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1 or her decision will be based on competent,
2 substantial evidence and testimony presented on
3 the record today.

4 Does any Board member have such
5 communication and/or site visit to disclose at
6 this time?

7 CHAIRMAN AIZENSTAT: No.

8 MR. WU: Let the record show there has been
9 none. Thank you.

10 CHAIRMAN AIZENSTAT: Thank you.

11 At this time we'll do the swearing in.
12 Everyone, if they have not signed up yet,
13 please do so, and everybody who is going to be
14 speaking this evening must complete the roster
15 on the podium. We ask that you print clearly,
16 so that the official records on your name and
17 address will be correct.

18 Now, with the exception of attorneys, all
19 persons who will be speaking on the agenda
20 items before us this evening, please rise to be
21 sworn in.

22 (Thereupon, all who were to speak were duly
23 sworn by the court reporter.)

24 CHAIRMAN AIZENSTAT: Thank you. Also, if
25 you'd just take a moment to silence or turn off

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1 your cell phones, that would be greatly
2 appreciated. Thank you.

3 MR. WU: Mr. Chair, if I may, for the
4 benefit of the court reporter, if you do speak,
5 please speak into the mike. The court reporter
6 can only pick up what she hears on the tape.
7 So I would like that to serve as a reminder.

8 CHAIRMAN AIZENSTAT: Thank you.

9 Did everybody get a chance to take a look
10 at the minutes, and if so, is there a motion?

11 MR. BELLO: Move for adoption.

12 CHAIRMAN AIZENSTAT: We have it moved.

13 MR. BELLIN: Second.

14 CHAIRMAN AIZENSTAT: A second. Any
15 comments? None?

16 Please call the roll.

17 MS. MENENDEZ: Anthony Bello?

18 MR. BELLO: Yes.

19 MS. MENENDEZ: Jeff Flanagan?

20 MR. FLANAGAN: Yes.

21 MS. MENENDEZ: Julio Grabiell?

22 MR. GRABIEL: Yes.

23 MS. MENENDEZ: Maria Menendez?

24 MS. ALBERRO MENENDEZ: Yes.

25 MS. MENENDEZ: Marshall Bellin?

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1 MR. BELLIN: Yes.

2 MS. MENENDEZ: Eibi Aizenstat?

3 CHAIRMAN AIZENSTAT: Yes.

4 The next two items are both related, so
5 I'll go ahead and read both of them together.
6 The first item is an Ordinance of the City
7 Commission of Coral Gables, Florida, requesting
8 review of a Planned Area Development pursuant
9 to Zoning Code Article 3, "Development Review,"
10 Division 5, "Planned Area Development," for the
11 construction of the second phase of the
12 existing commercial project referred to as
13 "Columbus Center" on the property legally
14 described as Lots 3-40 and portions of
15 alleyway, Block 22, Section L, whose address is
16 100 Alhambra Circle and 1 Alhambra Plaza, Coral
17 Gables, Florida; including required conditions;
18 providing for severability, repealer,
19 codification, and an effective date. The legal
20 description is on file with the City.

21 The second item is a Resolution of the City
22 Commission of Coral Gables, Florida, requesting
23 mixed use site plan review pursuant to Zoning
24 Code Article 4, "Zoning Districts," Division 2,
25 "Overlay and Special Purpose Districts,"

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1 Section 4-201, "Mixed Use District," for the
2 construction of the second phase of the
3 existing commercial project referred to as
4 "Columbus Center" on the property legally
5 described as Lots 3-40 and portions of
6 alleyway, Block 22, Section L, whose address is
7 100 Alhambra Circle and 1 Alhambra Plaza, Coral
8 Gables, Florida; including required conditions;
9 providing for an effective date, legal
10 description which is on file with the City of
11 Coral Gables.

