

05 13 09 Excerpts of PZB Verbatim
Meeting Minutes

Exhibit C

1
2 CITY OF CORAL GABLES
3 PLANNING AND ZONING BOARD MEETING
4 VERBATIM TRANSCRIPT - EXCERPT
5 CORAL GABLES CITY HALL
6 405 BILTMORE WAY, COMMISSION CHAMBERS
7 CORAL GABLES, FLORIDA
8 WEDNESDAY, MAY 13, 2009, 6:00 P.M.
9

10 Board Members Present:
11

12 Tom Korge, Chairman
13 Eibi Aizenstat, Vice-Chairman
14 Robert Behar
15 Jack Coe
16 Jeffrey Flanagan
17 Javier Salman

18 City Staff:
19

20 Eric Riel, Jr., Planning Director
21 Walter Carlson, Assistant Planning Director
22 Scot Bolyard, Planner
23 Jill Menendez, Administrative Assistant
24 Elizabeth M. Hernandez, City Attorney
25 Martha Salazar-Blanco, Zoning Official
Kara Kautz, Historic Preservation Officer
Carlos Mindreau, City Architect
Alberto Delgado, Public Works Director
Kevin Kinney, Parking Director
Fred Couceyro, Park & Recreation Director
Sebrina Brown, concurrency administrator
Jim Kay, Public Works

26 Also Participating:
27

28 Jorge Hernandez, Architect
29
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2 THEREUPON:

3 The following proceedings were had:
4 CHAIRMAN KORGE: Well, we've got a
quorum. Let's call the roll, please.

5 MS. MENENDEZ: Eibi Aizenstat?

6 MR. AIZENSTAT: Here.

7 MS. MENENDEZ: Robert Behar?

8 Jack Coe?

9 MR. COE: Here.

10 MS. MENENDEZ: Jeff Flanagan?

11 MR. FLANAGAN: Here.

12 MS. MENENDEZ: Pat Keon?

13 Javier Salman?

14 MR. SALMAN: Here.

15 MS. MENENDEZ: Tom Korge?

16 CHAIRMAN KORGE: Here.

17 The first item on our agenda is --
18 let me get the agenda -- approval of the
19 minutes of the meeting of March 11th,
20 2009.

21 MR. SALMAN: So moved.

22 CHAIRMAN KORGE: There's a motion.

23 MR. AIZENSTAT: Just a question. I
24 notice that these minutes are very
25 different to the minutes that we've

3
1 always received. Is there a reason for
2 that?

3 CHAIRMAN KORGE: I don't think so.
4 Is there a reason for the change in the
5 form of the minutes? They used to be
6 transcripts.

7 MR. AIZENSTAT: Yeah, and I notice
8 this is just an abbreviated version of
9 the minutes.

10 MR. RIEL: Since it was a short
11 meeting, we didn't have a court
12 reporter, we just had Jill do the
13 minutes.

14 CHAIRMAN KORGE: Okay.

15 MR. AIZENSTAT: Okay. All right.

16 MR. RIEL: Cost-saving measures.

17 MR. AIZENSTAT: Which is fine.

18 MR. COE: Cost-saving measures.

19 MR. AIZENSTAT: I will second that
20 motion, then.

21 CHAIRMAN KORGE: Any discussion?
22 Hearing none, we'll call the roll
23 on that motion.

24 MS. MENENDEZ: Jack Coe?

25 MR. COE: What are we --

4
1 CHAIRMAN KORGE: We're moving on
2 the minutes, approval of the minutes.

3 MR. COE: Somebody already moved
4 for it? Yes.

5 MR. SALMAN: Yeah, I beat you to it
6 this time.

7 MS. MENENDEZ: Jeff Flanagan?

8 MR. FLANAGAN: Yes.

9 MS. MENENDEZ: Javier Salman?

10 MR. SALMAN: Yes.

11 MS. MENENDEZ: Eibi Aizenstat?

12 MR. AIZENSTAT: Yes.

13 MS. MENENDEZ: Tom Korge?

14 CHAIRMAN KORGE: Yes.

15 The second item on our agenda is
16 the abandonment of an alley behind the

17 Coral Gables Museum.

18 MR. CARLSON: Good evening.

19 CHAIRMAN KORGE: Good evening.

20 MR. CARLSON: For the record,

21 Walter Carlson, with the Planning
22 Department. The first item that's

23 before the Board this evening is an
alley vacation. This alley vacation is
24 being brought to you by City Staff. The

1 alley vacation is required for the
2 construction of the new City Museum
3 project. The portion of the alleyway
4 which is supposed to be vacated bisects
5 the project site. That portion is
6 proposed to be vacated and a new access
7 easement provided.

8 We have -- The property is
9 historically designated, and we have
10 Kara Kautz, who's the City's Historic
11 Preservation Officer, and Jorge
12 Hernandez, who is the project architect,
13 here to present you details of the
14 proposal.

