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

CORAL GABLES CITY COMMISSION CHAMBERS
405 BILTMORE WAY, CORAL GABLES
FEBRUARY 15, 2006, 6:20 P.M.

Board Members Present:

- Tom Korge, Chairman
- Cristina Moreno
- Javier Salman
- Pat Keon
- Robert Behar

City Staff Participating:

- Eric Riel, Jr., Planning Director
- Elizabeth M. Hernandez, City Attorney
- Jill Menendez-Duran, Administrative Assistant

Also Participating:

- Charles L. Siemon, Esq., Consultant

Public Speakers:

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Samuel Mozes	76
Bill Ogden	77, 133
William Arthur	84
Martin Pinilla	85, 134
Marshall Bellin	87
Paul Rosen	114
Irela Ferrer	116
Waldo Toyos	127
Roger Soman	132
Juanita Greene	133

1 THEREUPON:

2 The following proceedings were had:

3 CHAIRMAN KORGE: Are we ready for a roll
4 call?

5 MS. MENENDEZ-DURAN: Eibi Aizenstat?

6 Robert Behar?

7 MR. BEHAR: Here.

8 MS. MENENDEZ-DURAN: Pat Keon?

9 MS. KEON: Here.

10 MS. MENENDEZ-DURAN: Cristina Moreno?

11 MS. MORENO: Here.

12 MS. MENENDEZ-DURAN: Javier Salman?

13 MR. SALMAN: Here.

14 MS. MENENDEZ-DURAN: Michael Tein?

15 Tom Korge?

16 CHAIRMAN KORGE: Here.

17 Before we begin, I just want to announce
18 that we have a couple of Board members that need to
19 be out by eight o'clock, so we're going to try to
20 push our agenda along --

21 MR. SOMAN: Good.

22 CHAIRMAN KORGE: -- more efficiently, if
23 possible. I'll take a motion for approval of the
24 minutes of the January 18th meeting. Is there a
25 motion for that?

1 MR. SALMAN: So moved.

2 MS. KEON: Seconded.

3 CHAIRMAN KORGE: It's been moved, seconded.

4 Is there any discussion on the minutes of
5 the January 18, 2006 meeting?

6 No discussion. Let's call the roll,
7 please.

8 MS. MENENDEZ-DURAN: Robert Behar?

9 MR. BEHAR: Yes.

10 MS. MENENDEZ-DURAN: Pat Keon?

11 MS. KEON: Yes.

12 MS. MENENDEZ-DURAN: Cristina Moreno?

13 MS. MORENO: I was absent.

14 MS. MENENDEZ-DURAN: Javier Salman?

15 MR. SALMAN: Yes.

16 MS. MENENDEZ-DURAN: Tom Korge?

17 CHAIRMAN KORGE: Yes.

18 Do we have a motion for approval of the
19 minutes of the January 25th, 2006 meeting?

20 MS. KEON: I'll move it.

21 CHAIRMAN KORGE: Pat moved. Is there a
22 second?

23 MR. SALMAN: Second.

24 CHAIRMAN KORGE: Second. Thank you,
25 Javier.

1 MR. SALMAN: You're welcome.

2 CHAIRMAN KORGE: Is there any discussion on
3 those minutes?

4 No discussion. Let's call the roll, please.

5 MS. MENENDEZ-DURAN: Pat Keon?

6 MS. KEON: Yes.

7 MS. MENENDEZ-DURAN: Cristina Moreno?

8 MS. MORENO: I was absent again.

9 CHAIRMAN KORGE: Javier Salman?

10 MR. SALMAN: Yes.

11 MS. MENENDEZ-DURAN: Robert Behar?

12 MR. BEHAR: I was absent that day.

13 MS. MENENDEZ-DURAN: Tom Korge?

14 CHAIRMAN KORGE: Yes.

15 We have for consideration tonight Code
16 rewrite provisions for Articles 4, 3 and 6. Article
17 4 is the North Ponce Neighborhood Plan. Article 3 is
18 the Development Review article, and Article 6, the
19 article for Nonconformities.

20 Do you want to start with Article 4 and see
21 if we can get at least that accomplished today?

22 MR. RIEL: Yes.

23 Before Mr. Siemon gets up, let me just make
24 a couple of introductory comments. Article 4, these
25 are the new zoning districts as a result of the North

1 Ponce de Leon Neighborhood Plan. This is the fourth
2 meeting the Planning & Zoning Board has had where
3 we've solicited input or had the presentation of the
4 plan, and actually, the plan also went to the City
5 Commission.

6 In front of you at your places, we have the
7 City Commission verbatim transcript of January 24th,
8 when it went to the board (sic). I apologize for not
9 getting it into the packet. We just received it last
10 week, but what we did is, we prepared, on the first
11 and second page, a summary of their discussion for
12 your review, so you can kind of review that in terms
13 of what comments they made when they had the plan
14 presented.

15 As you know, when the plan was presented,
16 the actual zoning regulations accompanied it. That's
17 what the subject of discussion is this evening. We
18 did mail out notices to all the property owners in
19 the area, over a thousand notices, and as I indicated
20 in the past, all the information that you have before
21 you, the study, the zoning districts, is all on the
22 City's web page.

23 So, with that, I'll turn it over to Mr.
24 Siemon to go through the regulations.

25 MR. SIEMON: Good evening. I'd like to make

1 a couple of opening remarks. We're going to start
2 with the SF-C District, but there are two moving
3 parts to this that affect our conversation tonight.

4 The first is that the plan policies
5 themselves, the North Ponce Plan, is going through
6 the process right now of being discussed, and the
7 transcript and the outline which has been distributed
8 to you represents some of the issues and discussions
9 that the governing body had when they had this before
10 them.

11 The second is, when you all reviewed the
12 Single-Family 1 District, there was a substantial
13 amount of discussions and consideration of different
14 perspectives, and that has gone back and is going
15 through a review and is currently at the Zoning
16 Department with a request for input in regard to
17 redrafting that district, in response to the
18 discussion that we had here that night.

19 We have not gone back and revised the base
20 that the SF-C constitutes, in light of that
21 conversation, because we're waiting on the input
22 from Zoning, so that informs it. And so I hope to --
23 I'll try to explain to you what we're looking at,
24 what has come out of this process, and then move on.

25 I do want to make a point, however, that in

1 looking at these regulations, you need to keep in
2 mind that to implement the North Ponce Plan, whatever
3 its final policy elements are, is not just a matter
4 of regulations. It's also a matter of investment in
5 public policy. It's a matter of parking strategies.
6 It's a matter of traffic management, et cetera.
7 We're making some additional changes that you all
8 directed us to do, with regard -- for example,
9 including the information on landscaping along North
10 Ponce de Leon.

11 So this needs to be understood in context,
12 not -- because in some cases, in some matters,
13 they're relatively modest changes. In others,
14 they're not.

15 Now, the SF-C District, I want to remind
16 you, is this area to the north -- I might just start
17 off by familiarizing you again with the map.

18 (Thereupon, Ms. Hernandez arrived.)

19 MR. SIEMON: This is the study area. There
20 are two areas that do not have proposed districts
21 which are tailored to this area, the area along
22 Flagler and then this area here, along -- this is
23 Eighth, excuse me, and these two areas, we judge, are
24 a -- have a character of a traditional commercial
25 district in the City, and we believe designating them

1 as C in the proposed Code will be sufficient to
2 manage that land use.

3 The district we're first going to talk about
4 is this area between these two districts, where the
5 curve of North Ponce de Leon takes place, and we call
6 this the SF-C District. Single-Family, and C is for
7 Conservation, because the character of this area, as
8 we discussed before, is relatively uniform,
9 primarily -- almost completely single-family detached
10 dwellings, a sense in the community of a desire to
11 preserve that distinctive character, to enhance it,
12 through a whole variety of streetscape programs. But
13 that's the first district we're going to discuss.
14 I'll come back to the balance of that.

15 The boundaries are described. The key part
16 of the Page 1 of 9, is this distinctive neighborhood
17 in the area. It does have a particular
18 characteristic. We've shown you graphics repeatedly
19 of other neighborhoods and how diverse they are, in
20 terms of lot sizes and building sizes. This is an
21 area that is one of the few in the older part of
22 Coral Gables that has a relatively consistent
23 character.

24 Some of the structures are -- might
25 contribute to the historic character of this area,

1 but most of them are not Register-eligible buildings
2 but yet their existing character is what defines that
3 neighborhood, and so that's the basis of the
4 conservation strategy.

5 The draft, on the second page, the uses are
6 the same as they are in the rest of the SF-1
7 District. But on Page 3 of 9, there are several
8 changes that have been made, and I just want to bring
9 them to your attention. The front setback remains 25
10 feet and -- but the item a(ii) has been deleted from
11 the underlying SF-1 Code and so it will no longer
12 apply in this district.

13 The next deviation from the underlying
14 district is that there is no limitation on the
15 detached garages and accessory buildings in terms of
16 lot coverage. As you recall, there is an incentive
17 for detached garages in the SF-1 District that came
18 out of a recommendation from this body. Because
19 there is a strong impetus in this Code to limit the
20 buildings to one-story, if possible, the drafters, as
21 we prepared this Code, we thought it would be
22 appropriate -- you're still subject to the overall
23 coverage limitations -- to allow greater exploitation
24 of the permitted floor area ratio through garages and
25 accessory buildings, and that's why that 700-foot

1 limitation is not there.

2 We have capped the floor area ratio at .35.
3 That is not the case in the SF District. As you
4 remember, it goes from .35 to .48 -- .48 to .35, et
5 cetera. This is derived from the existing ratio of
6 land to buildings, and we believe is -- will help to
7 preserve the character of this area. It is -- we
8 believe the FAR is consistent with what's there now,
9 that minor expansions, additional expansions,
10 accessory buildings, will make -- will help, but
11 that, and the distinctions as to what is included in
12 FAR in this district, is our effort to try to ensure
13 that the character which is so closely linked to the
14 existing size of the structures, not the lots, the
15 structures, is conserved. This reflects a public
16 policy position that the conservation of the
17 community character requires that you conserve what's
18 there and that you not replace it.

19 We have limited accessory dwelling units,
20 mother-in-law flats, to 600 square feet. This is
21 something that's not in the SF-1 District, and --
22 well, here's an inconsistency, because the detached
23 garage dimensions in Paragraph 8 are inconsistent
24 with the provisions in the lot coverage, and the 300
25 square feet should not be included on Page 8 -- on

1 Paragraph 8.

2 As you recall, you all modified the height
3 of the building and how it's to be made -- measured,
4 in the underlying district, and we have not yet
5 changed that, but we assume that you will prefer that
6 this language be modified to 24 feet for flat roofs
7 and 29 feet for gabled roofs. Remember, this is a
8 primarily one-story district, and with the
9 limitations on FAR, we do not expect that height is
10 going to be a limiting factor in this area, but we do
11 not prohibit a second story, it's just made
12 relatively -- where it can be located is relatively
13 closely restricted.

14 If there is a flat roof, there is a
15 requirement that at least 40 percent of the roof area
16 shall be gabled. There are -- I believe there are
17 two roofs that are flat in the whole district.
18 Everyone has -- every residence in that district has
19 a gabled roof, and so we tried to respect that. It
20 is possible, I should point out, that some of these
21 buildings would be replaced. This is not simply a
22 conservation of those structures. It's a
23 conservation of that character that is the strategy
24 which is placed in here.

25 The landscaping -- one of the

1 characteristics of this district is that it is not --
2 does not have the rich, mature landscape material
3 that characterizes many of the other neighborhoods,
4 and so there have been some -- there are some
5 relatively modest requirements for on-site
6 landscaping in conjunction with redevelopment or new
7 permitting, to try to enrich the program, and as you
8 know, we think that should be matched or supported by
9 landscaping programs to renovate the public realm,
10 the public streets through this district.

11 Size of parking garages, you remember, we
12 discussed three and four, and landed on four. A
13 four-car garage would be very inconsistent with the
14 character of this neighborhood. There are limited
15 opportunities for additional detached garage
16 structures, but we think it's appropriate.

17 The setbacks from the front set line and
18 rear are not in the SF-1 District and have been
19 designed to tailor -- to respond to the particular
20 characteristic of this district.

21 The provisions of -- on Page -- E is a
22 provision for a conditional use that would allow the
23 FAR to exceed .35, and the strategy here is that we
24 have a permitted right, which is the Single-Family
25 District, .35. We've described the performance

1 standards that would apply. If you want to go above
2 that, you would have to obtain a conditional use
3 approval, a relatively rigorous approval, as a result
4 of a Staff decision, administrative judgment. There
5 is no longer -- as you recall, there was originally a
6 minor conditional use. Now all we have is a major
7 conditional use, or now a conditional use, and so our
8 recommendation is that to permit single-family
9 detached dwellings of greater than FAR of .35, you
10 would go through the conditional use approval.

11 Again, we think this area is very sensitive
12 to change because of its relatively uniform
13 character, and the standards which are here are
14 standards that evolved over the -- in the early
15 generation of this Code. They're currently under
16 reconsideration, as a result of your recommendation.
17 We have not gone back and tried to redraft them.
18 We're going to see what comes out of the redo of the
19 SF-1 underlying district. But here we're saying,
20 very clearly, if you're going to go above .35, there
21 needs to be a rigorous judgment as to whether it, by
22 itself or cumulatively, will have a change -- impact
23 on the change of the character.

24 Our experience with neighborhoods like this,
25 and you've heard me say this before, is, it doesn't

1 take too many changes on a street to flip the
2 character, and very quickly you will lose that
3 conservation character. That may be the public
4 policy choice that you all want to make. That's not
5 what we've heard from the public or from you all, at
6 least to this point.

7 And then finally, if it's -- the board of
8 architectural review would be responsible for making
9 the contextual analysis which I've described before,
10 the individual zoning analysis. But the emphasis
11 here on this district is, to change the character, to
12 go above .35, you need to go through a process in
13 which the neighborhood is looked at and evaluated and
14 a determination is made that it's intended to be as
15 consistent as possible with the character of the
16 existing structures in the neighborhood.

17 MS. KEON: Can I --

18 MR. BEHAR: I just have a question for you,
19 and help me out a second.

20 MR. SIEMON: Uh-huh.

21 MR. BEHAR: What's the FAR permitted today
22 in that zoning district?

23 MR. SIEMON: It starts at .48. The
24 permitted SF, there's just a single --

25 MR. BEHAR: 4.8?

1 MR. SIEMON: .48, and then -- that's for
2 the first 5,000 square feet. Then it -- there's a
3 sliding scale that goes upwards, and we're again
4 picking .35, is the character of what's there, and
5 then making that a threshold that requires
6 conditional use approval to go above that, and that's
7 the concept.

8 MR. BEHAR: You're proposing to reduce that
9 about 30 -- 30 percent or so?

10 MR. SIEMON: Permitted as-of-right, that's
11 correct.

12 MR. BEHAR: As-of-right.

13 MR. SIEMON: Yeah. Every lot is built on
14 that's not publicly owned, so we're talking about
15 either expansion or replacement of structure.

16 MR. BEHAR: Replacement.

17 MR. SIEMON: And then there's a desire, I
18 think, not to encourage replacement.

19 MS. KEON: I have a question about --

20 MR. SIEMON: Uh-huh.

21 MS. KEON: On Page 7 of 9.

22 MR. SIEMON: Uh-huh.

23 MS. KEON: On three, four, five, six --
24 these are new?

25 MR. SIEMON: Three, four, five, six?

1 MS. KEON: Well, from the previous page,
2 under conditional uses, 3 --

3 MR. SIEMON: Yeah.

4 MS. KEON: -- B, iii, iv, v, those are new?
5 These are new additions to the Code, right?

6 MR. SIEMON: Yes, ma'am.

7 MS. KEON: I think this goes back to a
8 discussion we had some time ago. I think that there
9 may be some error here, in the way this was written.
10 I mean, this wasn't what -- this doesn't reflect what
11 was in the massing study that I think this came from.
12 Is that what this came from?

13 MR. SIEMON: It's not an exact replica.
14 You're correct.

15 MS. KEON: Well, I think one of the issues
16 that came up and we talked about was, in that massing
17 study, there were proportions that, at the end of the
18 day, all added up to a hundred percent, and it
19 wasn't -- it didn't -- like here, for iv, it says
20 unenclosed porches shall occupy at least 30 percent.
21 I think the way that that was written is that it
22 couldn't occupy -- it should occupy no more than.
23 Not "at least," but "no more than," I mean, so that
24 there were proportions, and it was those proportions
25 that sort of guided the look that you had. But it

1 didn't tell you -- it wasn't so formulaic that it
2 said that -- you know, that it was telling you how to
3 design, just that, you know, proportionately, you
4 know, this is -- the entrance should be this
5 proportion, your garage should be this proportion,
6 your porches should be this proportion, so you don't
7 have all garage, you don't have all entrance and you
8 don't have all whatever. It was, you know, to
9 maintain proportion across the facade of the house.
10 So you could design however you wanted, but within
11 some sense of proportion, which I think is pretty
12 consistent, architecturally -- maybe my architects
13 could tell us --

14 MR. SALMAN: Uh-huh.

15 MS. KEON: -- with certain building
16 character. Is that right?

17 I don't think that this -- I don't think
18 that this is saying that, because you have "at least"
19 and, you know, which isn't -- "at least" is very
20 different than "no more than." I just ask that you
21 go back and look at this.

22 MR. SIEMON: This has been flagged and we --

23 MS. KEON: Okay, if you could just --

24 MR. SIEMON: But we have not redrafted this,
25 subsequent to that.

1 MS. KEON: Okay. You will go back, though,
2 and re-look at this part?

3 MR. SIEMON: We, in fact, deleted this from
4 the SF-1 District.

5 MS. KEON: Yeah, I know, but --

6 MR. SIEMON: I know.

7 MS. KEON: We'd like to have that

8 conversation again, when it comes back, and I've
9 asked you, and I think spoke to Dennis and asked that
10 it be -- maybe be reflected more accurately in the --

11 MR. SIEMON: Well --

12 MS. KEON: -- than what it is here and what
13 it was in the other. So maybe you could just take a
14 look at that, so that, you know, you're not met with
15 the outcry by architects that you are, you know,
16 demanding -- that you are limiting design potential
17 and ability, because you are being -- you know,
18 you're telling them exactly what they have to do,
19 instead of just providing proportions that maintain
20 the context of what you want.