12 At this time, we'll go ahead and ask the
13 applicant if you'd like to go ahead and make
14 your presentation.

15 MR. GARCIA-SERRA: Good evening, Mr. Chair,
16 Members of the Board. Mario Garcia-Serra, with
17 offices at 600 Brickell Avenue, representing
18 USRE Holdings, which is the owner of the
19 property at 100 Alhambra. You can see it here
20 in this aerial photograph on the middle easel.

21 USRE Holdings is the owner of both the 1
22 Columbus Center -- the Columbus Center Office
23 Building at 1 Alhambra Plaza, as well as the
24 site of the project we're talking about
25 tonight, which is the surface parking lot on

<p style="text-align: right;">Page 9</p> <p>1 the northwest corner of that property. 2 I'm also representing Gables Residential, 3 which is a joint venture partner in the 4 development of this project. 5 I'm accompanied tonight by Robert Behar, 6 our project architect, as well as John 7 McWilliams and Chris Falce, our project traffic 8 engineers. 9 USRE Holdings, as I mentioned before, the 10 owner of the Columbus Center property and of 11 this site, is a subsidiary of USAA, the 12 insurance company, which I'm sure many of you 13 are already familiar with. They're joining 14 with Gables Residential, which is the developer 15 of the Gables Ponce project, which you're 16 probably familiar with, on the intersection of 17 Ponce de Leon Boulevard and LeJeune Road, to 18 develop an apartment building at this site, 19 which will be 200 apartment units in an 20 18-story building, with ground floor retail 21 space. 22 It is designed in the Coral Gables 23 Mediterranean style of architecture and has 24 obtained Mediterranean design and bonus 25 approval from the Board of Architects. The</p>	<p style="text-align: right;">Page 11</p> <p>1 We'll be maintaining the existing alley 2 access, which there is right now. 3 Historically, for the building of the Columbus 4 Center, they had to vacate the alley that ran 5 through that block. In exchange for vacating 6 that alley, access was required to the 7 remaining portion of the alley in the site 8 that's just west of the Columbus Center 9 property. We'll be maintaining that access to 10 the alley, but building over it. 11 With that said, I'll defer to Robert Behar 12 right now, so he can take you through the plans 13 and present the project. Thank you. 14 MR. BEHAR: Good evening, Board Members. 15 For the record, Robert Behar, 135 San Lorenzo 16 Avenue, Suite 610, and thank you for the 17 opportunity. 18 CHAIRMAN AIZENSTAT: Welcome back. 19 MR. BEHAR: I'm sorry? 20 CHAIRMAN AIZENSTAT: Welcome back. 21 MR. BEHAR: Thank you. I miss you guys. 22 This is an interesting project, because we 23 are bringing a residential component to an 24 existing office area, and right on Alhambra. 25 What we like about it is that it really</p>
<p style="text-align: right;">Page 10</p> <p>1 ground floor has an arcade and two paseos, so 2 as to encourage pedestrian connectivity, and we 3 are proposing to incorporate our Art in Public 4 Places contribution in the existing plaza, 5 which is at the southwest corner of the site, 6 at the intersection of Galiano and Alhambra 7 Plaza. It's a site -- it's a plaza that's been 8 existing there for some time, but it's 9 under-utilized, and we have hired an artist to 10 incorporate works of public art within that 11 plaza, so as to improve it overall. 12 We're seeking two different approvals 13 tonight. Our first one is the mixed-use site 14 plan approval, which permits us to develop 15 residential uses on a commercially zoned 16 property. The second approval is a Planned 17 Area Development site plan approval, the 18 purpose of which is to approve two buildings on 19 one site and to distribute FAR over that site 20 and to provide relief from tower step-back 21 requirements. Normally, 10 feet of step-back 22 is required between pedestal and tower, and 23 what we are providing is about nine and a half 24 feet, so we needed some relief on that 25 step-back requirement.</p>	<p style="text-align: right;">Page 12</p> <p>1 sets the perfect example of combining 2 commercial and residential and incorporating an 3 existing plaza area that unfortunately, for the 4 last 20 years, has not done very good serving 5 the area. 6 The project, as Mario stated, incorporates 7 200 residential -- high-end residential units, 8 you know, and I compare that to -- because it's 9 the same developer; it's Gables Ponce. It's 10 the project that we put the Epicure underneath, 11 on LeJeune and Ponce. The average rent, so you 12 know the quality of the units, is about \$2.70 13 per square foot. To give you an example, a 14 three-bedroom unit will pay anywhere between 15 thirty-seven and four thousand. A two-bedroom 16 is twenty-six, twenty-seven hundred dollars. 17 The project will consist of having the 18 ground floor, a small commercial retail area on 19 the corner, some offices, the lobby. We're 20 trying to keep the arcade the whole length of 21 the project, to buffer the pedestrian and give 22 a nice feeling, nice ambience on the street 23 level. There's a paseo that we created to 24 connect Minorca through the plaza, through the 25 building and through the plaza, to get to</p>

