

**City of Coral Gables
 Planning and Zoning Board Meeting Minutes
 July 9, 2003
 Coral Gables City Commission Chambers
 405 Biltmore Way, Coral Gables**

Members:	J	F	M	A	M	J	J	A	S	O	N	D	Appointed by:
Manny Kadre	E	P	P	E	P	X	P						City Manager
Tom Korge	*	*	*	P	P	X	P						Vice Mayor Wayne “Chip” Withers
Bill Mayville	*	*	*	*	*	X	P						Commissioner William H. Kerdyk, Jr.
Cristina Moreno	P	P	P	P	P	X	P						Commissioner Maria Anderson
Felix Pardo	P	P	P	P	P	X	P						Mayor Donald D. Slesnick, II
F. Michael Steffens	P	P	P	P	P	X	P						Commissioner Rafael “Ralph” Cabrera, Jr.

A = Absent
P = Present
E = Excused
X = Meeting Cancelled
*** = Not Appointed**

City Staff:
 Eric Riel, Jr., Planning Director
 Walter Carlson, Assistant Planning Director
 Richard D. Cannone, Principal Planner
 Dennis Smith, Asst. Building and Zoning Director
 Commissioner William H. Kerdyk, Jr.
 Jill M. Duran, Administrative Assistant

Recording Secretary:
 Carol Marcus-Stanley

Chairman Felix Pardo called the meeting to order at 6:19pm. The Recording Secretary called the roll and concluded that a quorum was present.

Chairman Felix Pardo welcomed Bill Mayville as the newest member of the Board. He indicated that Mr. Mayville is the former chairman of the Board of Adjustment and is a welcomed addition to the Board.

PRESENTATION OF CERTIFICATES OF APPRECIATION TO PREVIOUS BOARD MEMBERS.

Eric Riel, Jr., Planning Director, presented a plaque and Certificate of Appreciation Jorge Hernandez for his service to the Planning and Zoning Board from May 2001 to May 2003. Chairman Felix Pardo recognized Commissioner Bill Kerdyk who addressed the Board on behalf of

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 2 of 25

the Mayor and fellow City Commissioners and presented Jorge Hernandez with an emblem of the City of Coral Gables and a Key to the City. Whereupon Jorge Hernandez thanked Commissioner Kerdyk, the members of the Board and the Planning Department.

Mr. Riel indicated that neither Randy Liebler nor Tony Goitia were available and will be invited to the next Board meeting to accept their plaques and certificates.

NOMINATION OF NEW PLANNING AND ZONING BOARD MEMBER FOR CONFIRMATION BY THE CITY COMMISSION.

Chairman Felix Pardo indicated the Board wished to address the nomination of a new Board member. Whereupon Manny Kadre made a motion to defer this item until the next meeting to give the Board Members sufficient time to consider possible appointments to the Board, which motion was seconded by Cristina Moreno. Chairman Felix Pardo indicated that the 7th member of the Board is appointed by a consensus of the Board, and then the recommendation is taken to the Commission. He further indicated that if anyone wished to express an interest in an appointment to the Board, they should contact Eric Riel directly.

Roll Call: Manny Kadre, Tom Korge, Bill Mayville, Cristina Moreno,
Michael Steffens, Felix Pardo

APPROVAL OF MAY 14, 2003 PLANNING AND ZONING BOARD MEETING MINUTES.

Chairman Pardo indicated that the next item before the Board was the approval of the May 14, 2003 Planning and Zoning Board Meeting Minutes. Michael Steffens made a motion to approve the Minutes, which motion was seconded by Tom Korge. Tom Korge recommended two changes to the minutes which were duly noted by the Recording Secretary. There being no further comments on the minutes, the Minutes were approved with comments as recommended.

Roll Call: Manny Kadre, Tom Korge, Bill Mayville, Cristina Moreno,
Michael Steffens, Felix Pardo

APPROVAL OF APPLICATION NO. 06-03-107-P – SITE PLAN REVIEW: BILTMORE GOLF COURSE.

Assistant Planning Director, Walter Carlson, addressed the Board and conducted a presentation on a request for site plan review of the proposed Biltmore Golf Academy consisting of a 400 square foot addition to the existing bathroom pavilion located on the Biltmore Golf Course, south of the Biltmore Hotel. A copy of his presentation is attached hereto as Exhibit "A". He stated that site plan review is required for all new buildings or additions to existing buildings proposed on "S", Special Use zoned properties. He discussed the existing conditions, which is a one story 1,440 square foot bathroom pavilion located in the interior of the golf course, and the applicant's proposal to construct enclosed office and meeting rooms within the existing pavilion.

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 3 of 25

He further indicated that the 400 square foot addition would occupy about ? of the pavilion, consist of a 150SF office and a 250SF meeting room, and that the proposed plans have been approved by the Board of Architects.

Mr. Carlson stated that the proposal was consistent with the goals and objectives of the City's Comprehensive Master Plan and with the City's objective of improving City parks and recreational facilities. He indicated that the Planning Department recommends approval of the proposed site plan for the Biltmore Golf Academy with the following four (4) conditions:

1. All proposed signage shall meet requirements specified in the Zoning Code;
2. No light fixtures shall be permitted on any exterior portion of the building;
3. No amplified sound system shall be permitted outside the confines of the building; and
4. No sale of golf equipment, clothing, food or related items shall be permitted within the structure.

He further stated that the application is scheduled to be heard by the City Commission on the first reading on August 26, 2003, and on second reading on September 23, 2003. He stated that the applicant was available to present detailed plans and elevations to the Board.

Whereupon, Chairman Pardo asked whether there was anyone in the public, besides the applicant and its representatives, who wished to address the Board on this issue. There not being a response, Chairman Pardo suggested that the applicant proceed with their presentation.

Jose Lorenzo Puentes, architect for the Biltmore Hotel, addressed the Board and introduced the General Manager, Project Manager and Golf Professional of the Biltmore Hotel. Chairman Pardo indicated that Staff's recommendation was for approval, closed the issue to public commentary and invited the Board Members to pose questions or comments to the applicant. Michael Steffens asked whether the existing bathrooms met current ADA standards and whether adding more than 25% to the building would require that the bathrooms to be brought up to ADA standards. Mr. Puentes indicated that the bathrooms do not meet ADA standards, but that they are working with their ADA consultants and are willing to do that. Mr. Puentes indicated that there is one handicap bathroom for each of the ladies' and mens' bathrooms. Mr. Puentes then handed out additional drawings for the Board's review, which are attached hereto as Exhibit B.

Bill Mayville stated that he thought that a neighbor raised some objections [to the project] and asked whether he had spoken with that neighbor. Mr. Puentes indicated that he was not aware of any such objection. Dennis Doucette, Biltmore Hotel General Manager, indicated that the neighbor

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 4 of 25

who lived behind the fourth and fifth hole was concerned that there would be lighting, but confirmed that there would be no extra lighting, which is one of Staff's recommended conditions of approval. Chairman Pardo said that he read the objection from the neighbor which said that they bought the house and had a nice view. Mr. Doucette indicated that [the proposed addition] would not change the view.

