sides of the street.
 9 MR. BELLIN: So that's the next question.
 10 What happens if the owner of this property buys
 11 the Arthur Murray Dance Studio across Ponce?
 12 Then you're able to go underneath Ponce,
 13 underneath the park, underneath the other side
 14 of Ponce, all the way over to the other piece
 15 of property that's shown?
 16 MR. KOHL: Yes, that would -- But again,
 17 the map -- I'm sorry, but the map doesn't go
 18 over there, so it wouldn't -- You'll have to
 19 change the map to make that happen, but
 20 that's --
 21 CHAIRMAN AIZENSTAT: But you could change
 22 the map?
 23 MR. KOHL: You could change the map, yeah.
 24 MR. GARCIA-SERRA: If I could address that
 25 point, though, in particular, what I think

1 you're referring to, Mr. Bellin, is the fact of
 2 the expansion of the underground parking
 3 underneath the rights-of-way.
 4 MR. BELLIN: Right.
 5 MR. GARCIA-SERRA: And the legal process by
 6 which we're going through to get that approved
 7 is actually a legal process that exists right
 8 now and many of you are already familiar with.
 9 The City Commission can approve encroachments
 10 into, over or under the rights-of-ways, and so
 11 the actual legal mechanism that we're going to
 12 go through to permit us to do that is not
 13 necessarily the form-based code. It is that
 14 process which has been in place for a long
 15 time. We'll ask the City Commission, we want
 16 to encroach under the right-of-way for this
 17 purpose, and it's up to the City Commission in
 18 its proprietary capacity there as to whether
 19 they want to permit that encroachment under the
 20 right-of-way for those purposes.
 21 MR. BELLIN: Right.
 22 MR. GARCIA-SERRA: That idea of potentially
 23 going under Ponce Circle Park, we've looked at
 24 before, for the possibility of being able to
 25 provide parking, but it's not realistic. You

1 know, from considering all the utilities that
 2 are in that location, you know, the fact that
 3 there's improvements proposed to Ponce Circle
 4 Park and so forth, that certainly wouldn't
 5 happen. I think what we're proposing now is
 6 probably the max that would ever be proposed.

7 MR. BELLIN: Then why is it in there?
 8 MR. GARCIA-SERRA: Well, it's in there
 9 because we do want to have the ability of
 10 expanding the parking under the rights-of-way,
 11 so, in other words, expanding the parking
 12 garage under Coconut Grove Drive, under
 13 Sevilla, and under Malaga, but we wouldn't be
 14 looking to expand it across or under Ponce de
 15 Leon Boulevard.

16 MR. BELLIN: Okay.

17 MR. PEREZ: Mario, so as proposed, the
 18 development FAR is pretty much, I mean, what
 19 size right now?

20 MR. GARCIA-SERRA: You know, it's
 21 interesting. You know, that's under -- a
 22 threshold question for everyone. If we were to
 23 calculate the FAR of this project as FAR is
 24 defined in the Code right now, it would be
 25 around a 4.6, all right? The max that can be

1 obtained in the City right now in the Central
 2 Business District is 4.375. So it's within the
 3 range of that. But one thing that we all have
 4 to look at, and I think many of us know it
 5 already, is that in the City Code they do not
 6 count parking, nor in most codes do they count
 7 parking towards FAR, and if you look at the
 8 parking and you take into consideration the
 9 fact that we are going below ground, as
 10 compared to what we could do as-of-right if we
 11 were above ground, and you were counting
 12 parking as if it was floor area, it would
 13 probably be around 6.5, and we would also be at
 14 a 6.5 under this proposal right now, going to
 15 two levels underground, but --

16 MR. PEREZ: Just to clarify --

17 MR. GARCIA-SERRA: Uh-huh.

18 MR. PEREZ: -- I think one of the things
 19 that we -- that again, for me, it's just the
 20 thought and the concern is, the majority of
 21 these cases where there's been form-based, it's
 22 basically been in areas or in certain cities
 23 where there hasn't been a project to begin
 24 with. So what I'm trying to arrive is, you
 25 have a project approved that's at 900,000

1 square feet, in development square foot, versus
 2 what's proposed, and my question is, what's
 3 being proposed now as far as size is concerned,
 4 square-footage-wise?