21 MR. SIEMON: Actually, to be absolutely
22 candid about it, I think we think that you're going
23 to end up, in this district, being a little more
24 formulaic, but not so general, that in fact there's a
25 fairly clear template of housing types in this area

1 and that they actually need to be put here, instead
2 of this general in --

3 MS. KEON: Okay. Well, then, maybe look to
4 that, but whatever it is, I think this is not as good
5 a thing as you could probably come up with.

6 MR. SIEMON: We have already flagged
7 that --

8 MS. KEON: Thank you.

9 MR. SIEMON: -- at your -- with your
10 assistance.

11 MS. KEON: Thank you. Thanks.

12 MR. BEHAR: If I may just go back to the lot
13 coverage percentage. Under your proposal, detached
14 garages does not count towards the lot coverage?

15 MR. SIEMON: That's correct.

16 MR. BEHAR: Correct? If I'm -- if you're
17 allowed to do up to 336 square feet, have you done a
18 takeoff of what percentage that will increase, in
19 comparison to the -- to the up to four -- you know,
20 48 percent that we had before?

21 MR. SIEMON: Yes.

22 MR. BEHAR: I'm concerned, the reduction of
23 the -- in relationship to what was there before and
24 what -- how replacement would be able to do.

25 MR. SIEMON: You mean, in terms of lot

1 coverage?

2 MR. BEHAR: Yes.

3 MR. SIEMON: We have looked at that, and I
4 unfortunately don't have those graphics with me, but
5 we've done a number of characterizations, of taking
6 existing homes, existing lots --

7 MR. BEHAR: Because under the present
8 scenario, garages count towards lot coverage.

9 MR. SALMAN: Uh-huh.

10 MR. BEHAR: Right?

11 MR. SALMAN: That's correct.

12 MR. SIEMON: Correct.

13 MR. BEHAR: I would like to see the analysis
14 of, if you do a detached, which is, I guess, what's
15 being encouraged, and plus the 35 percent --

16 MS. MORENO: Is that more than 48 percent,
17 is what you're saying?

18 MR. BEHAR: Where does it reach? I mean, I
19 did a quick number, and it sounds like it's like at
20 42 percent, but I'm --

21 MR. SALMAN: I came up with 43.

22 MR. BEHAR: Okay. I'd like to find out,
23 where is that really going to?

24 MS. KEON: Is that good?

25 MR. SIEMON: Well --

1 MS. KEON: It's okay? It sounds like it to
2 me.

3 MS. MORENO: So we're okay if it's 42 or 43
4 percent, right? Because it's less than 48.

5 MR. BEHAR: Right. But that would -- when
6 the installation goes up, that doesn't increase, that
7 stays as a factor. If you have a 75-foot lot,
8 7500-square-foot lot, you're still going to do 35
9 percent plus the detached garage, and in the old
10 scenario, you could do 48 percent and you could
11 escalate that, correct?

12 MR. SIEMON: That's correct.

13 MR. BEHAR: I personally, I don't about the
14 rest of you -- I can see how that analysis compares
15 to the different possibilities we have in that
16 district. It would have to be a very complex
17 analysis.

18 MR. SIEMON: Well, we'll provide you that.
19 The difference, of course, is that we are focusing --
20 it's not just floor area. It's ground area. It's
21 floor area which is on -- at ground grade, and it's
22 floor area which is not. That's what we're --

23 MR. BEHAR: Yeah, but we're trying to keep a
24 one-story.

25 MR. SIEMON: Right. Right.

1 MR. BEHAR: So, you know, the FAR is totally
2 different, and that would be a different question.

3 MR. SIEMON: Yeah. No, I think that the --
4 I have those numbers and I will make -- I've already
5 made a note to bring them, when you next --

6 MR. BEHAR: And the other -- I'm not sure, I
7 and don't know how Javier feels, but I know the
8 character of that neighborhood, and 40 percent of the
9 total roof area should be gabled roof? If you're
10 doing a replacement, are you not encouraging a lot
11 more flat roofs? I'm looking at it more, you know,
12 as a replacement, not as a renovation to it.

13 CHAIRMAN KORGE: And does a gabled roof
14 include a hip roof, or are they considered different,
15 under this draft?

16 MR. SIEMON: No, a hip would be a gabled
17 roof. I mean, it is a gabled roof, but -- you know,
18 are we promoting --

19 MR. BEHAR: More flat roofs.

20 MR. SIEMON: In a redevelopment scenario?

21 MR. BEHAR: Take a look at that.

22 MR. SIEMON: I would say that I would
23 confess that I don't -- I think we looked at probably
24 not making the existing -- some of the existing
25 structures nonconforming with regard to roofs, was

1 probably our focus, but I will look at that.

2 MR. SALMAN: Through the Chair. On Page 3
3 of 9, we have a 50-foot setback on dwellings on
4 scenic streets. I think we need to define which are
5 those streets.

6 MR. SIEMON: That's deleted.

7 MS. KEON: He deleted that.

8 MR. SALMAN: That's deleted?

9 MR. SIEMON: Yeah. I'm sorry. I mean,
10 that, we've made a definitive choice on. We're no
11 longer going to have the -- they are -- by the way,
12 in case anyone is concerned, they are governed in the
13 special regulations, and we were going to try to
14 uniform them -- put them so that they couldn't be
15 missed, and what constitutes a scenic street just
16 doesn't fall out into an easy definition, as easy as
17 we hoped it would.

18 CHAIRMAN KORGE: You're not going to
19 identify them by street names?

20 MR. SIEMON: No. They're shown by street
21 name in the special regulations.

22 MR. SALMAN: I would like to look, also, on
23 Page 4 of 9, where we're limiting the height of the
24 parapet for flat roofs.

25 MR. SIEMON: Yeah.

1 MR. SALMAN: Again, the focus here is when
2 we're going to the maximum, but sometimes we'll have
3 a flat roof which actually works as an exterior
4 terrace. I'm actually doing a house a right now
5 where that's the case, and there, I would like to
6 have the parapet up high enough to provide for
7 railing protection, instead of putting a railing on
8 top of the roof. The exception would be, you know,
9 that it's not a terrace, that it's just the roof.

10 MR. SIEMON: How high would the parapet be?

11 MR. SALMAN: It would have to be 42 inches.

12 MR. BEHAR: 42 inches.

13 MR. SIEMON: Yeah. Well, I think that's
14 permitted.

15 MR. SALMAN: It says, "Flat roofs shall
16 include a parapet of at least one and a half feet,
17 but not reaching four feet above maximum."

18 MS. KEON: 48.

19 MR. SIEMON: It should read, "not exceeding
20 four feet."

21 MS. KEON: Not exceeding?

22 MR. SIEMON: Yeah. Is it 42 inches? I
23 just -- I want to make a note to myself.

24 MR. SALMAN: Yes, it's a 42-inch
25 requirement.

1 MR. BEHAR: But leave the 48, because if you
2 have a tapered installation and whatnot --

3 MR. SIEMON: No, I was just making a note
4 for my own personal --

5 MR. BEHAR: Okay.

6 MS. KEON: But it's supposed to be not
7 exceeding four feet, instead of reaching?

8 MR. SIEMON: Yeah.

9 MR. SALMAN: On Page 5 of 9, 12b, i, I
10 guess, "Garages facing the street shall be set back
11 at least five feet from the front facade of the
12 residence, as measured from the widest portion of the
13 front of the structure." I think that the idea there
14 was to create some sort of structural differentiation
15 that became then apparent in the facade, as to how
16 you read it, so that the buildings themselves, the
17 houses, would come to the fore and the garage would
18 become secondary, so you won't have a street of
19 garage doors.

20 I think, as long as it's separately
21 distinguished, that we meet the character of what
22 we're trying to do. I know that I've designed houses
23 where the garages are actually in front, but as long
24 as they're differentiated, they don't read like that,
25 and it -- a lot of it is really almost an

1 architectural issue with regards to the site and the
2 program. Perhaps we look at modifying that so that
3 we don't get into a formulaic solution to what is
4 ultimately an architectural problem, and look at
5 making that separately distinguished, rather than
6 actually creating a five-foot, hard-and-fast rule
7 that it has to be behind it.

8 MR. SIEMON: Well, that is an occasion to
9 raise a policy choice that I think is coming. I
10 expect, though I don't -- that where the SF-1
11 District ends up, the ordinary SF-1 District, is that
12 there will be additional standards identified,
13 general standards identified for the Board of
14 Architects, in making both individual structure and
15 compatibility analyses, in lieu of the discretionary
16 administrative or minor conditional use approval.

17 You may want to consider that that same
18 approach, in the conservation context, is appropriate
19 in this district. That was not where this originally
20 headed. This originally was headed towards a
21 conditional use decision by the Planning side of the
22 house. I think we're pretty close, if not arrived at
23 a decision, that at least in the ordinary SF-1
24 District, that's going to be now a design side of the
25 house, in Zoning, and I think that could be a fair

1 and reasonable solution that would work here, as
2 well.

3 There would be one caveat, and that is, what
4 we get, with this redrafting process is going on,
5 that we hope to get, expect to get, from Zoning,
6 would be the template against which this would then
7 be drafted. But I would say, from where we are right
8 now, at least our firm is right now, in anticipating
9 where this is going, and we have just finished
10 redrafting -- so procedural, to try to address the
11 conflict between the requirements for quasi-judicial
12 in the Board of Architects and giving them this
13 broader authority to say yes, to say yes with
14 conditions, and to say no, with a specification of
15 what changes would be necessary, which we've
16 discussed before. We think we've figured out a way
17 they can do that in the same panel approach they've
18 been doing it and still preserve the rights under the
19 law.

20 So we've been -- we've been creating --
21 working on the procedural side of that, and assuming
22 that we're satisfied with the substantive standards,
23 you may wish to just not have a conditional use
24 process in this district and simply require a Board
25 of Architects -- another level of Board of Architects

1 scrutiny when the FAR goes above .35 or a second
2 floor is involved.

3 MR. SALMAN: The reality is that the value
4 of properties is going to define the fact that most
5 of those properties are going to go over .35. That
6 was one of my first notes on here, so that we will --

7 MR. SIEMON: Well, that's all right. I
8 mean, our judgment is, that's fine, but do it
9 carefully and do it through a set of eyes that
10 balance the competing interests that are involved.

11 MR. SALMAN: And I understand your point,
12 where you want to give the Board of Architects
13 something to hang their hat on by giving them a
14 specific amount. I'm just wondering whether that
15 five feet is what we want, or do we want to just say
16 five feet is a --

17 MR. SIEMON: No, I'm with you, that -- I
18 mean, we're going to be -- we hope to have some input
19 from Dennis. You know, we've been around a lot with
20 trying to -- the balance between objective and
21 non-objective criteria. I think we're headed towards
22 some much more non-objective criteria and more
23 reliance upon the Board of Architects to exercise --
24 supported by a City Architect, which I think is a
25 very important component of this shift, and if that

1 comes back and you all are comfortable with it, I
2 would predict that you're going to be pretty likely
3 to be inclined to apply that, then, in this
4 conservation district.

5 MR. SALMAN: So, anyway, my idea was that it
6 be five feet or separately distinguished from the
7 main facade, as approved by the Board of Architects,
8 as we know it. That means that that's going to be
9 one more tick that the architects -- Board of
10 Architects is going to have to review. "Well, it's
11 less than five feet; is this in character?" If it's
12 got five feet, then it's not a question for review.
13 Do you see what I'm saying?

14 MR. RIEL: Yeah.

15 MR. BEHAR: It may not be compatible, but
16 it's five feet.

17 MR. SALMAN: It may not be compatible.

18 MR. SIEMON: Right.

19 MR. SALMAN: I mean, we're talking about
20 small houses on small lots. Five feet is a lot.
21 Typically, they're 50 by 100, a 5,000-square-foot
22 lot.

23 MS. KEON: What are the lot size up there,
24 though? Isn't that a hundred foot, primarily?
25 Aren't they 100-foot lots primarily in that district?

1 MR. SIEMON: Well, it varies. They're
2 amazing.

3 MR. SALMAN: They vary.

4 MR. SIEMON: They vary much more than you
5 think, on the lot size, not the houses.

6 MS. KEON: No, the lots.

7 MR. SIEMON: Yeah.

8 MS. KEON: Do they vary a lot?

9 MR. SIEMON: (Nods head).

10 MR. SALMAN: Mainly because you have that
11 big sweeping arc --

12 MS. KEON: Right.

13 MR. SALMAN: And so you get a lot of large
14 frontages --

15 MS. KEON: Oh, because they curve.

16 MR. SALMAN: -- and narrow backs, and even
17 on the straight blocks, you have a lot of 75-foot
18 lots.

19 MS. KEON: Yeah, and not a lot of 50.

20 MR. SIEMON: Even there, there's a lot more
21 75-footers --

22 MS. KEON: Yeah.

23 MR. SIEMON: -- than you think there are.

24 MS. KEON: I was thinking of 50.

25 MR. SALMAN: You just don't notice them,

1 because all the houses are the same.

2 MR. SIEMON: All the houses are the same,
3 that's right.

4 MR. SALMAN: They're interchangeable. I
5 mean, a lot of these were just developer/builder
6 houses. And again, Coral Gables doesn't let you
7 build the same house; they make you flip and change
8 it and do whatnot, but honestly, a lot of them are
9 the same house.

10 MR. SIEMON: Right, but you can see the
11 rhythm is pretty consistent, and they're
12 interestingly spaced on the lots, relative to the
13 other structure, not relative to the lot.

14 MS. KEON: That's good.

15 MR. SIEMON: But I think that's -- if I were
16 going to predict where that ends up, that's where
17 I -- we've at least gotten pretty comfortable with
18 that for the SF-1 District.

19 Shall I go on?

20 CHAIRMAN KORGE: Yes, please.

21 MR. SIEMON: Okay. We'll go now to Page 1
22 of 12, the MF-C District.

23 The MF-C District really has two areas. One
24 is to the east of Galiano, south of the commercial
25 district, to the southern edge, and the other is a

1 small strip on the west side of Salzedo. You need
2 to -- in thinking about this, you need to keep in
3 mind that in this district, what you can do is
4 largely defined by the single lot depth, okay? So,
5 while the district might imply more intensity or
6 opportunity than you think, given that density, the
7 configuration of that, we think there are
8 limitations.

9 The basic thrust of this district is to
10 provide alternatives to assembly and maxing out the
11 permissible density on all the properties. And there
12 are extensive nonconformities in terms of parking and
13 other characteristics, and the concern that was
14 pointed out to us, both in public meetings and in
15 meetings before this Board, not necessarily this
16 constitution of this Board, was a desire to provide
17 incentives or alternatives to assembling land and
18 building the buildings to the maximum permitted
19 height, and so what we've tried to do is identify
20 some regulatory programs that would be responsive.

21 Another concern is to create a pedestrian
22 environment that's really walkable, that people will
23 use the sidewalks, will walk back and forth, that has
24 a character of what is an urban or quasi-urban
25 neighborhood, and so we have embraced some things

1 such as the front yard setback in this district,
2 which is significantly different than is permitted,
3 but it contemplates bringing the facade of the
4 residence up to the street and having an urban
5 sidewalk and urban streetscape, and remember that
6 this is in conjunction with our recommendation that
7 these east-west streets that this fits on need to be
8 renovated, in terms of its character, through the
9 introduction of street trees to give it a more
10 desirable urban character.

11 I've already pointed out the first major
12 difference, which is the front yard setback, and it
13 allowed encroachment where there is an existing
14 sidewalk, even through that five feet, in terms of
15 stairs or a walkway.

16 We've gone to an interior side setback that
17 would allow townhouses. We see one of the
18 possibilities is -- here in this district, is of
19 townhouses, and rather than engage in a lot of
20 gymnastics with regard to what constitutes a
21 townhouse or doesn't constitute -- it's its character
22 of the street, its height, its intensity and lack of
23 zero lot lines on the side -- at least we're
24 reasonably comfortable that that, in an urban
25 pedestrian environment, is an acceptable

1 circumstance.

2 We have required a rear setback of 10 feet,
3 which we think is necessary to maintain adequate
4 spacing for utilities and other easements which go
5 along that rear lot line, and to provide some private
6 open space that would be included.

7 CHAIRMAN KORGE: For the townhouses, where
8 would the parking go?

9 MR. SIEMON: The parking would have to be
10 not fronting upon the street. It would have to be
11 by --

12 CHAIRMAN KORGE: Is it possible, in these
13 neighborhoods, to do that?

14 MR. SIEMON: It is possible. It's going to
15 be somewhat difficult unless it's done in a -- The
16 larger the land assembly, the easier it is to do, and
17 it's particularly easy if the land assembly is done
18 across the block, from street to street, instead of
19 along the lot and the narrow lot depth, but it is
20 possible to do them. But it isn't possible to do
21 them --

22 MR. BEHAR: Anything is possible, but is it
23 realistic? Because, you're right, it's not --

24 MR. SIEMON: Well, it depends -- I think it
25 depends on -- my expectation would be that the more

1 likely scenario is that people are going to find ways
2 to rehabilitate and add to the existing small-scale
3 structure, as an antidote, but there are
4 circumstances where assembly of a parcel of land, for
5 example, would allow the place that you'd assemble
6 the front and the back. There's several assemblies
7 that are currently in common ownership, fronting on
8 the two opposite streets. Four lots would allow a
9 structure that has parking in the center, access from
10 each of the two streets, and have a townhouse facade
11 around the entire block, a pretty attractive
12 renovation, as opposed to a -- whatever, a six or
13 seven-story building that's the standard de rigueur.