1 Alhambra, and we also have a paseo from --
2 adjacent to La Palma. We're having a 10-foot
3 setback from La Palma. La Palma was built up
4 to the property line. They put windows on the
5 property line. But we are respecting and
6 keeping 10 -- maintaining 10 feet away from
7 that, so we could create that paseo.

8 The project, as you go up -- and I'm going
9 to show you this rendering. As you go -- the
10 ground floor commercial, as you go up, you've
11 got four levels of parking. You get the
12 step-back at the fifth floor, which you are
13 setting back -- in some cases, instead of 10,
14 we have nine foot six, but for the most part,
15 when you look through the whole rest of the
16 project, you do comply with all the required
17 step-backs, and you can see it here and you can
18 see it on the back side.

19 The project will have then 13 stories of
20 residential units. At the penthouse, we step
21 the building back even further, so you create
22 more of a layered effect, wedding cake effect.
23 And if you see, compared to the projects in the
24 area, we are the same height permitted for this
25 area. The area allows up to 190 feet; that's

1 what we have. Not only this project, but the
2 one, the Allen Morris building, the one across
3 the street, and this other condo in the area,
4 that all have the same height.

5 Again, it's a 200-unit building, high-end
6 residential. We designed the building a little
7 bit unique, because the shape of the site is
8 semi-curved, so we follow the curvature of the
9 site. It makes it a little bit more difficult,
10 but it gives a lot more interest and value to
11 the building, and you can see from the
12 rendering to where the mass of the building is
13 broken down in various area. You have the
14 base, the middle of the building, and then the
15 cap of the building, top of the building.

16 So we feel like the massing of the building
17 has been articulated so you have a lot of
18 movement in that building.

19 With that said, it really is if you have
20 any questions, while I'm here, on the building,
21 please let me know. Thank you.

22 MR. GARCIA-SERRA: Staff is recommending
23 approval of the project, with conditions. We
24 reviewed those conditions and are in agreement
25 with them.

1 We had a meeting with the neighboring
2 property owners who were within the notice
3 radius, about two weeks ago. As part of that
4 meeting, we heard some issues that arose
5 regarding on-street parking and how this
6 parking would impact on-street parking. We
7 have some suggested ways, perhaps, to try to
8 address what some of their concerns are, and
9 we're ready to suggest them, but I'll make that
10 part of my rebuttal and I'll let them, of
11 course, express what their concerns are first,
12 and then hopefully ways that we can perhaps try
13 to solve them.

14 CHAIRMAN AIZENSTAT: Thank you.

15 MR. GARCIA-SERRA: Thank you.

16 CHAIRMAN AIZENSTAT: At this time, we'll go
17 ahead and hear Staff's presentation. Charles?

18 MR. WU: Thank you, Chair. We'll just have
19 Aaron pull up our PowerPoint. Thank you.

20 You've seen this slide already. The first
21 request is for the Planned Area Development.
22 The area is bounded by Alhambra Plaza to the
23 south, Minorca to the north, and to the east it
24 borders the City of Miami, which is Douglas,
25 and to the west it borders two streets,

1 Alhambra Circle and Galiano. It's a very
2 interesting site, borders five streets, close
3 to one City block. The only thing that is
4 really not included is La Palma, which is out
5 here.

