

Cocoanut Grove Village Council

Gary Hecht - Chair
Martin Zilber - Vice Chair
David Collins
Liliana Dones
Felice Dubin
Michelle Niemeyer
Lottie Person
Alyn Pruett
Susan Weintraub

Mailing Address

2910 Emathla Street
Coconut Grove, FL 33133
Telephone
305-607-8360
Facsimile
305-860-6057

Cocoanut Grove Village Council June 28, 2007 Meeting Minutes

On June 28, 2007, a quorum of duly elected members met to discuss and decide issues relevant to the business of the corporation. Council Members Hecht, Dubin, Collins, Person, Niemeyer, Dones, Pruett, and Zilber were present and voted. The following discussions took place, including the enactment of resolutions as described herein:

1. Roll Call: All present but Zilber (who arrived later).
2. Financial report deferred to next meeting.
3. Gary thanked Alyn Pruett for staying at the Commission meeting all day to present the Council's resolution regarding Miami 21.
4. David Collins: Ron Nelson called to ask if we did the charette we have been talking about related to the BIC. David thinks it is premature. He foresees a workshop to explain what a BID is, what it can do, the protections the BID has on it. There is \$10K for the "Ana Bovet Survey: ie - what is good and bad about the Grove". Where do people go elsewhere to eat and shop and why? Michelle asked about the rumor she heard about Mayfair changing its zoning to become a medical office facility. Felice said Lourdes Slayzek told her Commissioner Sarnoff requested they look into the zoning change. David said what we have is Mayfair in bankruptcy. We need to consider as a community whether they will continue to exist or own the property. The problem in the Grove is unjustified high rent. Pedestrian density does not justify the rents. Martin Zilber arrived. Felice is trying to see the Borders space and they have delayed showing property; Felice says they are completely inflexible with potential tenants. Back to the BID workshop. General public will care but has least financial stake in commercial community, but are the most important aspect because they are the customers. BID will supplement what the City does. David has been encouraged to expand the assessments to include residents; he has challenged that all along. David feels the residents will see the result and may want it to be expanded.
5. Election of new member. Martin reviewed procedure. Gary mentioned he is comfortable with discussion. Michelle indicated she felt discussion about the candidates that could be uncomfortable would not encourage people to continue to be involved. Lili read minutes regarding the presentations.

6. Lottie was not at the meeting where we joined committees. Michelle agreed to look back and let her know the one she was assigned to.
7. Lottie expressed she feels there are eight people on the board and one black person. At some time or another there should be at least one or two more black people (Lottie's word, not the author's) on this board. There is a Village West Committee, and Lottie felt we should have another African American on this Board.
8. Gary expressed Susan Weintraub won. He mentioned that the three candidates who did not win all left after they spoke.
9. A resident asked if they can know how we voted. He did not identify himself. He was unhappy about the fact that the election was being held "in secret." Martin explained we want to keep the election on a positive note; we want people who were not elected to continue to be involved.
10. David pointed out that secret ballots are a constitutional right; he does not have a problem sharing, but it's going a bit far to insist we have open ballots. Discussion about precinct voting. Gary suggested we should reconsider. Martin disagreed. Yvonne McDonald commented on the vote to change the by-laws to change the vote mechanism. She commented that you vote by district. It is the fairest way to elect representatives. That is why Yvonne wanted it kept by precinct. Yvonne suggested we reconsider the voting.
11. Lili explained she voted for Susan because she was the only one who stayed through the meeting when presentations were made.
12. David mentioned we need to consider strategy related to Village West. He was pleased about the new committee. Because of the importance of the Village West, the Committee should appoint an ex officio member to sit on the dias and not vote.
13. Felice met with the CG Collaborative about the Bimini Project. Charles and Jihad showed Felice extraordinary plans to go where the Frankie Rolle Center will go. They have done their research. Asked Felice to recommend we pass a resolution today. Felice said in all fairness, she would go out and do the research, talk to the county, give a report, and we would consider it and at the next meeting we would vote and then come in August at the televised meeting. Felice called the County. RFP will not come out until September. Plenty of time to show the support of the Village Council. She spoke with Leland Solomon. He stated concern that he did not see how the Collaborative could afford to give the Frankie Rolle Center free rent and free parking. Gary called David Deutch of the Pinnacle Group. He explained the deal about the RFP. Gary mentioned he wants to have a meeting involving him, Felice, Jihad Rashid and Charles. Charles (Collaborative) – the driver has been the Collaborative. He doesn't think there needs to be any more public information spread about this project at this point. If the County puts the RFP out, they have the capacity to get done yesterday. The resolution gives them some political strength. The county is in a tough position right now. This is the right project at the right time for the right reasons for the Grove. Martin suggested we either have a full process or not, but there are reasons with the RFP that the Collaborative does not want to put all its cards on the table right now. Jihad said they were directed to present in the targeted area (Village West). They went beyond that to come to the Village Council. Gary mentioned he loves the project but he wants to wait until August or September. Michelle suggested that there should be a resolution tailored to the needs, not the particular developer. Jihad said the County could award the job without an RFP,