15 But before they start, I would just
16 like to inform the Board that the
17 construction on the project for the new
18 museum is well under way, and that the
19 Planning Department is recommending
20 approval of the alley vacation.

21 With that, I'll turn it over to
22 Kara and Jorge.

23 MS. KAUTZ: Hi. Good evening.
24 I am Kara Kautz, the City's
25 Historic Preservation Officer, and we

1 are spearheading this effort to get the
2 alley vacated. As Wally mentioned, with
3 me is Jorge Hernandez the project
4 architect, and also Christine Rupp,
5 who's the Director of Operations for the
6 Coral Gables Museum.

7 We have a series of boards to
8 explain the project and what we're
9 proposing, so we'll get those ready. Do
10 you want to --

11 Can you all see from there? Is
12 that okay?

13 MR. HERNANDEZ: Is there a --
14 Hello? No. Oh, well. Is that one on?

15 CHAIRMAN KORGE: I don't know.
16 MR. HERNANDEZ: No. No, that's not
17 on. Anyway --

18 CHAIRMAN KORGE: Is there a switch?
19 Try the switch.

20 MR. AIZENSTAT: It's on.
21 MR. HERNANDEZ: Okay, hi. Jorge
22 Hernandez, 337 Palermo, the architect
23 for the museum project, and as Kara
24 Kautz said, we are here just to talk
25 about an alley vacation. If you like,

1 I'll point out that portion of the lot
2 or block in question, so you understand.

3 This is Aragon Avenue. The
4 historic Police and Fire Station
5 building is here on the corner of Aragon
6 Avenue and Salzedo, and the new Fewell
7 Gallery and public park, which will be
8 built -- is being built, I should say --
9 is being built in the old parking lot,
10 which is defined by Giralda and Salzedo,
11 comprise the perimeter of the project
12 site.

13 The portion of the alley that's
14 being vacated is from the east corner of
15 the Fewell Gallery all the way to the
16 west, and the reason for that is so that
17 the public park will enjoy pedestrian
18 activity unencumbered by alley
19 functions, but most importantly, so that
20 an un-air-conditioned breezeway which is
21 currently a part of the project can be
22 fully enclosed, and the benefits of
23 enclosing it is that then you'll be able
24 to go from the gallery and the historic
25 building to the new Fewell Gallery

1 without breaking a security barrier and
2 a temperature barrier. The types of
3 exhibits and the types of artworks and
4 the types of insurance coverage that
5 we're required to have would be greatly
6 benefited if we could do this and we
7 could provide an air-conditioned covered
8 passage between the two gallery spaces.

9 And the enjoyment of this space
10 will remain for the public. In other
11 words, this is public land currently,
12 and when it is vacated and we glaze in
13 the breezeway and make it an
14 air-conditioned connector, it will
15 remain public land.

16 I also have drawings, if you'd like
17 to see them, as to the covered breezeway
18 as it was permitted, now, because we
19 have obtained an easement over the alley
20 for the breezeway, and we're coming for
21 a vacation where the easement once was.
22 I have drawings of the covered breezeway
23 and I'll show you that there's no
24 general massing change between the
25 covered breezeway and the glazed

1 air-conditioned corridor.
2 Let me get that board.
3 So this is what was permitted.
4 Here is the corner of the historic
5 building, this is the space of the
6 alley, and here is the corner of the
7 Fewell Gallery, and we were going to
8 build a roof across the alley, about 12
9 feet wide, that was going to produce a
10 covered connection. We were going to
11 have a wrought iron gate securing that
12 experience from the rest of the alley.

13 And then if we show what we're
14 proposing, all that we're proposing is
15 glazing in exactly the space under the
16 roof. So it's exactly the same
17 footprint under roof; we're just glazing
18 it in and air conditioning it.

19 And then we have here some
20 elevations of the existing proposal.
21 Here's the existing proposal. Here's
22 the tower of the Police and Fire
23 Station. Here is the corner of the
24 Fewell Gallery. Here is the roof
25 connecting the two, back in space. This

1 was the wrought iron gate, and then in
2 the next view, you'll see that there are
3 the same features I described, the
4 tower, the Fewell Gallery, the roof, and
5 all we're doing is filling in the wall
6 under the roof to provide, you know,
7 French doors and air conditioning.

8 Do you want to go through the
9 dedication?

10 MS. KAUTZ: Uh-huh.
11 MR. HERNANDEZ: We have worked with
12 the Director of Public Works and with
13 Kara and with the Board of Architects
14 and with the Fire Chief, and they had no
15 objection to this work whatsoever. And
16 on top of that, the alley has been
17 closed for the last seven months while
18 we've been in construction, and it has
19 not affected negatively -- impacted any
20 of the property owners. There are no
21 property owners that have opposed any --
22 have shown any opposition to the
23 proposal.