14 Will it happen? The economics are pretty
15 tough.

16 CHAIRMAN KORGE: Would it be more likely to
17 happen if we allow parking to front the street?

18 MR. SIEMON: You mean, garages?

19 CHAIRMAN KORGE: Yeah.

20 MR. SIEMON: Off the street? Sure.

21 CHAIRMAN KORGE: Is that something we'd
22 consider desirable enough to encourage or --

23 MS. KEON: Well, you know, in New York, when
24 you go down, you know, on the Upper East Side, where
25 they have all the brownstones, that sort of -- you

1 know, a lot of them have a garage, you know, and then
2 you have an entry -- you also have a garage and then
3 it's built up over it, I mean, they're very
4 attractive, and you can enter, you know, from the
5 street.

6 But I think that, again, is -- there seems
7 to be a very regular set of proportions to those --
8 those brownstones. You know, they -- do you know
9 what I -- you know, where the front steps seems to
10 be -- all seems to be a certain percentage, the
11 garage door seems to be a certain percentage, and
12 whatever that very pretty window that usually is to
13 the other side of the garage door, it seems to also
14 be a particular proportion. So, when you see them,
15 you know, you see -- it's a very -- it's very pretty
16 to look at. They make for -- I mean, they're very
17 pretty streets to walk along. I don't think any
18 people use the garages anymore, but -- you know, but
19 you could. How would that fit in here?

20 MR. SIEMON: Well, it wouldn't, I mean, as
21 this is drafted.

22 MS. KEON: No, but how would it work in this
23 neighborhood?

24 MR. SIEMON: Well, I mean, as much as I'd
25 like to -- I mean, I'm perfectly willing to be an

1 advocate that you ought to allow housing types that
2 aren't necessarily dependent upon the private
3 automobile for daily travel, but that's the reality
4 of those areas.

5 MS. KEON: Right.

6 MR. SIEMON: And so that while they even
7 have garages, they were really buggy rooms.

8 MS. KEON: Right. They were --

9 MR. SIEMON: They were buggy rooms, when
10 they were first designed.

11 MS. KEON: Right.

12 MR. SIEMON: They don't functionally
13 interrupt pedestrian traffic by regular traffic
14 across and back, the curb. I think there's a
15 tradeoff here. I mean, one of the emphasis we heard
16 over and over again was, "We don't want driveways
17 crossing the sidewalk, interrupting pedestrians," and
18 I understand that, and there's nothing worse in this
19 kind of environment than a row of town -- row houses
20 that all have a garage and they dominate the facade
21 of the building.

22 MS. KEON: Right, but what if --

23 MR. SIEMON: On the other hand, the use --
24 the traffic access is really very modest. Those
25 trips, you know, make something on the order of about

1 six and a half trips a day, and that's, you know, not
2 going to destroy -- if the pedestrian environment is
3 appropriate and has adequate width so that you have
4 sight lines to see --

5 MS. KEON: Right.

6 MR. SIEMON: -- the garages. So I think
7 this is a public policy decision.

8 I don't think that the definition of what
9 constitutes acceptable urban housing or quasi-urban
10 housing, because it's really not high-rise, 30-story
11 high-rise --

12 MS. KEON: Right.

13 MR. SIEMON: -- has been very -- there
14 hasn't -- there's been very inconsistent perspective
15 about whether garages ought to front along it.

16 MR. BEHAR: It seems to be inconsistent,
17 because if you're trying to promote that type of
18 urban living and you discourage -- if you have a lot
19 in the middle of a block, you can't do it. So you're
20 not -- it seems to me contradictory, one or the
21 other. I mean, if I can't have my garage, in a case
22 like that, where do I park? You can't. So it
23 doesn't seem pro this housing type.

24 CHAIRMAN KORGE: Well, we imposed a parking
25 requirement, so I guess you conform -- you know, in

1 line with what you said, we're requiring parking, but
2 it will have to be in the back, which means that
3 there will be very few townhouse developments --

4 MS. KEON: Right.

5 CHAIRMAN KORGE: -- in this neighborhood.

6 MR. BEHAR: Exactly.

7 CHAIRMAN KORGE: So the question we have to
8 ask ourselves is, how much do we want to see the
9 possibility of townhouse development in this
10 neighborhood? Is it important for this neighborhood,
11 or do we want to go with, I guess, higher apartment
12 buildings, where the parking can be provided in the
13 building itself? Those are going to be --

14 Am I right? Is that going to be the two
15 options, or --

16 MR. BEHAR: I would think so.

17 MS. MORENO: I mean, if you asked me my
18 opinion, I'd rather promote townhouses and suffer the
19 interruption in the sidewalk than promote
20 high-rises.

21 MS. KEON: I would, too. I think it's a
22 very pretty option. I mean, I think it's just
23 another very nice option for people to be able -- as
24 long as you can write it so that, you know, you
25 promote that sort of proportionality to the buildings

1 so that you don't -- you know, so that visually it's
2 very attractive, and I mean, you as architects could
3 maybe give guidance as to what that proportionality
4 would be.

5 Are there design standards for that? I
6 mean, that came out of that which has already been
7 developed in some of, you know, your big cities
8 around the country -- around the world?

9 MR. SIEMON: I can't think of anything off
10 of that. I mean, you have a minimum set size because
11 just of the width the automobile, in terms of
12 accessing it.

13 MR. BEHAR: Well, you could, I guess,
14 because a typical -- I'm using an example that I'm
15 doing now on Valencia. A typical town home width is
16 about 22 or 25 feet, okay? A garage, the ratio would
17 be one third of that. So it could -- the door of the
18 garage, which is what you will see from the street
19 facade -- not necessarily the width of the garage --

20 CHAIRMAN KORGE: Right.

21 MR. BEHAR: -- but the door itself, it's
22 like one third of that, so there may be some sort of
23 combination that could be done --

24 MS. KEON: Right.

25 MR. BEHAR: -- to limit, but I think that if

1 you -- if you do want to promote town homes, and you
2 don't allow garages on the street, you can't do it.

3 MS. KEON: Right. How wide is a typical
4 garage, a single garage? How -- what's the standard
5 width of a single-car garage door?

6 MR. SALMAN: Eight feet is the minimum, but
7 you can't use it.

8 MS. KEON: Okay.

9 MR. SALMAN: It's too narrow.

10 MS. KEON: So what's the real one?

11 MR. SIEMON: Yeah.

12 MR. SALMAN: The real one is about 10 feet.

13 MS. KEON: See? So you're more than a
14 third, if you have a 10-foot. Maybe nine feet.

15 MR. BEHAR: Well, but in the residential,
16 eight feet is a standard door width.

17 MR. SALMAN: Well, it's pretty standard.

18 MR. BEHAR: Okay, width.

19 MR. SIEMON: You could get by with an
20 eight-foot door. I would say the average is 10
21 feet.

22 MR. SALMAN: But the garage bay is going to
23 have to be at least 13 to 14 feet wide to be able to
24 open the car's doors inside.

25 MS. KEON: Right, but the door, because what

1 we're looking at is going in.

2 So you could really -- you could do it so
3 that you could say that no more than one third of the
4 frontage --

5 MR. BEHAR: The facade.

6 MS. KEON: The facade, right.

7 MR. BEHAR: Incorporates the garage door.

8 MS. KEON: A garage door.

9 MR. SIEMON: The door could not exceed one
10 third --

11 MS. KEON: 30 percent, right, a third.

12 MR. SIEMON: -- of the facade.

13 MS. KEON: Right, you know, and then you
14 could have a proportion for whatever your entry is,
15 and then -- you know, so you arrive at what you want,
16 and it is a feasible option that promotes the kind of
17 development that you would really like to see.

18 MR. BEHAR: And one third is -- typically,
19 you're going to get two rooms fronting the street.

20 MS. KEON: Right.

21 MR. BEHAR: And the two rooms are going to
22 be between 11 and 12, minimum, in width. So that
23 should give you some sort of guidelines to start a
24 basis to make that -- you know, this analysis.

25 MR. SIEMON: Well, your door is going to

1 have to be centered on your internal garage, and your
2 internal space is going to have to be a minimum of 12
3 and maybe 13 feet wide to open the doors. So that
4 means the one side is going to be set off, two feet
5 off, so I think you're going to have a hard time
6 getting two full rooms, but you could have an entry
7 and a room on the street.

8 MS. KEON: You'll probably have -- right.
9 You have a room, you have an entry, and then you have
10 a garage door.

11 MR. SIEMON: But I just -- you know, if you
12 just take and draw the lines -- you all can't really
13 see this, but I think you can see that what you're
14 talking about, the left-hand one, is probably pretty
15 acceptable to the eye, and further to the right it
16 declines.

17 MS. KEON: Right.

18 MR. SIEMON: And so I think if that's the
19 direction you all would like to go, we certainly
20 would take that direction.

21 CHAIRMAN KORGE: Charlie, would you remind
22 me again what we did with the townhouse regulations?

23 MR. SIEMON: We did not allow over-the-curb
24 access --

25 CHAIRMAN KORGE: Right.

1 MR. SIEMON: -- in the multi-- general
2 multi-family district.

3 CHAIRMAN KORGE: And that was -- but that
4 was located in what area, again?

5 MR. SIEMON: It's the MF-2 District.

6 CHAIRMAN KORGE: Well --

7 MR. SIEMON: The MF-1 District, excuse me.

8 CHAIRMAN KORGE: Where -- I'm just trying to
9 remember where that --

10 MR. SIEMON: Duplex, what used to be duplex
11 and townhouse.

12 CHAIRMAN KORGE: Right, but those are -- lot
13 assemblages there are not a problem, are they? I
14 mean, that -- because it requires, basically, an
15 alley through the back --

16 MR. SIEMON: That's correct.

17 CHAIRMAN KORGE: -- which meant you have to
18 assemble a group of lots to make it work.

19 MR. SIEMON: Well, I mean, our -- I expect a
20 lot of those duplex lots face on a major road, and if
21 they were redeveloped as townhouse, what they're
22 going to be is, there's going to be a driveway, an
23 alley that goes across the back lot line, and then
24 you're going to have row -- you know, row houses of
25 some character in those blocks. That's the model we

1 think is likely to be the most common in that
2 townhouse district.

3 Now, there are some circumstances where, in
4 the multi-family, we've created an alternative, which
5 is playing itself out in the moratorium area, a
6 high-end townhouse alternative, and it does not allow
7 a front driveway. But there are alleys in that those
8 districts.

9 MR. SALMAN: That's the key.

10 MR. BEHAR: Yeah, that's the key. If you
11 don't have an alley, you don't --

12 MS. KEON: But in this district, there are
13 no alleys.

14 MR. BEHAR: Right.

15 MS. KEON: So it would be nice to be able to
16 provide that opportunity. I mean, if somebody
17 assembles both sides of a block for a long space,
18 they could create their own alley, but where it
19 doesn't exist, it would still be a nice alternative.

20 MR. SALMAN: There's a couple of
21 alternatives. If they have a corner lot, they can
22 come in off the side --

23 MS. KEON: Right.

24 MR. SALMAN: -- and can get in the back.

25 MR. BEHAR: Yeah, but those are limited.

1 MR. SALMAN: But those are limited.

2 MS. KEON: Right.

3 MR. SALMAN: With regards to front access,
4 I'd be inclined to say a third of the facade,
5 maximum --

6 MS. KEON: Yeah.

7 MR. SALMAN: -- for the width of the unit
8 itself, because you may have two units on a 50-foot
9 lot, and you're going to have to provide them each
10 with their own parking garage.

11 MS. KEON: Well, apparently, you don't need
12 that.

13 MR. SALMAN: I'm thinking of some of the
14 projects that we've done out in the Grove, where we
15 actually have the parking garage and then the stairs
16 to one side, and it's actually a piano novo where you
17 can actually go up, and then that is really you're
18 walking over the garage and garage storage and
19 laundry area to get to the first floor, which is
20 the --

21 MR. BEHAR: In a case like that, you would
22 only get one garage.

23 MR. SALMAN: Yeah, but you only get one.

24 MS. KEON: Right.

25 MR. BEHAR: Yeah.

1 MR. SALMAN: One per.

2 MR. SIEMON: I have seen regulations that
3 require the garages be banked, like this, so that
4 they aren't -- didn't have this uniform character. I
5 don't -- I mean, this is really -- that now steps
6 into architecture.

7 MR. BEHAR: I wouldn't set a standard you
8 have to tie it to. I would let the Board of
9 Architects -- the one third, and let the Board of
10 Architects dictate what the outcome is.

11 MR. SALMAN: The language.

12 MR. BEHAR: Yeah.

13 MR. SALMAN: Yeah.

14 MR. SIEMON: Okay?

15 MS. KEON: Okay, so we would include --

16 MR. SIEMON: Is that a consensus?

17 MS. KEON: -- some sort of a -- some sort of
18 provision that would allow that type of development?

19 MR. BEHAR: Right.

20 MS. KEON: As long as there's restrictions
21 on how much the proportions of the --

22 MR. BEHAR: Now, the only question is, how
23 far do you have to set the garage from the sidewalk?
24 Because are you not going to be -- are you going to
25 be able to set it -- how close to the sidewalk?

1 MR. SIEMON: Right now, it could be no
2 closer than five feet.

3 CHAIRMAN KORGE: The same as the facade of
4 the building.

5 MR. SIEMON: The same as the facade of the
6 building, and I don't think you want to have it set
7 back --

8 MR. BEHAR: Is Public Works going to let you
9 do that and back into a public right-of-way? Do you
10 see what I'm saying?

11 MS. KEON: Yeah. As opposed to a swale.

12 MR. SALMAN: They do that now.

13 MR. BEHAR: I don't think you're going to be
14 able to.

15 MR. RIEL: Single-family homes do it.

16 MS. KEON: Do we do it now?

17 MR. SALMAN: Yeah, but you're traversing an
18 open area. You're not blocking the view of the
19 driver for a side access view. That's the problem.

20 CHAIRMAN KORGE: Right. I don't know.

21 MR. BEHAR: Can't give you an answer to that
22 one.

23 MS. KEON: So it should be over there, it's
24 not a --

25 CHAIRMAN KORGE: It's a good question.

1 MR. RIEL: Well, we'll look into it. We'll
2 look into it.

3 MS. KEON: Okay.

4 MR. SALMAN: I think that if you're going to
5 have -- honestly, if you're going to have garage
6 doors facing the front, you need to have more than a
7 five-foot setback, if only so that those steps or
8 whatever development has a little more green to
9 balance off that big, wide, blank piece of facade --

10 CHAIRMAN KORGE: Let me -- let me --

11 MR. SALMAN: -- that's going to have
12 concrete front of it to the sidewalk.

13 CHAIRMAN KORGE: More to the point, if
14 there's no alley in the back, there's more room to
15 work with in the back --

16 MR. SALMAN: Right.

17 CHAIRMAN KORGE: -- of the building, so you
18 could push it, the front of the building, back
19 further from the street, but that's -- I mean, that
20 is a Public Works issue, I guess, or Public -- yeah,
21 whatever.

22 MS. MORENO: Why don't we give you the
23 directive to look to see how you can encourage
24 townhouses and allow garages, and come back to us
25 with that?

1 MR. SALMAN: Fair enough.

2 MR. SIEMON: What's the dimension of the
3 sight triangle?

4 MR. RIEL: 10 by 30.

5 MR. SIEMON: Is it 30 feet or 20 feet?

6 MR. RIEL: It's 10 by 30 -- or 10 by 10 and
7 10 by 30.

8 MR. SALMAN: 10 by 30.

9 MR. SIEMON: I'm not so sure you can't meet
10 the sight triangle, because outside the setback,
11 there's going to be a sidewalk and the curb, and we
12 have in there --

13 MR. SALMAN: You're not proposing that we
14 run over the pedestrians to try to make up that
15 triangle, are you?

16 MR. SIEMON: No. There will be a
17 five-foot --

18 MR. SALMAN: Well, the sight triangle is
19 measured from the property line back, not from the
20 wall --

21 MR. SIEMON: Well, it doesn't have to be.

22 MR. SALMAN: That will make them look.

23 MR. SIEMON: We could do that.

24 What you want is from the -- when the driver
25 emerges, backing out from the driveway, you want him

1 to have a sight triangle in either way. You've
2 got a -- it's going to be a pedestrian -- if you have
3 this situation, unless you set it back really
4 significantly, so the vehicle is all the way out
5 before you see, there's going to be a "Pedestrian
6 beware," but if the garage is there at the facade of
7 the building, you know, if it's open, the pedestrian
8 slows down and looks. That happens all the time.

9 MR. SALMAN: Tom, I think we're probably in
10 a minutia of a problem. Let's --

11 MS. KEON: Okay.

12 MR. SALMAN: -- made a recommendation -- I'd
13 go with Cristina's recommendation and --

14 MS. KEON: Because they'd have to be garage
15 doors. They wouldn't be --

16 MR. SALMAN: -- let him come back and --

17 MS. KEON: -- carports and --

18 MR. RIEL: Let me look at all the issues
19 surrounding --

20 MS. KEON: It would have to be a closed
21 door.

22 MR. RIEL: We understand the policy
23 direction.

24 CHAIRMAN KORGE: Okay. Let's move on,
25 then.

1 MS. KEON: Okay.

2 MR. SIEMON: Okay, we've provided a required
3 open space on the -- for these forms. 25 percent of
4 that can be of a certain kind. That's in your
5 existing Code.

6 We've also allowed the reduction of private
7 open space if there is a street-side pocket park or
8 some other quasi-public open space which is
9 provided. And I showed you -- when we went through
10 the plan, I showed you some graphics and some
11 illustrations of small open-space areas that can be
12 created along the streetscape to give distinctive
13 character. You could have -- they can almost be in
14 the form of an open courtyard, in which you have
15 various front entrance-ways. You could have the
16 entrance-ways of the two side units coming not off
17 the front, but off the side, and the center ones
18 coming -- but we've allowed that.

19 We have, in this area, proposed that there
20 are no bonuses for the Mediterranean -- under the
21 Mediterranean Code. The perspective that we've
22 understood is that the existing permitted as-of-right
23 density is more than is really preferable in this
24 district, and so we have suggested that it should not
25 be exacerbated by application of a bonus provision.

