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1 CITY OF CORAL GABLES
 2 LOCAL PLANNING AGENCY (LPA)
 3 PLANNING AND ZONING BOARD MEETING
 4 VERBATIM TRANSCRIPT
 5 CORAL GABLES CITY COMMISSION CHAMBERS
 6 405 BILTMORE WAY, CORAL GABLES, FLORIDA
 7 WEDNESDAY, NOVEMBER 4, 2009, 6:03 P.M.

8 Board Members Present:

9 Tom Korge, Chairman
 10 Eibi Aizenstat, Vice-Chairman
 11 Robert Behar
 12 Jack Coe
 13 Jeffrey Flanagan
 14 Pat Keon
 15 Javier Salman

16 City Staff:

17 Elizabeth M. Hernandez, City Attorney
 18 Eric Riel, Jr., Planning Director
 19 Walter Carlson, Assistant Planning Director
 20 Jill Menendez-Duran, Administrative Assistant
 21 Martha Salazar-Blanco, Zoning Official
 22 Carlos Mndreau, City Architect
 23 Scot Bolyard, Planner
 24 Scarlet Tenen, Corradino Group
 25 Jim Kay, Engineering Division Supervisor

Also Participating:

Felipe Calderon
 Maricris Longo

2

1 THEREUPON:
 2 (The following proceedings were had:)
 3 THE CHAIRMAN: All right. The
 4 meeting is called to order.
 5 Can we take the roll, please?
 6 MS. MENENDEZ: Eibi Aizenstat?
 7 MR. AIZENSTAT: Here.
 8 MS. MENENDEZ: Robert Behar?
 9 MR. BEHAR: Here.
 10 MS. MENENDEZ: Jack Coe?
 11 MR. COE: Here.
 12 MS. MENENDEZ: Jeff Flanagan?
 13 MR. FLANAGAN: Here.
 14 MS. MENENDEZ: Javier Salman?
 15 MR. SALMAN: Here.
 16 MS. MENENDEZ: Pat Keon?
 17 Tom Korge?
 18 THE CHAIRMAN: Here.
 19 The first item on our agenda is
 20 approval of the minutes of the meeting of
 21 September 16th, 2009.
 22 MR. COE: So moved.
 23 MR. FLANAGAN: Second.
 24 THE CHAIRMAN: You seconded it. Any
 25 discussion or correction? Hearing none,

3

1 please call the roll on that motion.
 2 MS. MENENDEZ: Robert Behar?
 3 MR. BEHAR: Yes.
 4 MS. MENENDEZ: Jack Coe?
 5 MR. COE: Yes.
 6 MS. MENENDEZ: Jeff Flanagan?
 7 MR. FLANAGAN: Yes.
 8 MS. MENENDEZ: Javier Salman?
 9 MR. SALMAN: Yes.
 10 MS. MENENDEZ: Tom Korge?
 11 THE CHAIRMAN: Yes.
 12 The first -- the next item is the
 13 Zoning Code Text Amendment --
 14 MR. AIZENSTAT: Did you forget --
 15 excuse me, did you forget to call somebody?
 16 I didn't hear my name called for that.
 17 MS. MENENDEZ: I'm sorry. Eibi
 18 Aizenstat?
 19 MR. AIZENSTAT: That's okay. Yes.
 20 THE CHAIRMAN: Okay.
 21 MR. RIEL: We're moving too fast here.
 22 THE CHAIRMAN: Yes. There's a
 23 consensus to move along.
 24 Zoning Code Text Amendment - Article
 25 5, Division 20, "Telecommunications."

4

1 MR. RIEL: Thank you, Mr. Chair. What
 2 this is, this is a -- an amendment --
 3 further amendment to the Zoning Code.
 4 If you'll recall, back in July of this
 5 year, we brought miscellaneous code
 6 amendments to the amateur radio antenna
 7 provisions and they were adopted by the
 8 Commission in August, and after that time,
 9 we got some additional input from the
 10 American Radio Relay League, in terms of
 11 some additional changes they suggested, to
 12 be more in compliance with, I guess,
 13 standards -- telecommunications standards.
 14 Basically, the provisions, as you see
 15 before you, there's no changes in terms of
 16 the provisions governing height, regulate
 17 -- required reviews, the measurement of the
 18 facilities, permitted locations,
 19 dismantling, insulation, they're basically
 20 the same provisions.
 21 Basically, what it is is a change in
 22 terminology, as to how these items are
 23 described, in terms of -- rather than
 24 calling them amateur radio antennas,
 25 calling them antenna support structures,

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1 personal radio services, and, probably, I
2 would say, the major portion is the fact
3 that we've actually defined those terms.

4 The gentleman is here, who helped us.
5 If you look at Attachment A,
6 Mr. Calderon --

7 MR. CALDERON: Yes.

8 MR. RIEL: -- helped us greatly, and
9 worked, actually, in association with the
10 City Attorney's Office and outside legal
11 counsel in re-writing these regulations.

12 Mr. Calderon's more than welcomed to
13 come up and make some comments. Staff
14 recommends approval and this will then
15 proceed to the Commission.

16 MR. BEHAR: Eric, a question. The
17 height -- all the requirements stay the
18 same?

19 MR. RIEL: Yes.

20 MR. BEHAR: Still go through all --
21 the Board of Architects for approval and
22 everything?

23 MR. RIEL: Yes.

24 MR. BEHAR: Motion to approve.

25 MR. COE: Second.

6

1 MR. FLANAGAN: Second.

2 THE CHAIRMAN: A motion and a second.
3 Do we have any input from the public? If
4 there's no discussion, we'll just bring it
5 to a vote.

6 If you'd like to come up --

7 MR. RIEL: Just come up and introduce
8 yourself.

9 THE CHAIRMAN: But make them -- please
10 make them very brief.

11 MR. CALDERON: I'll make it very brief.

12 THE CHAIRMAN: So we can approve this,
13 presumably.

14 MR. CALDERON: Very briefly. Just to
15 explain to you who the ARL are. They are
16 the organization that covers all amateur
17 radio operators in the US. It's
18 approximately -- out of the 700,000, they
19 cover 260,000 and, here, in Coral Gables,
20 members of the ARL, we're 168. That's all.

21 And, basically, it's that -- the
22 approval, we're in favor of it, because
23 it's for the safety of the City and the
24 participants.

25 THE CHAIRMAN: Thank you very much.

7

1 MR. COE: Move the question, Mr. Chairman.

2 THE CHAIRMAN: Motion and a second to
3 approve the Zoning Code Text Amendment to
4 Article 5, Division 20. No -- hearing no
5 discussion, let's call the vote, please.

6 MS. MENENDEZ: Jack Coe?

7 MR. COE: Yes.

8 MS. MENENDEZ: Jeff Flanagan?

9 MR. FLANAGAN: Yes.

10 MS. MENENDEZ: Javier Salman?

11 MR. SALMAN: Yes.

12 MS. MENENDEZ: Eibi Aizenstat?

13 MR. AIZENSTAT: Yes.

14 MS. MENENDEZ: Robert Behar?

15 MR. BEHAR: Yes.

16 MS. MENENDEZ: Tom Korge?

17 THE CHAIRMAN: Yes.

18 Next Item is the Zoning Code Text
19 Amendment - Article 5, Division 16,
20 entitled "Roofs."

21 MR. RIEL: Again, this is an amendment
22 to the Zoning Code. It doesn't have to do
23 with metal roofs, I can tell you that.

24 Let me go ahead and turn it over to
25 Carlos Mindreau, the City Architect. This

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1 is -- the next two items on the agenda were
2 items that were requested by the Building
3 and Zoning Department.

4 THE CHAIRMAN: For the record, just
5 note that Pat Keon has arrived.

6 MR. MINDREAU: This text amendment --
7 this text amendment contains the addition
8 of a paragraph to Article -- Section 51602,
9 and subsequently, in addition, Paragraphs A
10 and B of Section 51603.