but County officials told Felice there will be an RFP. Alyn seconded what Michelle said. He was not around for Mercy but has seen the fallout. He likes the Bimini project, but we need to be careful not to go out on a limb. Felice thinks we need to look into it a little further. She would love to see people living in this community get the project, but we need to learn more. Alyn suggested he and Felice work on drafting some language on a proposed resolution. David said it seems to him this is the Collaborative's train they are driving. That's great and they have ownership. David can't imagine once it goes to RFP that we could express support to the Collaborative without hearing from the other contenders. Martin indicated that if they get enough community support they may be able to go to county and avoid it going to an RFP. Charles and Jihad indicated that is what they are going to do.

14. Alyn Pruett – Presentation about NCD-3. At the Commission, Marc asked if Alyn is recommending delaying Miami 21 until citywide zoning atlas is done. Alyn suggested the consultants should be asked how long it will take them to get it done. NCD-3 is not part of Miami 21. Ron Nelson mentioned that at the Civic Club there were six neighborhoods that were identified as historic. They are working on getting them designated historic before NCD is lost.

Zoning Committee did a Zoning Analysis of the R1-NCD3. Showed what you find in the Grove. Problem with R-1 is that envelope you can fill with a bldg, incompatible when the house grows to 2 stories. Alyn showed several examples of properties that appear to be built out of compliance with the NCD. One property, 3005 Washington, is clearly not in compliance and the Building Department has acknowledged they applied R1, not NCD, standards. Step back and additional setbacks don't kick in until the lot is 7,500 square feet. There are a lot of 5,000 square foot lots. Miami 21 adds in height issues. Another issue is garages. Alyn wants to put forward a set of proposals to the Council next meeting. Ron Nelson has tried to get R2 included in NCD3 for the last couple of months. Zoning Committee will meet again in mid-July.

15. Felice mentioned the County has closed the file on 27th Avenue until the developer re-files or sues. The County is going before the County Commission to request that the standards not be written by the developer but by the County with a public process because of the problems with 27th Avenue.

16. Next week's meeting not officially cancelled. If we have a quorum we will meet. Lottie, David and Gary can be there. Michelle, Lili and Alyn not sure. Martin out. Felice out. Cancelled meeting for next week.

Dated: 7/17/07


Michelle M. Niemeyer, Secretary

Zoning Committee Report

Village Council Meeting July 17, 2007

NCD 3 Update

1. Per Ron Nelson's statement at our last council meeting, the Council, on behalf of Grove residents will have to initiate the update/modifications to NCD 3.
2. My general understanding is that the City Planning Department would have to initiate such a study
3. As a result I have written a draft resolution for the Council to consider. It is directed to the City Planning Department, and requests they undertake a study to review and revise the NCD 3. I am also recommending that the update be incorporated into the Miami 21 ordinance. One point I made when I spoke to the Commission last month is that if the NCD 3 overlay is not incorporated into Miami 21 now – prior to its adoption, then we have no assurance when it may be added to Miami 21. NCD 3 is not perfect but it is something we should not let disappear.
4. See attached draft Resolution. I am completely open to suggestions on this.

Miami 21 Update

1. At the commission meeting on June 28, all six items related to the adoption of Miami 21 were postponed. They are to be taken up again at the Commission meeting on September 27, 2007.
2. In addition, Commissioner Sanchez directed City staff and consultants working on Miami 21 to:
 - Better explain how more restrictive design rules would impact a homeowner's ability to rebuild after a disaster or build an addition.
 - Help decide whether the new code should be enacted one quadrant at a time – as presently proposed – or enacted citywide once every area is studied.
 - Study testimony by residents and experts and incorporate the best ideas into the final version of Miami 21, including analyzing the code's methodology to maximize public benefits.
 - Conduct a comparative analysis on a property in Downtown, Brickell and Edgewater – plus a single family lot in each quadrant – to gauge Miami 21 changes.
 - Simplify language so the plan is as clear to mom and pop as it is to an architect, developer or attorney.

3. In addition, Commissioner Regalado has said that the commission also agreed that three public hearings would be held in each district prior to the adoption of the Miami 21 zoning ordinance. I do not yet know how/when these will be scheduled. However, I hope the Council will be able to participate/facilitate these events. I am sending Ron Nelson an email to find out more about these hearings.