5 MR. GARCIA-SERRA: The total amount of
 6 square footage, I'll defer to Dan.

7 MR. FREED: Counting it as FAR is counted,
 8 it's about 1.5 million square feet.

9 MR. PEREZ: So it's basically going from
 10 what's approved now to almost 1.6, which is a
 11 substantial increase, which goes back to a
 12 concern that Maria and Eibi brought up a little
 13 while ago, is, can this project be done with
 14 what's in place right now, and that's -- again,
 15 it's not a question, it's a concern, without
 16 really knowing, but my gut feeling tells me
 17 that it can't.

18 So my question is, is this form-based code
 19 basically a mechanism to increase from 900,000
 20 to 1.5? It's a simple yes or no question.

21 MS. ALBERRO MENENDEZ: Let me -- Before you
 22 answer that, Albert, I didn't necessarily make
 23 reference to the old project. What I was
 24 making reference to is if this project, as it's
 25 being proposed, could be done through a PAD.

1 So I didn't compare it to the Old Spanish
 2 Village. What I'm basically asking is, instead
 3 of adopting the form-based code, whether they
 4 can go through a PAD process, similar to with
 5 Old Spanish Village, but I wasn't comparing
 6 both projects.

7 MR. PEREZ: Yeah, but my question is, I
 8 mean, I'm comparing projects. I just want to
 9 know --

10 MS. ALBERRO MENENDEZ: No, no, I know. No,
 11 no, that's fine, but you just made reference to
 12 what I said, and that's not necessarily what I
 13 said. I'm just asking whether the process
 14 could be a PAD process, in lieu of the
 15 form-based, and I understand that the
 16 form-based makes it easier, because it brings
 17 together all the necessary policy changes or
 18 legislative changes that need to occur. That's
 19 what I understood, and that's why I think that
 20 the Staff is advocating for it. So I didn't --
 21 That's what I wanted to clear up.

22 MR. PEREZ: Yeah, and my question,
 23 basically, is, are we going this route to
 24 basically achieve that increase in square
 25 footage, the increase in height, the increase

1 in overall density?
 2 MR. GARCIA-SERRA: That and much more,
 3 because when you think about it again, that's
 4 what we're getting out of the proposed code
 5 amendment. The City is getting a quality of
 6 architecture far beyond than what's required
 7 right now. It's getting more open space than
 8 is required right now. It's getting more works
 9 of public art than what's required right now.
 10 It's getting better loading facilities than
 11 what would be required right now, underground
 12 parking, which is almost nonexistent in the
 13 City, which helps reduce the overall mass of
 14 the building. It's getting LEED, you know,
 15 building standards. And those are the ones
 16 that just immediately come to mind. You know,
 17 there's other things. There again, it's a
 18 tradeoff.
 19 MR. BELLIN: Mario, in FAR, what would be
 20 allowed on the site now?
 21 MR. GARCIA-SERRA: 3.5.
 22 MR. BELLIN: 3.5?
 23 MR. GARCIA-SERRA: Correct.
 24 MR. BELLIN: Seven acres?
 25 MR. GARCIA-SERRA: Right.