1 And again, there's been -- make it clear that there
2 is no height bonus, is in the -- we've given 60 feet,
3 and we've calculated the building envelope based on
4 height, setbacks, et cetera, and floor area, not on
5 numbers of units per acre, and there are a number of
6 reasons for that.

7 One is that it has resulted in bigger and
8 bigger units, less diversity in character. What's
9 really important in this district, we think, is the
10 character. If you add some more units, as long as
11 there's a parking space for each one of those units,
12 and the minimum standards that we've identified, that
13 seems to us to be desirable, what you could get. We
14 have lots of clients who would like to build
15 thousand-square-foot units as a part of a project and
16 can't, because the cost of the land is so dear that
17 their per-square-foot cost has got to -- won't
18 accommodate that. But it's a very diverse community,
19 and we think in this neighborhood there's an
20 opportunity to provide some diverse housing types, if
21 you don't require such a high land cost premium per
22 unit. So that's what we've done there.

23 The parking provisions, we've presaged these
24 in the description. They were actually called out
25 pretty explicitly in the plan itself. If you reduce

1 the height to 40 feet or less, you don't exceed 40
2 feet, you can reduce your parking to one space per
3 unit. We understand this is controversial, but this
4 is supposed to be an urban neighborhood, and while
5 it's not -- a lot of communities are having a hard
6 time swallowing this, the fact of the matter is that
7 generally, if you're producing a new product, quality
8 product, the purchaser is a fairly well-informed
9 purchaser and they're not going to buy a unit or move
10 into a unit with one parking space when they have two
11 cars. It's going to be me, not somebody with two
12 children, and I know it's hard to understand, but the
13 market is a pretty disciplined place, and I live in a
14 mixed-use project. I get to count the parking spaces
15 every night, and right now we're averaging about 1.1
16 car per unit, and we have 1.75 spaces, and we have
17 plenty that's above -- we have some that's above 40
18 feet, so it wouldn't be eligible under this.

19 But it's ultimately -- that's something
20 you're going to have to -- there's a public policy
21 tradeoff here. You have an area that has a
22 tremendous parking deficit. If you want to try to
23 improve the streetscape, you need to recapture some
24 of that pavement. That's going to exacerbate the
25 existing problem that you have. You're going to have

1 new development. It's not as though this is an area
2 that's fully parked right now with off-street
3 parking. It is an area where it's already got a
4 deficit, and the tradeoff is, if you need to provide
5 that on-street parking, you've got to get a bigger
6 parcel, you've got to build a project that you can
7 afford to put a garage in, to get the adequate area,
8 and that's really the tension that's going on here,
9 and we're trying to come up with solutions that might
10 be alternatives, but I understand that it's
11 anathematic to say one space per unit, but -- and you
12 might want to consider -- we've resisted it, but you
13 might want to consider a -- there are -- there are
14 communities that calibrate their parking requirement
15 to the number of bedrooms. Ironically, it's --
16 sometimes it's inverse. I have a friend who lives in
17 a very large apartment, and he lives there by himself
18 and he has one car, but he has four bedrooms in that
19 apartment, and so the City of Boca requires that he
20 have three parking spaces, and -- but again, we're
21 wrestling with that.

22 We've proposed some other areas.
23 Transferable parking rights as a way of satisfying
24 the parking agreement, require a cross-access
25 easement and/or documentation acceptable to the City

1 Attorney, in order for that to satisfy your parking
2 requirements. A parking buyout, where you pay a
3 certain sum of money into a fund. It assumes that
4 the City is going to use that money eventually to
5 address the parking program, in one way or another.
6 We are suggesting that the structures in the Janus
7 Historical Resources -- historically significant
8 structures in that report should be exempt from
9 providing off-street parking, if you're
10 rehabilitating those, as an incentive to try to
11 conserve those. And then we have some --

12 CHAIRMAN KORGE: Would they be required to
13 continue with the same parking they have before the
14 renovation?

15 MR. SIEMON: Yeah, they would be required to
16 maintain what they have.

17 CHAIRMAN KORGE: That wasn't clear to me
18 when I read this.

19 MR. SIEMON: That's intended.

20 MS. MORENO: Because it says exempt.

21 MR. SIEMON: Yeah. I don't like that
22 language.

23 CHAIRMAN KORGE: You know. You know the
24 idea, so --

25 MR. SIEMON: I do. Thank you.

1 The last is mechanical parking structures
2 and lifts. Obviously, this was borrowed from
3 something that -- and -- but we've -- working with
4 Eric, we've come to an understanding about allowing
5 mechanical parking as a solution, and we've tried to
6 recognize what the situations are and they're
7 reflected in this language, as set forth here.

8 We have anticipated that there will be
9 requirements for common parking areas, whether
10 they're surface or structured, and the -- and so
11 we've provided screening and landscaping and lighting
12 requirements for those surface and some facade
13 requirements for structures, all designed to fit them
14 into the character of the neighborhood and/or to
15 protect pedestrians along the streets.

16 MR. SIEMON: I think the balance of the
17 provisions, up to conditional uses, are right out of
18 the MF District, and --

19 CHAIRMAN KORGE: Can I make an observation
20 about the streetscape standards?

21 MR. SIEMON: Yeah.

22 CHAIRMAN KORGE: On Page 6 of 12, it's --
23 the developer's required to install these streetscape
24 improvements if the building is greater than four
25 stories.

1 MR. SIEMON: Correct.

2 CHAIRMAN KORGE: Is there some reason not to
3 impose it on all development, in other words,
4 regardless of the size or the height of the building,
5 that any new construction would have to, you know,
6 re-landscape, since we do want the whole street to be
7 redone? Is that such a big burden that it wouldn't
8 make sense for the smaller buildings?

9 MR. SIEMON: Here -- my recollection of the
10 origins of that is that we didn't want to make --
11 when we went through and imposed the standard first
12 in the moratorium area, we didn't want to make the
13 structures below a certain height nonconforming and
14 therefore create a greater incentive to have them
15 taken out. But you used the word, in describing
16 this, all new structures, and I think that we
17 could -- it would require a little more text, but I
18 think we could make this that it's all buildings
19 above four -- all new buildings, and --

20 CHAIRMAN KORGE: That's what I'm -- that
21 would be my personal preference. I don't know if the
22 rest of the Board agrees.

23 MR. SIEMON: I don't know whether we do it
24 here, Tom, or put it in the nonconformities
25 provision --

1 CHAIRMAN KORGE: Right.

2 MR. SIEMON: -- but somewhere, we could
3 convert it from -- we can address the same problem by
4 the concept of new versus -- and I just want to do it
5 consistently, but I think your point is well taken.

6 CHAIRMAN KORGE: Okay. The other question I
7 had about this is whether the developer could,
8 instead of installing it themselves, pay the City to
9 have the City install it, so we get more uniformity
10 of treatment. I don't know if that's possible or --
11 Do we do that now?

12 MR. RIEL: No.

13 MR. SIEMON: I don't think so.

14 MR. RIEL: No.

15 CHAIRMAN KORGE: You don't want to do that?

16 MR. RIEL: No. We have a set of standards
17 that they have to comply with and --

18 MR. BEHAR: A certain size caliper of trees
19 and all --

20 MR. RIEL: And actually, we're coming out
21 with a Streetscape Master Plan that will address that
22 in a more finite manner, so --

23 CHAIRMAN KORGE: Okay.

24 MR. RIEL: In terms of the uniformity.

25 CHAIRMAN KORGE: You don't want it.

1 MS. KEON: Can I ask a question about the
2 parking? Will you have the -- for the buyout part of
3 it, is there adequate land in that district that the
4 City could purchase for this? I mean, even if they
5 collect all this money and say yeah, but there's no
6 place to do it, or by the time they have enough money
7 to actually buy it, that it's -- you know, it keeps
8 going up. I mean, is this -- is this a realistic
9 solution, or is it a -- going to be like a way to get
10 around doing it and never solve the problem of the
11 parking?

12 MR. SIEMON: There are circumstances where a
13 program that had a payment in lieu of, in my
14 judgment, could be successful here. It would require
15 the City to take an affirmative role. It would have
16 to provide incentives, I think, in terms of potential
17 transfer of development rights to the Ponce corridor
18 and perhaps other incentives, and there would
19 probably have to be some money invested. But right
20 now, you have limited off-street parking. You are
21 using the public right-of-way for parking. If you're
22 going to address the character of the neighborhood,
23 it's -- what is it worth to the community?

24 We've done a model in which we evaluated the
25 cost, allocated it to all the property owners in the

1 area, and made a judgment as to whether the
2 collective benefit exceeded the cost of the special
3 assessment that it would require to fund it. That's
4 a classic way of doing it, and frankly, we concluded
5 that, given the properties and the values and the
6 character in there, that it's economically viable.
7 Is it politically possible today? I don't think so.
8 But is it something that ought to be looked at and,
9 over time, considered? But again, we're looking for
10 techniques to try alternatives.

11 Now, we put in 12,500, because somebody
12 suggested it. I'm not sure. I don't know what you
13 guys are experiencing, but the most recent bids we
14 got are almost \$25,000, and I don't see it going
15 south any time soon.

16 MS. KEON: Per space?

17 MR. SIEMON: Per space.

18 MS. KEON: Yeah, I --

19 MR. SALMAN: The City of Miami Beach has the
20 ability for a developer to purchase up to a certain
21 amount of spaces that they're in deficit, and they
22 originally started, a couple of years ago, with
23 16,000, and then they bumped it up to 20, and they
24 still haven't been able to catch up, and they're
25 still behind and they're at 20 and they're probably

1 going to go to 25 pretty soon, because they just
2 can't make it, but in their case, they own a lot of
3 land --

4 MS. KEON: Right.

5 MR. SALMAN: -- that they can use to
6 redevelop.

7 MR. BEHAR: And that's the difference.

8 MR. SALMAN: The City of Coral Gables
9 doesn't own a whole lot of land.

10 MS. KEON: What about the purchase of --

11 MR. SALMAN: There's a whole different kind
12 of density of housing that we're not looking to
13 project here. The units per acre are much higher
14 than what we're looking at here.

15 MR. BEHAR: I will give you my -- not the
16 pro-development side. It will be, I think, a mistake
17 to reduce to one parking space per unit and then have
18 the ability to buy off-street parking elsewhere,
19 because the truth of the matter is, it would never
20 happen, and you do (sic) going to have a major
21 problem with parking, and I personally --

22 CHAIRMAN KORGE: Well, it probably should
23 not be in here, and if there is going to be such a
24 program, it should be done separately, because
25 otherwise, everybody is going to opt for this.

1 MS. MORENO: Yeah, that's what I see.

2 MR. BEHAR: Of course. At 12,500 -- or at
3 any cost, any price. Buy somewhere else and get rid
4 of it.

5 MS. KEON: I think you should take this
6 provision out and let them come up with some --

7 CHAIRMAN KORGE: Plan, yeah.

8 MS. KEON: I mean, let them develop a plan
9 or whatever, but this, to me, is an easy out.

10 MR. SALMAN: Yeah.

11 MS. MORENO: This would work if you had a
12 parking garage there or --

13 MS. KEON: The land.

14 MS. MORENO: -- the land for the parking
15 garage, but not when you have to go condemn the land
16 and then build the garage. Every developer is going
17 to take that option.

18 MR. SALMAN: There are two issues here. One
19 is the fact that we're charged with looking at the
20 zoning, which is what happens within the property
21 line. Both the issue of the streetscape and the
22 purchasing of parking outside that property line are
23 really legislative policy issues that belong to the
24 City Commission, not to this Board, as far as I'm
25 concerned.

1 With regards to the streetscape development,
2 it's very simple. We come up with a Master Plan, we
3 convince the neighborhood. More than 50 percent want
4 it, we do a special taxing district and then build
5 it, and that's how they've always done it. And to
6 try to impose it through a Zoning Code is a misuse of
7 this document, as far as I can see.

8 CHAIRMAN KORGE: You think the streetscape
9 is inappropriate, too?

10 MR. SALMAN: Is not appropriate --

11 CHAIRMAN KORGE: Here.

12 MR. SALMAN: -- to the Zoning Code. The
13 Zoning Code should be about the density and what you
14 do within the property lines. I don't want to go
15 outside of the property lines with regards to the
16 Zoning Code. That's just not within what we're
17 supposed to be doing. That's more of a general
18 planning issue and a local area issue.

19 CHAIRMAN KORGE: Is that atypical, to have a
20 streetscape requirement imposed in a Zoning Code?

21 MR. RIEL: I have known numerous codes that
22 have it. I mean, I can name six. Every city that
23 I've worked for, which has been about four, have had
24 landscape provisions that deal with the public
25 right-of-way. Absolutely.

1 MS. KEON: But I have a problem -- I really
2 have a problem with this parking buyout, only because
3 I really fear that it will never happen.

4 CHAIRMAN KORGE: Well, I think we're already
5 pretty clear about that.

6 MS. KEON: We're going to delete that?

7 CHAIRMAN KORGE: I mean, does anybody
8 disagree with that assessment?

9 MR. SALMAN: I don't disagree.

10 CHAIRMAN KORGE: Yeah. So we're agreed on
11 that. We don't need to dwell on it.

12 MR. SIEMON: A and D are both out?

13 CHAIRMAN KORGE: The parking buyout.

14 MS. KEON: No, the buyout, D.

15 MR. SIEMON: D.

16 MS. KEON: You need to delete that.

17 MS. MORENO: No, A, I think I can live
18 with.

19 MS. KEON: Yeah, I can live with that.

20 CHAIRMAN KORGE: The parking space per unit?

21 MS. MORENO: A is one parking space for
22 40 feet.

23 MR. SIEMON: Under 40 feet.

24 MS. KEON: Under 40 feet, so a four-story
25 unit, one per unit?

1 MR. SALMAN: And just for the edification of
2 our Board, if Eric could come back to us with those
3 zoning codes that actually do deal with the
4 streetscape and how they're implemented, my curiosity
5 is, how do they implement them on new developments
6 adjacent to existing properties without making
7 everybody look like a sawtoothed, different street.
8 Honestly, the only way I see it is to have it all
9 done at once.

10 MR. SIEMON: Well, I'd just contribute one
11 example, is that we've set up a number of programs
12 where you create a special assessment --

13 MR. SALMAN: That's exactly what I'm saying,
14 but that's another issue.

15 MR. SIEMON: Let me finish. But you --
16 anybody who comes in prior to the planned improvement
17 is required to put in their improvements on the
18 right-of-way in front of them, and then they get a
19 credit against their future collective charges, and
20 that's a common way.

21 MR. SALMAN: All that implies an
22 expenditure of money through Public Works that the
23 Commission is going to have to authorize.

24 MR. SIEMON: I'm just --

25 MR. SALMAN: I'm just saying --

1 MR. SIEMON: I'm just telling you one
2 example.

3 MR. SALMAN: I'm saying, there's some
4 technical issues here that we're sort of falling
5 afield -- and I'm calling your attention to it only
6 in light of the fact that it needs to be resolved and
7 so that we don't get carried away with our own ideas
8 of what the area should be like. I certainly agree
9 that a Master Plan should be developed for the
10 streetscape development, absolutely.

11 MR. SIEMON: But there are lots of
12 communities that do impose the requirement to
13 beautify the landscape -- the public right-of-way in
14 front of the parcel proposed for development, I mean,
15 without a doubt, and you do get a sawtoothed effect,
16 and I can --

17 MR. BEHAR: And Javier, I would say that I
18 would agree, because in a lot of cases, you have to
19 go back and do the sidewalks, do the landscaping, so
20 it is common.

21 MR. SALMAN: You end up having to do it, but
22 my concern is that what we're projecting here versus
23 what we have out there right now is completely
24 different. We're doing bulb-outs, we're doing
25 widening of the sidewalk. There's been changes that

1 are happening with regards to the right-of-way, which
2 are going to be somewhat difficult to look at as it
3 comes in piecemeal. At the end, I don't disagree
4 that it's going to look wonderful.

5 MR. BEHAR: I agree, it will be piecemeal.

6 MR. SALMAN: But reality is that the
7 implementation of a project like that would take the
8 City having to do it and then giving credits back as
9 they go back to permitting new work, but assuming
10 nobody does it, who's going to get stuck with the
11 bill? We are. The City will.

12 CHAIRMAN KORGE: Well, it's better to have
13 the new development install the streetscape
14 improvements at a minimum than just leave it
15 completely untouched. If the City comes forward with
16 an assessment program --

17 MR. SALMAN: Oh, they don't leave it
18 untouched. They have to restore it completely. Nine
19 times out of 10, they end up replacing it a hundred
20 percent.

21 CHAIRMAN KORGE: So you want to restore it
22 to its original state?

23 MR. SALMAN: No. That's not what I'm
24 saying. What I'm saying is -- okay, what I'm saying
25 is that we are -- well, first of all, we need to see

1 what the Streetscape Master Plan really is. From
2 what I see of the formulaic description of it, it's
3 substantially different from the actual artifact that
4 we have out there right now.

5 CHAIRMAN KORGE: Okay.

6 MR. SALMAN: The implementation of it
7 piecemeal is my concern.

8 CHAIRMAN KORGE: Right.

9 MR. SALMAN: And by institutionalizing it as
10 part of the Zoning Code, the ultimate result will be
11 that the implementation over time is going to be
12 painful, at best, because we're going to have
13 disparity.

14 CHAIRMAN KORGE: But if you take it out of
15 the Zoning Code --

16 MR. RIEL: I mean, let me make a couple
17 comments. Actually, when we drafted the North Ponce
18 study, we have a separate consultant that's doing the
19 streetscape plan for the City, and actually, it's
20 coming to the City Commission next month for
21 consideration.

22 So Charlie worked with that consultant, and
23 those regulations that are in this are reflective of
24 what's on that Master Plan, in terms of the overall
25 plan. So that has happened, and that plan is being

1 implemented and the tools to do that is via the
2 Zoning Code and requiring the street trees and all
3 the other improvements. So that was a part of this
4 whole process.