Eric Riel asked whether the applicant agreed with the conditions proposed by the Planning Staff. Mr. Puentes indicated that they do. Whereupon a motion to approve the application was made by Manny Kadre which motion was seconded by Bill Mayville and thereupon approved by the following:

Roll Call: Manny Kadre, Tom Korge, Bill Mayville, Cristina Moreno,
 Michael Steffens, Felix Pardo

DISCUSSION ON APPLICATION NO. 02-03-094 REGARDING: (1) CHANGE OF LAND USE; (2) REZONING; AND (3) SITE PLAN REVIEW, FOR PROPERTY LOCATED AT 44 ZAMORA AVENUE KNOWN AS LA PLAZA DE ZAMORA

Walter Carlson began his presentation (attached as Exhibit "C") to the Board by indicating that the application before the Board includes the following three (3) items:

1. Change of land use on Lots 1 – 5 from "Religious/Institutional" to "Residential Use (Multi-Family) Medium Density";
2. Re-zone Lots 1 – 5 from "SA-13", Special use to "A-13", Apartment; and
3. Site plan review of the proposed project.

He indicated that the applicant wished to re-develop the property and construct an 8-story multi-family building with 45 residential units and 80 parking spaces. The property, which is approximately one (1) acre in size and consists of seven (7) platted lots, is occupied by Temple Zamora and is currently vacant. There are also two 2-story apartment buildings with 12 residential units on the property with no available on-site parking.

With regards to the existing zoning designations, he indicated that Lots 1 - 5 have "Religious/Institutional" land use and "SA-13" zoning, which is appropriate for its existing use as a Temple. Lots 6 - 7 have "Residential Use (Multi-Family)" land use and "A-13" zoning, which is also appropriate for the existing apartment use and would also be the appropriate designations for the proposed re-development. Therefore, only Lots 1 - 5 would require a change of land use and re-zoning to accommodate the proposed project.

Mr. Carlson stated that the applicant is proposing to demolish the existing Temple and two apartment buildings and replace it with a mid-rise 73,884 square foot Mediterranean-style condominium building with 45 residential units. The applicant will be requesting bonuses for additional height, units and FAR. This proposal will provide additional parking by constructing 80 spaces, the full amount of required on-site parking, and increase the number of on-street parking to 32 spaces. He indicated that the proposed site plan included a roof-top patio and pool, perimeter column and fence enclosure and continuous wall and landscape buffer along the rear property line to screen the project's on-site parking from the apartment buildings which exist behind the property.

In conclusion, Mr. Carlson indicated that the Planning Staff believes that:

1. The proposal is consistent with the goals, objections and policies of the City's Comprehensive Master Plan;
2. The project conceals on-site parking and provides "eyes on the street" as recommended by the City's Charrette Report;
3. The proposal creates infill residential density in an area of the City where it is intended (the Apartment District);
4. There is a high concentration of mid and high-rise projects in the area of the Apartment District;
5. The proposed size of the project is less than allowed under the property's current land use designation;
6. All required parking will be provided on-site and additional on-street parking would be created for use by this project and adjacent properties;
7. A continuous buffer is provided along the rear of the property to screen the project's on-site parking; and
8. The Historic Resources Department has determined that the property three existing structures are not suitable for historic designation.

Mr. Carlson stated that Planning Staff recommends approval of the request to change the property's land use designations to "Residential Use (Multi-Family) Medium Density" and "A-13", Apartment, and also recommends approval of the proposed site plan with the following conditions:

1. The change of land use and re-zoning shall be conditioned on conformance with the approved site plan, landscaping plan and all representations and exhibits prepared and submitted by the applicant;

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 6 of 25

2. All conditions of approval shall be included within a restrictive covenant that shall be reviewed and approved by the City Attorney;
3. Prior to the issuance of any permits, the applicant shall adhere to the following additional conditions:
 - a. The applicant shall secure approval from the City Commission for all proposed encroachments into the public right-of-way;
 - b. Review and approval of required Mediterranean architectural style and bonuses shall be received by the Board of Architects;
 - c. All landscaped areas shall be irrigated with 100% coverage; and
 - d. The applicant shall be required to maintain all landscaping and replacing all dead or non-complying plant materials according to the approved landscaping plan.

Mr. Carlson indicated that the application is tentatively scheduled to be heard by the City Commission on Tuesday, August 26th on the first reading, and on Tuesday September 23rd on the second reading. Whereupon, Mr. Carlson concluded his presentation and invited the Board to hear the applicant's presentation or to pose any questions to the Planning Staff.

Chairman Felix Pardo indicated that he would prefer to see a detailed analysis by Planning Staff on the history of previous City approvals and ordinances to provide the Board with an understanding of a particular project. He indicated that this information, including any documentation pertaining to agreements made with neighbors, would make them more aware to issues affecting the neighborhood. Mr. Carlson suggested that Planning Staff include copies of ordinances, if such ordinances are referenced in the history of a particular property. Cristina Moreno indicated that if the agreements were recorded, they are valid and the Board cannot undo them; therefore, it should not matter whether copies of the agreement were presented. She continued by stated that if the applicant is requesting relief from the agreement, it is the applicant's responsibility to raise the issue; otherwise, the agreement supercedes any zoning action.

Mr. Riel stated that applicants are asked to provide ordinances and resolutions and that the Planning Department has those documents in their files and offered to provide them to the Board as part of their packet. Chairman Felix Pardo responded that that would sometimes carry weight in understanding what was done and why it was done. There was general discussion among the Planning Department and Board members regarding the context of Planning Staff's documentation which is presented to the Board and regarding the Board's ability to analyze an application with certain historical information on the property.

Ms. Moreno indicated that an apartment was contemplated on the property, the church use superceded the apartment use and that what is being proposed is reverting to the original historical

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 7 of 25

use of the property. Mr. Carlson concurred, whereupon Tom Korge indicated that that was not his understanding. Mr. Carlson explained that an "S" Special Use zoning designation was added to the "A-13", Apartment zoning designation, and that adding the "S" to the zoning designation was necessary for the church use. He continued by stated that when the zoning was changed, there were conditions that were imposed in order to reduce the impact. Ms. Moreno indicated that she understood that the church is no longer operating on the property and that the property is vacant. Mr. Carlson indicated that the property is not vacant; the Temple is still there but that it is no longer in use. Ms. Moreno asked what the property is currently being used for. Mr. Carlson responded that the property is currently not being used. Chairman Felix Pardo stated that if the Board members were provided with a complete history, it would be clear that the applicant is trying to revert the use to what it once was and reiterated the importance of the Board being provided with a detailed, complete history, including resolutions, on a particular property.

