



Cocoanut Grove Village Council

Monthly Meeting Minutes

Every Third Friday
3500 Pan American Drive
Miami, FL 33133
www.coconutgrovevc.org/

Marcelo Fernandes, Chairman
Linda Williams, Vice Chair
S. Larissa Ozols, Treasurer
Zachary Elliott, Secretary
Thaddeus Scott, Sergeant at Arms
Johannah Brown
Rachel Cardello
Steven Dloogoff
Hank Sanchez-Resnik

Friday March 16, 2018

6:30 PM

Miami City Hall

1. Call to Order at 6:35 PM
2. Roll Call
 - a. Present
 - i. Marcelo Fernandes, Chairman
 - ii. Linda Williams, Vice Chair
 - iii. S. Larissa Ozols, Treasurer
 - iv. Thaddeus Scott, Sergeant at Arms
 - v. Johannah Brown
 - vi. Rachel Cardello
 - vii. Hank Sanchez-Resnik
 - viii. Zachary Elliott, Secretary
 - ix. Steven Dloogoff
 - b. Quorum Present
3. Pledge of Allegiance
 - a. The Pledge was recited by all those in attendance.
4. Discussion of proposed changes to the Neighborhood Conservation Districts (NCD). (attached)
5. Public Comment (follows attached item 4. Discussion)
6. Old Business
 - a. RESOLUTION OF THE COCONUT GROVE VILLAGE COUNCIL ON THE COCONUT GROVE PLAYHOUSE
 - i. Sponsored by Culture, Retail and Parks Board Committee
 - ii. Report Posted on website
 - iii. Deferred
 - b. RESOLUTION AMENDING ARTICLE VI OF THE BYLAWS STRIKING COMMITTEE LIST
 - i. Sponsored by Bylaws Subcommittee
 - ii. Approved

- c. RESOLUTION AMENDING ARTICLE III(5) OF THE BYLAWS STRIKING MINUTES APPROVAL
 - i. Sponsored by Bylaws Subcommittee
 - ii. Approved
- 7. New Business:
 - a. Mary Colzie requested help in getting a portion of Gifford Lane co-named in honor of heritage Grove family, the Colzie's. Ms. Colzie presented the history and relevance of her family to the Council.
 - i. Council confirmed support to co-name the street.
 - ii. Gifford Lane Art Stroll organizer, Trina Collins in support of calling the corner where the Colzies' house stood "Colzie Corner."
 - iii. Council committed to putting her story with pictures on the website, viability committee tasked with web reference, cultural affairs committee offered get recognition.
 - iv. Discussed possibility of a historical marker
- 8. Housekeeping
 - a. Opportunity for Members to add agenda items
None.
- 9. Meeting Adjourned at approximately 9:15 PM

**Discussion: proposed changes to the Neighborhood Conservation Districts (NCD).
Guest Speaker, Deputy Director of Planning Jeremy C-Gauguer**

Summary of changes in proposed NCD:

Changes will affect the entire Coconut Grove. Overlay to Miami 21. If NCD does not mention instance then Miami 21 would apply.

Previous code before Miami 21 addressed setbacks in a fashion that did not align with NCD code and Miami 21 so a cohesive application could not be applied, particularly with T3O Front 30', encroachment 10' so the end result was 75% coverage. With NCD could not enforce greater coverage and now that is closed up in new NCD proposal. T3O encroachment was historically applied but discontinued with NCD language. Reduced from 75% to 50%.

Frontage is no longer a number but a percentage to reduce the massing of T3O properties along the frontage.

Lot coverage: Setbacks for T3, T4 and T5 remain the same but footprint size is reduced. Building footprint part of lot coverage, that is to say exterior outline of the main or secondary building is lot coverage. Driveways are part of hardscape.

Reductions in footprint also being proposed for T3O from 50% to 45% coverage with greenspace up to 35%.

T3O: Developer incentive to increase level 2 (By right permitted 45% 30% on lo on level 2) if developer will plant very large trees in front of property can build out 15% more. Trees to be 10" DB 20' high, shade tree in center of lot which includes ROW planting. If tree dies then replanting required. If tree cannot be planted due to physical conditions ROW, powerlines, etc. then the developer will not get the bonus SF.