1 MR. BELLIN: Roughly?
 2 MR. GARCIA-SERRA: Six point something.
 3 Yeah, six point something.
 4 MR. BELLIN: So what does that translate
 5 to, 700? 800,000 square feet? So -- Excuse
 6 me.
 7 CHAIRMAN AIZENSTAT: 800.
 8 MR. BELLIN: 800. So what you're
 9 essentially doing is doubling the amount of FAR
 10 that you can get on this site. And I don't
 11 really agree that you're getting much better
 12 materials, finishes, because there are some
 13 pretty good finishes that are being put on
 14 buildings that are being designed now. It just
 15 seems to me that that's an awful lot of FAR.
 16 MR. GARCIA-SERRA: This is one thing that
 17 you have to keep in mind, though. When we're
 18 looking at those numbers, we're talking just
 19 usable floor area. We're not talking parking.
 20 Parking for some of these projects is half of
 21 the mass of the building, easily.
 22 MR. BELLIN: Uh-huh.
 23 MR. GARCIA-SERRA: I don't know if we have
 24 that graphic, Dan. Do we have the one?
 25 A picture says a thousand words.

1 CHAIRMAN AIZENSTAT: But, Mario, one of the
 2 reasons, for example, that 190 feet is allowed
 3 with Mediterranean bonuses is because you take
 4 into account that you have to do parking at
 5 certain levels, whether you have your box and
 6 then you build on top of that, or whatever it
 7 is.
 8 In this case, you're using more area for
 9 your project because you're going down two
 10 levels.
 11 MR. GARCIA-SERRA: Right, at a significant
 12 cost. Yeah.
 13 CHAIRMAN AIZENSTAT: I understand that, but
 14 you're also creating more density.
 15 MR. GARCIA-SERRA: Correct.
 16 CHAIRMAN AIZENSTAT: So there is a
 17 tradeoff. I mean, the cost is a number that
 18 the developer chooses because it makes sense
 19 for him.
 20 MR. GARCIA-SERRA: Right. And there's also
 21 a lot of other added costs to these other
 22 public benefits I'm talking about, which is all
 23 coming into the --
 24 CHAIRMAN AIZENSTAT: Yeah, it's very
 25 expensive to go underground.

1 MR. GARCIA-SERRA: We have -- Something to
 2 keep in mind, if we did an as-of-right project,
 3 would it be as nice or as quality of a project?
 4 That's the point that we're trying to make.
 5 Dan, if you could walk through that.
 6 MR. FREED: Sure. This is a comparison
 7 between a project on our site at 3.5 versus our
 8 4.5, so it's basically showing, the difference
 9 here is that when you build something at 3.5,
 10 it's highly doubtful that we would be able
 11 to rationalize two levels of below-grade
 12 parking for the project. So this simply takes
 13 the parking that is required for this project,
 14 puts it all above grade, as is typical of
 15 almost every other project in the Gables, where
 16 you have a wall of parking that starts, if
 17 you're lucky, one level above grade, versus
 18 what it does to a project in comparison that is
 19 a 4.5 zoning and we're dedicating two levels of
 20 below-grade parking.
 21 MR. GARCIA-SERRA: And you're right,
 22 Mr. Aizenstat, we're getting more usable space,
 23 which is the blue space, but if you look at the
 24 comparative size of the buildings or the
 25 massing of the buildings, they're essentially

1 the same.

2 MS. ALBERRO MENENDEZ: Can I ask you a

3 question? Who's doing your traffic study?

4 MR. FREED: Kimley-Horn.

5 MS. ALBERRO MENENDEZ: And who from the

6 City, Glenn, is going to be reviewing their

7 traffic study? Are we going to get --

8 MR. KEPHART: David Plummer & Associates.

9 MS. ALBERRO MENENDEZ: Okay. Thank you.

10 MR. LEEN: Mr. Chair, could I add

11 something? You know, my office, of course, is

12 neutral as to form-based code, but -- and the

13 point I was trying to make before and I think

14 it was illustrated there, is, you know, again,

15 one thing that I heard from the Commission when

16 I was there and this was raised with them, is,

17 you know, there's a concern about the

18 precedent. So, you know, this form-based code

19 that's being presented is in one district, and

20 so, yes, as a practical matter, there would be

21 increased intensity there, but it would be

22 limited to that district, and the idea is that

23 the form would be improved, and that's what

24 they're presenting.