5 MR. SALMAN: My concern is, how does the new
6 fit against the old?

7 MR. RIEL: Well, that's --

8 MR. SALMAN: How's that going to look?

9 MR. RIEL: Well, that's what's -- I can tell
10 you, for instance, as a good example, the Hines
11 development, they came through the process by
12 right --

13 MR. SALMAN: But Hines took up a half a
14 block --

15 MR. RIEL: Let me finish. Let me finish.

16 MR. SALMAN: -- and then the rest of the
17 project took the rest of the block.

18 MR. RIEL: No, they actually had a parking
19 garage across the street that was only a portion of
20 the block, and we were in development of the Master
21 Plan and they basically did that section of the
22 Master Plan for that street, and as the remaining
23 portion is developed, they'll adhere to that plan, as
24 well.

25 So it's done in piecemeal fashion, but if

1 you look at what's around Hines, that's basically
2 what the Master Plan -- how it's going to be for most
3 of the North Ponce and the CBD area. And that's what
4 you see in the North Ponce, on the Boulevard, right
5 now, on North Ponce Boulevard. Those improvements
6 that are going in is consistent with the Master Plan,
7 so --

8 MS. MORENO: Hines is the one where
9 Fleming's is at?

10 MR. RIEL: Yes, 2525 Ponce.

11 MR. SALMAN: Yeah, but they went ahead -- it
12 was an entire block. It all went up at once. Even
13 though Hines doesn't own the apartments, they were
14 the master developers for it. They spun it off and
15 somebody else developed it. It was all part of the
16 same construction, and so that you could get one
17 entire block, but assuming that half the block didn't
18 get done, how is it going to look, one to the other?
19 That's my concern.

20 CHAIRMAN KORGE: Okay, well, let's move on,
21 because we do need to get some public input tonight,
22 and we don't have much time left.

23 Charlie, what else?

24 MR. SIEMON: My next comment is on 9 of 12,
25 and when this was drafted, we were -- what we wanted

1 to make it clear was that the architectural -- the
2 review board was involved in the collective -- the
3 community character analysis.

4 As this thing evolves, as I described
5 earlier in my conversation with Javier, I think this
6 will change in its character, but I do -- one thing
7 that has been suggested is that -- and again, this is
8 a public policy decision. The last time you all
9 discussed it generally, it was not embraced, but we
10 have included it. What the Board of Architects
11 representatives who participated in the workshop
12 said, "If we could have a pre-application
13 conference" --

14 MS. MORENO: Yes.

15 MR. SIEMON: -- "we could avoid a lot of
16 this," and there was a lot of concern that they
17 didn't have time to do it, and they said, "That's
18 okay."

19 We were bold enough to bring that back here,
20 because in this district, we think it is desirable.
21 We're hopeful that finding a way to allow them to
22 continue to operate as panels, finding -- getting a
23 City Architect to take over a lot of the mundane
24 things, will allow them to play a more ambitious
25 role, with the same amount of time that they're

1 dedicating at this point. But we included this, and
2 you may want to, as we go -- as we adjust it for the
3 regular residential districts, I think you may want
4 to consider including a mandatory pre-application
5 conference for certain size structures or certain
6 character.

7 MS. MORENO: I am a hundred percent in favor
8 of this, because I think that it is --

9 MS. KEON: I am, too.

10 MS. MORENO: -- much easier to get a
11 developer to change the plans and not fight you
12 before he has spent tons of money on a full project.

13 MR. SIEMON: And fortunately, it's more
14 important even for the single-family residents,
15 because you have a single -- the budget has a --

16 MS. MORENO: More important.

17 MR. SIEMON: -- limited shot at getting a
18 design, and oftentimes they have something in mind,
19 the architect responds to that, and then they get
20 before the board, and it's, "Why didn't you talk to
21 us before? We could have saved a lot of time."

22 CHAIRMAN KORGE: Right.

23 MR. SIEMON: So, anyway, that's something
24 that we would encourage you to do.

25 The last provision that's different here is

1 11 of 12, and these are the transfer of development
2 rights. As you know, we have proposed that in order
3 to try to maximize the development in this zone here
4 above, as you saw in a couple of these real tall
5 buildings, that a certain amount of their rights,
6 basically, what would be above 40 feet, could be made
7 transferable.

8 There's also historic buildings and set-
9 aside of private property, et cetera, but the rights
10 could be transferred to the Ponce corridor, within
11 the North Ponce Mixed-Use District, and the provision
12 in G set out the circumstances of when rights are
13 transferable, how much rights are transferable, and
14 what you can use those rights for in the district.

15 And again, it recognizes the historically
16 significant buildings which have not yet been
17 designated but it would be valuable and desirable to
18 protect and maintain those structures in the future,
19 and so we made it possible to move their rights.

20 I do want to go back again -- I want to go
21 back to the notion here that we're trying to create
22 incentives to conserve some of the existing fabric of
23 this district, because part of it is the desire -- is
24 the character. You've got some old two-stories of
25 various kinds, and to try to create various means,

1 none of which is a silver bullet, but each one of
2 them may meet some particular owner or some
3 developer's means of dealing with some situation, and
4 so that if we were able to conserve, over time, 30
5 percent of that, it would have a marked difference,
6 and I can show you plenty of near-downtown
7 neighborhoods where that's not happened. The
8 conversion has been near total.

9 But that really gets us through that
10 district. If you're serious about an eight o'clock
11 termination --

12 CHAIRMAN KORGE: Well, we'll be losing a
13 quorum pretty soon, so we really do need to wrap up
14 as best we can.

15 MR. SIEMON: Well, you know --

16 CHAIRMAN KORGE: Should we stop here?

17 MR. SIEMON: Well, I don't know. I'll leave
18 it to Eric.

19 MR. RIEL: We have approximately ten or
20 eleven people that have signed up to speak.

21 MR. SIEMON: There are people who have
22 signed up. I'm aware of seeing them go up.

23 CHAIRMAN KORGE: Yeah, let's hear everybody
24 because, you know, they come, expecting to speak.

25 MR. SIEMON: I brought to your attention,

1 Mr. Chairman. It's not my -- my great -- I love you
2 all, but, you know, it's not my purpose to reschedule
3 myself here. If -- maybe after you -- I don't know,
4 is it worth addressing the nonconformities here, or
5 should we just put that off?

6 MS. HERNANDEZ: No.

7 CHAIRMAN KORGE: No, definitely, you should
8 put that off.

9 MS. MORENO: Take it off.

10 MR. SIEMON: Okay. Well, then, should I
11 take my chair?

12 CHAIRMAN KORGE: Yeah, I think so.

13 We'll hear from the public now. Would you
14 please call the people who have signed up to speak?

15 And everybody who has signed up to speak, if
16 you'd stand up now and be sworn in, we'd appreciate
17 that very much.

18 (Thereupon, all who were to speak were duly
19 sworn by the court reporter.)

20 CHAIRMAN KORGE: Okay, let's call the first
21 witness, please.

22 MS. MENENDEZ-DURAN: Vilarino?

23 MR. MOZES: We are here, the owners of all
24 the property along -- around Southwest Eighth Street,
25 on the north side, between Douglas and Ponce, and

1 we'll have Mr. Ogden speak for us, because time is
2 short.

3 CHAIRMAN KORGE: We appreciate that. Thank
4 you very much.

5 MR. OGDEN: Bill Ogden, 5590 Hammock Drive,
6 Coral Gables.

7 He's referring to the commercial blocks that
8 are north of Eighth Street, between Douglas and
9 Galiano, which is a -- two lot deep, and then there's
10 a triangular piece that goes between Ponce and
11 Galiano. We've got a couple of issues.

12 One thing, the study just refers to
13 commercial areas, and includes it in the district and
14 this area, but it does not have any specifics as to
15 what is intended to happen to this commercial area.
16 There are a couple of really serious problems with
17 the zoning that needs to be addressed along these
18 blocks, and there -- first of all, there's a
19 four-story height limitation, which is sort of
20 inconsistent with the 3.0 FAR zoning for the area.

21 The other problem is, it says that we have
22 to maintain or they recommend maintaining no
23 encroachment in the residential areas. In that first
24 block, you've got a very mixed situation of some of
25 the properties having commercial parking on the

1 residential side. So you have a real mishmash there,
2 and it's going to always limit the redevelopment
3 potential of that first block, which is really the
4 gateway to Coral Gables along Eighth Street.

5 Is there anything else that y'all would like
6 to say?

7 MR. MOZES: I just wanted to comment that,
8 though it is Coral Gables, it's really part and
9 parcel of Tamiami Trail, and regardless of the labels
10 we put on it --

11 MR. RIEL: Sir -- sir, you can't speak from
12 up there. You're going to need to come up so we can
13 get you on the record, and you're going to need to
14 state your name and address. Otherwise, we won't
15 have an accurate record.

16 MR. MOZES: Sam Mozes. We own --

17 MS. KEON: Let me ask you one question. I
18 don't understand where the parcel is you're talking
19 about, so if you can show us where that parcel is, so
20 we understand where it is, so that we can then --

21 MS. HERNANDEZ: Pull that out so that they
22 can see.

23 (Inaudible comments among Board Members)

24 MR. OGDEN: Shall I bring it up here?

25 MS. HERNANDEZ: Yeah.

1 MS. KEON: Okay.

2 MR. MOZES: It's smack across from the
3 Douglas Entrance, on Eighth Street, right across the
4 street.

5 MR. OGDEN: This is Eighth Street.

6 MS. KEON: Okay.

7 MR. OGDEN: And the interesting thing is,
8 this study talks about --

9 CHAIRMAN KORGE: But show us where the
10 parcels are. There's Eighth Street.

11 MR. OGDEN: This is Eighth Street. This is
12 Oviedo.

13 CHAIRMAN KORGE: Okay.

14 MR. OGDEN: The properties that we're
15 talking about are these properties here, in this
16 first block, between Douglas and Galiano, these
17 properties right here.

18 CHAIRMAN KORGE: Right.

19 MR. OGDEN: They're commercially zoned on
20 the front, residential zoning in back, so the
21 residential zoning is not even included in this
22 conservation district. It's sort of a lost child
23 here, because we have parking here and here,
24 supporting these commercial buildings, and yet --

25 MS. KEON: Oh, yeah.

1 MR. OGDEN: And we have residential homes in
2 between, and there's no plan. There's no -- right
3 now, if you wanted to develop here, you cannot
4 develop commercially on the north side of the block.
5 You can't buy this and combine it, and you're saying
6 in this report, hold the line against --

7 CHAIRMAN KORGE: Right, encroaching into
8 the --

9 MR. OGDEN: Encroaching, and yet you've
10 got --

11 MS. MORENO: But is all the property you're
12 talking about in that pink area?

13 MR. OGDEN: The property we're talking about
14 is the pink area. The bottom half of this is
15 commercially zoned, and the north half is
16 residential.

17 MS. KEON: Is that where the Trail Theater
18 is?

19 MR. OGDEN: Yes.

20 MS. KEON: Is that what that is?

21 MR. MOZES: That's part of the block.

22 MS. KEON: The Miami Marlins thing?

23 MR. MOZES: And the Gold's Gym.

24 MS. KEON: Okay.

25 MR. MOZES: And La Casita Restaurant.

1 MS. KEON: Okay, I know where you're talking
2 about now.

3 (Simultaneous voices)

4 MR. MOZES: Right.

5 MS. KEON: Okay. I know where you're
6 talking about.

7 MR. OGDEN: And they're in between.

8 MS. KEON: Okay. No, I -- okay.

9 MR. OGDEN: So we all have properties --

10 MR. RIEL: Excuse me. Only one person can
11 speak at a time. We can't have the --

12 MR. OGDEN: So this encroachment problem is
13 a real issue that needs to be addressed. And then
14 the zoning, present zoning, is really very haphazard.

15 MS. MORENO: Let me ask -- let me ask Eric a
16 question.

17 Eric, is the proposal to turn all that pink
18 area into commercial, which would solve their
19 problem?

20 MR. RIEL: No.

21 MR. SIEMON: No.

22 Everything in red here is -- I may have
23 misspoke earlier. Everything that's red is in the --
24 is not -- doesn't have a special district.

25 Actually, the way the map is drawn right

1 now, the Comp Plan designation to the north half of
2 this block is residential. And the land use
3 classification, I think, is limited commercial for
4 the north half of the block, in what our proposed
5 plan is.

6 No, no, I'm sorry, it's residential on the
7 north side --

8 MR. OGDEN: It's residential.

9 MR. SIEMON: -- and it's limited commercial
10 on the south.

11 CHAIRMAN KORGE: On the south side.

12 MR. SIEMON: This is residentially zoned and
13 mapped. This map is incorrect. It should be -- this
14 line should be along the --

15 MR. OGDEN: The map -- you mean --

16 MR. SIEMON: The center line between the
17 lines.

18 MR. OGDEN: -- this line, for this?

19 MR. SIEMON: No, no. This black line right
20 here is not correct.

21 CHAIRMAN KORGE: Okay. Is the north half of
22 that block supposed to be included in the
23 conservation district?

24 MR. SIEMON: It is -- it's not included in
25 the conservation district.

1 CHAIRMAN KORGE: It's not?

2 MR. SIEMON: It is designated residential.

3 CHAIRMAN KORGE: Right.

4 MR. SIEMON: And it is in the Comp Plan, and
5 it would be SF-1, not SF-C.

6 CHAIRMAN KORGE: Well, considering --

7 MS. MORENO: And how is it being used for
8 commercial parking today, pursuant to a variance or
9 conditional use or what?

10 MR. MOZES: Currently, it has a variance,
11 the back part of the block, along Oviedo, which you
12 will access by (inaudible).

13 MR. OGDEN: Yeah, it's really this lot and
14 this lot, are under variance. This lot behind the
15 Marlins is actually a land use change and a zoning
16 change. It's commercial, and you'll see it in the
17 map. It wraps the corner there.

18 And so what I'm saying is that this has been
19 left out of the plan. You've got -- this line
20 represents the conservation district, this line here
21 represents commercial, and this piece is left in the
22 middle, with no future or no --

23 CHAIRMAN KORGE: Well, you've brought it to
24 our attention. So we don't have much time, and since
25 it's going to require some more thought than we can

1 obviously give in this short amount of time, I would
2 suggest that you talk to Eric directly about it and
3 see what solutions can be proposed to address those
4 particular concerns.

5 MR. SIEMON: I've got it. No, it's
6 commercial -- I mean, residential. That's the
7 problem.

8 CHAIRMAN KORGE: Okay, let's call the next
9 witness, please.

10 MS. KEON: Okay, so they're going to meet
11 with --

12 CHAIRMAN KORGE: They're going to meet with
13 Eric to discuss this in detail, and maybe we'll have
14 a more detailed proposal coming back to us with this
15 proposed solution.

16 MS. KEON: When this comes back, okay.

17 MS. MENENDEZ-DURAN: William Arthur?

18 MR. ARTHUR: I'm William Arthur,
19 Architect. My offices are located at 800 Douglas
20 Entrance, Suite 303, Coral Gables, Florida.

21 One, we have gone through this report very
22 carefully and approve of it very much, and in
23 particular, the portion of the transfer of
24 development rights and the closure of the East Ponce
25 extension, which is the diagonal street that runs

1 from Segovia to Douglas Entrance. We approve of that
2 and we're much in favor of it, and I won't take any
3 more of your time. Thank you.

4 CHAIRMAN KORGE: Thank you.

5 MS. MORENO: Thank you.

6 MS. MENENDEZ-DURAN: Sergio Artigues?
7 Graciela and Martin Pinilla?

8 MR. PINILLA: Hi. Good evening. I am
9 owner, with my wife, of a property in the MF-C
10 District.

11 CHAIRMAN KORGE: Will you state your name
12 and address, please?

13 MR. PINILLA: I'm sorry?

14 CHAIRMAN KORGE: State your name and
15 address, please.

16 MR. PINILLA: I'm Martin Pinilla, 43
17 Sidonia.

18 CHAIRMAN KORGE: Thank you.

19 MR. PINILLA: I'm owner of 43 Sidonia. I'm
20 also a resident of Coral Gables, at 4906 San Amaro
21 Drive. But what I wanted to comment is, we have
22 owned two building in that district. We have just
23 sold 15 Santillane, and we still own 43 Sidonia.

24 We have seen -- these buildings were
25 originally purchased as investment property, for

1 income-producing purposes. We have seen these
2 properties increase in taxation, from the year 2000,
3 when we bought it to now, four times, five times,
4 which make it almost impossible for an owner that has
5 a building for the purpose of producing income to
6 sustain it. So these buildings are going to start
7 deteriorating very quickly, because we don't have
8 enough money to even repair them, with just paying
9 taxes.

10 Is there any effort being placed by this
11 committee or anyone else in the City to work some
12 solutions for this increasing taxation, which every
13 year has gone up and gone up?

14 CHAIRMAN KORGE: Well, we don't control
15 taxation at all. The City, in fact, doesn't really
16 control taxation. So that's something we can't do.
17 But the zoning and the permitted use of the property
18 will presumably allow you whatever redevelopment
19 might fit in with the level of taxation you're
20 experiencing. But we don't -- I don't think we can
21 control that at all.

22 MR. PINILLA: My next question is, how long
23 does this process that you're going through will take
24 before it becomes -- it takes fruition? In other
25 words, when will this new --

1 CHAIRMAN KORGE: Eric can answer that.

2 MS. HERNANDEZ: Well, when do you expect
3 this to go to the Commission for final --

4 MR. RIEL: Well, obviously, we're not going
5 to finalize the discussion this evening. I would
6 suspect we're probably going to have one or two more
7 meetings on the particular North Ponce, because of
8 the importance of this area.