Environmental Resources inspector staff now hired, review takes about a week. They are deployed with code enforcement but for now there is no mechanism for them to ticket offenders. Need to improve logistics between building department and code enforcement. Code enforcement is the only one who can write tickets. Environmental Resources Enforcement is still an issue to be hammered out.

Reducing foot print area – means the code encourages 2 story houses, is there an incentive to promote 1 story houses. Very few on record so writing code to promote that is not practical. Goal of proposed NCD is rather than allow greater footprint require pervious area and encourage canopy?

In the Grove lots are not large enough, are there incentives to do basements? They are allowed but need experience in doing them.

Basements would be a good to fold in to NCD, 100% credit for under air development (under-grade) without enlarging the footprint of a home, preserving canopy too. Address stairs and setbacks related to basement. Roof top decks get no credit from banks and appraisers, for basement as buildable space one

does. Heights of building stays the same incentive maybe to go below grade.

Current Miami 21 verandas, porches – count against lot coverages. In proposed, as long as single story level, they don't count against lot coverage. New code allows for Single story only space in outdoor useful space in exchange for smaller footprint. On smaller lots, there is a change in proposed NCD (version 1 Feb) from 50% to 40% greenspace requirement in (version 2 – March 16). 50% was hard for the 7K lots to be developed.

T3Rs and T-3Os 15% reduction of AC space does not mean devaluing home value. 10 % flexibility on the hardscape of smaller lots.

The tradeoff is not devaluing all of Coconut Grove by reduction of tree canopy.

Permits:

Demolitions require a waiver process. Does a site plan be included with demolition permit?

Demolition application must include diagram by applicant showing buildable footprint of potential development. City staff can see upfront on application developer intent is to see the space with set back and trees: 60% then 35% area to move building footprint around within that envelope.

Can resell with that potential footprint? Does permit run with the property? Yes.

What is being done is strengthening the historic preservation at the demo phase. If a property is not yet designated then planning and zoning can ask staff to do report for structure being demolished. That mechanism is available to preserve homes currently not designated as historic.

Proposed NCD difference in demolition is it encourages remodeling versus demotion also. If less than 50% is to be demolished then a waiver is not required. The rest of permits are required as part of remodel process (tree permit, survey, demo permit, etc...), only the waiver is waived.

What is the process that verifies the tree survey? How does environmental check if it correct?

Don't think tree survey is verified by the Planning Dept. Does not think it is done unless there is an appeal. Boundary and tree survey in one. Inclusion of tree location plan and arborist report is satisfactory for planning review.

This is planning- but the key is lack of enforcement, hopefully with electronic plans review coming soon we can work with our commissioners to tighten the PROCESS. Council suggests that work the process and enforce it. Without enforcement there is nothing this new NCD can offer.

Lot Splitting: Contentious issue that is permitted by right. Smaller lots are now under development. Map is not perfect, but better than before. Prevents assemblage and splitting lots in different ways than their original configuration. Because there is the Map and by meeting criteria, then and only then are lots split.

Based on an historic subdivision plat

Warrant for a lot split versus variance and public hearings for lot split

We are going back to the historical map where 18 and 18.1 identified the parcels – overlays which limited the lot sizes. The map effectively brings it back. 100 – foot frontage required as well.

What are the next steps in this process?

4/4 Proceed to PZAB, 4/28 first commission reading, then second reading

We are available to hear concerns about the revised NCD; this can get fine-tuned up to second reading.

Parking:

Ratio stays the same with T3R; difference will be garage towards the street again, with a 9' max total opening. Two outcomes with the side garage: turning radius took up too much potential green space with hardscape and white blank wall facing the street.

Why restrictive requirement for 1 space in 2nd layer? Seems to reduce architectural variety.

Density:

Explain how proposed increase density without increasing zoning

Current situation favors fewer larger units - there are density limits on T4/T5 (150/acre) that are low for that volume. The public benefit would come at additional units at market rate when develop additional affordable units.

Actual 65/acre T4 and 150/T5 would increase density and reduce parking near transit hubs. Studio and 1 bedroom would be available.

Set back and building volume same, just more units make up the development. Was 20 units now will be 30 units.

Grand Avenue 8 units on 5K lot = 75units/acre.

If 20 units proposed any restriction on what type of those 20 are? 1:1 NO restriction for 100% Work force/affordable, you get the 1:1 bonus. All market rate, no bonus.

