

City of Coral Gables City Commission Meeting
Agenda Item E-1
March 22, 2011
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael "Ralph" Cabrera, Jr.
Commissioner Wayne "Chip" Withers

City Staff

City Manager, Patrick Salerno
Interim City Attorney, Lourdes Alfonsin
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Planning Director, Eric Riel

Public Speaker(s)

Laura Russo, Co-Counsel for Gulliver School
Tucker Gibbs, Co-Counsel for Gulliver School

E-1 [Start: 9:44:29 a.m.]

Planned Area Development, Site Plan, Encroachment, and Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida, requesting the following for Gulliver Academy, located on Tract No. 7, Avocado Land Company Subdivision (12595 Red Road), Coral Gables, Florida:

- 1) Planned Area Development (PAD) assignment, pursuant to Zoning Code Article 3, Division 5;
- 2) Site plan review and an amendment to the previously approved Gulliver Academy Master Campus Site Plan to allow for new classrooms, pavilion building, gymnasium, baseball field house, natatorium and other miscellaneous improvements;
- 3) Encroachment into the Campamento Drive, Old Cutler Road and Red Road rights-of-ways; and,

4) Zoning Code Text Amendment to the Official Zoning Code, Appendix A, Site Specific Zoning Regulations;

Providing for severability, repealer, codification, and an effective date. (PZB recommended approval, Vote: 6-0) (Passed on First Reading November 9, 2010) (Deferred from the January 25 and February 8 and March 8, 2011 Meetings)

Mayor Slesnick: We have an ordinance on Second Reading for a public hearing; Madam City Attorney.

Interim City Attorney Alfonsin: [Note: The above title was read into the record].

Mayor Slesnick: Do I have a motion for discussion purposes? Moved by Mr. Cabrera, seconded by Mr. Withers. This is an item for those of you who have not watched before, that has been before us on several occasions and deferred a couple of times as further discussions between the neighborhood association, the school and various neighbors have taken place concerning the proposal before us. It was passed on First Reading, it's before us on Second Reading; on Second Reading it failed to gain a majority vote, and failed on a 2-2 tie, but on motion by the prevailing side it was moved to be reconsidered, and it comes before us today on reconsideration, and has now been moved and seconded. At this point in time we have taken testimony on two different occasions, this is a public hearing, so I have no cards filed for public input so I will close the public hearing, but I'm going to ask the parties to make a statement, so you can do that; and if you want and if you filled out a card, you can file it later. I'm going to ask the applicant if they have any, I think we've heard unless there are questions for the Building and Planning Department, I think we have heard from them sufficiently, but applicant – Ms. Russo if you wish to....At the last meeting two Commissioners were concerned about this application and they asked you to do further work.

Ms. Russo: Good morning Mr. Mayor, members of the Commission, for the record Laura Russo with offices at 2655 LeJeune Road. I am here this morning representing Gulliver School, I am here with my team behind me Mr. John Krutulis Head of School, Jamie Cross the Facilities Manager, my Co-Counsel Tucker Gibbs, Traffic Engineer Mr. Tim Plummer, Gary McGraw, I feel like I'm at the Academy Awards and if there is someone I forgot he'll be alright with it. I just want to thank you Commissioner Cabrera for allowing the motion to reconsider, after making the motion to reconsider it at last month's meeting, which allows us to be here today. We've also given Gulliver the opportunity to address some of the concerns that you and other Commissioners had regarding public safety. I want to go into a little bit of history. Over the past year, Gulliver has held literally dozens of meetings and discussions with the homeowner association leadership, both informal and formal meetings with the homeowners association, and

informal and formal discussions with Gulliver parents including those parents who reside in Gables by-the-Sea and Pinecrest by the Sea neighborhood. With a master plan of this nature and with the school adjacent to a residential neighborhood we come before you today with an agreement that satisfies concerns raised by the homeowners association, which at this point has no voice to opposition, and which has no opposition from Gulliver parents including those parents that live in Gables by-the-Sea neighborhood. With hundreds of people who live within Gables by the Sea and with the thousands of parents at this campus, I just want you to know that we are pretty proud because it's been a difficult task and you all have helped us get there. Gulliver has in good faith pursued a pedestrian gate and trying to amend the agreement with the homeowners association. Neighbors on Campamento and elsewhere in the neighborhood were opposed because enforcement of the use of the gate sets up both the homeowners association and Gulliver up for failure. So Gulliver came up with a solution and the solution is offering portal to portal, door-to-door bus service for those families that reside in the Gables by-the-Sea and Pinecrest by-the-Sea neighborhood that wish to avail themselves of this service. Gulliver has communicated with all the Gulliver families and Gables by-the-Sea and Pinecrest by-the-Sea, and we are pleased to inform you that there is no opposition from any parent. Every parent understands that they may access Gulliver through Old Cutler Road, as do all the other families of Gulliver, or they may avail themselves of this bus service for their neighborhood. At this point we respectfully request that you approve on Second Reading the site plan amendments and all the different items, the conditional use, the encroachments, etc., and we want to take a moment to thank the Planning Department, the Planning and Zoning Board, you and particularly the homeowners association for all their assistance in getting us to this point, and all of the City staff because we know that this has been reviewed by the Planning Department in particular, but also by Public Works and Zoning. So we want to thank everyone for getting us here to this point.

Commissioner Anderson: Is this portal door-to-door condition of approval?- that will be my suggestion to put that as a conditional as approval.

Ms. Russo: We'll accept that condition of approval.

Commissioner Anderson: OK.

Commissioner Cabrera: I'm assuming that the bus system will be made available by all the Gables by-the-Sea residents, and there will be a particular timeframe in which the children can get on the bus and be taken into the community itself.

Ms. Russo: My understanding is that it's going to be door-to-door, so in other words it's going to go to different doors, it's not going to be at a given at a point; this is going to be from your front door to the child's front door to the front door of the school.

Commissioner Cabrera: Thank you – and what happens to the crossing guards that was part of an earlier application in which Gulliver was going to employ some – I know you have a crossing guard today at the entrance of Gulliver at Old Cutler, will there still be one further down at the entrance.

Ms. Russo: I think we had agreed to and it's apart of the condition to the additional Police Officer that's still going to remain as part of the conditions....

Commissioner Cabrera: OK. That's all I cared about. OK. I move to approve this based upon their efforts to try to deal with the life safety issues in spite of some of the comments that were made by others. I think that they've really tried very hard – I'm saying not others here on the dais, but in the public I think they tried really hard to help us in terms of creating....are you feeling comfortable about this?

Commissioner Anderson: Yes, I'm fine, I'm good.

Mayor Slesnick: We have a motion on the floor and a second, with that any other questions?- any other comments?- any other concerns? Mr. Clerk if you'd call the roll please.

Commissioner Withers: Yes

Commissioner Anderson: Yes

Commissioner Cabrera: Yes

Mayor Slesnick: Yes

(Vote: 4-0)

(Vice Mayor Kerdyk: Absent)