6 The second request is the mixed-use. As
7 the applicant mentioned, we have several
8 different uses on this site, and the way to
9 accommodate that is through a mixed-use
10 overlay. These properties are all within the
11 Central Business District.

12 This is an aerial, looking north to south.
13 To the south, of course, is the Hyatt Hotel.
14 Going west is Alhambra Towers. We have
15 Southern Bell to the west, immediately west;
16 that's a three-story commercial. Minorca is to
17 the north; that's a condo project, and Villa
18 Alhambra Condo is a four-story condo project.
19 And the property you're talking about is
20 highlighted in yellow.

21 Some images of the surrounding property.
22 As I said, Southern Bell, located to the
23 immediate west. I'm sorry. The condo project,
24 four stories, called Villa Alhambra Condo,
25 that's in the middle image, and to the

<p style="text-align: right;">Page 17</p> <p>1 immediate north is Minorca Condo. That's an 2 eight-story product. And the bottom left is 3 Hyatt Hotel, you're familiar with that, and to 4 the far right corner is Alhambra Towers, and 5 that is one of the tallest structures in the 6 area. 7 The next images on the subject property, of 8 course, the outparcel, there's the historic La 9 Palma Hotel, and this is an image looking from 10 the square, looking northeast. Here on the 11 bottom left is where we're sitting, where the 12 condo will rise on the vacant surface parking 13 lot. And here we're straddling on City of 14 Miami, looking into the project, the existing 15 14-story office project that exists there 16 today, which is part of Phase I. 17 Some housekeeping matters. This existing 18 land use is Commercial High, and to the north 19 is Commercial Mid-Rise, and to the south is 20 also Commercial High. So it's consistent with 21 the land use along the Alhambra corridor. 22 The zoning is also Commercial to the north 23 and south and west. Where you have the condo, 24 they are Multi-Family 2. 25 Project History. The Phase I was approved</p>	<p style="text-align: right;">Page 19</p> <p>1 units, and 16 three-bedroom units. On top of 2 that, they're also proposing 3,400 square feet 3 of retail space and 2,060 square feet of 4 office, for a total of 232,968 square feet. In 5 total, however -- I'm sorry, and part of that, 6 as part of the PAD, they're transferring unused 7 140,000 square feet from Phase I to Phase II, 8 to allow the net square footage for Phase II. 9 In total, about 3.3 acres. They do come up 10 with 3.3 FAR, which is less than by right, with 11 the Med Bonus of a 3.5 FAR. And the density 12 allowed there that they are proposing is 61 13 dwelling units per acre, on 3.3 acres. 14 This is the Phase II site. Just to give 15 you some introduction, this is the public 16 square. As they mentioned, the paseo will 17 connect from Alhambra Plaza to Minorca. This 18 is the public alley, public alley with the 19 easement, and they will have a vehicle access 20 under the garage, and this is a secondary 21 access into the garage for the condo project. 22 This is an image from Alhambra and Minorca, 23 and this is the north elevation, and the south 24 elevation. 25 Staff evaluated this project based on</p>
<p style="text-align: right;">Page 18</p> <p>1 in 1990, as by right. It occupies 2.6 acres, 2 and today is built around 247,000 square feet. 3 Today it exists at 2.2 FAR. And as the 4 applicant mentioned, as part of that 5 application for the building permit, they're 6 requesting alley vacation, and as a result of 7 that, the City requests a substitute easement, 8 which I will highlight. 9 This is a site plan you've seen, and this 10 is to show you the difference between the Phase 11 I and the Phase II. Phase I, 14 stories, 12 247,000 square feet, about 800-some plus 13 parking spaces, and the FAR is 2.2. This is 14 the alley here, reaching La Palma and the 15 project. This is the public square I'll get 16 into in a bit more detail, and this is where 17 the alley easement is. They are requesting a 18 separate action before the City Commission to 19 realign the alley easement and to request some 20 clearance modification, and that is a separate 21 action before the City Commission. 22 This is Phase II, where Phase II overlaps 23 with Phase I. It's 0.7 acres. They're 24 proposing 200 dwelling units, constituting 12 25 studios, 54 one-bedroom units, 118 two-bedroom</p>	<p style="text-align: right;">Page 20</p> <p>1 Section 3-503 of the Zoning Code. This 2 highlights the standards of that section. 3 Staff's evaluation deemed it is satisfied. 4 Also, based on the mixed-use criteria of 5 Section 4-201 of the Zoning Code, also Staff 6 deemed those standards have been satisfied. 7 And last but not least, the site plan review, 8 we have a number of standards. Also, Staff 9 deemed that section of the Code, 3-408 of the 10 Zoning Code, has been satisfied. 11 As the applicant mentioned, there was a 12 community meeting held, May 28th, and the Board 13 of Architects gave its preliminary design 14 review approval, not only on the design, but 15 also on the Med Bonus standards, on May 8th of 16 this year. 17 Staff concludes the presentation of 18 recommendation of approval, based on conditions 19 on Pages 27 through 29. Thank you. 20 CHAIRMAN AIZENSTAT: Thank you. 21 At this time, we'll go ahead and open the 22 floor to public comment. What I would ask 23 is -- How many speakers do we have? 24 MS. MENENDEZ: We only have two. 25 CHAIRMAN AIZENSTAT: Two speakers?</p>