25 The one concern I would have is, you could

1 go the other way and amend the Code, to, I

2 guess, allow a 4.5 or 4.6 FAR intensity

3 building, but just think about, you know, which

4 one sets the bigger precedent. I think, you

5 know, 4.375 is a clear boundary in our Code,

6 and that's for the FAR portion of our Code.

7 So, you know, in weighing -- If you like this

8 project, if that's your determination, there

9 will have to be a change in the Code to permit

10 it, and really, what ultimately is your

11 legislative decision is, you know, do you

12 prefer to have this district, which is an

13 overlay, which will have form-based code, but

14 just in this area, or would you prefer to amend

15 the Code to allow greater FAR, and, you know,

16 which one sets the bigger precedent? And I do

17 think that you have to -- If you want to permit

18 this project, it can't solely be done through a

19 PAD. You will have to amend the Code to allow

20 a greater FAR.

21 MR. PEREZ: But my question, just to

22 clarify, is, this is specific to this project,

23 not -- because you keep on saying "area," so my

24 confusion is, are we passing it specifically

25 for this project or for the area, and if so,

1 what area are we talking about?

2 MR. LEEN: Let me be clear. There's a

3 geographical area this applies to, but that's a

4 legislative decision for that geographical

5 area. I mean, conceivably, practically

6 speaking, it's this project, but legally

7 speaking, it would be any project that would be

8 in that geographical area.

9 MR. PEREZ: Which would mean across the

10 street, or would mean -- I mean, what boundary?

11 MR. LEEN: I defer to --

12 MR. TRIAS: There's a minimum size

13 requirement. So from a practical point of

14 view, the attorney is correct.

15 Now, the issue that he described in terms

16 of your choice is, what is the bigger

17 precedent? I think -- I agree a hundred

18 percent, and what happens is that the first

19 issue before you is, do you think this is the

20 type of development that makes sense here? The

21 second issue is, what's the best way to get it

22 done? And I think those are separate issues.

23 I mean, one is to look at the overall picture,

24 and I think the applicant can continue to

25 explain that as much as you need, and then

1 having said that, there may be some comments

2 about that. There may be some suggestions from

3 you that may make the design better, but having

4 said all of that, that has to be done at some

5 point, and then the second step is, how is the

6 easiest way?

7 Well, my recommendation to you is, the

8 form-based code is by far the simplest, most

9 clear way.

10 CHAIRMAN AIZENSTAT: Marshall?

11 MR. BELLIN: If a form-based code is a much

12 simpler and easy way to go, why don't we have a

13 form-based code for all of Coral Gables? I

14 have a problem with the fact that this

15 particular project gets this much and everybody

16 else gets that much. And, you know, if you

17 look at the amount of building that's going on

18 on this site and how they're going 190 feet

19 across from single-family residences, that's

20 a pretty good bonus, I would think.

21 MR. TRIAS: No, and the request is exactly

22 what you're saying. They are asking for more

23 than is allowed today. Now, the benefit is

24 also significant. I mean, they are doing

25 better quality architecture, and that's in the

1 code. That's something that is in the
2 form-based code specifically. They're also
3 doing the green roofs. They're doing a very
4 good job with the ground level design. They're
5 trying to do many things that are certainly in
6 the public interest, as a result of their
7 request for a development program that is what
8 it is. So that's what the developer is
9 proposing, and it's for you to decide whether
10 that makes sense or not, and today is the first
11 day of, hopefully, a few discussions.

12 CHAIRMAN AIZENSTAT: But the impression
13 that I'm getting is that the City feels that
14 this is the best way and this is the best
15 format for the City.

16 MR. TRIAS: Mr. Chairman, we have presented
17 this idea twice to the Commission in the form
18 of a workshop, and the reception has been very
19 positive.

