

# **City of Coral Gables City Commission Meeting**

## **Agenda Item E-5**

**December 14, 2010**

**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**

**City Attorney, Elizabeth Hernandez**

**City Clerk, Walter J. Foeman**

**Deputy City Clerk, Billy Urquia**

**Planning Director, Eric Riel**

### **Public Speaker(s)**

**Laura Russo, Attorney Representing the Applicant**

**Kelsy Hersch, Vice President, Corporate Real Estate with Northern Trust**

**Burton Hersch, Architect**

**Keith Speena, Architect**

**Rip Holmes, Coral Gables Resident**

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E-5 [Start: 12:43:33 p.m.]

Conditional Use. An Ordinance of the City Commission of Coral Gables, Florida, granting conditional use site plan approval pursuant to Zoning Code Article 3, Development Review, Division 4, Conditional Uses, for a bank drive-through facility within the Commercial Limited (CL) District on the property legally described as Lots 23-34, Block 3, Biltmore Section (595 Biltmore Way – Northern Trust Bank), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB recommended approval, Vote: 6-1)

Mayor Slesnick: E-5, excuse me, I’m sorry.

City Manager Salerno: E-5 Mayor and Commissioners. Conditional Use. An Ordinance of the City Commission of Coral Gables, Florida, granting conditional use site plan approval pursuant to Zoning Code Article 3, Development Review, Division 4, Conditional Uses, for a bank drive-through facility within the Commercial Limited (CL) District on the property legally described as Lots 23-34, Block 3, Biltmore Section (595 Biltmore Way – Northern Trust Bank), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB recommended approval, Vote: 6-1).

Mr. Riel: Basically, what's before you is conditional use; it's for a bank drive-through facility on a commercial limited piece of property. This property, I would note does have commercial high-rise designation on it though. Basically anytime a drive-through is adjacent to residential zoning, which this property does about a multi-family zoning, it's required to come through a review process before staff, the Planning and Zoning Board, as well as the Commission. Did property go before the Board, staff does recommend approval, the Planning and Zoning Board did recommend approval 6 to 1, subject to staff's conditions, which are included in the packet, and the Board of Architects also did grant approval to the actual site plan as well.

Mayor Slesnick: You have the applicant here.

Ms. Russo: Good afternoon Mr. Mayor, members of the Commission, my name is Laura Russo with offices at 2655 LeJeune Road. I'm here this afternoon representing Northern Trust Bank; the request is for a conditional use for their drive-through facility. As you know, the current property is located on the northeast corner of the intersection of Biltmore and Segovia. The bank is proposing to put a building basically to the east of where the....building exist now, and to just basically flip the scenario, they have now, they have some real issues with the building itself, some defects in the building that no longer can be fixed by repair work, so the building has to be replaced, and consideration was taken; the last time they were in this process the Segovia Circle had not been built. So trying to design without having the Segovia Circle was a little bit difficult. This time around the architect had the Segovia Circle, we met with the City Architect, we met with the Public Works Department just to take all the concerns that they might have with respect to the building of the building, and we've had some hiccups, but we went through the Board of Architects, we've gotten approval initially for the siting, and now for the plan, and we received a 6-1 vote for the drive-through as Mr. Riel correctly stated. The conditional use, the only reason this is a conditional use, this is commercial limited property is because, not because it's across the alley from a historic church, but because immediately to the west is a multi-family high-rise. That's the reason we are here asking for the conditional use for the drive-through, otherwise it would be a matter of fact and just observing the building codes. The conditional use is because of the residential use located west of Segovia. So we respectfully request approval of the drive-through request, we submitted all of the necessary documentations with respect to the criteria that's listed for the drive-through to the Public Works Department who cleared it to Planning, and we are here to answer any questions you may have.

Commissioner Anderson: I have a question that's not related exactly to it, but it is related. Why is the bank building moved away from the corner?- from an architectural from a planning perspective, that's just such a big huge no-no. I don't know if that was the client, or if it was our staff or the Board of

Architects, but to move that back from a major intersection as related...also concern with Mr. Behar on the Board and Mr. Salaman, both architects, and taking one look at it having been removed from my architectural degree by about 30 years, it's still very bothersome. I realize this is a conditional use approval of a bank teller, it's just...

Ms. Russo: That's a two-party answer, so what I'm going to do is allow Ms. Kelsey Hersch, she is Vice President for Real Estate Operations, answer it from the client perspective part, and then I'm going to allow Mr. Burton Hersch, the same last names but not related, to answer it from the architectural standpoint.