1 MS. MENENDEZ: Uh-huh.

2 CHAIRMAN AIZENSTAT: Okay. If you'd go
3 ahead and call their names, please.

4 MS. MENENDEZ: David Guzman?

5 MR. GUZMAN: Good evening, Board Members.
6 David Guzman, 1172 Campo Sano Avenue, Coral
7 Gables, Florida, 33146. I've been a resident
8 of Coral Gables since 1979, so that's pretty
9 much when I was just nine days old.

10 I'm here in support of this project. I
11 stand before you as a taxpayer, and I believe
12 this is a project that's good for our City, our
13 City is moving forward, and it also complies
14 with -- My first concern, when I started
15 getting informed about this project, it was the
16 parking situation, and I believe it meets the
17 requirements by the City. The City of Coral
18 Gables has one of the most strictly parking
19 requirements, and I think this project meets
20 it. So I'm here in total support of this
21 application, and I hope that you approve it
22 tonight so it can move forward. Thank you for
23 your service to the City.

24 CHAIRMAN AIZENSTAT: Thank you for coming.

25 MS. MENENDEZ: Sylvia Fernandez-Alvarez?

1 MS. FERNANDEZ-ALVAREZ: Good evening.
2 Sylvia Fernandez-Alvarez, on behalf of Villa
3 Alhambra Condominium, the 36-unit building you
4 guys were looking at, down the street.

5 CHAIRMAN AIZENSTAT: Would you please state
6 your address, also?

7 MR. FERNANDEZ-ALVAREZ: My address or the
8 building's?

9 CHAIRMAN AIZENSTAT: Your address, please.

10 MS. FERNANDEZ-ALVAREZ: 10205 South Dixie
11 Highway, Suite 204, Pinecrest, Florida, 33156.

12 CHAIRMAN AIZENSTAT: Thank you.

13 MS. FERNANDEZ-ALVAREZ: No problem.

14 I'm here this evening to express the
15 residents' concern over the parking in this
16 building. Although we are aware that it
17 complies with all of the City of Coral Gables
18 requirements, based on the residential units
19 they are going to have, our math indicates that
20 these units will not even have two parking
21 spaces per unit. While some of them will, I
22 believe, be studios and others will only be
23 one-bedrooms, I assume that someone who's
24 paying \$4,000 for an apartment as a rental in
25 Coral Gables will not be living alone. Let's

1 say that 50 percent of those people are living
2 alone. We're still not in enough parking for
3 those two cars to sleep there at night. Of
4 course, people will be working during the day,
5 but the residents of the building are
6 concerned, where are these people going to
7 park? Are they going to interfere with the few
8 parking spaces we do have in our residential
9 parking area and where is this outpour going to
10 go?