20 MS. ALBERRO MENENDEZ: But --

21 CHAIRMAN AIZENSTAT: Yes.

22 MR. GRABIEL: Just to say it, I like
23 form-based code. I've designed under
24 form-based codes. I've done master plans using
25 form-based codes, so there's an incredible

1 amount of benefits in doing that, but I think
2 for the Board what would be beneficial is to
3 see a comparison, if Staff could take a look at
4 the site and show us, in the next meeting, what
5 is allowable under the existing Code, in
6 height, in volume, in FAR.

7 CHAIRMAN AIZENSTAT: Massing, using that
8 massing.

9 MR. GRABIEL: Yeah, how it relates to the
10 neighborhood across the street, how the sort of
11 impact to residential character around it, so
12 we can make an intelligent comparison on that.
13 I think it would be very beneficial for us to
14 understand better the project and try to make a
15 comparison that makes sense.

16 ms. ALBERRO MENENDEZ: Architecturally,
17 but -- When will you have your traffic study
18 done?

19 MR. GARCIA-SERRA: The traffic study should
20 be ready for submittal to the City by the
21 middle of next week.

22 MS. ALBERRO MENENDEZ: Wonderful. Can we
23 also have that? Can we see that?

24 MR. TRIAS: Yes. We had a meeting today,
25 this morning, on that issue, and we had Tim

1 Plummer, who is our consultant, and our
2 engineers and so on, and you'll get it as soon
3 as we get it. In fact, it will be posted on
4 the web, available for anybody to see.

5 MS. ALBERRO MENENDEZ: What boundary are
6 you looking at for the traffic study?

7 MR. TRIAS: Glenn? Is Glenn here? Oh, he
8 stepped out. It's -- I don't recall the
9 specifics, but it's certainly a boundary that
10 is more extensive than the project, yes. It's
11 several blocks north and all the way to Douglas
12 and a couple of blocks south.

13 MS. ALBERRO MENENDEZ: How about west?

14 MR. TRIAS: I don't recall west, but
15 certainly it's a couple of blocks west, too.
16 It's generally the area that you would -- as a
17 professional, you would recognize as a
18 reasonable place. I mean, that's what
19 they've --

20 MS. ALBERRO MENENDEZ: If Glenn, when he
21 comes back, he can address that, I would
22 appreciate it.

23 MR. TRIAS: Absolutely.

24 MR. GRABIEL: Just a simple question. On
25 the form, showing signature building height,

1 there's a 95-foot maximum height above the roof
2 line; is that correct?

3 MR. BELLIN: That's what it says.

4 MR. KOHL: Probably for architectural
5 appurtenances, but other than that --

6 MR. GRABIEL: So a building could be 190
7 feet and then you could add another 95 feet
8 above that, going to 285?

9 MR. KOHL: Remember, we're trying to
10 regulate height in how big a story is, so you
11 could only do two stories above that roof line,
12 specifically for a restaurant, and anything
13 else, you couldn't, and anything else that's up
14 there could not be enclosed, air conditioned
15 space. So you know how the Biltmore, the top
16 of the Biltmore, has this huge -- if you
17 actually kind of pick that up and put it down,
18 it's like seven stories tall. But don't quote
19 me on that, I have to check it. But it's tall,
20 and there's nothing -- no enclosed space, but
21 it's a wonderful architectural treatment that,
22 you know, everybody admires. So the idea was
23 to allow some tall vertical architectural
24 things that would not be adding square footage.

25 MR. GRABIEL: So it is correct? It's not a

1 typo?

2 MR. KOHL: I'd have to check, but yeah,

3 they were trying to give some height, and we're

4 using the Biltmore as the precedent.

5 MR. GARCIA-SERRA: You know, on that point,

6 I think that it's perhaps also a reaction to

7 the fact that right now the general maximum

8 height for architectural features outside of

9 the CBD is 25 feet. Many people think that

10 that's just sort of putting a little minor

11 decoration on a fairly large building, that

12 something taller would be more proportional or

13 more appropriate. And 95 might not be it,

14 somewhere in the middle.