Commissioner Anderson: Alright – thank you.

Ms. Hersch: Good afternoon. My name is Kelsey Hersch; I'm the Vice President of Corporate Real Estate with Northern Trust. I appreciate the opportunity to speak with you this morning. There are actually two reasons, a primary and a secondary-. The primary reason is as many of you may know Northern Trust has been in the Coral Gables market now for decades, and we have an ongoing commitment not only to Coral Gables as a City, but also to this particular location. We have approximately 37 years left in a 40-year ground lease that we entered into in 2006, I believe, and it was in existence; however as we looked at the fact that our existing building is no longer meeting our needs primarily structurally, there are some flaws in it, some damage to it, we also realized that it didn't meet our needs functionally as our business model evolves, and so we were set to task to determine, do we remodel?- do we build new?- we determined that we wanted to build new; the next question of course was placement, and what do we build?- and we actually went through an extensive study modeling different options. We met with actually the Planning Department during that process as well and the City Architect to determine what the highest and best use of this site may be under the current zoning, and while it is true that we could a) put the building on the corner and also perhaps put a larger building on the corner and something a bit more substantial, what we realized is that because of our long term commitment and because of economics today associated with putting a large building on the corner, it was a more prudent decision to put a smaller building that would meet our needs, in site from the corner to preserve that corner for development perhaps five years from now, ten years from now when the market actually turned and would actually yield a better business result. So that is our primary driver. That being said, we've met extensively with the Board of Architects, with the City Architect, with different divisions of Building and Planning and Zoning to try to make sure that we do treat that corner appropriately and with respect, especially now that we have the circle, and so that is a very important aspect to this.

Commissioner Anderson: I appreciate your point of view; I have a very modest checking account with Northern Trust, so I take advantage of your bank drive in teller. What you are saying also is that you all might be interested at some point to develop this land?

Ms. Hersch: Correct. Well I can't commit to....

Commissioner Anderson: I understand, but there is a potential for you to develop this property in a more higher...

Ms. Hersch: To a higher and better use – absolutely, absolutely.

Commissioner Anderson: OK. I appreciate – your explanation was very thorough.

Commissioner Cabrera: I know that the conditional use has more to do with development west than anything else; I'm just curious, any impacts to First United and specifically the Growing Place?

Ms. Russo: [Inaudible – off mic]....and we've been neighbors, the bank has been a neighbor of First United...

Commissioner Cabrera: For a long time.

Ms. Russo:...For a long time, and so in fact some of the parking in order to, during construction to facilitate the use of the bank's for the clientele of Northern Trust Bank, the church has been approached and so there will be no impact.

Commissioner Cabrera: And the service alleyway stays the same?

Ms. Russo: Correct.

Commissioner Cabrera:...In the same direction?

Ms. Russo: No changes to the alley; remember our drive-through is south of the alley, we are not in any way...

Commissioner Cabrera: Close to the alley.

Ms. Russo:...We have no ingress or egress into the alley, it's entirely located within the confines of the...

Commissioner Cabrera: And that's not to say that you all haven't...Northern Trust....one of my kids went to the Growing Place at First United Methodist Church and you all were always great neighbors, it's just that they are real tiny, and I just wanted to make sure there was no impact.

Ms. Hersch: There isn't an impact. Brenda Horne who is I believe, is the administrator at that building for the First United and I met and discussed ingress and egress, safe pathway to travel, etc., and specifically the impacts to the Growing Place and making sure that, that did not occur.

Commissioner Cabrera: That's great. Thank you so much.

Ms. Hersch: You bet.

Mayor Slesnick: Does Burton come after?

Vice Mayor Kerdyk: Yes, let's ask Burton some questions.

Ms. Russo: Burton Hersch will now address the second part of Commissioner Anderson's question, the sort of architectural...

Commissioner Anderson: Thank you, I appreciate it. It drove me crazy when I looked through it.

Mr. Hersch: When-- I can appreciate it because normally responding to a corner there is a building on the corner, but if you really look at the context of this site, particularly if you look at the two sites on the corner that are on the west side, they are....I have some larger photos of them, they are landscape solutions to the response, and they back and they are at a very low scale. What we've done here...

Commissioner Anderson: I don't even like this building, so I'll pass it on; and I actually don't like any of the surrounding buildings, so I'm not crazy about them, but I understand, this is not the forum to fight that battle.

Mr. Hersch: Right. This is a little bit different context than what you'll get more toward the inner city.