Parking requirements reduced by 30% for Transit oriented development also Parking trust fund and get 20% reduction which means 1/2 as many spaces .

Abutting T3R doesn't enjoy these reduction requirements and on Grand, that is the case. Parking is an affordability issued with it takes about 15K/space to build, garages are about 27K/space and tucked under a building each space is about 40 -50K/ spot. Those costs are carried forward.

5 story building is appropriate for 150/acre

Future land use map is the base number of what density is allowed. It is the big picture full

growth...Services, infrastructure, etc. is the potential growth. A zoning map overlays the future land use map

If larger units 2 -3 bedroom you have huge buildings.

150 is the cap When you encourage affordability it means 150 units/acre like Wynwood.

Granny Flats:

Outside zoning controls, lots are subject to market forces. T3 zone affordability of housing is an issue. Proposed plan allows for multiple buildings?

Yes. Auxiliary structure includes kitchenette and can be connected but not required, needs to meet setbacks.

Auxiliary structures: 2 structures as long as, lot is greater than 7500SF and smaller lots difficult to develop auxiliary. Exception: Historic designated structures will be allowed auxiliary structures as an incentive to historically designate homes

One single NCD:

Why rolling in to one?

Rolling NCD 2 and NCD 3 together will strengthen the language and help city's ability to enforce.

Certain things in NCD2 mentioned but impossible to enforce. Design standard applied to only Charles Ave. now all of West Grove applies. Shift review by UDRB to Historic Preservation Board who is more familiar with reviewing single family home designs and non-contributing structures.

Language and intent are there now NCD2 would have more teeth if rolled in together with NCD-3 as one

None of the character that applies to preserving homes was written into the NCD 2.

Zoning on the front end - planning then code enforcement on the "back end"

Re-formatting to a Miami 21 style, zoning helps code enforcement because it will be clearer will be clearer. Besides "one grove" was a theme in the charrettes

Is there an architectural guideline included within, not just by reference? Is anyone going to re-review that?

We should do that .They are pretty old and should be.

Wants to see NCD 2 and NCD 3 separated to protect VW and its residents. Changed History – to - legacy. More green space, tree space and encourage protections of existing structures. It's a style it's a culture, we like color. Seek to preserve and identity. NCD is designated for a purpose. Waters down Village West,

Expanding code means NCD 2 does not address the overdevelopment of homes; NCD 2 addresses

gateways and places no restrictions to building volumes. Greatly protects West Grove interest because NCD2 does address overdevelopment. This document addresses it in a way NCD 2 never did.

Two things are going on what's in the text, then the procedure of the process. Want protection what can and cannot be built? It is easier to see in one NCD.

Limiting building volumes driven by demands from South Grove is also happening in West Grove and those protections apply to West Grove with proposed single NCD. The protections that were asked in NCD 3 neighborhoods will be extended to West grove home sites. That is a benefit to combine them. For zoning and code Enforcement combining will really help with enforcement.

CRA, NCD, and now the restoration of historic preservation cluster. How will all three affect village west? How will this tie into multi home historic designation...and potential CRA designation here?

Scale of the Grove is different from the city. Researched lot sizes in Boston, DC, Chicago, Atlanta, San Francisco, median home price and price per SF, higher values have lower FARs all were smaller than that proposed by Miami 21 and the market value was still high. Larger FLR does not mean retaining/ creating higher value.

Can we do something that encourages smaller FAR sliding scale as lots get larger? Can we use the FAR to protect that West Grove Neighborhood?

Reluctant to do that I'd be artificially devalue properties in west grove

Not a good idea, people would be encouraged to split more lots. And City reluctant to limit FAR because that would devalue the lots.

Enforcement with special Grove processor in the Department (building). Even if we have to pay for that salary from special permit fees when building in the Grove. Stop all rights because land process is so high already and it would not be possible to build a small house. Land values do high it makes it impossible to build small houses. Market controls size of house Vacant lots is lost, can enforce the style of architecture that will be built but that is it. Goal now is to preserve the existing. Cultivating Bahamian flare cottage living on new is farfetched.

Is it possible NCD would decrease property values? People with older homes current market rate is high and if NCD restricts FAR and greenspace then that older (read smaller) home value may suffer.

Market forces cannot be predicted. Balance between increase green space shrunk buildable space. Reduction of area under AC by 10 % is still market value.