11 And, in essence, without reading it
12 for you, because you're capable of doing
13 that, but Paragraph G would expand Section
14 51602, to include buildings in the area --
15 particularly in the areas that are in the
16 flood zone district, in which the heights
17 of buildings is 39 feet, it would allow
18 them -- the Code currently allows for a
19 rooftop terrace over the first floor
20 portion of a two-story building.

21 This simply would allow a rooftop
22 terrace over the two-story portion of
23 two-story buildings, in the areas of the
24 flood zone, which are typically ocean --
25 have the capability to view the ocean from

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1 a higher vantage, without -- which would
 2 allow the architecture to develop turrets
 3 or other elements that might be on a -- on
 4 a more classical viewpoint or that would
 5 allow flat roof terraces, without
 6 increasing the height of a building, and
 7 allowing for this architectural element
 8 to -- to be part of the vocabulary that we
 9 can use in -- particularly in those areas.
 10 In all cases, the limitation is the
 11 allowable height that's pertinent to the
 12 land use for the specific houses. So
 13 that's not altering at all.
 14 The portions that are altering Section
 15 51603 simply include the -- it's really
 16 just clarifying the issue of the text. The
 17 text isn't quite clear, that in the areas
 18 in which the maximum height of a building
 19 is 29 feet, it -- it defines the rooftop of
 20 the flat areas as 24, with a parapet at
 21 26.5. It doesn't address the fact that in
 22 areas that are flood zones, in which the
 23 height of a building is 39 feet, we should
 24 also allow rooftops that have a parapet at
 25 36.5 and a rooftop at 34. That's the

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1 essence of -- of this amendment to Article
 2 5.
 3 MR. AIZENSTAT: We're not increasing
 4 any heights or any --
 5 MR. MINDREAU: We're not increasing
 6 height. We are merely clearly increasing
 7 the vocabulary by which you can get to
 8 that.
 9 THE CHAIRMAN: Is there any discussion?
 10 Is there anybody from the public who
 11 wishes to speak on this?
 12 MR. SALMAN: No, from the public.
 13 MR. COE: The general public. I don't
 14 think you qualify for that.
 15 MR. SALMAN: Thank you, Jim.
 16 THE CHAIRMAN: Any questions for the
 17 City Architect? No?
 18 MR. COE: Move approval, Mr. Chairman.
 19 MR. BEHAR: Second.
 20 THE CHAIRMAN: Motion to approve and
 21 second it. Any discussion on the motion?
 22 Hearing none, we'll call the roll on that,
 23 please.
 24 MS. MENENDEZ: Jeff Flanagan?
 25 MR. FLANAGAN: Yes.

11

1 MS. MENENDEZ: Javier Salman?
 2 MR. SALMAN: Yes.
 3 MS. MENENDEZ: Pat Keon.
 4 MS. KEON: Yes.
 5 MS. MENENDEZ: Eibi Aizenstat?
 6 MR. AIZENSTAT: Yes.
 7 MS. MENENDEZ: Robert Behar?
 8 MR. BEHAR: Yes.
 9 MS. MENENDEZ: Jack Coe?
 10 MR. COE: Yes.
 11 MS. MENENDEZ: Tom Korge?
 12 THE CHAIRMAN: Yes.
 13 The next item on the agenda is Zoning
 14 Code Text Amendment - Article 5, Division
 15 24, "Walls and fences."
 16 MR. MINDREAU: Again, to -- let me
 17 reiterate what the text amendment says.
 18 Essentially, this came to our attention,
 19 that there were a lot of areas of the City
 20 in which the garden concept was being lost,
 21 because of the definition of the sidewalk
 22 by walls, people enclosing the entirety of
 23 their properties with walls.
 24 Go -- driving and taking a visual
 25 survey of these areas of the City, it

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1 became relatively evident to me that this
 2 may be true, but particularly true in areas
 3 in which you have fifty-foot lots.
 4 When you have a fifty-foot lot, you
 5 know, several contiguous, and you begin to
 6 build four-foot walls, with two feet of --
 7 of iron on top of it, all of a sudden, the
 8 street gets defined in a -- in sort of a
 9 canyon sort of way, and we felt that this
 10 may indeed be an issue.
 11 At the -- at the time that we became
 12 aware of this issue, we were also
 13 contemplating the fact that at the triangle
 14 of visibility, again, in the short areas,
 15 the walls that were allowed to be four-foot
 16 were in violation of that. So we were
 17 having to figure out a way to overcome that
 18 by using convex mirrors, et cetera.
 19 At that point, it became evident what
 20 we should do with this text amendment was
 21 to limit the height of the masonry portion
 22 of enclosing elements to thirty inches,
 23 from the forty-eight, still allowing you to
 24 have metal from the thirty inches up to six
 25 feet, so that you could have the protection

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1 that is perceived by having a perimeter
2 fence, and this lessened the impact of the
3 enclosing of the lots, particularly as it
4 pertains to the narrow fifty-foot lots.

5 We -- when we wrote the text
6 amendment, we said, "85," so that in the
7 event you had a lot or a lot and a half,
8 you were -- you would be able to -- we
9 would be able to enforce this particular --
10 the Code in this particular manner. If you
11 have a bigger lot, it seemed to be less of
12 a problem in the larger lots, because of
13 the transparency and the distances that
14 were -- were being kept by those lots.

15 In essence, that's why we're having
16 the text amendment, and it includes the
17 definition of that.

18 The other portion of the text
19 amendment was to clarify the issue -- the
20 code wasn't quite clear on the inclusion of
21 columns as part of the fence. We felt that
22 in some areas people were wanting to put
23 wrought iron fencing, where, in this case
24 -- in most cases, aluminum fencing,
25 pickets, all the way across their

14

1 properties, without any more solid
2 anchoring elements, and we felt that this
3 began to create a stockade of sorts, when I
4 -- we reviewed the project.

5 So it was written in such a way that
6 it -- the text amendment says we may
7 include -- that may include columns at the
8 vehicular entrance, the driveways, or the
9 pedestrian entrance, and at the corners of
10 the property, to anchor the fencing
11 correctly, but it has to be appropriate to
12 the architecture of the house.

13 There may be houses where the
14 architecture doesn't require a column, in
15 the context that you see most of them, with
16 the limestone top and all this. The column
17 might be more simpler. It may be a coral
18 rock element that anchors it. So it gives
19 us the latitude to do that.

20 MR. BEHAR: I've got a question.

21 MR. MINDREAU: Sir.

22 MR. BEHAR: This would apply to the
23 entire site or just to the front of the
24 property, and, let's say, up to the front
25 setback?

15

1 MR. MINDREAU: Right. That's correct.
2 It would apply only to the front setback.
3 This is really applicable to the area --
4 originally, when I wrote the amendment, I
5 said, "contiguous," but in the Code,
6 contiguous is defined as across the
7 canal --

8 MS. HERNANDEZ: Right.

9 MR. MINDREAU: And dah, dah, dah, et
10 cetera, so I can't say contiguous, but what
11 I meant was, you know, adjacent to the
12 right-of-way. That's the particular
13 element that --

14 MR. BEHAR: From the front -- from the
15 front setback back, you could still have a
16 taller wall?

17 MR. MINDREAU: The Code applies. You
18 can still have chainlink up to the rear
19 corner of the structure on the rear or you
20 can have --

21 MR. BEHAR: Or a masonry wall.

22 MR. MINDREAU: -- a wall and the
23 chainlink can terminate on the wall.
24 That's -- that remains the same.

25 So all this addresses was that the

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1 composition of the fence on the front
2 property line, instead of being four feet
3 of masonry and two feet of -- of metal, it
4 could -- it would go to thirty inches of
5 masonry and the remainder would be --

6 MR. COE: It would not apply to a
7 corner lot or would it?

8 MR. MINDREAU: Corner lots have a
9 contiguous greater than the 50 or 85 feet
10 and so they would be exempt.

11 MR. COE: Okay.

12 MR. BEHAR: Carlos, I assume the Board
13 of Architects went through this and --

14 MR. MINDREAU: I have gone through the
15 Board of Architects through all this, and
16 we're all in agreement that this is
17 probably a good -- you know, a very good
18 thing.