Manny Kadre asked whether Chairman Felix Pardo was concerned that he was not provided with sufficient information in order to evaluate the application. Both Chairman Felix Pardo and Ms. Moreno indicated that they had sufficient information. Chairman Felix Pardo continued that he was uncomfortable listening to Planning Staff or to the applicant's version on the property's history; he preferred, instead, to be able to review the ordinance, but would trust Planning Staff's position. Mr. Riel indicated that the documentation is available and that he would be willing to provide as much detailed information as was required by the Board. Mr. Cristina Moreno complemented Planning Staff on their presentation inasmuch as it contained information that she found helpful, such as whether the property was consistent with both the Charrette Report and the City's objectives. She believed that Chairman Felix Pardo's request for detailed information would enhance Planning Staff's presentation to the Board. Ms. Moreno indicated that she would not be averse to changing a historical use provided it complied with the Charrette Report.

SWEARING IN OF INTERESTED PARTIES

Chairman Felix Pardo then directed that all interested parties who wished to address the Board be sworn in. Whereupon the Recording Secretary attended to swearing in all such interested parties.

Zeke Guilford of Guilford & Associates, attorney for the applicant, whose business address is 2222 Ponce De Leon Boulevard, Coral Gables, addressed the Board, and introduced his client, Waldo Toyos, Jr. He indicated that the property located at the corner of Galiano and Zamora and consists of 7 lots and approximately .9 acres. He stated that the zoning designation is "SA"; and that the "S" signifies a special zoning designation which refers to private clubs, universities and religious facilities. Therefore, in 1958, the special zoning designation "SA-13" was adopted by an ordinance to allow a synagogue. The underlying zoning is "A-13", Apartment.

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 8 of 25

Mr. Guilford stated that a portion of the property includes a synagogue and that there are also 2 other parcels that are apartments containing 12 units. Mr. Guilford showed the Board the Comprehensive Land Use Map and indicated that Lots 1 - 5 are designated "Religious Institutional". In order to build apartments or condominiums, the applicants must change that designation. He indicated that the area on both sides of Ponce is 'mid-rise residential' allowing 6 to 8 story buildings of Mediterranean design. The applicant's proposal includes changing the Comprehensive Land Use Plan so that the property fits in with the fabric of the area known as the Apartment District. Additionally, the applicant is requesting that the zoning designation be changed back to its underlying designation of 'apartment'.

Mr. Guilford discussed the specific design, massing and landscape plan of the property as a 45-unit condominium. He indicated that the property would have substantial setbacks from the abutting properties, to wit: 25' front setback, 35' rear setback, 56' setback on the street side and 40' setback on the interior side. He further stated that the property complies with the parking requirement in that the proposed site plan contains 80 parking spaces, which was important because the existing buildings do not provide any off-street parking. Whereupon, Mr. Guilford concluded his presentation, asked the Board to support Planning Staff's recommendation and to further recommend approval of the application to the Commission. He then invited the Board to raise any of their concerns or questions they may have regarding the application.

Chairman Felix Pardo invited the members of the public to direct their concerns to the Board. Whereupon, the resident that resides at 24 Zamora Avenue, one of the 2-story apartment buildings existing on the subject property, addressed the Board. She indicated that she would like to know the time line for the planning and zoning process and the construction of the new apartments. Ms. Moreno indicated that she should discuss her concerns with the owner or landlord of her building. Mr. Riel stated that if the Board recommends approval, it would then be presented before the Commission on August 26th and again on September 23rd, and that thereafter the application would begin the permit review process and that the earliest completion date of the planning and zoning process would be early October. The speaker, in closing, stated that she believed that the existing church is in use.

Zeke Guilford asked to append his presentation to state that the applicant accepts Planning Staff's conditions as recommended in Staff's report.

Chairman Felix Pardo asked whether there were any further public comments. There being none, Chairman Pardo closed the public hearing and inquired of the Board members whether there were any motions. Cristina Moreno motioned to approve, which motion was seconded by Manny Kadre.

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 9 of 25

Tom Korge asked whether the Mediterranean designation had been approved by the Board of Architects. Walter Carlson indicated that the application has not yet gone before the Board of Architects, but that that is one of the conditions recommended by the Planning Staff.

Chairman Felix Pardo stated that he believed that there were 2 applications before the Board and wished to clarify the Board's decision with regards to each application. Walter Carlson indicated that there were actually 3 issues before the Board: (1) the change of land use; (2) the re-zoning; and (3) the site plan review. Cristina Moreno motioned to approve all 3 applications, which motion was seconded by Manny Kadre.

Michael Steffens asked whether Zamora Avenue was a one-way street; Mr. Guilford responded that it was a two-way street. Mr. Steffens questioned how the on-street parking will be increased if none of the existing buildings are currently providing parking. Mr. Carlson responded that the property will have the required 80 spaces on site; and that the on-street parking will be increased from 28 spaces to 32 spaces; and that they are also improving those spaces by putting in curbing, guttering, paving, striping and landscaping. Mr. Steffens asked how the applicant is increasing on-street parking if there are no curb cuts for the existing apartments or the church. Mr. Guilford responded that striping the existing on-street parking area would result in additional parking spaces.

Mr. Steffen also indicated that one of the conditions addressed encroachments and asked for an explanation of the encroachments that are part of Planning Staff's conditions. Mr. Carlson indicated that the encroachments would be the improvements in the right-of-way, such as the curbing, paving and landscaped islands, which, since they are in the public right-of-way, would require approval by the City Commission. Mr. Steffens asked whether either the applicant or the City spoke to representatives of the school across the street. Mr. Carlson indicated that they were notified but that no response was received. Mr. Steffens asked whether it was a special education school. Mr. Carlson indicated that he believed that it was. Additionally, Mr. Steffens expressed concern for the traffic impact and indicated that, in light of the way the parking is set up, he did not know whether the City would consider turning Zamora Avenue into a one-way street (west-east) which could possibly reduce the amount of traffic by eliminating traffic from Douglas. Mr. Carlson indicated that the traffic study determined that the level of service on the surrounding streets would not change. Mr. Guilford interjected by stating that the peak period for the school is 3:00pm which is finished before the 5:00pm peak period for all traffic in general takes place.

Ms. Moreno indicated that this is the type of project that the City wants to encourage: that is, taking an old property without historical value and replacing it with a building that is consistent with what the City wants to see. She stated that, for that reason, she was very much in favor of the project.

Bill Mayville indicated that he had no concerns about the re-zoning, but was concerned with the aesthetics in that it does not appear to be anything extraordinary. He expressed uncertainty as to whether the aesthetic quality of the proposed building was apart of the Board's decision. He felt that the Board has an opportunity to re-develop the area bordered by SW 8th Street, Ponce, Douglas and Alhambra Circle and asked why the Board should not hold the developers to a higher standard and get more quality construction. He said that it reminded him of the variance that was granted by the Board of Adjustment to the apartment complex at the location of the old Coliseum. He indicated that he heard a lot of criticism over that variance because the building has no aesthetic value in that area. He believed that the design of the applicant's building is plain and that the Board has an opportunity to improve upon the architectural design. Tom Korge concurred and stated that he had a similar observation which is why he asked earlier whether the application was going before the Board of Architects. He stated that the applicant's building appeared to have a non-Mediterranean design; to wit, a contemporary building with a tiled roof. However, he stated, that he assumed that that responsibility rested with the Board of Architects and agreed with Cristina Moreno that, pursuant to the Board's responsibility, this was nevertheless an excellent project.