Draft Resolution
July 14, 2007

Coconut Grove Village Council

WHEREAS: The residents of Coconut Grove have expressed complaints and concerns to the Village Council regarding the construction of large – scale residences in the R-1 zoning district and,

WHEREAS: In response to the complaints and concerns, the Zoning Committee of the Council has undertaken a review of the existing R-1 and Neighborhood Conservation District (NCD 3) overlay zoning in Coconut Grove and,

WHEREAS: The Zoning Committee also identified a number of residences currently under construction that do not appear to meet all of the requirements of the NCD 3 zoning overlay district and brought those residences to the attention of Commissioner Sarnoff and,

WHEREAS: Should it be found that the residences identified do meet the requirements of the NCD 3 overlay zone, residents are concerned about the size of such new construction and believe that the existing development regulations are not fulfilling the stated objective of the NCD 3 zoning overlay district to “ preserve neighborhood character and promote compatible development by regulating new construction....”

WHEREAS: The City of Miami has acknowledged that they are aware of one instance where new construction in the R-1/NCD 3 portion of Coconut Grove was permitted even though it did not meet the requirements of the NCD 3 overlay and,

THEREFORE, BE IT RESOLVED that the Coconut Grove Village Council:

Requests that the City of Miami Planning Department undertake a study, with input from Coconut Grove residents, to review and revise the NCD 3 zoning overlay district to better fulfill the objective of ensuring that new construction is compatible with the existing neighborhood character of Coconut Grove;

Requests that the Planning Department consider the attached list of proposed revisions to the NCD 3 zoning overlay district that have been prepared by the Council's Zoning Committee (TO BE ATTACHED);

Requests that the revised NCD 3 zoning overlay district be incorporated into Miami 21 prior to the adoption of the comprehensive new zoning code for the City of Miami

Requests that the City of Miami Planning and Zoning Departments meet with the City's building permit staff to review and explain the NCD 3 zoning overlay requirements



Coconut Grove Village Council

Gary Hecht - Chair
Martin Zilber - Vice Chair
David Collins
Liliana Dones
Felice Dubin
Michelle Niemeyer
Lottie Person
Alyn Pruett

Mailing Address

2910 Emathla Street
Coconut Grove, FL 33133
Telephone
305-607-8360
Facsimile
305-860-6057

**Resolution of
The Coconut Grove Village Council**

WHEREAS: The Miami City Commission will conduct a first hearing on adoption of the proposed Miami 21 zoning ordinance on June 28, 2007; and

WHEREAS: Residents of Coconut Grove have expressed concerns and confusion regarding the timetable and process for implementation of the Miami 21 zoning ordinance in Coconut Grove; and

WHEREAS: The Zoning Committee of the Council has reviewed the public record of the process of public involvement by which the Miami 21 zoning ordinance has been prepared, and expressed concerns to the Council regarding the limited opportunity for public review of the draft ordinance; and

WHEREAS: There have been no meetings held specifically for the purpose of receiving public input from residents of Coconut Grove regarding the regulatory framework that had been prepared based upon input primarily from the residents of the East Quadrant; and

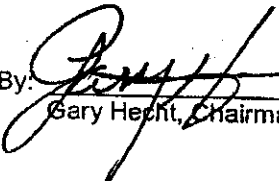
WHEREAS: It is the understanding of the Village Council that it is the intention of the City of Miami to utilize the Miami 21 Ordinance as applied to the East Quadrant as the basis for the remaining quadrants of the city, and that the City Commission is being asked to approve the enactment of that ordinance for application to the East Quadrant without having begun to solicit input from residents of the remaining quadrants; and

WHEREAS: Such piecemeal legislation is likely to lead to a confusion of differing zoning codes in the different quadrants, a result that is the opposite of the City's intention in creating a new "Smart Code" for the City; and

WHEREAS: As a result of the above factors, the Village Council has concerns about the prospective adoption by the City Commission of zoning district regulations that are planned to be applied to Coconut Grove without those regulations having been discussed directly with the residents of Coconut Grove.

THEREFORE, BE IT RESOLVED that the Coconut Grove Village Council recommends that the City of Miami City Commission defer adoption of Miami 21 for any quadrant until a draft zoning atlas has been prepared for Coconut Grove and the other areas of the City that have not yet been specifically addressed in Miami 21, and the proposed zoning ordinance and atlas for the entire city have received ample review and input from the residents of Coconut Grove and all other neighborhoods of the City.

Coconut Grove Village Council, June 28, 2007.

By: 
Gary Hecht, Chairman

By: 
Michelle Niemeyer, Secretary