19 MR. FLANAGAN: I'm confused as to
20 why -- I think, as it relates to the
21 reduction of height of the masonry wall,
22 why it's needed.

23 MR. MINDREAU: The -- at forty-eight
24 inches, which is what's permissible for the
25 masonry wall, the -- on the narrower lots,

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1 and on -- which also occurs on streets that
2 are narrower, you -- the fence begins to
3 have a preponderance upon the streetscape,
4 and the idea was to lessen that impact of
5 the built environment, create a little more
6 transparency and be perhaps a little truer
7 to the idea of the garden city or the city
8 without fences.

9 It's difficult, because of today's
10 environment, to prevent people from putting
11 fencing on all of their property, and --
12 you know, and I'm fully aware of that, and
13 so -- but I felt that changing the
14 proportion -- as I looked at fencing that
15 exists in the City, I realized that when
16 the wall was lower, the impact or the
17 enclosure of the street, the definition of
18 the street --

19 MR. BEHAR: The perception was less.

20 MR. MINDREAU: -- was much less
21 significant --

22 MR. FLANAGAN: But is it -- I mean, is
23 it a problem in the City or do we have
24 pictures? Are there areas where people
25 have seemed to create a canyon of walls

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1 down a narrow street, because it seems to
2 me -- and I live on a small lot, and I
3 think that's why I'm confused and very
4 interested in it, that you end up treating
5 the smaller lots differently than you do
6 the wider lots.

7 And you drive down a street that has
8 some very, very wide lots, and they have
9 significant walls and landscaping, and
10 those go on for probably 200 plus feet,
11 which, when you have one after another,
12 after another, on both sides, I think you
13 create a canyon effect the same way.

14 So I need a better understanding --
15 before I can support this, I need a much
16 better understanding as to, if there's a
17 problem, where there's a problem, if
18 there's not a different way to address it
19 and why the narrower lots are being treated
20 differently than the balance of the City.

21 MR. MINDREAU: Lots that are under --
22 under 85 feet are typically -- typically 50
23 feet, and they're contiguous for a block or
24 several blocks in a row, typically --

25 MR. FLANAGAN: Right.

19

1 MR. MINDREAU: -- particularly in the
2 northern parts of the City, and so those
3 are the most susceptible to -- to putting
4 in these four-foot walls, with two feet of
5 fencing above -- of aluminum fencing above,
6 are very susceptible to create this sort of
7 enclosure and this divorcing of the street
8 from the front.

9 MR. FLANAGAN: I understand they might
10 be susceptible to it, but I'm asking, is it
11 a problem -- is it an existing condition
12 overwhelmingly in the City?

13 I can tell you, in my neighborhood, on
14 my streets, it's not. I don't -- I can't
15 think of anybody that has a masonry wall.
16 I think there's a lot of hedges and a lot
17 of landscaping, but not the walls and then
18 the wrought iron.

19 MR. BEHAR: But you're right, and that
20 brings forth another question.

21 MR. FLANAGAN: Yes.

22 MR. BEHAR: In my block, there is --
23 the majority are, you know, 150 foot lots.
24 There are several lots that are 85, and if
25 you -- if you allow those 150 lots -- the

20

1 width of the street is the same -- to have
2 a higher height, and penalize those lots
3 under 85, they're going to have, you know,
4 four-foot and thirty inches -- you know, it
5 may look --

6 MR. MINDREAU: There exists, as you
7 drive through the City -- you can drive
8 through Anastasia, for example, west of
9 LeJeune, and Anastasia is covered with a
10 plethora of some higher, some lower, some
11 four feet with eight feet of hedging, as a
12 matter of fact, in one corner, and -- and
13 you can see the variety, and the variety is
14 not detrimental.

15 And, actually, when -- that's one of
16 the areas where you can actually see that
17 the houses that have the low masonry
18 maintain that openness, and, actually, I
19 think it's -- it's that variety in the
20 vocabulary that creates the streetscape
21 interest that -- that would be good to
22 maintain.

23 MR. FLANAGAN: But I think if we're
24 worried about openness, then it would only
25 seem fair that this regulation apply to all

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1 lots within the City.

2 I mean, openness is one thing, and

3 actual security is one thing, but

4 there's -- especially, I think, on the

5 smaller lots, there's issues of privacy,

6 because they're small, and you've got

7 five-foot setbacks on the side and the

8 neighbors are kind of on top of each other,

9 that sometimes people want and appreciate a

10 higher hedge or a higher wall on front, so

11 that they can, in fact, maybe utilize their

12 front yard, without having glaring eyes of

13 neighbors or passing cars on it.

14 MR. MINDREAU: The hedge is not

15 limited. This is only the portion of the

16 building. The pickets are limited to six

17 feet. They're limited to six feet anyway.

18 MR. FLANAGAN: Right, but if the

19 hedges aren't limited, then what difference

20 does it make if you can have -- what's the

21 maximum height of the hedge I can have on

22 the street?

23 MR. SALMAN: Six feet.

24 MR. FLANAGAN: So if I can have a

25 six-foot hedge, why can't I have a

22

1 four-foot wall with a two-foot high wrought

2 iron ornamental?

3 MR. MINDREAU: The impact of the

4 four-foot high on the sidewalk is much

5 greater than an impact of a

6 two-and-a-half-foot wall with a six-foot

7 hedge.

8 MR. FLANAGAN: But a six-foot hedge on

9 the sidewalk, I think, has a much greater

10 impact than a four-foot wall or a

11 thirty-inch wall.

12 THE CHAIRPERSON: Is the reason for

13 the distinction between, say, a lot greater

14 than 85 feet and a lot lesser than 85 feet,

15 that the smaller lots -- the preponderance

16 of them are located on narrow streets? Is

17 that the real reason driving this or is

18 there something else?

19 MR. MINDREAU: I think -- I think the

20 real reason is that the smaller lots are

21 usually on tighter streets, on streets that

22 are narrower.

23 MR. FLANAGAN: But the street -- the

24 pavement might be narrower, but the

25 right-of-way is still significant, and so

23

1 the hedge or the fence has to be,

2 obviously, on the property line, which, in

3 some cases, might be twenty, twenty-five

4 feet away from edge of pavement.

5 And so you have pavement, you have

6 significant swales area, and then you'll

7 end up with your hedge or your wall.

8 MR. AIZENSTAT: Carlos, if I may ask,

9 why did you choose 85 feet, as an arbitrary

10 number? Why -- why didn't you stick to,

11 let's say, fifty-foot lots, because --

12 MR. COE: Because it's less than a

13 hundred. That's why.

14 MR. AIZENSTAT: But there's -- there's

15 a lot of lots within the City of Coral

16 Gables which are 85 feet.

17 MS. HERNANDEZ: Uh-huh.

18 MR. MINDREAU: Yeah, there are. They

19 were typically one and a half lots, in the

20 original planning.

21 MR. AIZENSTAT: Yeah. So that's why

22 I'm wondering. I'm just curious why you

23 chose such a large --

24 MR. COE: But the double lot is

25 allowing. Something less than a double lot

24

1 is not.

2 MR. AIZENSTAT: But 85 frontage, I

3 think, in the City of Coral Gables, is a

4 pretty large size.

5 MR. COE: It's discriminating against

6 everybody that doesn't have a double lot.