Cristina Moreno stated that the applicant will need to qualify for the Mediterranean bonuses and trusted that the Board of Architects will hold them to that standard.

Chairman Felix Pardo indicated to Mr. Riel that he did not understand why the applicant came before the Board prior to being reviewed by the Board of Architects. Mr. Riel responded that sometimes applications are reviewed by the Board of Architects before being presented to this Board and that Planning Staff is in the process of revamping that review process. Chairman Pardo stated that he would not like to review another application unless it had been reviewed by the Board of Architects. Tom Korge disagreed stating that the applicant will have to incur additional cost in designing a building when the applicant is not sure of the zoning. He stated that the shape and size of the structure depends on what this Board does, so this Board should review applications before the Board of Architecture. Cristina Moreno concurred with Tom Korge stating that it does not seem fair to have the applicant incur architectural costs until the applicant knows that they can move forward.

There was general discussion on the aesthetic value of the property and regarding the approval process (whether the applicant should present first to the Board of Architects or to this Board and the requirements of obtaining Mediterranean bonuses).

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 11 of 25

Chairman Felix Pardo indicated that he would like a representative from Public Works appear before the Board to explain, in detail, the implications of traffic flow. He stated that the Board reviews projects on a one-by-one basis, which may not be an ideal way of realizing the full impact on the neighborhood. He expressed concern that developers are rushing into the area to develop to the maximum possible and there is no oversight to the overall impact from a public works or traffic impact standpoint. Tom Korge asked whether the Comprehensive Master Plan takes into account the eventual increase in traffic when an area is fully developed. Mr. Riel responded that the subject property is in the Gables Redevelopment District, a traffic concurrency exemption area, which exemption applies to most commercial properties. He explained that the Public Works Department looks at impact, intersection improvements and, based upon the impact of this development, they did not feel that there were any intersection improvements or other improvements that would help the traffic. Tom Korge indicated that Chairman Pardo was asking a different question. Mr. Korge indicated that he understood that this particular project does not create a traffic problem, but when you look at what will happen in the future, will there be a problem in the future based on the current master plan for this area when it is eventually fully developed to its potential. Mr. Riel responded that [the subject property] was in an exemption zone. Mr. Riel added that when Public Works looks at the effects of one-way streets, they analyze the entire system (in this case from SW 8th Street to the CBD) and he believes that Public Works is currently addressing those issues as a part of the improvements that will be occurring on Ponce and LeJeune Roads.

Cristina Moreno stated that there must be consideration for why there is an exemption for the in-fill area. She stated that the purpose would be to encourage re-development of those areas by taking down old buildings that are not aesthetically pleasing or that are vacant and encourage developers to put up new buildings. She believed that this project falls within those purposes.

Chairman Felix Pardo indicated that the reason there was an exception to the traffic component was that everyone east of the Palmetto is exempt for one reason: that is because most of the traffic flow problem is being caused by everyone west of the Palmetto. He expressed concern, not with the application before the Board, but with all of the projects. Ms. Moreno indicated that Mr. Riel has already indicated that there is a study being conducted and that there is nothing further the Board can do. Chairman Pardo re-iterated that the Board not taking care of the big picture. Ms. Moreno asked who was working on the Mediterranean bonus, and that perhaps it was time to tie the bonuses in the areas with traffic problems.

With regards to the aesthetic concerns, Michael Steffens indicated that one of the major suggestions of the Mediterranean Ordinance Review Committee is to have the Board of Architects sit as a quasi-judicial Board at one meeting per month. The Board would sit review only commercial projects, and this raise the level of review of the Board of Architects. Additionally, Ms. Steffens indicated that if the Board felt that issues, such as massing, should be under the purview of the Board of

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 12 of 25

Architects, the Board needs to give the Board of Architects the tools necessary to be able to make those changes, because currently they cannot make those types of changes.

Chairman Felix Pardo indicated that we was very concerned with the entire concept in the area and that it is becoming a nightmare and that the Board is not doing a good job in determining whether the narrow streets can take the increased traffic flow. He expressed concern about the residents in the areas losing a certain quality of life and that, since traffic reports generally do not reveal potential problems, they do not give a real indication of an area's potential traffic concerns.

Chairman Pardo continued that the Board is not protecting the best interest of the citizens of Coral Gables. Ms. Moreno indicated that she disagreed with Chairman Pardo and stated that it was in the best interest of the citizens of Coral Gables to take a deteriorated structure and have it replaced by a nice building. She stated that if the traffic flow needs to be addressed, that responsibility lies with Public Works. She indicated that the Board should not approve a re-zoning application on the sole basis that the traffic study has not been done by Public Works.

Chairman Felix Pardo stated that he was also concerned with an 8-story apartment building on such a small street. Ms. Moreno responded that issue relates to whether the Mediterranean bonuses are appropriate for that site. However, the Board's responsibility today is to determine whether the applicant's property can revert back to its previous use as an apartment. Beyond that, it is up to the Board of Architects to determine whether the applicant qualifies for the Mediterranean bonuses to build up to 8 stories.

Chairman Felix Pardo asked Mr. Riel how many units currently exist on the property and how many units are being proposed by the applicant. Mr. Riel responded that there are 12 units and the applicant's building will have 45 units. Chairman Pardo further stated that the applicant's architect did a good job in breaking up the single wall effect by indenting and cascading the building, but that an 8 story building would dwarf the existing buildings on Zamora, which results in a loss of character in the North Gables area.

Bill Mayville asked whether the Board was voting strictly on the change of zoning or can the Board take a broader perspective. Although he has no problems with the changes of land use and zoning proposed by the applicant, he believed that the whole area of the North Gables is a jewel for the City and that the applicant's building is not special. Manny Kadre indicated that he was uncomfortable with encroaching on the responsibilities of the Board of Architects. Mr. Kadre stated that any member of the Board or of Planning Staff has the means to express their concerns to the Board of Architects, but that he felt that it was inappropriate to encroach on the role of the Board of Architects.

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 13 of 25

Ms. Moreno indicated that it was important that the City's recommendation included language which stated that the project conforms to the Charrette. The idea of the Charrette was to give an overall developmental view of the direction of the City's vision. Whereupon, Manny Kadre requested that the Board vote on all 3 of the applicant's proposals, to wit:

Roll Call: Tom Korge (*aye*), Bill Mayville (*nay*), Cristina Moreno (*aye*),
Michael Steffens (*nay*), Manny Kadre (*aye*), Felix Pardo (*nay*)
No recommendation passed on motion: 3-3 vote.