15 MR. GRABIEL: I don't have a problem with

16 it. A city of spires is wonderful. You know,

17 it's just the first time I've seen it that

18 high.

19 MR. GARCIA-SERRA: We certainly, in the

20 actual project that we have right now, proposed

21 and plans, we don't go that high in any

22 architectural feature.

23 CHAIRMAN AIZENSTAT: I noticed Glenn was

24 just here. Could you ask him to come up here,

25 please?

1 MS. TOMPKINS: He and Ramon went outside

2 for a minute.

3 CHAIRMAN AIZENSTAT: To discuss something?

4 MS. ALBERRO MENENDEZ: Strategy.

5 CHAIRMAN AIZENSTAT: Glenn, could I ask you

6 to come up here? Thank you.

7 MS. ALBERRO MENENDEZ: Glenn, can you

8 please tell us the boundary that the traffic

9 study is going to incur -- I mean, is going to

10 include?

11 MR. KEPHART: Well, Maria, I will make sure

12 that it includes enough, but as we stand here

13 tonight, I can't specifically tell you the

14 boundary. Our traffic engineer, Yamilet, has

15 been working with Tim Plummer and David Plummer

16 Associates to work with Kimley-Horn

17 Consultants, and I've recently gotten more

18 involved in this, but as I stand here, I don't

19 have that. I'll have to get back to you.

20 MS. ALBERRO MENENDEZ: Maybe Mario has it.

21 He's --

22 You guys hired the traffic consultants --

23 MR. GARCIA-SERRA: You're right, and we

24 should have had them here tonight, but we

25 thought we were only going to talk about code.

1 From what I remember, and don't hold me to

2 it, I'm pretty sure certainly, north, we go as

3 far as Miracle Mile, and then to the east,

4 Douglas Road; to the west, that's a tough one.

5 You know, I know we go beyond Ponce, but I'm

6 not sure how much, and then south, I don't

7 think we make it to Bird Road, but we

8 certainly -- We might make it to Bird Road.

9 CHAIRMAN AIZENSTAT: Do you go to LeJeune?

10 MR. GARCIA-SERRA: I do not believe so.

11 CHAIRMAN AIZENSTAT: Is there a reason you

12 wouldn't go towards LeJeune?

13 MR. GARCIA-SERRA: If I knew, I would tell

14 you, but it would just be conjecture.

15 MS. ALBERRO MENENDEZ: I would only say

16 that how are you going to control traffic

17 coming towards the project from LeJeune if you

18 don't count that?

19 MR. GARCIA-SERRA: Again --

20 CHAIRMAN AIZENSTAT: That's a main

21 thoroughfare.

22 MR. GARCIA-SERRA: Again, I'm talking out

23 of turn here, completely, so --

24 MS. ALBERRO MENENDEZ: Because of the

25 hotel, because I notice the hotel is right

1 there in that area, general area, coming

2 straight off of LeJeune.

3 MR. GARCIA-SERRA: Right.

4 MR. LEEN: Could you provide the

5 information to Charles and me --

6 MR. GARCIA-SERRA: Sure, of course.

7 MR. LEEN: -- and we'll forward it to the

8 Board members, so they know?

9 MR. GARCIA-SERRA: Yeah.

10 MR. KEPHART: Yeah, and we haven't accepted

11 anything yet, either, definitively. I mean, we

12 may ask, once we look at the initial proposal,

13 which we don't have a draft traffic report --

14 We can also expand --

15 MS. ALBERRO MENENDEZ: I think you should

16 count the major roadways, because that's how

17 they're going to travel towards the area.

18 MR. KEPHART: Absolutely. You're correct.

19 MS. ALBERRO MENENDEZ: I mean, to me, it's

20 ridiculous to say that you're not including

21 LeJeune Road if that's the major roadway that

22 people are going to take, naturally, to go

23 towards the project.