7 MR. FLANAGAN: That's exactly right.

8 MR. AIZENSTAT: I would be more in

9 favor to go for -- if your idea is to do

10 these small lots, like you said, you know,

11 fifty-foot lots or so forth, but I'm just

12 wondering about an 85 front, because

13 there's a lot.

14 MR. COE: Carlos, you didn't bring any

15 photographs --

16 MR. MINDREAU: I -- you know, no, I

17 did not.

18 MR. COE: Quite candidly, I just --

19 just thinking about my recollections,

20 certainly the area you're talking about is

21 the North Gables, where I live, and I don't

22 see this as a problem. We're needlessly

23 tacking on another restriction to a

24 homeowner, and I -- is this really a

25 problem?

25

1 MR. MINDREAU: Okay. The thirty-inch
2 restriction is already there for the
3 triangle of visibility.

4 MR. COE: That I understand, but
5 you're adding -- you're tacking on a
6 further restriction --

7 MR. MINDREAU: Yeah. We're making --

8 MR. COE: -- and you're doing this 85
9 feet or less, and I -- I just don't see the
10 purpose of this.

11 MS. HERNANDEZ: What is the purpose?
12 Right. What he wants to know is what is
13 the purpose is.

14 MR. MINDREAU: Yeah. Well, the
15 purpose is to minimize the losing of the
16 garden city concept, to some degree.

17 MR. COE: Is this in anticipation of
18 something down the road?

19 MR. MINDREAU: No. No, this is
20 strictly as a commentary that came from the
21 public in several areas and we looked at it
22 and decided that maybe there was a --

23 MR. COE: Do you have specific streets
24 in mind that you're talking about, because
25 I cannot visualize what you're referring

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1 to? I'm in the -- constantly in the North
2 Gables, that's where I live, and I work
3 right off of Downtown, and I don't see this
4 as a problem.

5 MR. FLANAGAN: And as I said, in my
6 neighborhood, and multiple streets over by
7 the High School, I don't see it as a
8 problem at all, either.

9 So -- I mean, I would -- if it is a
10 problem, and there's pictures, I'd love to
11 see them. I don't know if it's appropriate
12 and maybe somebody from the public is here
13 to speak, but I -- maybe we can defer it
14 or --

15 MS. HERNANDEZ: Would you -- well,
16 you're right --

17 MR. SALMAN: If I may -- if I may --

18 MS. HERNANDEZ: -- maybe if we defer
19 it and then come back with examples
20 of particulars -- I think that's what the
21 Board is trying to visualize and they're
22 having trouble getting --

23 MR. FLANAGAN: And I think I'm going
24 to have to see that there is a problem,
25 because I have -- I'm having a very hard

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1 time supporting it.

2 MR. COE: I mean, if there's a
3 problem, and you think there's a problem,
4 but I hope we're just not anticipating a
5 problem at this point.

6 MR. MINDREAU: No.

7 THE CHAIRMAN: Javier, do you have
8 something you want to say?

9 MR. SALMAN: Yes, I'd like to --

10 THE CHAIRMAN: Okay.

11 MR. SALMAN: First of all, I applaud
12 your initiative, because I can see, what
13 you're seeing is that this might become a
14 problem in the future, especially as people
15 feel more and more insecure and they start
16 walling up their lots. First -- and I've
17 seen it in a lot of projects in my own
18 neighborhood, as the houses turn, the
19 person, they just put up a wall, and it's a
20 four-foot wall, with a two-foot, you know,
21 cheap aluminum fence, which is allowed
22 along the top, and it's devastating to
23 the -- to the whole landscaping of the
24 City. It just -- it just cuts it off. And
25 so I'm very much in support of what you're

28

1 trying to do.

2 I think that the arbitrary division
3 between lot size is probably mistaken. I
4 think that the division should be between
5 your front and your rear lot, that you can
6 continue with a higher wall in the rear and
7 then just bring it down from that point
8 forward.

9 That's probably going to be probably
10 more fair. It would allow for that variety
11 automatically, because all the walls that
12 have been built have been for the -- those
13 four-foot walls, with one exception, on
14 Alhambra Circle, somebody was actually
15 sensitive enough that they built a
16 twenty-four inch wall, then brought it up
17 just at the entrances, and it was very
18 nicely done, but that was somebody who
19 obviously was -- was sensitive to the
20 architecture of the house.

21 A lot of this is Board of Architect
22 related. I can see where their position in
23 favor of it would be, to limit that
24 ability. There are a whole series of other
25 issues with regards to walls and property

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1 walls along the right-of-ways, which I
2 think should be taken into account.

3 For example, these solid walls, where
4 you have the stucco right up to the
5 sidewalk, and then a collection of weeds
6 growing between the wall and the sidewalk,
7 which is really nobody's weeds, is also
8 another issue that needs to -- you know,
9 from a landscaping point of view, maybe
10 they need to start setting them back,
11 especially along those fronts, to help
12 break up the mass.

13 MR. MINDREAU: Uh-huh.

14 MR. SALMAN: It's cause for further
15 study. My recommendation, honestly, is
16 that -- that we table this issue, you come
17 back with specific examples and a little
18 bit more defined regulatory changes you
19 want to make, and I'm sure that the Board
20 will probably support you, and I would like
21 to make that as a motion.

22 MR. COE: I'll second the motion.

23 THE CHAIRMAN: A motion and second.

24 MR. COE: Call the question, Mr. Chair.

25 THE CHAIRMAN: Any -- well, any discussion?

30

1 MR. KEON: Can I just ask a question?

2 MR. RIEL: Tom --

3 THE CHAIRMAN: Please.

4 MR. KEON: I like your idea, too. I
5 think it's wonderful.

6 Is this for the whole front area of
7 the house? It's not -- I mean, I
8 understand that it's that area that is
9 adjacent to the front setback. What about
10 going down the side?

11 MR. MINDREAU: Adjacent to the street,
12 to the property line.

13 MS. KEON: To the street, yes. And,
14 then, as you go down the side?

15 MR. MINDREAU: Architecturally, it
16 would probably look better if we went back
17 at least to the setback point --

18 MS. KEON: Right, yeah.

19 MR. MINDREAU: -- and at that point,
20 you go back to the standard. Nothing
21 changes from that point back.

22 MS. KEON: Right. I would rather see
23 that than see the front be, you know, a
24 thirty-inch and then it would step up to
25 four feet.

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1 MR. MINDREAU: Yeah. That's why -- I
2 think that whatever architectural
3 vocabulary you use to define the front, at
4 the property line, it should probably go
5 back on each side --

6 MR. SALMAN: That's why I would like
7 to see that break point be at that point.

8 MR. BEHAR: That's where -- I was
9 under the impression that it would be to
10 the front setback line.

11 MR. MINDREAU: Yeah. No, I think --

12 MR. BEHAR: You take the front and the
13 first twenty-five feet, and, then, at the
14 setback, you can step it up.

15 MS. KEON: Yeah.

16 MR. MINDREAU: Then you go to the
17 normal -- the normal condition, the way the
18 Code is written.

19 MS. KEON: Right. So you would -- in
20 you coming back to us, would you clarify
21 that, too?

22 MR. MINDREAU: I'll be happy to do that.

23 MR. SALMAN: I think, if we had some
24 exhibits and some examples, I think it
25 would clarify for the rest of the Board

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1 members.

2 MS. KEON: Yeah, but I think it should --

3 MR. CHAIRMAN: I think we have someone
4 from the public who wanted to speak on
5 this. Do you -- if you don't want to, you
6 don't have to come up.

7 MS. LONGO: I would sure love to, but --

8 THE CHAIRMAN: Well, come up and
9 introduce yourself, identify yourself and
10 give your home address.

11 MS. LONGO: Yes. Hi, my name is
12 Maricris Longo, and I brought it up to
13 Carlos and he's been great. We drove
14 around -- and I live in Segovia, in the
15 historic area. There are several homes
16 that have the walls, which I consider
17 massive, not in the character of the house,
18 and that I feel that they definitely take
19 away from the aesthetics of the street,
20 devaluing the entire street.