24 MS. KAUTZ: I think there's one.
25 MR. HERNANDEZ: Oh, there was one?

1 MS. KAUTZ: In your packet, there
2 was one person who noted an objection.

3 MR. HERNANDEZ: This drawing shows
4 that this is the portion of the alley
5 that would be vacated. This is a
6 portion of the City's property that will
7 be dedicated, so that people can come to
8 the end and turn around if they'd like
9 to, so nothing will ever be built there,
10 and then this -- these two gray linear
11 areas are the driving lanes in the City
12 parking lot, so that a person could come
13 to the end, back up, and doesn't even
14 have to go to the end of the block,
15 could exit through the City parking lot,
16 because the City owns space on both
17 sides of the adjacent private building.

18 Do we have the full --

19 CHAIRMAN KORGE: Is there going to
20 be signage by the parking lot to
21 indicate there's no exit there?

22 MR. HERNANDEZ: Yes, there will.

23 Do we have the full block plan
24 somewhere?

25 We have a full block plan. Let us

1 locate that.

2 It should be the largest one,
3 right, Kara?

4 MS. KAUTZ: It's not there?

5 MR. HERNANDEZ: Let's see. Here it
6 is. This shows -- Can you see the very
7 light gray tint?

8 MS. KAUTZ: It's in your packet, as
9 well.

10 MR. HERNANDEZ: It's in your
11 package. It shows the footprint of the
12 whole block. So this is the City
13 parking lot, and these are the two lanes
14 that are being dedicated, so that people
15 can back out at the mid block, and the
16 signage will be right here. The signage
17 you refer to will be right here.

18 (Thereupon, Mr. Behar arrived.)

19 CHAIRMAN KORGE: Just note for the
20 record that Robert Behar has arrived.

21 MR. BEHAR: Thank you.

22 MR. COE: Now, if I might ask a
23 question, it seems to me before you
24 closed off the alley, I guess last fall,
25 you could -- if you were going through

13

1 the drive-in teller at Bank of America,
 2 you'd be able to make a right-hand turn,
 3 go down the alley, and go into Saizedo
 4 Street, and you won't be able to do that
 5 anymore.

6 MR. HERNANDEZ: No.

7 MR. COE: You'd have to go back
 8 over -- out through a parking lot.

9 MR. HERNANDEZ: This is the
 10 drive-in teller here.

11 MR. COE: Yeah.

12 MR. HERNANDEZ: Yeah. You'll make
 13 a right and go down the alley and go out
 14 through either of the lanes of the
 15 parking lot, yes.

16 MR. COE: Okay.

17 MR. HERNANDEZ: I think that's it.

18 Also -- I mean, another point that
 19 we should mention is that this building,
 20 which is the adjacent -- it used to be
 21 the Caramelo's Restaurant building --
 22 has a series of courts off the alley.
 23 Of course, those are not being, in any
 24 way, shape or form, altered. So there
 25 are multiple opportunities for backing

14

1 up and getting out of the alley, and
 2 this is what was checked with Public
 3 Works and with Fire.

4 MR. AIZENSTAT: What are those
 5 courts used for presently?

6 MR. HERNANDEZ: Parking and
 7 delivery.

8 MR. AIZENSTAT: If cars are parked
 9 there, you'll still be able to turn
 10 around and use that?

11 MR. HERNANDEZ: Yes. The
 12 turnaround for all vehicles was
 13 maneuvered within the museum property.
 14 That's why we're dedicating that shaded
 15 L-shaped portion of our property.

16 So, along with the vacation is the
 17 two dedications, the lanes through the
 18 parking lot and that portion of the
 19 museum property.

20 CHAIRMAN KORGE: Any questions of
 21 the applicant?

22 MR. COE: Move the City's
 23 recommendation.

24 MR. SALMAN: Second.

25 CHAIRMAN KORGE: Well, first let's

15

1 open it to any comment from the public.
 2 Anybody in the public wish to speak on
 3 this issue?

4 Did anybody sign up to speak on
 5 this one?

6 MS. MENENDEZ: No.

7 CHAIRMAN KORGE: No? Okay. So --

8 MR. AIZENSTAT: If I may, I have
 9 one question.

10 CHAIRMAN KORGE: Yeah, sure.

11 MR. AIZENSTAT: The Building
 12 Department and Zoning Department, once
 13 you enclose your area, they're okay with
 14 your square footages and so forth?
 15 There's no problems with that?

16 MR. HERNANDEZ: Yes. This building
 17 is way below the FAR cap.

18 MR. AIZENSTAT: That's all, thank
 19 you.

20 CHAIRMAN KORGE: So you were about
 21 to make a motion?

22 MR. COE: I think I already moved
 23 City's recommendation. I'll do it
 24 again, Mr. Chairman.

25 CHAIRMAN KORGE: There's a motion

16

1 to approve as recommended. Is there a
 2 second?