Manny Kadre addressed Chairman Felix Pardo to confirm whether the desire of the Board is to review the application after it has been reviewed by the Board of Architects. Chairman Felix Pardo responded in the affirmative and asked Mr. Riel when the Mediterranean Review Board was formed. Mr. Riel responded that they concluded their recommendations in November 2002. Chairman Pardo also inquired as to the time table for Planning Staff to give the recommendation to the Board. Mr. Riel indicated that that would be in about 2 more months. Mr. Kadre stated that, to be fair to the applicant, the Board should encourage the applicant to ensure that the application is reviewed by the Board of Architects before being reviewed again by this Board.

Mr. Riel stated that with a 3-3 vote, the application would proceed to the Commission without a recommendation and, therefore, the application would not come back before this Board. Tom Korge asked whether the application must first go to the Board of Architects before it goes to the Commission. Mr. Riel stated that the applicant can now proceed to the City Commission.

Chairman Pardo indicated that the Board of Architects may be pressured by the fact that the application: (i) had been recommended for approval by the Planning Board; and (i) that the application had been approved by the Commission. Whereupon, Ms. Moreno indicated that the Board of Architects should not be influenced by those factors. She stated that what had been approved relates to zoning, not aesthetics, which is responsibility of the Board of Architects.

Manny Kadre indicated that the Board was being unfair to the applicant because the applicant received no direction from the Planning Department or otherwise as to whether they should appear before either the Board of Architects or this Board first. He stated that if Chairman Pardo's view of the building's aesthetics is accurate, the application would not be approved by the Board of Architects. Ms. Moreno stated that the message being sent by the Board is: that this Board would not approve any projects north of the CBD to 8th Street because of the potential to create additional traffic, which has the effect of imposing a moratorium without the authority to do so.

MOTION: CONSIDERATION OF THE APPLICATION AS THREE (3) SEPARATE REQUESTS

Michael Steffens asked Chairman Felix Pardo whether the Board can vote on the issues separately. Chairman Pardo responded that any of the members could re-consider their vote. Mr. Steffens indicated that his vote against the project was not related to land use or to zoning, but rather against site plan approval, and that it should be made clear to the applicant which issues were approved.

Mr. Riel indicated that Planning Staff would prefer to have 3 separate motions as it would be easier to relay the concerns of the Board to the Commission. Whereupon, Michael Steffens moved to re-consider the application as 3 separate counts, which motion was seconded by Manny Kadre.

Roll Call: Bill Mayville (*aye*), Cristina Moreno (*aye*), Michael Steffens (*aye*),
Manny Kadre (*aye*), Tom Korge (*aye*), Felix Pardo (*aye*)
Motion passed: 6-0 vote.

**MOTION: APPROVAL OF CHANGE OF LAND USE FOR LOT 1-5 FROM “RELIGIOUS/INSTITUTIONAL” TO
“RESIDENTIAL USE (MULTI-FAMILY) MEDIUM-DENSITY”**

With regards to the Change of Land Use, Michael Steffens made a motion to approve the Change of Land Use, which motion was seconded by Manny Kadre:

Roll Call: Cristina Moreno (*aye*), Michael Steffens (*aye*), Manny Kadre (*aye*),
Tom Korge (*aye*), Bill Mayville (*aye*), Felix Pardo (*aye*)
Motion passed: 6-0 vote.

MOTION: APPROVAL OF RE-ZONING LOTS 1-5 FROM “SA-13”, SPECIAL USE TO “A-13”, APARTMENT

Mr. Guilford confirmed that all of Planning Staff’s conditions were based upon the site plan. Whereupon, Michael Steffens made a motion to approve the re-zoning of Lots 1 – 5 from “SA-13”, Special use to “A-13”, Apartment, which motion was seconded by Cristina Moreno:

Roll Call: Michael Steffens (*aye*), Manny Kadre (*aye*), Tom Korge (*aye*),
Bill Mayville (*no*), Cristina Moreno (*aye*), Felix Pardo (*aye*)
Motion passed: 5-1 vote.

MOTION: DEFERRAL OF SITE PLAN REVIEW

Chairman Pardo asked Mr. Guilford whether he would consider taking the application to the Board of Architects for site plan review. Mr. Guilford indicated that he would be amenable to taking the application to the Board of Architects and then re-address this Board with regards to site plan review.

Whereupon, Manny Kadre moved to defer a decision until the application has been reviewed by the Board of Architects, which motion was seconded by Tom Korge. Ms. Moreno asked that the Board clarify its objections to the site plan review. Michael Steffens indicated that his concern with the site plan related to the change of scale which would affect the area. He explained that most of the buildings are almost exclusively single-family on 50' lots; and a proposed change to the site plan could be to have some of the units accessible from the street and that break up the massing and the monolithic quality of the building. Bill Mayville concurred and added that the building design should be enhanced to provide visible Mediterranean characteristics. Chairman Pardo stated that the applicant should obtain the Board of Architect's Mediterranean approval before re-approaching the Board.

Mr. Guilford indicated that Chairman Pardo's comments were well taken and that the applicant would agree to review the change of scale and the building's elevations as it relates to Mediterranean bonuses, and to obtain the Board of Architect's Mediterranean approval.

Roll Call: Michael Steffens (*aye*), Manny Kadre (*aye*), Tom Korge (*aye*),
Bill Mayville (*aye*), Cristina Moreno (*nay*), Felix Pardo (*aye*)
Motion passed: 5-1 vote.

Whereupon, Mr. Guilford extended thanks to Chairman Pardo and the members of the Board. Mr. Riel indicated that the change of land use and re-zoning issues will not proceed to the Commission until this Board has acted on the site plan review. Chairman Pardo thanked Mr. Guilford for his presentation.

At 8:04pm, the Board recessed.

At 8:18pm, the Board reconvened.

VI DISCUSSION ON FUTURE DEVELOPMENT OF THE INDUSTRIAL SECTION

{Manny Kadre excused}

Chairman Felix Pardo explained that the next item before the Board was a discussion of future amendments and modifications to the Zoning Code/Comprehensive Land Use Plan to provide more flexibility for future development of the Industrial Section. The Industrial Section encompasses the Rouse Project and other larger projects in that area.

Eric Riel introduced Planning Staff's newest hire: Richard Cannone, Principal Planner, who will assist the Planning Department in the re-write of the Zoning Code, Mediterranean Ordinance and the Comprehensive Land Use Plan ("CLUP").

Mr. Riel provided a PowerPoint presentation (attached as Exhibit "D"). He indicated that he would like to discuss his ideas with regards to creating a new Mixed-Use District for the area and that his ideas consider the development of the Charrette, the Mediterranean Ordinance and the efforts to re-write the CLUP and the Zoning Code. He will work closely with the applicant to address both the applicant's needs and the City's vision.

Mr. Riel began his presentation by stating that the area known as the Industrial Section (northern section) is bordered by Bird Road, LeJeune Road, Ponce de Leon Boulevard and Altara Avenue, and now includes the Village of Merrick Park. He is suggesting the writing of a new Mixed-Use Overlay Zoning District. He explained the current CLUP and zoning designations of the area along Bird Road and LeJeune Road. Additionally, the Village of Merrick Park was approved as a DRI. The purpose of the revisions is to provide more design flexibility in the CLUP and in the Zoning Code for the future development of the area.