9 The Zoning Code is scheduled to go to the
10 Commission, May, June, July.

11 MS. HERNANDEZ: Right.

12 MR. RIEL: It will go -- this will go with
13 the Zoning Code rewrite, but the Commission actually
14 asked us to make sure and put this kind of as a
15 special item, as an aside item, because they don't
16 want this wrapped into the Code. They want a special
17 discussion just on this area, so --

18 MS. HERNANDEZ: Okay?

19 MR. PINILLA: Okay, thank you.

20 MS. HERNANDEZ: Thank you.

21 CHAIRMAN KORGE: Call the next witness,
22 please.

23 MS. MENENDEZ-DURAN: Daniel and Alice Lower?

24 Ricardo Calderon?

25 Marshall Bellin?

1 MR. BELLIN: My name is Marshall Bellin, 285
2 Sevilla. I just want to briefly talk about these two
3 districts.

4 What happens is, when you drop the FAR to
5 35 -- .35, you take about 13, 14, 15 percent of the
6 available FAR out, and I think that's a tremendous
7 reduction. What happens is, at 35 percent -- most of
8 these lots in this area are 50 by 100. 35 percent
9 gives you 1,750 square feet of available FAR. You
10 take the garage out. The garage has to be 22 by 12,
11 so it's about 250. So what you end up with is about
12 1,500 square feet of available FAR, which means
13 you're restricted to a two-bedroom house, probably
14 with no family room.

15 CHAIRMAN KORGE: Well, you understand
16 that -- and correct me if I'm wrong -- there is
17 additional FAR available if you meet certain
18 conditions for the use.

19 Isn't that right, Eric?

20 We add -- what they're doing is, they're
21 reducing the FAR for the zoning that would be
22 permitted without any additional review and
23 conditional restrictions, and then they add some more
24 restrictions that allow you to pick up the extra FAR,
25 so it's not permanently lost.

1 MR. BELLIN: Well, but how do you do that?
2 As Eric said, or I guess Charlie said, you go through
3 a lengthy process to try and get it back. There's no
4 guarantee that you will.

5 But let's work with this proposal. You can
6 see what the reduction in FAR really does to the size
7 of a house. Now, almost all the houses in this area
8 are nonconforming. They have more than 1,500 square
9 feet. And we've discussed this before; when a
10 hurricane comes through, blows the house down,
11 damages the house to the tune of 50 percent or more,
12 you have to then conform to the existing Code.

13 CHAIRMAN KORGE: Well, there's going to be a
14 proposal coming up later that would obviate that
15 problem. In other words, as I understand it, we
16 haven't reviewed it yet, but if a hurricane comes and
17 blows away the whole house, you could rebuild the
18 whole house, just from the same specs as before, so
19 that that problem will not be an existing -- that
20 current problem will not be a problem under the new
21 Code.

22 MR. BELLIN: Okay, it doesn't address that
23 here, but it seems --

24 CHAIRMAN KORGE: No, it's in a different
25 article. We were going to --

1 MR. RIEL: It's Article 6, Nonconformities,
2 which is on the agenda tonight, which we won't get
3 to.

4 CHAIRMAN KORGE: Right, it was on the agenda
5 tonight, but we haven't got to it.

6 So I would encourage you to look at that
7 separately, and then come back if it doesn't -- you
8 don't think it works adequately for your needs in
9 that respect.

10 MS. MORENO: But one thing he said that
11 troubles me is, I understood that the 35 percent FAR
12 was because that was consistent with the character of
13 the neighborhood.

14 CHAIRMAN KORGE: Right.

15 MS. HERNANDEZ: Right.

16 MR. BELLIN: It's not.

17 CHAIRMAN KORGE: Right.

18 MR. BELLIN: That's my understanding, but in
19 reality, it's not. The character of the neighborhood
20 allows for larger houses than 1,500 square feet.

21 MS. MORENO: No. Allows, no. What is
22 built there now.

23 MR. BELLIN: What is built there now is
24 larger.

25 CHAIRMAN KORGE: Okay, how do we know that

1 that -- we were -- you thought that the .35 was --

2 MR. RIEL: Charlie is going to have to
3 answer that.

4 CHAIRMAN KORGE: Charlie is going to answer
5 that one?

6 MS. KEON: I -- okay.

7 MR. SIEMON: We took a scaled aerial
8 photograph of the area, rectified it, and then
9 calculated the floor area of each of the buildings,
10 used a factor to eliminate eaves, based on what we
11 observed from photographs, and calculated the average
12 FAR in the area, the existing structures.

13 CHAIRMAN KORGE: Right.

14 MR. SIEMON: It's not what's permitted.

15 MR. BELLIN: No, I understand that, but are
16 you telling me that there's no -- generally, no
17 houses larger than two bedrooms?

18 MR. SIEMON: No, no. The average FAR is
19 .35, and part of that is because there are a lot more
20 75-foot lots in there than you think there are.

21 MR. BEHAR: But, Charlie, you allow the lot
22 coverage, potentially, to be up to 42 percent or 43
23 percent.

24 MR. SIEMON: Right.

25 MR. BEHAR: But the FAR doesn't even meet

1 those boundaries. So you're cutting the FAR, and Mr.
2 Bellin is correct.

3 MR. SIEMON: As a matter of right, yes. You
4 have to go through a review.

5 MS. KEON: To get it back?

6 MS. HERNANDEZ: To get it back.

7 MR. SIEMON: Well --

8 MR. BEHAR: Yeah, to get it back. Yes.

9 MS. KEON: That's okay.

10 MR. BEHAR: If -- if you're going to get it
11 back.

12 MS. KEON: Okay, so what's the word, then?

13 MR. BELLIN: But you're going through a
14 review. Why even go through that process? If you're
15 going to get it back --

16 MS. KEON: What do you call it, not get it
17 back? What is it?

18 MR. SIEMON: In any permitting process,
19 there are a number of steps that are required in
20 order to achieve things. All we're saying is, if
21 you're at .35, all you've got to do is go get a
22 building permit. If you're going to go beyond .35,
23 we think there needs to be a review not only of the
24 structure, but now its impact on the character of the
25 street, because that's the conservation value that

1 we're trying to identify.

2 You're going to go to the Board of
3 Architects, anyway, I believe, and the only thing
4 you're going to do is, while you're there, they're
5 going to look at it and say, "What does this mean for
6 the neighborhood," so that they don't wake up some
7 day and say, "Wow, we've let this change."

8 MS. KEON: Right.

9 MR. SIEMON: And try to mitigate it, because
10 there are --

11 CHAIRMAN KORGE: Last time that came up, we
12 decided we were going to make everybody do that.

13 MS. KEON: Right. I don't have a problem
14 with that, either, because it's not that -- you are
15 not denied the opportunity to reach that higher FAR.

16 What they are asking is, in order to
17 preserve the character of the neighborhood, that you
18 have to go through a review process to get to it, so
19 that you build in a fashion that is compatible with
20 that neighborhood, according to some design standards
21 that are looked at through the Board of Architects.
22 So it doesn't -- it just says you can't -- you
23 have -- you have an obligation to the existing
24 neighborhood. That's all it says.

25 MR. BEHAR: Could you put it that you're

1 entitled to do it as long as you comply with those
2 requirements?

3 MR. SIEMON: I would suggest -- I just
4 looked at this language, because I'm -- I think the
5 way the text is presented leads one to the initial
6 conclusion that it's capped at .35, and I think we
7 can redraft it --

8 MS. KEON: Okay.

9 MR. SIEMON: -- to make it that there are --

10 CHAIRMAN KORGE: Good.

11 MR. SIEMON: In order to -- if you go
12 above .35 --

13 MS. HERNANDEZ: .35 is a benchmark.

14 MS. KEON: Right, and then above that -- you
15 can go above that --

16 MR. SIEMON: You get a free pass below .35.

17 MS. KEON: Right, and that's fine.

18 MR. BELLIN: But if the character of the
19 neighborhood is .35, for example, why would you allow
20 somebody to build a bigger house and give them
21 additional FAR? For what reason? If that's the
22 character of the neighborhood, then that's the
23 character of the neighborhood.

24 MS. KEON: Because if the design that you
25 provide or you intend to build, even if it is larger,

1 by its design is compatible with the neighborhood,
2 then you will be permitted to build it.

3 The issue is not so much size, and that's
4 the issue that's come before us so often, is, because
5 of the cost of the land, people are concerned about
6 being limited in what they can build, and it's
7 been -- as a matter of public policy, it's been
8 decided that there has to be a design criteria that
9 also comes into play here, and so that as -- if you
10 want to build it a little bigger, you can build it a
11 little bigger, but it has to be built in a style or a
12 manner that is compatible with the neighborhood, and
13 that determination is made by the Board of
14 Architects, who are charged with that in the City,
15 rather than maybe some very objective criteria that
16 can't be enforced.

17 MR. BELLIN: It doesn't really work that
18 way. I think if that's the character of the
19 neighborhood, design -- who's going to make the
20 determination as to whether that design is compatible
21 with the neighborhood?

22 CHAIRMAN KORGE: The Board of Architects.

23 MS. KEON: The Board of Architects.

24 MR. BELLIN: But the Board of Architects
25 really doesn't do that. What they look at is --

1 MS. KEON: But it will change so that they
2 will. We're --

3 CHAIRMAN KORGE: It's going to change.
4 This is going to be a requirement for them. They're
5 going to have to do that.

6 MR. BELLIN: It's impossible to do that,
7 because in the context of a neighborhood, we look at
8 massing and setbacks, but style really is up to the
9 designer. You can't tell him how to design. So what
10 we look for, what I looked for on the board, was
11 compatibility with the massing, with the setbacks,
12 the character of the building.

13 CHAIRMAN KORGE: That's what we're talking
14 about. That is what we're talking about.

15 MR. BELLIN: Well, yeah, but it's very
16 difficult for me to understand how you can let one
17 guy do it and one guy not do it.

18 MS. MORENO: What he's saying is -- it's
19 the same problem I had with the McMansion concept --
20 that if you say the character of the neighborhood is
21 35 percent lot coverage, how do you say that
22 something that's 48 percent is within the character
23 of the neighborhood?

24 MR. BELLIN: Yeah, that's exactly the
25 point.

1 MS. HERNANDEZ: Because --

2 MS. KEON: Because it can be, depending on
3 the design.

4 MS. HERNANDEZ: Right, the design, and, you
5 know, Mr. Bellin sat on the Board of Architects. You
6 know, one design can have a massive approach to the
7 neighborhood and completely impact and overwhelm the
8 neighborhood, whereas another design -- same, equal
9 amount of square footage -- would have a de minimis
10 impact, based just on the architectural features and
11 how it's designed.

12 MS. MORENO: Right, but I think, then, that
13 the regulations need to make clear --

14 MS. HERNANDEZ: Right.

15 MS. MORENO: -- that --

16 MS. HERNANDEZ: Absolutely.

17 MS. MORENO: -- that the character of the
18 neighborhood -- preserving the character of the
19 neighborhood does not mean you have to have the same
20 size.

21 MS. HERNANDEZ: No.

22 MS. MORENO: It has to be the look of the
23 design and being a good neighbor design, as opposed
24 to -- when I think of the character of the
25 neighborhood, and say it's got to be the same, well,

1 everybody else is at 35 percent, how can I go over
2 that? I agree with what you're saying.

3 So that has to be made clear in the
4 regulation or in the --

5 MS. HERNANDEZ: Correct.

6 MS. MORENO: In what's sent to the Board of
7 Architects, it has to be clear that, yeah, you can
8 allow it to be bigger, even if everything else is
9 smaller, as long as the design is not obnoxious.

10 MS. KEON: Right, and I think that he was
11 going to rewrite the language so that it conveyed
12 that.

13 MS. MORENO: Because I had the same problem
14 with two-story houses in the North Gables area, and I
15 said, you know, if everybody else has a one-story,
16 how can I build a two-story?

17 MR. BELLIN: Well, under this, you can't
18 build a two-story.

19 MS. MORENO: No, no, no, but this is a
20 conservation area.

21 MR. SALMAN: In addition, Marshall, we're
22 not counting your garages as part of that 35 percent.
23 We're not counting the porches.

24 MR. BELLIN: If it's attached, you're
25 counting.

1 MR. SALMAN: But if it's a detached carport,
2 it's not counted.

3 MR. BELLIN: No, but on a 50-foot lot, how
4 do you detach the garage? You can't.

5 MS. KEON: Put it in the back.

6 MR. SALMAN: In the back.

7 MR. BELLIN: You've got --

8 MS. KEON: Put it in the back.

9 MR. BELLIN: You can't. But you still have
10 to get to it. So you have a side setback of 10 feet,
11 and you have a driveway that's got to go to the
12 garage in the back, so on one side you've got a
13 10-foot setback plus a driveway, which is probably 10
14 feet, so you've lost 20 feet.

15 MR. SALMAN: No, it's a five-foot setback.

16 MS. KEON: It's a five-foot setback on the
17 side.

18 MR. SIEMON: Not every lot is created
19 equal.

20 I just wanted to make sure everybody
21 understands, the .35 was, we felt we needed to pick a
22 threshold at which you ought to look closer, and
23 that's all that was intended. The standards don't
24 say it has to be .35 FAR.

25 MR. BEHAR: As long as you don't cap it.

1 MS. MORENO: Right.

2 MR. BEHAR: You know, if you're going to
3 exceed .35, then you have to go through a process --

4 MR. SIEMON: And your ability to achieve it
5 depends on where you put it. In this neighborhood,
6 if you -- instead of going up, on the front side, if
7 you go back and --

8 MR. SALMAN: That should be five feet.

9 CHAIRMAN KORGE: There are a number of
10 designs.

11 MS. KEON: Right.

12 CHAIRMAN KORGE: I think we get the idea
13 here. We need to move on.

14 MR. BELLIN: And I just want to address the
15 MF-C, which is where we're doing a ton of buildings
16 up there. I don't know what the objective is. Is
17 the objective to keep the buildings lower, to hide
18 the parking, to provide adequate parking?

19 You can do that under the existing Code.
20 You have to go for variances, but you can do exactly
21 that. I think that when you lower the FAR to 1.2 for
22 a lot under on 20,000 square feet, you lose about --
23 and it affects density. You say there's no
24 restriction on density, but FAR is closely tied to
25 density.

1 CHAIRMAN KORGE: Right.

2 MR. BELLIN: So what happens is, you lose
3 the ability of about 30, 35 percent, to reduce in
4 density by 35 percent. If you go to a lot that's
5 larger than 20,000, there's even a bigger reduction.

6 You know, there's a market that you have to
7 design towards, about 1,250 square feet for a
8 two-bedroom unit. So, by limiting the FAR to 1.2,
9 you're taking away about 40 percent, on a larger lot,
10 in density. And that's what it translates to. You
11 know, so on a larger --

12 CHAIRMAN KORGE: What is it -- I forgot,
13 what is it right now, the --

14 MR. BELLIN: Well, if -- you mean, with
15 respect to density?

16 CHAIRMAN KORGE: The FAR, under the current
17 Code.

18 MR. BELLIN: The FAR on a 20,000-square-
19 foot lot is 1.9, with the Med bonuses. So, on a
20 20,000-square-foot lot, I think you get 38,000 square
21 feet.

22 MS. KEON: What is it without the
23 Mediterranean bonuses?

24 MR. BELLIN: Well, Mediterranean bonuses
25 account for .5.

1 MS. KEON: So?

2 MR. BELLIN: So, on a 20,000-square-foot
3 lot --

4 MR. SALMAN: 1.4.

5 MS. KEON: It would be --

6 MR. BELLIN: 1.4 --

7 MS. KEON: -- 1.4, as opposed to 1.2.

8 MR. BEHAR: Yeah, but at 1.2, we're now --

9 MR. SALMAN: But we're striking out the
10 Mediterranean bonuses.

11 MS. KEON: Right. You're striking the
12 Mediterranean bonuses, anyway. You know --

13 MS. MORENO: It is -- the answer is, it is a
14 goal --

15 MS. KEON: Yes.

16 MS. MORENO: -- to make the buildings
17 smaller.

18 MR. BELLIN: Well, but you can do that and
19 leave the density and the FAR the same. You want to
20 keep them lower, not smaller. It's the massing of
21 the building.

22 And one of the buildings we're doing on
23 Zamora, go and look at it. It's a five-story
24 building on an eight-story site, and the building
25 that Juan Carlos did, I think it's on Galiano, is an

1 eight-story building, and look at the character.

2 Right across the street from that building
3 is a three-story apartment building. Go look at the
4 street and see what happens. You can achieve that
5 with things just as they are.

6 I think, when you take away 40 percent of
7 somebody's ability to build --

8 MR. BEHAR: And there's something distinct
9 about Coral Gables, like no other city. The units
10 here tend to be larger than most other cities. For
11 example -- and you bring a good point -- a standard
12 or a normal two-bedroom unit in the City of Miami is
13 between 900 and a thousand square feet. You're
14 looking at 1,200 to 1,500. So the FAR is the one
15 thing that allows you to do that, and if you start
16 limiting the FAR, I think you're going to limit the
17 size of the units.

18 MS. HERNANDEZ: Well, we don't want that.
19 I need my walk-in closet.

20 MR. BELLIN: There's really a market that
21 you have to gear your development to.

22 CHAIRMAN KORGE: Right.

23 MR. BELLIN: And when you're taking away 40
24 percent -- and it may not be apparent, but when you
25 take away 40 percent of FAR, you take away 40 percent

1 of density. And do you really want to do that?

2 MR. BEHAR: Marshall, the density part, I
3 don't have so much of a problem with that, as much as
4 the FAR.

5 MR. BELLIN: I don't, either.

6 MR. BEHAR: Because, you know, the FAR is
7 limiting the size of the unit tremendously.

8 CHAIRMAN KORGE: Right.

9 MR. BEHAR: I mean, I don't mind maybe
10 reducing the density, but not the size of the unit.

11 CHAIRMAN KORGE: Well, we're not setting
12 density anymore, are we?

13 MR. BEHAR: But what he's saying correlates
14 the one to the other.

15 CHAIRMAN KORGE: I understand.

16 MR. BELLIN: See, the density and the FAR go
17 hand in hand. If you have a 1,250-foot unit and you
18 only have so much FAR to spend, then you limit the
19 density, unless you want to build smaller units.