MUSPS keep getting renewed. They are grandfathered in would those bonus opportunities apply to the MUSPs or with the original MUSP - pick one can't have both codes apply.

They have a free ride. Vested rights carried forward as long as they are renewed. In districts where

architectural standards apply we could apply them. – No bonus opportunities as with NCD proposed, they comply with original MUSP.

How many active MUSPs in Coconut Grove? Is a good question

Coconut Grove known for the irregular sizes and shapes of lots, lot assemblage getting lost by this new NCD. The proposed NCD seems to promote the historic platted lots, return to vanilla parcels.

Does not mean they will all be split. There is a map and criteria. New Criteria will push brakes on a lot and predictable splits. Now, everyone can apply to the minimum 5K.

Comments from the Public:

Williams Armbrister: Developers know more than residents and zoning changes without the knowledge of residents- zoning needs to revert back to original state. Enforcement does not exist in West Grove, MUSP needs a reverter clause.

We have involved the public at each step of this re-write- we want input and have been to Amrbrister Park twice and F Rolle Center to discuss. Re-zoning is not part of the re-write, just changes how rules are applied to transects. MUSPs we can't legally do much about divesting these property rights the owners have. People agreed to increased density near TOD and building that are already tall. No zoning changes only how rules are applied to current zoning.

Historic designation is the way to not tear a property down

Kathy Parks: Permit ends unless MUSP is extended, not a right. Forcing homes to be historic is hard on people with limited means.

Ron Nelson: Current NCD not enforced, enforcement is what is needed. Shell@ 27h covenant for landscaping, architectural features, royal palm trees died not replaced, and security guard, not there. Lot splitting, platted as separate lots, site can be 3-4 platted lots less than 7500SF. Less with NCD but the example of lack of enforcement is important: changed typography by raising elevation with retaining wall to exceed 20' height limit and still be within code

Planning reply: City wide issue we are working on now.

Demo trees and notice trimmed or removed the specimen until you come with plans

Planning is please that now that we are staffed up reviews happen quicker Survey of building, survey of foot print appears as part of new review package. Have survey with superimposed trees on it and underground utilities for potential conflicts.

Verification is only done when something is appealed

If inconsistently incorrect surveys then we should start to check, verify

Suggest no inspections should be done until sit is in compliance (i.e.: no tree protection, no inspection, no dumpster, - no inspection)

There is confusion on terminology, greenspace, hardscape, open area

Planning feels there is progress made with the draft and wants it right, @ 95% go to PZAB

Marcelo Fernandes, Wasting all of our time unless there is enforcement! Grove is the thorn in City's side. We need a special enforcement person specific to handle / enforce NCD issues. Not a big deal - we need to tax each incoming permit.

Lee Taylor, developer, agrees that enforcement of code no matter which one needs to happen. Don't listen to market forces if we design to market forces we will go downhill. Price per SF does not go to design of a flavor lifestyle and culture. Vested rights of West Grove will become diluted if you own property. Let market forces be predominate and then you'll see the ugliness of market forces. Real Estate cannot be democratic - have guts to have a vision with conviction keep the flavor of Bahamian village. Enforce the design criteria

Miriam (resident): City planning understaffed, verify before you give building permits. Need code enforcement that works even if city is under staffed.

Prevent demolition of trees by not being allowed to build on top of them spot immediately after they were taken down

Mitigation of the tree should not count as also the required front yard tree or ROW tree, Take down one heritage oak and replace with a front yard shade tree and there is still a net loss. Mitigate was to not be a net loss

Planning: that sounds like changes need to Chapter 17

Unless there is a complaint then enforcement does not happen. 22 voice mails, why do we residents have to be the police. Citizens need better procedures from the city and should not have to make 22 phone calls.

Planning: Request that citizen calls the Net office

Guillermo De la Paz: Sees benefit of one NCD for all of Grove. West Grove residents seem to feel if a larger new home goes on the block that their taxes will increase. Need code compliance in West Grove, lots of demolition by neglect.

Joyce Nelson; Shows a stack of waivers since last September, City needs to tighten up design standards and procedures, need to preserve what is there Landscape and tree survey need to be part of the demo permit. Granny flats without parking are a bad idea and will lead to worse parking problem on our streets. Preserve houses of 50 years or more.