He suggested creating a new Mixed-Use District No. 3, since the area has certain special attributes, such as being bordered by the Village of Merrick Park, the largest commercial retail venture in the City. The proposed "MXD" will not include the Village of Merrick Park. He stated that Staff's intent was to change the text of the Comprehensive Plan and then create an MXD3 overlay. Although the Charrette did not look at this area, a lot of good ideas came out of that review process. Staff intends to take those ideas and write them into the regulations. He further stated that a lot of great ideas came out of the Mediterranean Review Committee, which ideas will also be written into the regulations. Additionally, the CLUP states that by January 2000, the City should implement land development regulations as a mixed-use village. He indicated that, although that date has obviously passed, Planning Department is working towards getting that done within the next few months.

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 17 of 25

Mr. Riel discussed comparisons of the existing CLUP and the proposed MXD3 changes. He indicated that if a property wished to go beyond the provisions of the CLUP, the CLUP will need to be changed, which is a lengthy process involving the Department of Community Affairs. He suggested that a new regulation be created that deals specifically with the area and the provisions be general, the MXD3 zoning regulations will provide the specifics, such as the FAR, height, etc. He stated that the existing CLUP dictates an FAR of 3.0, 3.5 with Mediterranean architecture. Height is permitted at 6 floors, 8 floors with Mediterranean architecture. There is a maximum of 40 units per acre (residential density); and up to 50% of a mixed use project can be residential. However, the area is not within a MXD overlay, therefore, no zoning regulations exist to implement or provide the residential density in the area. He stated that if the City is trying to encourage residential in the CBD area, this is a big stumbling block.

Ms. Moreno asked whether the area is supposed to be an industrial area. Mr. Riel answered that he believed that with the approval of such a large development as the Village of Merrick Park, over time the area will no longer be an industrial area. Ms. Moreno asked whether it was a goal to push the existing industrial businesses out. Mr. Riel indicated that he did not believe that industrial use is the most cost-effective use of the property. Ms. Moreno indicated that, based on Mr. Riel's proposal, the existing car dealers would not be able to afford their land and will be forced to move. Mr. Riel stated that one of the property owners has spoken with all of the property owners and will be presenting their proposal to the Board.

Mr. Riel stated that the "Industrial" land use classification is the most intensive land use in the City. Therefore, all of the uses that are allowed in CA, CB & CC are allowed in the "M", Industrial zoning district. Ms. Moreno asked whether a residential apartment building could be constructed on an industrial zoned property. Mr. Riel stated residential uses are not permitted at this time. Ms. Moreno asked whether Mr. Riel is proposing a change to the whole character of the area. Chairman Felix Pardo stated that there are still some manufacturing businesses in the area, such as Gables Engineering, who have been in the area for years. Tom Korge stated that area was not included in this District. Chairman Pardo explained that the industrial district extends north of the Village of Merrick Park. Ms. Moreno asked whether the area extended from Bird to the highway. Mr. Riel stated that the area extended from Bird to the Village of Merrick Park.

Mr. Riel continued by discussing the proposed MXD3 and CLUP changes, to wit: floor area ratio, Mediterranean architectural bonuses, etc. He stated another proposed change is related to TDRs. Mr. Riel stated that TDRs are not currently available in the area. They are only available to be transferred within the CBD. One of the concerns voiced by the Commission to Planning Staff in recent months is making TDRs available to the School Board. Chairman Pardo asked whether a TDR bonus will be created for the School Board so that the school cannot be torn down. Mr. Riel responded that the idea of allowing the School Board to have TDRs is on the table; it has not yet

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 18 of 25

been resolved. Chairman Pardo indicated that when he sat on the North Apartment Blue Ribbon Committee and wrote the TDR section, it was specifically for residential units. He explained that the reason that the TDR recipient area is the CBD is because the public transportation and the parking garages are there, but if you start putting thousands of square feet of businesses/offices in the area, you will end up with a second CBD area. Ms. Moreno concurred with Chairman Pardo and stated that she did not want TDRs in the area because the whole reasoning behind TDRs was that it should be utilized in an area where there are parking garages and mass transit and where people could walk around. She continued that the area is already burdened from a traffic standpoint with the Village of Merrick Park.

Mr. Riel indicated that another proposed change related to height. He explained that one of the points that resulted from the Mediterranean Ordinance and the Charrette was street improvements, or public realm improvements. He is attempting to come up with a system so that when you receive a bonus for height or FAR, there is a certain amount of improvements that are required in the public realm, which can include plazas, parks, open space, median plantings, arcades, etc. Tom Korge asked why, if Mediterranean is so important to the area, it is not a requirement. Chairman Pardo stated that it was being discussed. Ms. Moreno stated that if it were required, all of the buildings would look planned and the same. Bill Mayville suggested that the Board permit Mr. Riel and the property owners to make their presentations and reserve commentary and discussions for afterwards.

Mr. Riel continued and stated that another aspect addressed residential density. He understands that currently there are some limitations in the code. He is proposing removing the residential limitation, which was a recommendation of the Mediterranean Review Committee, permitting no minimum percentage per total project and no maximum density.

Mr. Riel compared the existing C and M Zoning designations to the proposed MXD3 use. He stated that the existing code permits an FAR of 3.0, 3.5 with Mediterranean bonuses, and up to 4.375 FAR if the property is in the CBD and taking advantage of the TDRs. For Industrial land use, height is limited to 6 floors or 72'; 8 floors or 97' with Mediterranean bonuses. For Commercial land use, height is limited to 13 floors or 150'; 16 floors or 190' with Mediterranean bonuses. He stated that the reason he is discussing both land use designations is because he is still working with the applicant to determine the appropriate zoning. Chairman Pardo asked how many stories make up the building in which The Collection is located. Mr. Riel responded that The Collection received a number of variances and the building is 117' high and that he believed that the building had 8 stories with a mezzanine.

With regards to residential density, Mr. Riel again stated that residential uses are not permitted in "M" zoning. Setback requirements are based on the height of the building and the mixed-use

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 19 of 25

percentage is 25% retail/75% residential. He explained that under the proposed MXD3, possibly the FAR would increase with the possibility of using TDRs; height can increase to 100' or 110' provided certain public realm improvements are made; there would be no limitation on density per acre; and setbacks would be 0' provided certain public realm improvements were made. He stated that he believed the area should be regulated by FAR and height, not floors. Currently, the City regulates by FAR, height, floor and parking and stated that it was difficult to construct a project without a variance. Michael Steffens asked whether setbacks were also a regulator. Mr. Riel responded that setbacks was a regulator, but that most projects ask for a setback variance and his proposal would include a 0' setback tied to some improvements on the street. Ms. Moreno asked whether quality of life would be affected if the floor requirement is removed, because developers would have an incentive to construct residential buildings with low ceilings. Mr. Riel responded that this issue was discussed this year by the Mediterranean Ordinance Review Committee and they recommended regulating by height rather than floors. Tom Korge stated that the building codes contained minimum height requirements that developers are required to comply with.