21 I was concerned, because I wouldn't
22 want to have -- I own some properties in
23 the area, and I definitely wouldn't want
24 one of those walls, because one of those
25 walls is enough to take the entire value --

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1 aesthetic value -- I'm not talking about
2 prices, because, actually, I think it will
3 even affect prices, but aesthetics.

4 When I started, I spoke -- I'm not an
5 architect. I spoke with several
6 architects. I think sometimes -- I mean,
7 I'm not an architect, but I like beautiful
8 things, and I drove around, and I saw the
9 picket fences -- the original American
10 picket fences, and I asked an architect,
11 "How tall are these?"

12 "Three feet tall."

13 There's a difference when you drive
14 and you see these large lots, even all the
15 small lots, with these beautiful lower
16 three-foot picket, American, the
17 traditional ones.

18 I did further research and I found out
19 that Miami 21 had actually done some
20 research that shows that it is safer to
21 have more transparent walls, because what
22 happens is that people tend to hide.
23 There's a document that -- it's online,
24 that I e-mailed to Carlos.

25 In conclusion, I feel that I would

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1 like -- actually, I want all the lots, not
2 just the smaller lots, with smaller fences,
3 because I think it's prettier, it's less
4 massive, it's more open and more friendly
5 -- more pedestrian friendly, and that's my
6 recommendation.

7 THE CHAIRMAN: Thank you.

8 So now we're back to the motion that
9 was seconded. What was the motion again?

10 MR. SALMAN: To defer.

11 MR. COE: Defer.

12 THE CHAIRMAN: Defer.

13 MR. COE: I seconded the motion. Call
14 the question, Mr. Chairman.

15 THE CHAIRMAN: Okay. No -- any
16 discussion on the motion? Hearing no
17 discussion, we'll bring a vote on that,
18 please.

19 MS. MENENDEZ: Pat Keon?

20 MS. KEON: Yes.

21 MS. MENENDEZ: Javier Salman?

22 MR. SALMAN: Yes.

23 MS. MENENDEZ: Eibi Aizenstat?

24 MR. AIZENSTAT: Yes.

25 MS. MENENDEZ: Robert Behar?

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1 MR. BEHAR: Yes.

2 MS. MENENDEZ: Jack Coe?

3 MR. COE: Yes.

4 MS. MENENDEZ: Jeff Flanagan?

5 MR. FLANAGAN: Yes.

6 MS. MENENDEZ: Tom Korge?

7 THE CHAIRMAN: Yes.

8 The next item on the agenda --
9 actually, the last item on the agenda, is
10 the Coral Gables Comprehensive Land Use
11 Plan and Map.

12 MR. RIEL: Thank you, Mr. Chair.

13 I have about a 35-minute presentation
14 I'd like to go through. No, I --

15 MR. SALMAN: Yeah, what you put us
16 through last time?

17 MS. HERNANDEZ: There's a motion to
18 defer on the table.

19 MR. FLANAGAN: Second.

20 MR. RIEL: The video crew has to come
21 in and set it up, so -- no, actually, I
22 just would like to make some brief
23 comments, about five or ten minutes.

24 MR. COE: Don't we have to reconvene
25 as an LPA?

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1 THE CHAIRMAN: I don't know. Do we
2 have to close and reconvene or how does
3 this work?

4 MR. COE: I think we have to reconvene
5 as an LPA.

6 MR. RIEL: You're actually convening
7 as both, the LPA and the Planning and
8 Zoning Board.

9 MS. HERNANDEZ: Yeah.

10 MR. COE: Okay. You agree, we don't
11 have to reconvene?

12 MS. HERNANDEZ: I agree with
13 Mr. Riel's legal interpretation.

14 MR. COE: Okay.

15 MR. RIEL: In June of this year, we
16 brought for you the updated Comprehensive
17 Plan. It went to the City Commission.
18 They recommended approval in July.

19 After that time, we submitted it to
20 the State for review, and as is required,
21 we're required to send it to other
22 agencies, Department of Education, DEP,
23 FDOT, Department of Historical Resources,
24 South Florida Regional Planning Council,
25 Water Management District and the County

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1 Planning and Zoning Department.

2 We submitted it to them, got comments
3 back, and I will tell you that in
4 comparison to other comments other local
5 governments received, we received very
6 minimal comments, and partly due because of
7 the fact that we had worked with the DCA
8 well in advance of the submission of the
9 comments.

10 They did have some additional
11 information that they asked us to include.
12 If you look at Attachment D in your packet,
13 it's kind of a blue -- blue document, we
14 actually -- we took the DCA letter and we
15 responded to each one of their comments.

16 Just pretty much, in summary, I'd just
17 like to go through them very, very briefly.
18 They asked for some additional mapping,
19 which we accommodated. They asked for some
20 additional -- an objective, that we
21 actually had omitted from the housing
22 element, they asked that that be
23 reinserted, not a problem.

24 They asked for a coastal high hazard
25 area map, define evacuation time frames,

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1 more specific information -- probably the
2 more substantial comments were on the green
3 element. They wanted more specifics, and
4 it's kind of surprising, the fact that this
5 is actually an optional element. We're
6 actually, probably -- and I don't know this
7 for sure, but I think we're the only local
8 government in the State that submitted a
9 green element. So I was kind of surprised
10 to get those initial comments, but,
11 obviously, I guess, if you submit
12 something, you, you know, expect to get
13 comments, so we got comments.

14 So I went and updated it. A lot of
15 the specifics, I put in there, a lot of
16 things the City's already doing or we're in
17 the progress -- process of doing those
18 things.

19 Additional information was included in
20 the education element. Most of those
21 changes were done, because while we were in
22 the adoption phase, there were changes that
23 were suggested by the State. So to kind of
24 catch up and be ahead of the ball, we
25 included those -- those additional items,

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1 as well.

2 The natural resources element was
3 updated, and then we did get comments from
4 the County, and, unfortunately, they were
5 submitted after the time period. However,
6 in cooperation with our local County
7 government, we addressed those issues, as
8 well.

9 So kind of in summary, we addressed
10 all the comments. Staff's recommending
11 approval. All the comments are in the --
12 the white binder. They're in double
13 underline or actually shaded, the new
14 update, in terms of the comments.

15 After the LPA or the Planning and
16 Zoning Board considers it, it's going to
17 the Commission on the 17th for adoption.
18 It's transmitted to DCA. They have to
19 publish a notice of intent. There's an
20 appeal period. With those time frames, we
21 expect -- we hope that it will be adopted
22 in January next year.

23 And, basically, just in closing, I
24 want to say thank you to the Corradino
25 Group, specifically Scarlet Tenen, who

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1 helped us a lot, and also I'd like to say a
2 special thanks to Scot Bolyard, our planner
3 on staff. A lot of the mapping that we've
4 completed within this document was done
5 in-house, and if we had to go outside to do
6 this, there would have been a substantial
7 cost, but for the most part, between the
8 Corradino Group, and, you know, the
9 Planning Department, as well as other City
10 departments, I think it was a very good
11 update. It was a very smooth process, and,
12 you know, it's never been -- the whole plan
13 has never really been updated. We got --
14 you know, we worked out some issues with
15 some neighborhood groups. We accommodated
16 a lot of their comments.

17 So with that, Staff is recommending
18 approval, and just for the record, I just
19 want to read the ordinances into the
20 record.

21 It's an ordinance adopting the annual
22 capital improvements element. The second
23 ordinance is adopting the ten-year water
24 supply facilities work plan. The third
25 ordinance is adopting the Evaluation and

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1 Appraisal Report based amendments, which is
2 basically the document in, you know, the
3 white binder, and also adoption --
4 readopting the Comprehensive Plan Map, as
5 well as the three changes in land use
6 classifications that we identified at the
7 June/July meeting, and basically Staff
8 recommends approval. We hope the Board
9 endorses the recommendations.