24 MR. KEPHART: And I don't know if that's

25 the case, and if LeJeune was not included, I

1 need to look at the rationale to try to
 2 understand why it was not included, but we will
 3 follow up.
 4 MS. ALBERRO MENENDEZ: Great.
 5 MR. GARCIA-SERRA: And also, that may be
 6 the case already. That may very well be the
 7 case already, that we're going as far out as
 8 LeJeune, it's just, as I mentioned, I leave
 9 that to the traffic engineers.
 10 MR. PEREZ: A quick question about the
 11 actual code amendments. When we're looking at
 12 form-based code, is there a minimum amount of
 13 land that's required for that code, or can any
 14 amount of land qualify for that?
 15 MR. KOHL: You could apply it to any amount
 16 of land, but at some point, if it's one piece
 17 of -- one property, it probably doesn't make
 18 sense. But given that this is spanning more
 19 than one city block, it's certainly viable.
 20 MR. LEEN: From a legal perspective, and I
 21 would like to know Susan's view, we would not
 22 apply it to one lot. I mean, I think, at some
 23 point, it would run into the danger of spot
 24 zoning. We've analyzed this issue. We believe
 25 this is more than enough space that that would

1 not fall into that category. This is a fairly
 2 large area, several blocks, but I would defer
 3 to Susan, as well.
 4 MS. TREVARTHEN: It's specifically
 5 applicable to an area that is approximately, I
 6 think, seven and a half acres, which is bounded
 7 by Ponce, Sevilla, Galiano and Malaga.
 8 MR. PEREZ: No, I understand, but if you --
 9 if the City were to sit here and say, as per
 10 Marshall's comment earlier, that if we did,
 11 you know, apply form-based code zoning for the
 12 entire City, if you were to look at a specific
 13 parcel, I mean, typically, is there a minimum
 14 parcel that could qualify for this?
 15 MS. TREVARTHEN: My first response is,
 16 Staff is not making that request or proposal to
 17 you. As a theoretical discussion, I agree with
 18 what the attorney and Joe said, that if you
 19 don't have at least a full block, you're not
 20 going to have the street frontages, and the
 21 whole theory of this is that you regulate from
 22 the street frontage. So it makes more sense
 23 with the larger properties that encompass at
 24 least most of or more than one block.
 25 MR. PEREZ: More than one block?

1 MS. TREVARTHEN: (Nods head).
 2 CHAIRMAN AIZENSTAT: Susan, just a question
 3 for you. On looking at the map that we see
 4 here, there's -- Going back to that property
 5 that's not included, that's a residential
 6 house.
 7 MS. TREVARTHEN: Yes, sir.
 8 CHAIRMAN AIZENSTAT: Whatever you do to
 9 that whole property, can you include that
 10 property or do you need some kind of permission
 11 to do that, so it's not zoned differently? In
 12 other words, right now, from whatever you're
 13 going to do, it's a lesser intensity currently.
 14 MS. TREVARTHEN: Well, the City has rules
 15 for every private application, and those rules
 16 include that that application be prepared with
 17 an authorization from the property owner. So
 18 at this time, we have --
 19 CHAIRMAN AIZENSTAT: If the property
 20 owner --
 21 MS. TREVARTHEN: -- a separate property
 22 owner who may or may not choose to come forward
 23 to apply on that land. What we're looking at
 24 in conceptual form here is the holdings of
 25 Agave, which do not include that property.

1 CHAIRMAN AIZENSTAT: So you would just
 2 leave that property zoned residential, right
 3 smack in the center?
 4 MS. TREVARTHEN: Well, applicants would
 5 need the authority of the person who owns that
 6 property, in order to apply to make changes to
 7 it.
 8 CHAIRMAN AIZENSTAT: Interesting.
 9 MR. LEEN: Susan, what's your view if the
 10 City wanted to do that, though?
 11 MS. TREVARTHEN: The City is a different
 12 issue, and there's precedent for cities to come
 13 forward with their own proposals for their land
 14 use maps and their zoning maps routinely, but
 15 the applicant can only do and can only submit
 16 what they have authority for.
 17 MR. LEEN: I mean, if anything, if the City
 18 decided to do that, the applicant would
 19 certainly be able to continue to have the
 20 house, even if it was legally nonconforming.
 21 CHAIRMAN AIZENSTAT: That's what I'm
 22 saying.
 23 MR. LEEN: And if anything, it would
 24 benefit the property owner --
 25 CHAIRMAN AIZENSTAT: Correct.