Commissioner Anderson: No, I understand. Well also it's a function of, well, I'm not going to like I said, it's a more complicated thing, but see that...

Mr. Hersch: This is a corner condition.

Commissioner Anderson: OK. This is the corner condition that's going to happen, right?

Mr. Hersch: That's going happen. What we did was...there is a parking lot there, so in order to mitigate not having the impact on the corner that we would normally have, we designed a low wall masonry with railing on top, and the wall goes in and out, it's not straight, it's very in with the human scale, and I think that the corner talks nicely, speaks nicely to the circle.

Commissioner Anderson: OK.

Mr. Hersch: And you know....if you actually....

Commissioner Anderson: This is like tomato-tomato, you know. I think the corner...I philosophically like the corner addressed, and I know you are trying to address it kind of symbolically with the circle.

Mr. Hersch: The other thing is, I think if you look at Coral Gables as a “Garden City”, you know these numerous interventions of landscape solutions to...

Commissioner Anderson: It doesn't buy me anything. I love the plazas and the fountains, but I hate the Mediterranean architecture that's come post Merrick. So this for me is just “Boca-Burger”, you know what I mean?- I'm going to be very candid with you. I've never really liked the pseudo-Mediterranean; I love the original, I love the plazas and fountains off of Coral Way and all those things. This is not you know, really, this is something I'll address later on with the Manager, maybe we can look at it from an architectural standpoint because I hope the Board isn't approving something like this, per say.

Mr. Hersch: We did have a second solution for the Board.

Vice Mayor Kerdyk: Burton, I just want to ask you to follow up on that. Do you have any other ideas for that corner?- that you could....

Mr. Speena: Hi, my name is Keith Speena, I'm the architect working with Burton and Northern and the team. We had a lot of other solutions for the corner, obviously when we were working with the Planning Department going through the planning process and through the Board of Architects; there was a lot of discussions about the corner. Late in the game though, I think, that we were brought into a meeting with the entire Planning staff, and they let us know that all the other great ideas that we had planned aren't allowed according to the Zoning Code.

[Laughter]

Commissioner Anderson: Wow! What a shame. Shame on us for having approved that part.

Mr. Speena: We had a long debate, this is what is allowed by the Code, and we....

Mr. Hersch: What you have right now are the four corners, it's the nicest.

Commissioner Anderson: Well what are you going to do? Well I would hope that we could figure that out at some point. I realize that you are stuck between “a rock and a hard place,” and I'm not going to hold you to it. I actually happen to like that one a little better.

Mr. Hersch: We did try to propose to the Board of Architects to let us approve this and if we couldn't get it to fly from a zoning point of view, which I think we could have, we would go with the second solution, but that didn't happen.

Commissioner Anderson: Alright, no problem, I get it. I understand. I really needed to voice my concern.

Mayor Slesnick: We have one speaker, Mr. Rip Holmes.

Mr. Holmes: Just a quick thing here. Sometimes when people help you in life, you try to show your gratitude. Northern Trust Bank is one of those people, they were trustee for our family property for 15 or 20 years, and I found them to be great neighbors, great responsible Coral Gables citizens. There were times when we had disagreements, but in the end I want to pay tribute both to Northern Trust and to Bill Kerdyk for allowing me to be here today. You ever see the show on Discovery, "I Shouldn't Be Alive", that's me. I shouldn't be alive, but because Northern Trust got me half way to shore in the middle of the Atlantic Ocean and Bill Kerdyk got me the rest of the half way, I'm here today. Whatever they are doing, I bet you it's good.

Commissioner Anderson: "Bill Kerdyk Day", I can feel it.

[Laughter]

Mayor Slesnick: Can I have a motion on E-5? Mr. Withers moves it and Mr. Cabrera seconds it?- are you seconding the motion, Mr. Withers has moved it?

Commissioner Anderson: No, I can't second it.

Mayor Slesnick: Mr. Kerdyk are you seconding it?

Vice Mayor Kerdyk: Yes, I'll second it.

Mayor Slesnick: OK. Mr. Withers moves it, Mr. Kerdyk seconds it. Any further discussion?

Mr. Clerk

**Commissioner Withers: Yes**

**Commissioner Anderson: No**

**Commissioner Cabrera: Yes**

**Vice Mayor Kerdyk: Yes**

**Mayor Slesnick: Yes**

**(Vote: 4-1)**

Ms. Russo: Thank you very much.

Commissioner Anderson: Alright, go forth and prosper.

[End: 1:00:00 p.m.]