Chairman Pardo asked whether there were any thoughts about creating incentives for residential units geared towards the senior or elderly community. Mr. Riel indicated he would research this issue then indicated he would be researching the use of shared parking. Mr. Riel stated that the ULI standards have been in place for 20 or 25 years and that there are very specific percentages of mixed uses that are necessary in order to satisfy ULI standards which allow a reduction in parking of up to 25%. If a project meets the ULI standard, they would be allowed a reduction.

Regarding the mixed-use percentages, Mr. Riel stated that the proposed MXD3 would reduce the required 25% retail mix to a lower percentage with true ground floor retail uses that would encourage pedestrian traffic. The proposed MXD3 Plan would identify uses which are objectionable.

He stated that one of his concerns was that going to the commercial high-rise designation could permit 190', but he did not believe that that was appropriate for the area. The benchmark has already been set by the Village of Merrick Park and The Collection and does not feel the City should exceed that precedent. He indicated that the applicant has been working with other property owners to receive their consent to this concept. Mr. Riel stated that Planning Staff will be processing the change in the Comprehensive Plan to provide the MXD3 overlay regulations. Chairman Pardo asked whether Staff's proposal would first go before the Planning & Zoning Board. Mr. Riel responded that it would; the process would be the same as other public hearing applications.

{Tom Korge excused}

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 20 of 25

Mr. Riel stated that the area to be re-zoned would possibly be the industrial areas. The remaining commercial areas on Ponce and Bird would not be changed. Planning Staff's intends to bring this issue, and the language regarding the Comprehensive Plan, before the Board for consideration. Michael Steffens asked whether the area south of the Village of Merrick Park was included. Mr. Riel responded that there are different issues that had to be addressed because of its proximity to U.S. 1 and, therefore, was not included at this time.

Whereupon, Dennis Smith, Asst. Building and Zoning Director, addressed the Board and stated that he had been approached by 3 architects with projects for the area: two commercial projects and one mixed use project. He believed that there is substantial commercial development in the area and that it is important to bring in a residential base to support the area. Chairman Pardo asked how many residential units and how many square feet are on the last phase of the Rouse project that is currently being building. Mr. Smith responded that there are 120 units. Chairman Pardo stated that the miniscule threshold was met by including 120 units and that is massively deficient in residential units. Mr. Smith indicated that they received the residential units as a result of being a DRI. Chairman Pardo stated that the DRI requires that you have 5% minimum threshold; and that, by having that, they met that threshold component in order to get a positive recommendation from Tallahassee. He asked how many residential units would be required if the total square feet of 2,000,000, including commercial offices and parking spaces, were considered. Mr. Smith said that he was unsure, but that he would put that estimate at about 1,000 residential units.

Mr. Smith indicated that he is proposing a down-zoning of the area because currently, with the industrial zoning, commercial office buildings are permitted. However, residential units are not permitted in the area, which is a less intense use. Chairman Pardo asked about the estimated buildable area of the property. Mr. Smith responded that it would be 3.0 or 3.5 with the Mediterranean bonus and that the site encompassed is approximately 10 acres, including the streets; without the streets, approximately 7.5 acres. Michael Steffens asked whether there was a height limit on the industrial zoning. Mr. Smith responded that the height limit in the industrial district is 72'; 99' with the Mediterranean bonus, plus an additional 25' for decorative structures, mechanical overruns, etc., so the high point of any building is 124'.

Mr. Smith indicated that residential TDRs would help lower the density and intensity in the North Douglas Apartment District. Additionally, he indicated that the alleys are 30' wide, not 20'; this gives the developer an opportunity to treat the alley like a street, to put utilities underground, improve paving, landscaping. Parking should be limited on ground floors to drop-off and delivery purposes only. He suggested valet or stacked parking services, which makes parking more efficient, and discussed the effects of parking requirements of certain business types. Chairman Pardo indicated that he received many telephone calls from individuals who have had problems parking north of Bird Road, which situation should be addressed. Ms. Moreno indicated that, at

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 21 of 25

one point, it was suggested to implement a residential parking decal program, similar to the current program on Miami Beach. Mr. Riel responded that the Parking Advisory Board was not positive about pursuing that program. Ms. Moreno indicated that, to the extent that the City has created a problem, it should be the City's responsibility to attempt to resolve it. Mr. Smith indicated that, for projects under construction, a construction management plan is required prior to issuing a building permit to show where the construction workers would be parking. Chairman Pardo indicated that he was concerned with the parking concerns of the resident's of the City, not temporary workers. Mr. Smith responded that there are 2 elements of the proposal which would provide more parking: (1) valet parking; and (2) mechanical lifts for residential units, as mentioned in the Charrette. Mr. Smith indicated that it would be helpful to define how the open space requirement is calculated. Chairman Pardo asked for a copy of Mr. Smith's presentation; Mr. Riel indicated that the Board would receive a copy, although Planning Staff has not yet conducted its analysis thereon. In summary, Mr. Smith indicated that, in light of the Rouse project, the area has attracted a lot of interest from developers.

Ms. Moreno asked what will happen to the theatre. Mr. Smith responded that they would have to find another location as the property will likely be re-developed. Chairman Pardo stated that an incentive could be offered to encourage the theatre to remain. Ms. Moreno concurred. Mr. Smith indicated that if residential units are permitted in the area, a small theatre would be an ideal use and would be supported by the community. Whereupon, Mr. Smith concluded his presentation and was asked by Chairman Pardo whether he had received any formal comments from the Village of Merrick Park. Mr. Riel responded that they had not received any comments because Planning Staff has not finalized the draft ordinance.

Whereupon, addressing the Board on behalf of the Rouse Company was a representative of Ackerman Senterfitt, whose address is 1 SE 3rd Avenue, Miami, indicated that they have been apprised of what has been proposed and is in favor of the project.

Michael Steffens asked Mr. Smith, in his suggestion of using the alleys, are you implying that no more alleys be closed. Mr. Smith indicated that if the alleys can be improved, that would discourage alley closures and would encourage pass-throughs from the street to the alley at a mid-block. Michael Steffens indicated that it was in the best interest of the City not to allow alley closures.

Chairman Pardo indicated that he believed that the [ILLEGIBLE] would only be able to absolve the residential units as TDRs. Mr. Smith concurred. Chairman Pardo asked whether privately-owned commercial parking garages would benefit the area. Mr. Smith responded that, since the area is small, it may need to be supported by the parking located within the building. Mr. Smith explained that a limited number of property owners own large portions within the area. Ms. Moreno asked

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 22 of 25

for a description of the types of businesses in the area. Whereupon, Camile Lopez addressed the Board and indicated that his family and he has owned property in the area since the 1960's. He indicated that the area was initially settled as an industrial area and gave the Board a brief description on the types of businesses that have historically occupied the area. He indicated that he and the surrounding owners are in agreement to allow residential units, instead of commercial use, in the area. He stated that the theatre in the area is not doing well and that building residential units in the area would help the theatre and similar surrounding businesses.