10 THE CHAIRMAN: Eric, are there any
11 changes in the report, in response to the
12 State and County requests, that you
13 consider material or significant enough for
14 us to focus particularly on?

15 MR. RIEL: No. They -- I mean, most
16 of their comments were relative to the fact
17 that obviously they're not familiar with
18 the Code. They asked for some additional
19 mapping and to clarify some thresholds.

20 One or two of the items, I didn't
21 agree with, because it's in another -- they
22 asked for some information to be put on the
23 maps. Well, it's in the document, and we
24 didn't necessarily feel it was appropriate
25 to put it on the map. I mean, we're the

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1 folks that obviously work with it on a
2 daily basis, obviously, you know, working
3 with property owners and developers, so,
4 you know, there's some issues that I
5 consider so, so minor that we didn't agree
6 with, but I don't see them objecting.

7 THE CHAIRMAN: My concern was that
8 we're -- we might be -- my interest was
9 whether we're making any changes of
10 significance, that we should, you know,
11 think about and be sure.

12 Now, I went through everything, and I
13 can't remember every detail of the -- of
14 the original Comprehensive Plan. So if
15 there was something that jumps out at you,
16 that you think we should focus on, we need
17 to know now.

18 MR. RIEL: No. Yeah, you don't have
19 to -- there's nothing that really jumps
20 out, you know. Again, these comments were
21 relatively minor and Scarlet does a lot
22 of -- Corradino Group does a lot of Comp
23 Plans from other local governments, so
24 she's familiar with a lot of the issues,
25 and, you know, Scarlet can certainly come

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1 up and indicate, but from her standpoint,
2 she feels those comments are relatively
3 minor.

4 THE CHAIRMAN: Well, I guess, there's
5 nobody here from the public that wants to
6 speak on this.

7 MR. COE: Mr. Chairman, I just have a
8 -- I want to get on the record, and get an
9 opinion from the City Attorney, before we
10 continue and vote on this.

11 I represent, individually and
12 corporately, Josefina Ramirez. I see that
13 there's a package portion of this, which I
14 noticed when I reviewed this over the
15 weekend, dealing with the Riviera
16 Neighborhood Association. I have no
17 dealings with that, she's the President,
18 but I have private dealings.

19 MS. HERNANDEZ: Right.

20 MR. COE: Is there a conflict or not?

21 MS. HERNANDEZ: Okay. First of all,
22 what Judge Coe is referencing is an October
23 of 2009 letter from Ms. Josie Ramirez, in
24 her capacity as President of the Riviera
25 Neighborhood Association. You will recall

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1 that as part of the process that the Board
2 went through, they were wanting the Board
3 to adopt Comp Plan amendments and
4 guidelines requiring the City to be bound
5 by neighborhood studies that were
6 conducted, and part of a letter, in the
7 package, has to do with that particular
8 proposal and her request, on behalf of the
9 Riviera Neighborhood Association.

10 Judge, do you represent the Riviera
11 Neighborhood Association?

12 MR. COE: No.

13 MS. HERNANDEZ: Okay. And -- so any
14 decisions or discussions relating to this
15 issue before the Board today would not
16 impact your association with Ms. Ramirez or
17 what you were retained by her to do,
18 correct?

19 MR. COE: Correct.

20 MS. HERNANDEZ: So you have no
21 conflict and you are required to
22 participate in the proceedings here today.

23 THE CHAIRMAN: As I was saying,
24 there's nobody from the public, I see, who
25 wants to speak on this. Any discussion or

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1 questions from the Board members?

2 MS. KEON: I have a question.

3 THE CHAIRMAN: Pat.

4 MS. KEON: I noticed the water, so do
5 we have the ability, as a municipality, in
6 working with the County, in the Water
7 Department, to deal with issues like water
8 reuse or is that solely the province of the
9 County?

10 MS. HERNANDEZ: Say that again, issues
11 of water what?

12 MS. KEON: Water reuse. You know,
13 that -- because we have some very large --
14 I mean, we have two golf courses -- we have
15 more, because we have Deering Bay.

16 MS. HERNANDEZ: Right.

17 MS. KEON: We have some very -- and
18 UM. We have some very large open space,
19 green areas, that are irrigated with
20 drinking water.

21 MR. RIEL: You're talking about gray
22 water, use of gray water?

23 MS. KEON: Yeah. You know, which
24 would be a great project for this City to
25 undertake, for the irrigation of those

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1 spaces that we wouldn't be using drinking
2 water for --

3 MS. HERNANDEZ: The County and the
4 State regulations are what apply to this
5 City, and Public Works makes sure that we
6 follow the rules and regulations, but --

7 MS. KEON: I mean -- right, but I know
8 that the County is -- I think there's a
9 discussion about it, but I don't know that
10 there's any actual reuse going on yet. I
11 think I know there was discussion about
12 maybe on Key Biscayne or something --

13 MR. SALMAN: (Inaudible). And Key
14 Biscayne.

15 MS. KEON: -- to do a reuse study. I
16 wondered if part -- you know, part of
17 our -- you know, that -- I would think that
18 that would be a very good thing for the
19 City of Coral Gables. Is there a way --

20 MR. RIEL: I believe there's goals and
21 objectives in here that deal with that, but
22 I -- if I'm -- and Scarlet can correct me
23 if I'm -- I mean, I don't think it's
24 available, in close proximity -- in other
25 words, that gray water line is available,

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1 and I'm going back, you know, five, six
2 years, I remember the issue came up --

3 MS. KEON: Right.

4 MR. RIEL: -- but, you know, I don't
5 think there's been --

6 MS. KEON: No, I don't think it is,
7 either. I don't think --

8 MR. RIEL: I don't think it is
9 anywhere close to being -- in other words,
10 the extension of those lines, that would be
11 effective or cost effective for the City to
12 do.

13 MS. KEON: Well, I think the only
14 place that they're -- they are putting in
15 those lines at the moment was Key Biscayne;
16 is that right?

17 MR. SALMAN: Correct.

18 MS. KEON: I think it was only Key
19 Biscayne, but I would think that, you know,
20 it would be -- there aren't the lines, but
21 I think it would be something that would be
22 a good thing for this City to enter into
23 discussion with the County as to the
24 potential use of gray water for irrigating
25 those -- particularly for irrigating those

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1 large public areas.

2 MS. HERNANDEZ: Right. Ms. Keon, if
3 you want to, we can always invite -- you
4 know, and we have in the past, invited
5 County representatives to discuss
6 initiatives that this Board may wish to,
7 you know, discuss and perhaps make
8 recommendations to the City Commission.
9 We're always happy to reach out and -- you
10 know, the City of Coral Gables is always at
11 the forefront of these issues.

12 MR. SALMAN: Uh-huh.

13 MS. HERNANDEZ: So all I can tell you
14 is that the County does preempt a lot of
15 the issues. They do enforce -- Public
16 Works works with them, but if you want to
17 hear from them as to what programs are
18 available, that we might be able to partner
19 with them on, we're happy to reach out and
20 bring speakers to you and look at that.