20 CHAIRMAN KORGE: And that's what will
21 happen. People will start building smaller units.

22 MR. BELLIN: But do you really want 800-
23 square-foot units?

24 MR. BEHAR: You don't want that.

25 CHAIRMAN KORGE: Well, I'm just saying,

1 that's the result. If we want to do what you're
2 suggesting, then we would have to go back to maximum
3 density, wouldn't we?

4 MS. KEON: How do you -- how do you --

5 MR. BEHAR: I'm not sure.

6 MS. KEON: -- reduce the density and
7 maintain the FAR? What do you --

8 MR. BELLIN: You make bigger units.

9 MS. KEON: Okay.

10 MR. BELLIN: In other words, if you have
11 15,000 square feet of FAR, you can do two units or
12 you can do 15 units.

13 MS. KEON: Right.

14 MR. BELLIN: They just get smaller.

15 MS. KEON: Right.

16 MS. MORENO: So maybe we want to look at
17 density again and not eliminate density.

18 MS. KEON: Well, we wanted to -- we can
19 reduce --

20 MR. BEHAR: Not look at FAR.

21 MS. KEON: You can reduce density, but not
22 reduce the FAR, is what he's saying.

23 MR. BELLIN: Right.

24 MS. KEON: Okay.

25 MR. BELLIN: In other words --

1 CHAIRMAN KORGE: But we don't have a density
2 limit. So, to reduce density, we'd have to set a
3 density limit to begin with.

4 MS. MORENO: Right. Maybe that's what we
5 should consider.

6 MR. BELLIN: But I think --

7 CHAIRMAN KORGE: If that's what everybody
8 wants to do, then, yeah, that's what --

9 MR. BEHAR: I personally have a problem
10 reducing the FAR, as Marshall is saying, because I
11 don't want to get little units.

12 MS. KEON: But how much difference is
13 there -- how much difference in a unit would I see
14 if -- you said now it's 1.4?

15 MR. BELLIN: It's 1.9 with the Med bonuses.

16 MS. KEON: We're not talking -- we did away
17 with bonuses, okay? So we struck all bonuses. So
18 what we have now is 1.4. And if we go from --

19 MR. BEHAR: No, no, what you have now is
20 1.9. The proposed would be 1.2, because the proposal
21 would eliminate the bonuses.

22 MS. KEON: Okay, but that's -- okay, but if
23 we're -- that's a design issue.

24 CHAIRMAN KORGE: The 1.9 doesn't include
25 the bonuses?

1 MS. KEON: If you do it in that way, fine,
2 but --

3 CHAIRMAN KORGE: If you pull out the
4 bonus --

5 MS. KEON: If you pull out the bonus, how
6 much difference is there between 1.4 and 1.2?

7 MS. MORENO: I know, but I think what he's
8 saying, if I understand it correctly, is that the
9 developer is driven to produce units. So he wants to
10 produce 10 units for his building, and if we limit
11 the FAR, he's going to produce 10 units --

12 CHAIRMAN KORGE: That are smaller.

13 MS. MORENO: -- at a thousand square feet
14 instead of 10 units at 1,500 square feet --

15 MS. KEON: Right.

16 MS. MORENO: -- because he has less FAR.

17 MS. KEON: Right.

18 MS. MORENO: So you're going to end up with
19 little units. So, if what we want is to make sure
20 that the units stay a certain size, then you have to
21 limit density.

22 MR. BEHAR: And the bonuses --

23 MS. KEON: But doesn't the market do that
24 for you?

25 MR. BEHAR: -- require a character.

1 MS. KEON: Doesn't the market do that? Does
2 the market --

3 MR. BELLIN: Yes, it does, and the market in
4 Coral Gables for a two-bedroom unit is 1,250, 1,300,
5 1,400 square feet.

6 MS. KEON: Right.

7 MR. BELLIN: And if you build 800-square-
8 feet, two-bedroom units, nobody is --

9 MS. KEON: So, then, you build fewer
10 two-bedroom units, is what you're saying?

11 MR. BELLIN: Yeah, but the FAR is the same,
12 so --

13 MS. KEON: Right.

14 MR. BELLIN: -- just because you build
15 bigger units, the massing of the building doesn't
16 change. The square footage of the building doesn't
17 change. So, if you limit the density, what did you
18 really limit, in terms of the building? Nothing.

19 MS. KEON: Then why did we do this?

20 MR. BELLIN: Well, that's what I'd like to
21 know.

22 CHAIRMAN KORGE: Well, and you're suggesting
23 that you would limit the density at the same time
24 that you increase the FAR.

25 MR. BELLIN: No, I think the FAR ought to be

1 what it is. That's a fair FAR, and everybody knows
2 what it is, and that's what they design for.

3 CHAIRMAN KORGE: 1.2 or 1.4?

4 MR. BELLIN: You get up to 1.9. That's
5 where it is now.

6 MS. MORENO: Yeah, but that's what we don't
7 want.

8 CHAIRMAN KORGE: That's what we don't want.

9 MS. MORENO: That's what we don't want.
10 Everybody who came here wanted that area to have a
11 lower FAR.

12 MR. BELLIN: Well --

13 MS. MORENO: Until you came.

14 MR. BELLIN: It just seems to me that what
15 you're doing to the people who own those properties
16 is reducing the value of their property by 30
17 percent, 40 percent.

18 MS. KEON: I don't know -- I mean, I think
19 if you take away the bonuses, that's another -- I
20 mean, if you weigh -- you know, to me, the standard
21 is the 1.4. Bonuses can come and go.

22 MR. BEHAR: You know, Pat, the irony of
23 this is that when you go back, then, to the Board of
24 Architects, they're going to require you to do
25 everything that the bonuses before were incentive to

1 do that, and if you're not going to get those bonuses
2 anymore, what incentive is there for the developer to
3 go back and do the covered walkways --

4 MS. MORENO: The problem that I see with the
5 bonuses, okay, is that the bonuses were created to
6 compensate the builder for having to put the
7 Mediterranean features.

8 MR. BEHAR: Right.

9 MS. MORENO: But what it became was, the
10 landowner viewed it as having more units, and
11 therefore, the money was going, in large part, to the
12 guy who owned the land, as opposed to the builder for
13 the Mediterranean features. So your -- the purpose
14 of the bonus, somewhere in there, got metamorphed
15 into something totally different. It became
16 greater -- it became an entitlement to greater
17 density for the landowner, when it was never meant to
18 be that.

19 MR. BEHAR: Well, maybe that's it.

20 MS. MORENO: So taking that away, taking the
21 bonus away, does not bother me, because it wasn't
22 meant to be for the landowner. It was meant to be
23 for the builder.

24 MR. BEHAR: But maybe that's it. With
25 density, you'll increase the density.

1 MR. PINILLA: The landowner has no right to
2 get his money? Why are you not protecting the
3 landowner?

4 CHAIRMAN KORGE: We're just -- we're just
5 with a witness here right now. Thank you.

6 MR. BEHAR: But, you know, the density will
7 be controlled. You don't increase the density. You
8 increase the FAR.

9 MR. BELLIN: Are you unhappy with the way
10 some of these new buildings look?

11 MS. MORENO: I'm not, because I like bigger
12 buildings, but everyone else who has been here before
13 us, before this time, has wanted smaller buildings.

14 MS. KEON: But I also thought that some of
15 the concerns that were raised over the bonuses is
16 that the Mediterranean style really became a pink
17 building with a red tile roof.

18 MS. MORENO: Yes.

19 MS. KEON: And they really didn't
20 incorporate all of the elements that were initially
21 proposed or envisioned as coming with Mediterranean
22 bonuses, and they gave you more because it would be
23 more expensive to build that way and because it would
24 reduce your usable space because you would have these
25 courtyards and intricacies and all these, a variety

1 of things, and it just never -- the Mediterranean
2 bonuses never achieved the design elements that they
3 were intended to achieve, but instead, all they did
4 was provide for --

5 CHAIRMAN KORGE: More density.

6 MS. KEON: -- more density.

7 MR. BELLIN: Yeah, but --

8 MS. KEON: So that's why, in taking them
9 away, I mean, I -- that it didn't achieve what it
10 did, so it didn't solve --

11 MR. BELLIN: It didn't achieve what it
12 should have, but a lot of that lies with the
13 architect. Some architects really don't have the
14 ability to do those kinds of designs, and I think
15 what you need to do is look at some of the buildings
16 that will be coming on line and see if they achieve
17 what the Mediterranean bonuses were meant to do.

18 MS. MORENO: But, Marshall, the problem is,
19 if you take that money and you put it in the hands of
20 the landowner, as opposed to the builder, then the
21 builder has a tremendous incentive to minimize what
22 he's spending his money on.

23 MR. BELLIN: That's exactly -- and that's
24 what's going to happen. You take away the bonuses,
25 and there's no incentive for him to do anything other

1 than a box, and part of the Mediterranean Ordinance
2 was to prohibit buildings from those two glass boxes
3 that sit on the corner of Alhambra and Ponce. That
4 really was what sort of drove the Mediterranean
5 Ordinance.

6 MS. MORENO: You know I'm not a friend of
7 the Mediterranean Ordinance, though.

8 MS. KEON: I'm not, either.

9 CHAIRMAN KORGE: Of course, the other
10 alternative is to impose the criteria of the
11 Mediterranean Ordinance and give no bonus at all.

12 MS. HERNANDEZ: Right, just say mandatory
13 imposition, which is what the Commission considered
14 for a while.

15 CHAIRMAN KORGE: Right. But, you know,
16 we're not going to, today -- we're not, this evening,
17 going to be able to rewrite the Mediterranean
18 Ordinance, or even solve all these problems. I think
19 you brought to our attention some very legitimate
20 concerns, and I think you've given Eric more food for
21 thought.

22 MR. BELLIN: The last thing I want to
23 mention is, you can't have a garage within five feet
24 of a property line. The visibility triangle is
25 measured from the back of the sidewalk, and I can

1 imagine a guy opening his garage and pulling out and
2 having a kid on a bike, riding down the sidewalk.

3 CHAIRMAN KORGE: Right. Well, that's going
4 to be addressed.

5 MR. SALMAN: That's Charlie's idea. He
6 wanted to run over the pedestrians.

7 MS. KEON: They're going to look into that.
8 He believes that maybe they can't. Let's --

9 MR. BELLIN: No, you just have to watch the
10 street from the garage doors --

11 MS. KEON: If they can't, they won't.

12 MR. BELLIN: These are all things that, to
13 me, this is what's proposed.

14 CHAIRMAN KORGE: Well, come back for our
15 next session, because we're going to have to go
16 through the rest of it.

17 MS. MORENO: Please, because your comments
18 are valuable.

19 MR. BELLIN: Okay.

20 CHAIRMAN KORGE: We're not going to get
21 everything resolved tonight.

22 Is there anybody else who'd like to speak
23 tonight?

24 MS. MENENDEZ-DURAN: Paul Rosen?

25 CHAIRMAN KORGE: We've got two more people

1 who want to speak?

2 MR. ROSEN: I'm Paul Rosen. I'm the
3 developer of Puerta de Palmas, at Douglas Entrance, 8
4 South -- 888 South Douglas Road. I'll keep my
5 comments very brief, because I know the hour is late.

6 And I would say I would represent the 198
7 new residential units that are going to come in, plus
8 the -- all the tenants of Douglas Entrance. There
9 was a gentleman who came here before who said that
10 vacating that East Ponce roadway in the NPMU District
11 is a good idea. I would suggest that actually that
12 could be a valuable streetscape. I suggest that that
13 would be valuable neighborhood-serving retail area,
14 because if you could actually keep those sight lines
15 and keep that into an active area, active walking
16 area, you'd have a connection from that commercial
17 into the Ponce area, into the Ponce corridor, and
18 keep actually more visibility and actually more
19 traffic, which actually, to me, makes it a much more
20 vibrant landscape and a much more vibrant
21 streetscape.

22 Finally, it's a historic corridor, because
23 from that archway, that was the original view that
24 George Merrick looked at, to see the Biltmore,
25 straight through. Thank you very much.

1 CHAIRMAN KORGE: Thank you.

2 MS. MENENDEZ-DURAN: Irela Ferrer?

3 MS. MORENO: I like what he said.

4 MS. KEON: I did, too.

5 MS. MORENO: Eric, I like what he said. Why
6 don't you look into that again?

7 MS. KEON: I like that street.

8 MR. RIEL: There's --

9 MS. MORENO: Do you want to talk about that,
10 Eric?

11 MR. RIEL: No, that's something that we --
12 it's in the report.

13 MR. SALMAN: It's in the streetscape plan,
14 that mysterious streetscape plan that's coming?

15 MR. RIEL: I'll be happy to have Public
16 Works bring it.

17 MS. KEON: I like that.

18 MS. MORENO: Okay.

19 MR. BEHAR: No more time. We're shut down.

20 MS. FERRER: Irela Ferrer, 38 Alcantarra
21 Avenue. I have one question for you all. Does any
22 one of you live in that area?

23 MR. BEHAR: I do not.

24 MR. SALMAN: I work there, but I spend
25 more time -- my conscious hours awake there.

1 MS. FERRER: Okay.

2 MR. SALMAN: And I live at home.

3 MS. FERRER: The gentleman who prepared
4 that study, does he live in that area, also, or not?

5 You, sir?

6 MR. SIEMON: No.

7 MS. FERRER: Interesting. I'm terrified to
8 be here. I don't like to be speaking in public, but
9 I guess I have to, because the person that was going
10 to do this for me left. But I have a couple of
11 questions about why we have been imposed so many
12 restrictions, when everybody else -- I mean, for
13 example, in Page 4, the FAR is 35 -- you know, now
14 it's going to be 35, when now it's 48. It's a very
15 simple math. If a 5,000-square-foot lot is the
16 minimum lot, right now for me, it's 2,400 square
17 feet, and with the proposed one, it's going to be
18 1750, which is minus 650 square feet if I decided to
19 build a new house on my lot. Why is that?

20 A few other things that are imposed only in
21 that area, like Page 5 -- a, I think it's 11a, it's a
22 minimum of 45 percent of lot area must be maintained
23 for open space. Everywhere else, right now, is 40
24 percent, and a few more things like that, like the
25 trees. I mean, why are we going to be imposed with

1 more restrictions?

2 And another question that I have is, in Page
3 6, for conditional uses, for number 3, what exactly
4 is going to be the Development Review Official? Who
5 is going to be that? Who's going to be doing that
6 for us? How much do we have to pay in order to go
7 through that? The way it is right now, Board of
8 Architects, it's not expensive, but it's another
9 expense. If you have to go for a variance, that will
10 be another expense, and I want to know about that.
11 Is it going to be in Planning? Is it going to be
12 Building & Zoning? Who's going to be responsible for
13 doing that and how much will it be and how long will
14 it take, if I decided, for example, to demo my house
15 and build one with 48 FAR?

16 MR. RIEL: It's the same process that's in
17 place right now. It's just a different title.

18 MS. FERRER: But there's no place for that
19 right now. There is no Development Review Official
20 at this point that determines anything like that.
21 That's the Board of Architects only.

22 MR. RIEL: Yes, the Assistant Building &
23 Zoning Director is the one who --

24 MS. FERRER: But that's not in place right
25 now, so that will be something new. It's going to be

1 the Assistant Director?

2 MR. RIEL: No, it's just a title of a
3 position. It's trying to identify a title, the
4 Development Review Official. It's a common name
5 that's spread throughout the Code. It could be
6 different persons in different departments. But in
7 terms of the process, there's no change.

8 MS. FERRER: That's not right, because right
9 now it's only Board of Architects and there is no one
10 here, there is no one in Building & Zoning, that has
11 to review anything else once the board approves it,
12 so I'm not clear about that.

13 MR. RIEL: No, that's not true. Everything
14 goes to the Board of Architects.

15 MS. FERRER: Uh-huh.

16 MR. RIEL: That process will not change.

17 MS. FERRER: Yeah, but what about the --

18 MR. RIEL: Basically, what we're saying is,
19 .35 FAR and above has to go through a special review,
20 a zoning analysis.

21 MS. FERRER: But that's new. That's not in
22 existence at this point.

23 MR. RIEL: That's actually new, and that was
24 based upon the input that we received from the
25 neighbors in the three or four public hearings that

1 we've had previously and some of the issues that have
2 been identified. That's why it's called a
3 Single-Family Conservation District.

4 MS. FERRER: Okay, again, who is going to be
5 responsible for this Development Review Official?
6 Who is going to be this person?

7 MR. RIEL: At the present time, it's the
8 Assistant Building & Zoning Director.

9 MS. FERRER: Again, what would be the fee
10 and how available he will be to do this for a person
11 that wants to go through this review?

12 MR. RIEL: It's no different than what's in
13 place right now.

14 MS. KEON: There's no fee.

15 MS. FERRER: But my point is, I don't think
16 I'm getting something clear here. At this point,
17 there is nothing else but going through the Board of
18 Architects, getting the approval with them, and going
19 to the permitting section, going to the permit
20 routing. You have nothing to do with this guy
21 whatsoever at this point.

22 MR. RIEL: Do I have anything to do with it?

23 MS. FERRER: No, no, no. At this point, you
24 go -- for example, I want to build out. I go to the
25 Board of Architects, get my approval, and go to the

1 Building section.

2 MS. KEON: Right.

3 MS. FERRER: I don't need to see anybody
4 else. Board of Architects, then you go to routing,
5 and that's the end. I pass all my routing, everyone
6 approve it, I get my permit. I don't have to see
7 anybody now.

8 MS. HERNANDEZ: No, you do. You do.

9 MR. RIEL: Yes, you do.

10 MS. HERNANDEZ: If an application is
11 incomplete, the Building & Zoning Department will not
12 accept it. There are individuals that receive your
13 applications, in order to send them to the Board of
14 Architects. It has to be a complete application. So
15 you do see people. You do get approvals. You do get
16 reviews.

17 What the City is designating is, certain
18 responsibilities that may have previously been at the
19 Board of Architects are now the Development Review
20 Officials, in different areas of the Code.