Whereupon, Lucia Dougherty, with offices at 1221 Brickell Avenue, Miami, addressed the Board and introduced Mario Garcia Sierra of her office and Oscar Roger, the principal of Grove Properties Ltd., the applicant for the project. She also introduced Lester Garcia and Ron Paul. She stated that the project began with Oscar Roger's purchase of the property in December 2002, lying between Bird Road and Merrick Park, west of Salzedo. Mr. Roger approached the City with an office/condo project with similar scale and massing as The Collection. She indicated that the City advised that they would like to see residential units in the area inasmuch as the City's Comprehensive Master Plan includes residential and mixed use that should have been implemented since 2000. The City suggested that Mr. Roger make a formal proposal, with a team of architects and planners, for a vision for the area. She stated that Mr. Roger complied and, additionally, enlisted agreements with the neighboring property owners. Mr. Roger retained The Curtis & Kimball Company-land planners, Fullerton Diaz Architects Inc. and BEA International Inc.-architects. She stated that her team has been working with Eric Riel and look forward to working further with the City. Ms. Dougherty introduced Amy Kimball and suggested that Ms. Kimball address the Board.

Whereupon, Amy Kimball-Murley, President of The Curtis & Kimball Company, whose business address is 7520 Red Road, addressed the Board. Ms. Kimball explained that the Industrial Design District is bounded by South Dixie Highway, LeJeune Road, Bird Road and SW 39th Avenue. She indicated that the Village of Merrick Park has defined a certain development style within a large part of the area known as the Priority Development Area. She explained that the remainder of the area will be referred to as the Proposed Mixed Use-3 District bounded by Bird Road, LeJeune Road, San Lorenzo, Altara and SW 39th Avenue.

She continued that the existing property owners are in favor of this application. She indicated that many of the existing buildings are older and that re-development is inevitable. She indicated that the Village of Merrick Park has made major investments in public realm developments, such as plazas, courtyard, loggias, etc. She indicated that certain standard should be established to include public spaces and residential mixed uses. She stated that the goals of the Mixed-Use District should include:

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 23 of 25

1. To create incentives for good development that is similar to the Mediterranean Ordinance credits;
2. To fulfill the Comprehensive Plan requirement for creation of a mixed-use district by 2000;
3. To correct longstanding code problems that result in processing multiple variances;
4. To allow residential to be implemented into the area; and
5. To respond to the particular needs of the area.

She explained that some of the attributes to the existing zoning will remain and there are incentives to develop buildings in a certain style. Residential uses, she continued, would create less traffic, is more pedestrian-oriented and creates a more livable community.

Ms. Kimball-Murley stated that the area, at the moment, does not permit residential use. Her client is proposing: a down-zoning of 75% residential use/25% other uses (such as office, retail and parking; that density be limited by FAR, minimum unit size and parking requirements; 0' setback with arcade; slightly higher buildings. Specifically, with regards to height, she is proposing no change in height for buildings located in the vicinity of residential units, but per maximum to 124'. Inasmuch as there are no existing public realm requirements, her client is also proposing improvement of alleys, underground utilities and street furniture.

She also discussed her proposal to implement TDR incentives for residential for FAR. She further stated that without a mixed-use district, development will occur without unifying standards and welcomed working with the City to create a vision to guide the future development of the area and suggested that the Board schedule a special meeting to expedite the development. Whereupon, Ms. Kimball-Murley thanked the Board for its time and consideration.

Chairman Felix Pardo commented that the project is very exciting and stated that the scale of the building adjacent to The Collection is more complementary than the building of The Collection. John Fullerton responded that there is no setback along Ponce to the main body of the building

With regards to Ms. Kimball-Murley's presentation, Ms. Moreno asked whether the 124' height included consideration TDRs, bonuses, etc. Ms. Kimball-Murley responded that in the M Zoning, a building height of 99' and an additional 25' is permitted. The applicant is proposing 124' as a maximum height, and an additionally 15' override for elevators and architectural projections. She stated that the TDRs would affect Mediterranean bonuses, but not height.

There was general discussion amongst the Board members and applicant regarding the eligibility and application of TDRs.

July 9, 2003 Planning and Zoning Board Meeting Minutes

Page 24 of 25

Chairman Pardo indicated that there may be a scheduling conflict for the next Board meeting scheduled for August 13th and suggested that the meeting be re-scheduled for August 25th. Ms. Kimball-Murley asked whether the Board would consider scheduling a special meeting to discuss the ordinance. Chairman Pardo responded that, because of vacations many of the Board members may not be available in August. He also explained that the seventh Board member still has to be approved by the Commission. Mr. Mayville suggested that, so as not to discourage the applicant, the Board should attempt to give the applicant some assurance of a future meeting date. Chairman Pardo indicated that the City is willing to work with the applicant, but stated that there are other elements and details that must be considered, including ensuring that a quorum is present and enlisting the assistance of other City departments such as Public Works. Ms. Moreno asked Mr. Riel how much time he would need to re-address the Board with this issue. Whereupon, Mr. Riel responded that his intention is to be prepared to present the development of the MXD3 proposal to the Board by the August Board meeting. Ms. Moreno suggested that, in the meantime, the applicant should continue to work closely with Mr. Riel so that the applicant's proposal is in final form by the time it is presented to the Board.

Mr. Riel confirmed that at the proposed Board meeting of August 25th, he would be prepared to present a new MXD3 zoning overlay, changes to the Comprehensive Land Use Plan, and any applicable proposals to zoning, land use or site plan changes. He further stated that he has not yet received a formal application and, since his department is not the only department involved, he cannot guarantee that site plan will be available. Ms. Dougherty indicated that they did not anticipate bringing a site plan until the re-zoning issue had been finalized. Chairman Pardo indicated that the details, to the extent permissible, should be worked out with Planning Staff. Ms. Kimball-Murley thanked the Board for its consideration.

{Cristina Moreno excused}

Chairman Felix Pardo asked whether there was anyone who wished to speak further on this item. There being none, Chairman Pardo asked Mr. Riel whether the other scheduled discussion items including discussion of the use of temporary banners and presentation of the Work Program for the rewrite of the CLUP and Zoning Code can be postponed until the next Board meeting. Mr. Riel responded that was possible.

There being no further issues or a comment to come before the Board, the meeting was adjourned at 10:10pm.

The City of Coral Gables
Planning and Zoning Board

Reviewed as to form and sufficiency

Walter Carlson
Assistant Planning Director

Eric Riel, Jr.,
Planning Director &
Secretary to the Planning and Zoning Board

Exhibits:

- A. PowerPoint Presentation for Biltmore Golf Academy.
- B. Additional drawings submitted by the applicant for the Biltmore Golf Academy.
- C. PowerPoint Presentation for 44 Zamora Avenue.
- D. PowerPoint Presentation for MXD3.

This document was created with Win2PDF available at <http://www.daneprairie.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.