21 MS. KEON: I just think that will be a
22 very -- I think that for our long range
23 planning, it would be a very good program
24 for us to be able to at least consider it
25 in the City of Coral Gables. I just think

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1 it would be a good thing for us to consider
2 and to see if there is the potential for us
3 to develop that with the County, and it
4 could be through grants or whatever else
5 may qualify --

6 MS. HERNANDEZ: Right. If you want
7 to, Mr. Chairman, if you, too, Mr. Riel and
8 I can follow-up with Ms. Keon and then
9 reach out to somebody, you know, at the
10 County, to come and discuss with us, in a
11 public forum, because you have definitely
12 more knowledge than I do, on the issues,
13 and then perhaps maybe there is something
14 that we can apply for and move forward on,
15 but, you know, again, it's up to the --

16 MR. BEHAR: You may consider, Pat,
17 putting some incentives --

18 MS. HERNANDEZ: Right.

19 MR. BEHAR: -- for the Biltmore, for
20 the Riviera, where --

21 MS. KEON: And Deering Bay.

22 MS. HERNANDEZ: Deering Bay.

23 MR. BEHAR: So they could --

24 MS. KEON: Fairchild.

25 MS. HERNANDEZ: Right.

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1 MS. KEON: I mean, we have huge --

2 MR. BEHAR: City wide, it would be
3 very difficult --

4 MS. HERNANDEZ: So we could be more
5 environmentally sensitive, too.

6 (Simultaneous speaking.)

7 THE CHAIRMAN: Let me bring a little
8 dose of reality to this. I talked to the
9 superintendent about this very issue at
10 Riviera, and he said that unfortunately
11 they can't use gray water, because --
12 although it will work fine for most
13 landscaping, for those grasses, it just
14 doesn't work.

15 (Inaudible.)

16 THE CHAIRMAN: It would be a real cost
17 saver for me.

18 MR. COE: And that's exactly what the
19 Biltmore people said, too, because I've
20 also inquired about that.

21 MS. KEON: Oh, have you?

22 MR. COE: Yeah. See, that's the
23 problem, because --

24 MS. KEON: Okay. That's what they
25 said, but if the County -- I mean, if you

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1 talk to the County and the people at DERM
2 or whatever --

3 MS. HERNANDEZ: Right.

4 MS. KEON: I mean, I don't know what --

5 MS. HERNANDEZ: What she's saying is,
6 let's hear the other side of the issue and
7 that's, you know --

8 MS. KEON: Yeah.

9 MR. COE: The problem is, you know, in
10 the summertime, the water -- over the
11 wintertime, the water restrictions -- it's
12 not a problem in the summer. In the
13 wintertime, with the water restrictions,
14 golf courses, county wide, are barren,
15 because you can't water them and they
16 cannot use gray water. It's this -- it's
17 this --

18 MS. KEON: Well, but maybe that's the
19 discussion we have to have, that in order
20 to effectively use gray water, it has to be
21 able to be used on those types of things.
22 So what can be done in the processing of
23 that gray water that would allow it to be
24 used? Because maybe it's an opportunity
25 that would be there for us and isn't there

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1 for us for maybe very -- a very simple
2 thing, and I don't know that, because I
3 don't know the processes that they go
4 through in order to create it. I don't
5 know what elements they can, you know, sift
6 out or --

7 MR. BEHAR: Well, it would have to be
8 treated.

9 MS. KEON: Right.

10 MR. BEHAR: They have to treat the
11 water, before they can reuse it.

12 MS. KEON: That's right, but I don't
13 know --

14 MR. BEHAR: It's doable. It's doable,
15 but --

16 MR. AIZENSTAT: Right.

17 MS. KEON: I mean, I would think it
18 could be doable.

19 MR. BEHAR: It's doable.

20 MR. COE: It's treatable, but not
21 drinkable.

22 MS. KEON: Well, that's right, and I
23 don't know why you couldn't irrigate --

24 MR. BEHAR: That was part of my lead
25 question, my lead exam. That came out.

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1 MR. SALMAN: Did you pass?
 2 MR. BEHAR: I did pass.
 3 (Simultaneous speaking.)
 4 MS. KEON: You know, I don't want to
 5 make everybody sit here and listen to that,
 6 if there's not an interest.
 7 MR. RIEL: Well, let me make this
 8 comment. I mean, obviously --
 9 MS. KEON: Yeah.
 10 MR. RIEL: -- this is a large
 11 document, and our ten-year water supply
 12 facilities work plan, which is one of the
 13 things you're adopting via the ordinance,
 14 there's a reuse section in here that
 15 basically will support the Water Management
 16 District on Miami-Dade County water reuse
 17 projects, and there's a terminology, "The
 18 City of Coral Gables supports water reuse
 19 initiatives under consideration by both,
 20 the District and the County. The County is
 21 committed to implement a total of 170 MGD
 22 of water use -- water reuse as noted in the
 23 County's 20-year water use permit," and I
 24 won't go in -- I mean, in terms of -- you
 25 know, reuse to recharge aquifer, and

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1 apparently that reuse irrigation projects
 2 are anticipated in North and Central
 3 District Water Treatment Plants for the
 4 cities of North Miami, North Miami Beach
 5 and currently under construction in Key
 6 Biscayne.
 7 So those are the only three local
 8 governments that have it at this time. So
 9 we do have goals and objectives, and it's
 10 actually in our water supply plan, which is
 11 required to be adopted by the State. So
 12 it's in there.
 13 MS. KEON: I know it's in there, but I
 14 think sometimes bringing it to a forefront
 15 is a matter of having --
 16 MS. HERNANDEZ: Right, but it's up to
 17 the Board. You tell us what to do, and
 18 we'll do whatever you want.
 19 THE CHAIRMAN: Does the Board want to
 20 -- first, is that within our purview? Is
 21 that within our jurisdiction as a Board to
 22 --
 23 MR. RIEL: Sure.
 24 MS. HERNANDEZ: Absolutely.
 25 Absolutely, as an outreach, part of some

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1 goals and objectives that you're
 2 recommending that the Commission adopt.
 3 THE CHAIRMAN: Secondly, would the --
 4 just real quickly, yes or no, anybody want
 5 to -- would you like to hear this at
 6 another time?
 7 MR. COE: I have no objection.
 8 MR. BEHAR: Yeah, sure.
 9 MR. SALMAN: Absolutely.
 10 THE CHAIRMAN: I guess the consensus
 11 is, yes.
 12 MR. RIEL: What we'll do is, we'll
 13 work with Ms. Keon and then we'll create
 14 maybe a white paper or something like that
 15 and I'll put it on the agenda and then we
 16 can decide how to go forward.
 17 MR. SALMAN: I want to --
 18 MR. RIEL: Okay. You want to be
 19 involved?
 20 MR. SALMAN: I want to be in on that
 21 one. I'll tell you why. There's a lot of
 22 very simple and very low costs policies --
 23 MS. HERNANDEZ: Right.
 24 MR. SALMAN: -- that could be adopted,
 25 and just off the top of my head, any kind

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1 of water main work that needs to be done,
 2 you include just a -- future lines
 3 transmission of gray water, purple pipes.
 4 It's very easily doable.
 5 MS. HERNANDEZ: Right.
 6 MR. BEHAR: I think if you provided
 7 some incentives for these places to be able
 8 to capture some of that, it will be done.
 9 I think the problem right now is that they
 10 feel that the cost that they have to incur
 11 doesn't make sense, but if there's some
 12 incentives --
 13 MS. KEON: But we don't know what
 14 could be available. You don't know --
 15 (Simultaneous speaking.)
 16 MS. HERNANDEZ: Exactly. It's just an
 17 educational issue right now.
 18 MS. KEON: So I think it's a matter of --
 19 THE CHAIRMAN: Speaking of
 20 educational, I'll tell you that there's a
 21 move in DERM to force the golf courses to
 22 use the sewage treatment facilities,
 23 instead of simply using septic tanks on the
 24 property, which would be a much more cost
 25 efficient way of treating the water.