21 MS. KEON: It doesn't --

22 MS. FERRER: I'm still not clear.

23 MS. KEON: It allows you to build -- all
24 they're asking you to do is, when it's at a certain
25 FAR, you can go ahead and just -- you can apply for a

1 permit, you go through a review.

2 If you want more than that, they want to
3 look at it, to make sure that what you're building is
4 compatible with the neighborhood, so that -- because
5 in so many areas of the City, when homes have been
6 either demolished or lots have been developed, what
7 has been developed is not compatible with the
8 existing neighborhoods. So all that does is, it's
9 there to ensure that you preserve the character of
10 the existing neighborhood.

11 MS. FERRER: Yeah. That's still not my --
12 my question still has not been answered, pero,
13 anyway --

14 CHAIRMAN KORGE: Well, I think what they're
15 trying to say is that --

16 MS. FERRER: It's too much --

17 CHAIRMAN KORGE: -- the Development Review
18 Official is the person who now takes your package
19 when you apply for a permit, before it goes to --
20 this is what they're telling us. I mean, I'm
21 hearing --

22 MS. KEON: Yes.

23 CHAIRMAN KORGE: This what I'm hearing.

24 MS. KEON: That's what it says.

25 MS. MORENO: I'm sorry --

1 CHAIRMAN KORGE: The person in Building &
2 Zoning who would normally get the package, review it,
3 see if everything fits in with the current Code, and
4 then passes it on to the Board of Architects, that
5 would be the Development Review Official that they're
6 referring to here in this provision.

7 MS. FERRER: No, that's not the way --

8 MS. MORENO: But her question -- I know her
9 point. Her point is, if she wants to build above
10 .35, she's going to have to do something she doesn't
11 have to do today.

12 CHAIRMAN KORGE: That's correct.

13 MS. MORENO: That's true.

14 MS. FERRER: That's precisely my point.

15 MS. MORENO: That is true.

16 CHAIRMAN KORGE: That's correct.

17 MS. MORENO: And that was imposed in
18 response to all of the neighbors who came in here and
19 said they wanted that.

20 MS. FERRER: And how many neighbors did you
21 have saying that they wanted that? Maybe they
22 haven't --

23 CHAIRMAN KORGE: A whole bunch. I mean, I
24 didn't really count them.

25 MS. FERRER: Another question is a comment

1 that I have. It is, when you guys said about the
2 character of the neighborhood, it's really funny,
3 because every time I stand in front of my house or in
4 the back yard, all I see are the buildings from
5 Ponce. So, when you say the character of the
6 neighborhood, I mean, unless you always look at this
7 level, it's something that you have to take into
8 consideration.

9 And besides, another thing that I want to
10 change is -- to point at is, in that previous
11 package, which I don't have -- this one -- it
12 mentions there's only one house in that neighborhood
13 that is a two-story house, and that's not correct.
14 There is another one in 216 Campina, which is also a
15 two-story house. That should be corrected.

16 MR. SALMAN: You also have an apartment
17 building in there.

18 MS. FERRER: Huh?

19 MR. SALMAN: You also have an apartment
20 building there, I just want to note.

21 MS. FERRER: No, it's residential.

22 So that's all. I'm not very happy. I'm not
23 happy at all, and I'm totally opposed to this
24 process, and it's a shame that none of you live in
25 that area, because maybe I would get some sympathy.

1 MR. BEHAR: But that's not fair, either,
2 because --

3 MS. FERRER: I know.

4 MR. BEHAR: That's not fair, either, because
5 we're here to look for the best interests --

6 MS. FERRER: Objectively.

7 MR. BEHAR: -- of the whole City, and I'm a
8 proponent and I've been a proponent that the 35
9 percent is not the number that we should reach. So,
10 even though I don't live in your neighborhood, I'm
11 not your neighbor, I do live in the City. I have my
12 office in the Gables.

13 MS. FERRER: Yeah.

14 MR. BEHAR: You know, and the objective is
15 city-wide.

16 MR. FERRER: Yeah, but when you don't get
17 impacted personally and closely, it's different.
18 You -- everybody seems to be detached from the --

19 MR. BEHAR: Well --

20 MS. FERRER: That's human nature. That's
21 not the impression I --

22 MR. BEHAR: No, no --

23 MS. MORENO: The problem is -- and I will
24 tell you, because I have been struggling with this
25 and have not understood why people haven't come in to

1 espouse your point of view. What we have been
2 hearing, over and over again, the overwhelming people
3 who come here are people who say, "We want to
4 preserve the houses" -- in a lot of places in the
5 Gables, not just in your area -- "smaller," and I
6 have been concerned about making these houses
7 smaller, and even though we've had numerous hearings,
8 not just on North Ponce, but on the rest of the
9 Gables, very few people have come in here to say what
10 you're saying. So the problem is --

11 MS. FERRER: I guess I'm not a common
12 person, but --

13 MS. HERNANDEZ: No, but nevertheless, the
14 Board is looking at everybody's input.

15 MS. MORENO: Yeah, we have been very
16 concerned about this.

17 MS. HERNANDEZ: So it's important to point
18 out where you think something is not working or it's
19 not going to be --

20 MS. FERRER: I'm struggling here. I don't
21 want to be standing up here. The person that was
22 going to do it --

23 MS. MORENO: But I am very grateful that
24 you're here, because I have been very concerned that
25 there are people who feel like you.

1 CHAIRMAN KORGE: You're one of the very few
2 who have expressed concerns about the downsizing, if
3 you will --

4 MS. MORENO: Right.

5 CHAIRMAN KORGE: -- of the neighborhood.

6 MR. BEHAR: Other than some of us on this
7 board.

8 MS. MORENO: Other than some of us here. So
9 we thank you for espousing that view.

10 MS. FERRER: Okay. I think I forgot
11 something, but I guess, if I do, I'll write it down.

12 MS. HERNANDEZ: Yeah.

13 MS. FERRER: So thank you.

14 MS. MORENO: Thank you.

15 CHAIRMAN KORGE: Thank you.

16 MR. SALMAN: Thank you.

17 MS. MENENDEZ-DURAN: Waldo Toyos?

18 MR. BEHAR: Mr. Chairman -- I've got a wife
19 at home --

20 CHAIRMAN KORGE: Leave.

21 MR. TOYOS: Good evening. Waldo Toyos, 831
22 Cortez Street.

23 Again, I wanted to talk about the same --
24 put emphasis on what Marshall talked about in regards
25 to the FAR, 1.2 in this area, to limiting it. I

1 think that they're going about it the wrong way,
2 especially with the Mediterranean bonuses. I know
3 what you're saying in regards to the entitlement, and
4 some landowners have believed that this is an
5 entitlement, but then again, the Mediterranean bonus,
6 especially with some of the recent projects that
7 we're working on, we could go up to six and eight
8 stories on these sites, and we've actually worked
9 with the City in trying to go through the variances,
10 take away the setbacks and bring these buildings
11 down, without affecting the FAR, and I think
12 something nice could be -- there's a balance that
13 could be reached there, okay, without taking this
14 Mediterranean bonus away. We worked two years on
15 this ordinance, trying to get it passed, reworked and
16 redone, to throw it out in two or three months. Do
17 you know what I mean?

18 MS. MORENO: It's not being thrown out.
19 It's just in this area that it's not being applied.

20 MR. TOYOS: And this is one of the areas
21 that, had it followed that --

22 CHAIRMAN KORGE: That they would be used,
23 yeah.

24 MR. TOYOS: Yeah, exactly.

25 CHAIRMAN KORGE: I understand.

1 MR. TOYOS: You know what I mean? It's
2 like, you have to give credit where credit is due,
3 and this area is where the Mediterranean bonuses
4 counts.

5 CHAIRMAN KORGE: Sometimes I feel like I'm
6 running around in a big circle.

7 MS. MORENO: Yeah.

8 MR. TOYOS: Do you know what I mean? And
9 it's a shame, because we have really worked in
10 bringing some of these heights -- you know, in not
11 building the eight-story buildings, bringing them
12 down to five, you know what I mean, four stories, and
13 they're coming out nice. The only thing is that
14 we've had to go through the Board of Adjustment, you
15 know what I mean? Take a couple extra months to get
16 this done, so we could do this, and I think that
17 we're tackling sometimes the wrong issues, you know
18 what I mean, when we could work with the setbacks,
19 bring them down, put some of these units on the first
20 floor, which is what we're doing. You know what I
21 mean? We are putting in townhouse units on the first
22 and the second stories, okay? And you're still using
23 the same FAR.

24 And I really believe that throwing away this
25 Mediterranean -- you know, discarding it in this area

1 is really working against it. You know what I mean?
2 It's working against the spirit of what the
3 Mediterranean Ordinance should be, and I'll tell you,
4 I think that -- I'm not an architect, but there's
5 buildings that could be built completely without the
6 Mediterranean style, you know what I mean? And
7 there's a lot of corners that could be cut, and they
8 could be built in the 1.2, with the same building
9 that you're proposing that could be built in the
10 Mediterranean style, 1.2. You know what I mean?
11 Which one would you prefer to have there, without
12 that bonus?

13 CHAIRMAN KORGE: Well, we're not done yet,
14 so --

15 MR. TOYOS: I know. I know.

16 CHAIRMAN KORGE: So we're not going to adopt
17 anything today, and --

18 MR. TOYOS: Trust me, I know, and it's late.

19 CHAIRMAN KORGE: -- we encourage anybody who
20 has an interest like that to come back and express it
21 to us again. I know that Charlie's heard this.
22 Eric hears what you're saying. And it's just not
23 easy.

24 MR. TOYOS: No, I understand. None of this
25 has been easy on anybody. I understand that.

1 The other thing is the TDRs. The TDRs on --
2 how do you call it, that Ponce de Leon corridor. I
3 don't know, but I think we're like two years too
4 late. I mean, how many sites are there on Ponce de
5 Leon to transfer these TDRs to? You've got to go
6 down Ponce de Leon and see the signs, do you know
7 what I mean, and the cranes. You know what I mean?
8 I don't know how realistic that TDR section -- it's
9 great, but --

10 CHAIRMAN KORGE: There may not be much there
11 for -- I understand.

12 MR. TOYOS: Limiting it to one block, I
13 don't know how --

14 MR. SALMAN: You're bringing up a valid
15 point. By the time we get this thing done, most of
16 those properties are going to be redeveloped, anyway,
17 so --

18 MR. TOYOS: I think we're two years too
19 late, you know what I mean?

20 So these are things that I think you -- the
21 FAR still has to be looked at, you know what I mean?
22 I would ask that you keep looking at this issue. You
23 know what I mean? Take it -- you know, the setbacks
24 play a lot into this thing. I know the density,
25 regardless of whether it stays the same or you

1 discard the density, but the FAR -- if we would have
2 done the setback issue a long ago, you know what I
3 mean, and brought these buildings down, trust me, a
4 builder doesn't want to build eight stories, okay,
5 when he could build it at five with the same FAR. It
6 just costs a whole lot less.

7 CHAIRMAN KORGE: Right.

8 MR. TOYOS: Okay?

9 CHAIRMAN KORGE: Thank you.

10 MS. MORENO: Thank you.

11 CHAIRMAN KORGE: Okay, we encourage
12 everybody to submit additional comments in writing,
13 and to pay attention to the next hearing where
14 we'll -- when we discuss this again.

15 Is there anybody else who needed to speak
16 tonight?

17 MR. SOMAN: Thomas, I would like to say that
18 you opened the meeting by saying you wanted to limit
19 it to two hours. You would have been almost on
20 target, by 15 minutes, if every one of you would have
21 been here on time. Post time is six o'clock. They
22 don't call the race.

23 CHAIRMAN KORGE: Thank you. Thank you for
24 chastising us.

25 MR. SALMAN: Let the record show that it's

1 eight-thirty.

2 MR. BEHAR: Yeah, and we've been here more
3 than two hours.

4 MR. SALMAN: We've been here two hours and
5 15 minutes.

6 MS. GREENE: You all were having a secret
7 meeting, huh?

8 MS. MORENO: The reason we sometimes don't
9 get here on time is because we need to wait for a
10 quorum, and all of us work, and there's a lot of
11 traffic. We do our best, and we --

12 MR. SOMAN: And the bridges. I've heard
13 these stories before.

14 CHAIRMAN KORGE: Okay. I guess that's --

15 MR. OGDEN: One more, just --

16 CHAIRMAN KORGE: Real quick.

17 MR. OGDEN: Bill Ogden, of 5590 Hammock
18 Drive. I'm sorry to do this. I know it's late.

19 I'm also the owner of the Office Max on
20 Ponce, and this is a pretty serious matter. I want
21 to bring it to your attention. The boundary -- I'm
22 sorry I can't use that map, but the boundary line was
23 drawn on the south boundary of my property, and if
24 you look up and down Ponce, all of the commercial
25 zoning is about a hundred feet deep, except for my

1 property, which is 350 feet deep.

2 So, if you enact this ordinance, there's
3 going to be extreme hardship to this property, and I
4 believe this property should be a part of the CBD. I
5 think that the line was arbitrarily drawn, and I'm
6 just bringing to your attention, everybody else here
7 is talking about some sort of a minor downzoning.
8 This is a downzoning of two thirds of the property,
9 from a 3.5, if you get the bonus, to a 2.0.

10 CHAIRMAN KORGE: Okay, you should talk to
11 Eric about that.

12 MR. OGDEN: Okay. So I'd like to see if we
13 can redraw that line and exclude this property,
14 because it's going to be a very difficult situation,
15 okay?

16 CHAIRMAN KORGE: We -- can you come back to
17 the next meeting, or do you have something --

18 MR. PINILLA: I just have something real
19 quick.

20 CHAIRMAN KORGE: State your name and address
21 for the record, real brief, because we've got two
22 members that need to leave.

23 MR. PINILLA: I'm Martin Pinilla, 4906 San
24 Amaro Drive, owner of 43 Sidonia, and I was dismayed
25 to listen to the comments of some of you about the

1 ordinance for Mediterranean, saying that the profits
2 have gone to the landowner rather than to developers.
3 Why shouldn't the landowner benefit from it? And the
4 reason why the buildings are not, maybe, what the
5 standard should be for Mediterranean is the fault of
6 the architects' board, not to the landowner. They
7 should impose those.

8 I feel -- I felt really offended when I
9 heard a comment that the profit goes to the
10 landowner. The landowner has been there for a long
11 time. Developers come and they go. The landowner
12 needs to be benefited.

13 MS. MORENO: Okay, I made the comment, and
14 let me clarify. The justification for the
15 Mediterranean bonus was to compensate the builder for
16 the excess cost of the Mediterranean style. All I
17 was saying was that that purpose is no longer being
18 served.

19 MR. PINILLA: But that's not the fault of
20 the landowner, but the Board of Architects of the
21 City. If you have certain standards, they should be
22 met.

23 CHAIRMAN KORGE: Right, and that's why --

24 MS. KEON: That needs to be looked at.

25 CHAIRMAN KORGE: That's why the ordinance

1 was revised.

2 MS. KEON: Right.

3 MR. PINILLA: But I don't think that you
4 should do away with it, because then you'll have
5 boxes, with no -- no -- no type of --

6 MS. KEON: Well, there are other design
7 elements that can be imposed.

8 MR. BEHAR: Mr. Chairman --

9 MR. PINILLA: I think this Board should
10 protect the landowner, not do the opposite.

11 MR. BEHAR: Mr. Chairman, before I go, I'd
12 like to address this gentleman one more time, that
13 says we were late. I want him to be aware, since
14 January 11th to February 15th, this Board has met
15 five times. Every week, okay? This is pro bono.
16 This is not -- we don't get paid a penny to do this.

17 I do not appreciate you telling me that we
18 were here 15 minutes late, when this is every week.

19 MS. MORENO: Yeah.

20 MR. BEHAR: Please have some consideration.
21 Thank you. I will leave it at that. That's --

22 MR. SOMAN: I'm sorry I offended you, but
23 when you talk about pro bono, that's my business.
24 I've been the Chairman Emeritus of the Camillus House
25 for the past 23 years, so I know what it is to give

1 pro bono and give your time, and we --

2 MR. BEHAR: And there's been times here that
3 we've been here to midnight.

4 MR. SOMAN: We call our meetings at
5 eight-thirty in the morning, and if you're not there
6 by eight-thirty, the doors close.

7 CHAIRMAN KORGE: Okay.

8 MS. MORENO: Thank you, Eric.

9 CHAIRMAN KORGE: That's it. The meeting is
10 adjourned. When's the next meeting?

11 MR. RIEL: Just one --

12 CHAIRMAN KORGE: One more thing.

13 MR. RIEL: No -- I have on the agenda one
14 additional item, the annual report. I just want to
15 make sure the Board sees that. That will be
16 presented to the City Manager's Office. That's all.

17 MS. MORENO: Okay, thank you.

18 CHAIRMAN KORGE: Thank you, Eric.

19 MR. SALMAN: Thank you.

20 MR. BEHAR: Thank you.

21 MS. KEON: Thank you.

22 CHAIRMAN KORGE: When's the next meeting,
23 Eric?

24 MR. RIEL: Next Wednesday.

25 MS. KEON: Next week.

1 CHAIRMAN KORGE: Next Wednesday. That's the
2 daytime meeting, right?

3 MR. SALMAN: No, it's next month.

4 CHAIRMAN KORGE: Did you change that?

5 MR. RIEL: March 22nd.

6 MS. MORENO: March.

7 CHAIRMAN KORGE: March 22nd. Would you
8 e-mail us on that? Because I thought it was the next
9 meeting.

10 (Thereupon, the hearing was adjourned at
11 8:37 p.m.)

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CERTIFICATE

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

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

I, JOAN L. BAILEY, a Notary Public in and for the State of Florida at large, do hereby certify that all witnesses were duly sworn by me.

DATED this 21st day of February, 2006.

JOAN L. BAILEY, RDR

Notary Commission Number DD 190412.
My current notary commission expires 6/14/07.