3 MR. SALMAN: Second.

4 MR. FLANAGAN: May I ask one more
 5 question?

6 CHAIRMAN KORGE: Yes.

7 MR. FLANAGAN: If the width of the
 8 enclosed area is the same as the old
 9 breezeway that had an easement, is there
 10 a reason why we're vacating what seems
 11 to be a much larger portion of the
 12 alley, rather than just enclosing the
 13 breezeway over the existing easement?

14 MR. HERNANDEZ: Yes, the Director
 15 of Public Works recommended that,
 16 because he said when you vacate, you
 17 have to -- there's something in the Code
 18 that says you have to vacate towards the
 19 street, whereas an easement is just for
 20 an -- it could be for an overhang or an
 21 encroachment, so you literally just do
 22 the easement under the footprint of the
 23 structure that encroaches. But when you
 24 vacate, you vacate from said point all
 25 the way to the next street. That -- so

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17

1 it was Albert Delgado that recommended
2 that.
3 CHAIRMAN KORGE: Any discussion?
4 It's been moved and, I believe,
5 seconded. Javier, you seconded it?
6 MR. SALMAN: Yes, sir.
7 CHAIRMAN KORGE: Any discussion on
8 the motion?
9 Hearing no further discussion,
10 let's call the roll, please.
11 MS. MENENDEZ: Jack Coe?
12 MR. COE: Yes.
13 MS. MENENDEZ: Jeff Flanagan?
14 MR. FLANAGAN: Yes.
15 MS. MENENDEZ: Javier Salman?
16 MR. SALMAN: Yes.
17 MS. MENENDEZ: Bibi Aizenstat?
18 MR. AIZENSTAT: Yes.
19 MS. MENENDEZ: Robert Behar?
20 MR. BEHAR: Yes.
21 MS. MENENDEZ: Tom Korge?
22 CHAIRMAN KORGE: Yes.
23 MR. HERNANDEZ: Thank you very
24 much.
25 CHAIRMAN KORGE: Thank you.

18

1 MR. RIEL: And just for a matter of
2 the record, it's going to City
3 Commission on May 26th and June 2nd.
4 CHAIRMAN KORGE: The next item on
5 our agenda is the proposed Zoning Code
6 text amendment defining the term country
7 club as used in the Special Use "S"
8 District designation.
9 MR. CARLSON: Yes. The second item
10 which is before the Board this evening
11 is a Zoning Code text amendment, and
12 this, too, is being brought forward to
13 you by City Staff.
14 The Code currently does not specify
15 country club as a listed use within the
16 list of "S" Special Use Zoning District,
17 and -- which is the appropriate zoning
18 district for country clubs. It doesn't
19 specify that as a use, and it does not
20 provide a definition of the country
21 club. These are essentially technical
22 amendments to clarify the Code for
23 future interpretation by the Building &
24 Zoning Staff.
25 If you go into your Staff Report,

19

1 you will see that country club is added
2 to the list of allowed uses, all of them
3 which you will see are zoned "S," and
4 also, there is a definition for country
5 club.
6 CHAIRMAN KORGE: Is it fair to
7 assume that this definition is --
8 conforms to the existing country club
9 uses that are previously undefined?
10 MR. CARLSON: That is correct. It
11 covers all the uses there which are
12 currently there, so in the future, they
13 would still be permitted.
14 CHAIRMAN KORGE: So it's not
15 creating any nonconforming uses or
16 anything like that?
17 MR. CARLSON: No.
18 CHAIRMAN KORGE: Okay.
19 MR. SALMAN: Have you had any input
20 from any of the other existing country
21 clubs with regards to definitions and
22 uses?
23 MR. CARLSON: No, we did not.
24 MR. SALMAN: There aren't that
25 many, you know.

20

1 MR. CARLSON: No.
2 CHAIRMAN KORGE: Any questions or
3 discussion on this?
4 MR. COE: I move the City's
5 recommendation.
6 MR. FLANAGAN: Second.
7 CHAIRMAN KORGE: I have a motion
8 and a second.
9 Any discussion on the motion to
10 approve the City's recommendation?
11 No discussion.
12 Let's call the roll on that,
13 please.
14 MS. MENENDEZ: Jeff Flanagan?
15 MR. FLANAGAN: Yes.
16 MS. MENENDEZ: Javier Salman?
17 MR. SALMAN: Yes.
18 MS. MENENDEZ: Bibi Aizenstat?
19 MR. AIZENSTAT: Yes.
20 MS. MENENDEZ: Robert Behar?
21 MR. BEHAR: Yes.
22 MS. MENENDEZ: Jack Coe?
23 MR. COE: Yes.
24 MS. MENENDEZ: Tom Korge?
25 CHAIRMAN KORGE: Yes.