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1 MS. KEON: Right.
 2 MS. HERNANDEZ: So, I mean, there are
 3 a lot of issues relating to that, that all
 4 tie in together in terms of the cost.
 5 Any way --
 6 MS. HERNANDEZ: Instead of golf shoes,
 7 you're going to be wearing rain boots.
 8 MS. KEON: But also, then, we have --
 9 so much of our golf courses or whatever or
 10 gardens and things like that, you know,
 11 maybe there has to be something in the
 12 treatment process that allows it to be used
 13 in that manner.
 14 MR. BEHAR: Right. It's a great idea.
 15 MR. SALMAN: Very good, Pat.
 16 MS. HERNANDEZ: Okay. We'll
 17 definitely follow up on it.
 18 THE CHAIRMAN: Is there any more
 19 discussion or comments or questions about
 20 the Comprehensive Plan before us right now?
 21 Do we need a motion -- we need more
 22 than one motion?
 23 MR. RIEL: Yes. I mean, I would
 24 suggest four separate motions.
 25 THE CHAIRMAN: Okay. Do you want to

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1 tell us what the first one would be?
 2 MR. COE: We have to do --
 3 MR. RIEL: I have a suggestion.
 4 THE CHAIRMAN: What's the first?
 5 MR. RIEL: Basically just read off the
 6 subject matter.
 7 MR. COE: We've got to read all of them.
 8 THE CHAIRMAN: Who's going to make the
 9 motion?
 10 MR. FLANAGAN: Which one? Number 1?
 11 I move to adopt the annual update to
 12 the Capital Improvements Element within the
 13 City's Comp Plan.
 14 MR. SALMAN: Second it.
 15 THE CHAIRMAN: The motion is seconded.
 16 Any discussion? Hearing no discussion,
 17 let's call the roll on the first motion.
 18 MS. MENENDEZ: Javier Salman?
 19 MR. SALMAN: Yes.
 20 MS. MENENDEZ: Eibi Aizenstat?
 21 MR. AIZENSTAT: Yes.
 22 MS. MENENDEZ: Robert Behar?
 23 MR. BEHAR: Yes.
 24 MS. MENENDEZ: Jack Coe?
 25 MR. COE: Yes.

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1 MS. MENENDEZ: Jeff Flanagan?
 2 MR. FLANAGAN: Yes.
 3 MS. MENENDEZ: Pat Keon?
 4 MS. KEON: Yes.
 5 MS. MENENDEZ: Tom Korge?
 6 THE CHAIRMAN: Yes.
 7 Motion Number 2.
 8 MR. SALMAN: Go ahead, Jeff.
 9 MR. FLANAGAN: I move that we adopt
 10 the ten-year water supply facilities work
 11 plan and amend the Comp Plan to promote and
 12 facilitate better coordination between
 13 water supply and local land use planning,
 14 et cetera, as listed on Item Number 2.
 15 MR. BEHAR: Second.
 16 THE CHAIRMAN: Motion and a second.
 17 Any discussion?
 18 No discussion, let's call the roll, please.
 19 MR. COE: Call the question.
 20 MS. MENENDEZ: Eibi Aizenstat?
 21 MR. AIZENSTAT: Yes.
 22 MS. MENENDEZ: Robert Behar?
 23 MR. BEHAR: Yes.
 24 MS. MENENDEZ: Jack Coe?
 25 MR. COE: Yes.

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1 MS. MENENDEZ: Jeff Flanagan?
 2 MR. FLANAGAN: Yes.
 3 MS. MENENDEZ: Pat Keon?
 4 MS. KEON: Yes.
 5 MS. MENENDEZ: Javier Salman?
 6 MR. SALMAN: Yes.
 7 MS. MENENDEZ: Tom Korge?
 8 THE CHAIRMAN: Yes.
 9 Jeff, you're on a roll.
 10 MR. FLANAGAN: Oh, me again?
 11 I move to adopt the EAR based
 12 amendments and various updates of the
 13 Goals, Objectives and Policies, and the
 14 newly created elements as listed on Item
 15 Number 3.
 16 MR. SALMAN: Second.
 17 THE CHAIRMAN: Motion and a second.
 18 Any discussion? No discussion, would you
 19 call the roll, please?
 20 MS. MENENDEZ: Robert Behar?
 21 MR. BEHAR: Yes.
 22 MS. MENENDEZ: Jack Coe?
 23 MR. COE: Yes.
 24 MS. MENENDEZ: Jeff Flanagan?
 25 MR. FLANAGAN: Yes.

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1 MS. MENENDEZ: Pat Keon?
 2 MS. KEON: Yes.
 3 MS. MENENDEZ: Javier Salman?
 4 MS. SALMAN: Yes.
 5 MS. MENENDEZ: Eibi Aizenstat?
 6 MR. AIZENSTAT: Yes.
 7 MS. MENENDEZ: Tom Korge?
 8 THE CHAIRMAN: Yes.
 9 Finally.
 10 MR. FLANAGAN: I move that we readopt
 11 the Comp Plan Amendment and the change of
 12 land use map, designations -- I'm not going
 13 to read all of that -- all as listed in
 14 Item Number 4.
 15 THE CHAIRMAN: Is there a second?
 16 MR. SALMAN: Second.
 17 THE CHAIRMAN: Any discussion?
 18 MR. BEHAR: Is this only limited to
 19 those three properties?
 20 MR. RIEL: And I -- that's what I
 21 meant -- I'll make a point --
 22 MR. SALMAN: Yes.
 23 MR. RIEL: It's readopting of the Comp
 24 Plan Map in its entirety, as well as the
 25 three properties.

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1 MS. HERNANDEZ: As well as -- those
 2 were the only changes we were recommending
 3 at this time.
 4 THE CHAIRMAN: Yes. And the three
 5 properties are listed in our agenda, under
 6 items 4A, B and C, correct?
 7 MS. HERNANDEZ: Correct.
 8 MR. RIEL: Correct.
 9 THE CHAIRMAN: Okay. Any further
 10 discussion of the question?
 11 Hearing none, we'll call the roll on that.
 12 MS. MENENDEZ: Jack Coe?
 13 MR. COE: Yes.
 14 MS. MENENDEZ: Jeff Flanagan?
 15 MR. FLANAGAN: Yes.
 16 MS. MENENDEZ: Pat Keon?
 17 MS. KEON: Yes.
 18 MS. MENENDEZ: Javier Salman?
 19 MR. SALMAN: Yes.
 20 MS. MENENDEZ: Eibi Aizenstat?
 21 MR. AIZENSTAT: Yes.
 22 MS. MENENDEZ: Robert Behar?
 23 MR. BEHAR: Yes.
 24 MS. MENENDEZ: Tom Korge?
 25 THE CHAIRMAN: Yes.

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1 Eric, do you have anything else for us?
 2 MR. RIEL: No. If you -- we'd like to
 3 get your -- the Comp Plans back, unless
 4 you'd like to keep it, because we'd like to
 5 recycle them for the Commission.
 6 THE CHAIRMAN: Okay.
 7 MR. COE: With the water?
 8 MR. RIEL: Yes.
 9 No, nothing else, Mr. Chairman.
 10 THE CHAIRMAN: Next meeting is next
 11 year or --
 12 MR. COE: Is our December meeting at
 13 the usual date or are we going to have a
 14 different date this time?
 15 MR. RIEL: It's set at the usual date.
 16 I don't expect it to change.
 17 MR. SALMAN: Only if I get the final
 18 Comp Plan --
 19 THE CHAIRMAN: We're adjourned.
 20 (Thereupon, the meeting was adjourned at
 21 6:55 p.m.)
 22
 23
 24
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1 C E R T I F I C A T E
 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7
 8
 9 I, NIEVES SANCHEZ, Court Reporter, and a
 10 Notary Public for the State of Florida at Large, do
 11 hereby certify that I was authorized to and did
 12 stenographically report the foregoing proceedings
 13 and that the transcript is a true and complete
 14 record of my stenographic notes.
 15
 16 DATED this 6th day of November, 2009.
 17
 18
 19
 20
 21 _____
 22 NIEVES SANCHEZ
 23
 24
 25