1 MR. LEEN: -- because it's a higher
 2 intensive use.
 3 CHAIRMAN AIZENSTAT: It's just to have
 4 everything clean.
 5 MR. LEEN: So I would think we could do it
 6 if we wanted to, but that's not the current
 7 proposal.
 8 CHAIRMAN AIZENSTAT: Understood. Thank
 9 you.
 10 Any other questions?
 11 MR. BELLIN: I have a quick question. Do
 12 the definitions only apply to this piece of
 13 property? Because we've got a set of
 14 definitions in the Zoning Code, and apparently
 15 they're not the same as these definitions.
 16 MR. TRIAS: The definitions apply to the
 17 overlay, to this overlay only, yes.
 18 MR. BELLIN: Any reason for that?
 19 MR. TRIAS: There was a need to define some
 20 things better, but if you feel that there's
 21 some conflict or some better way of doing it,
 22 I'll be happy to discuss it with you further.
 23 MR. BELLIN: I think that if these are
 24 better, then we'll use these. If the ones in
 25 the Code are better --

1 MR. TRIAS: Yeah.
 2 MR. BELLIN: But I think they ought to be
 3 consistent.
 4 MR. KOHL: There's not duplications.
 5 MR. TRIAS: Right.
 6 MR. KOHL: It's just additional terms that
 7 need defining.
 8 MR. BELLIN: Well, for example, habitable
 9 space, it's defined in the Building Code, in
 10 the Zoning Code, differently than it's defined
 11 here. I just want to know if there's a reason
 12 for that.
 13 MR. TRIAS: Yeah, there's no reason to
 14 redefine terms. There's only a reason to add
 15 additional terms that may not be defined. So,
 16 if we've done that by mistake, certainly that
 17 will be corrected. The consultant is looking
 18 at that. The only point of the definitions is,
 19 there's some terms that may be needed for the
 20 overlay. That's it.
 21 MR. BELLIN: Some additional terms?
 22 MR. TRIAS: Some additional terms, yes.
 23 CHAIRMAN AIZENSTAT: Any other comments?
 24 Questions? No?
 25 So, Charles, what is it that you need from

1 us at this point?
 2 MR. WU: Well, this is a workshop, so you
 3 do not take any votes. We got a lot of input
 4 tonight, very thoughtful comments that we'll
 5 take back to the applicant. I think this is a
 6 very productive workshop and the goal was to
 7 give you a preview of the framework for a
 8 form-based code. Now you have that. We'll go
 9 back and regroup to take it from there and try
 10 to address your comments for the next meeting,
 11 whenever we are ready for the project and
 12 regulation to come through.
 13 MR. GARCIA-SERRA: We got what we needed.
 14 We appreciate your input tremendously and we
 15 take it seriously and we'll come back to you.
 16 CHAIRMAN AIZENSTAT: Thank you for coming.
 17 MR. GARCIA-SERRA: Thank you very much.
 18 Have a good night.
 19 CHAIRMAN AIZENSTAT: Thank you, too.
 20 Thank you. Anything else? This meeting is
 21 adjourned, and thank you, everybody, for coming
 22 and for your time.
 23 (Thereupon, the hearing was adjourned at
 24 8:13 p.m.)
 25

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 SIGNED COPY ON FILE
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 18 JOAN L. BAILEY, RDR, FPR
 19
 20 Notary Commission Number EE 083192
 21 Expiration June 14, 2015.
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