11 In addition, the retail space only has 14
12 spaces. How many employees are these retail
13 units going to have? Where will they park if
14 the 14 spaces will be required only for
15 consumers to come in and out of the building?

16 Really, I think their main concern is
17 whether or not there's even room for growth
18 with the parking spaces. Although they're
19 happy that the project is coming in and they
20 feel that it will be a benefit to the
21 neighborhood, they're very, very concerned that
22 the parking that is currently allocated,
23 although it meets the requirements, is not
24 sufficient to accommodate for all these people
25 who are now going to be residing within their

1 block. So I'm here to this evening to open up
2 the doors to speak on whether or not there's
3 room for growth in the parking space area,
4 maybe even just doing a two parking space
5 average per unit, which would leave them at 400
6 spaces, that would be a 34-space increase, but
7 34 spaces would definitely make a difference.
8 So that's pretty much it.

9 CHAIRMAN AIZENSTAT: Could I ask you, which
10 was the condo that you're speaking for?

11 MS. FERNANDEZ-ALVAREZ: Villa Alhambra
12 Condominium Association, on 50 Alhambra Circle.

13 CHAIRMAN AIZENSTAT: Okay, thank you.

14 MS. FERNANDEZ-ALVAREZ: Okay.

15 CHAIRMAN AIZENSTAT: Is there anybody else
16 to speak?

17 MS. MENENDEZ: No more speakers.

18 CHAIRMAN AIZENSTAT: At this --

19 MS. ALBERRO MENENDEZ: I have questions.

20 CHAIRMAN AIZENSTAT: Let's go ahead, if you
21 don't mind --

22 MR. GARCIA-SERRA: May I have rebuttal?

23 CHAIRMAN AIZENSTAT: Would you like
24 rebuttal? And then we're going ask some
25 questions.

1 MR. GARCIA-SERRA: Sure. It's not
2 necessarily going to be too long.

3 MR. BEHAR: Should we do the parking? The
4 parking, so you know, we have a total of 387
5 parking spaces. Of that, 14 are residential --
6 I mean, I'm sorry, commercial. The commercial
7 they have, the 14 spaces we have dedicated for
8 commercial, it's a small commercial, that the
9 way a project like this works, at nighttime,
10 there's no use for that commercial. This is
11 not a restaurant, can never be a restaurant.
12 It's a small commercial. So, when you take the
13 387 spaces and use it by 200 units, you're
14 going to have a total of 1.93 parking spaces
15 per unit. That is far greater than any
16 municipality throughout Miami-Dade County. So
17 we're right there, you know, exceeding the
18 required by City of Coral Gables. The average
19 is 1.39 spaces per unit.

20 MR. GARCIA-SERRA: And, you know, the
21 concerns expressed today by Ms. Fernandez were
22 expressed to us by the residents when we met
23 with them two weeks ago, and part of the issue,
24 also, is not just what they think the impact
25 will be of our building, but also the fact that

1 they feel that their building itself is
2 underparked, because they, themselves, many of
3 them have to use on-street parkings. They
4 utilize on-street parking passes, which come
5 with some visitor passes which they use for
6 their guests and so forth, and one thing that
7 occurred to me is that we could, ourselves --
8 if the issue was on-street parking and making
9 sure that we're not taking away those on-street
10 parking spaces from them, we, ourselves, could
11 propose a prohibition so that our property does
12 not utilize any on-street parking space passes.

13 I talked to Kevin Kinney, the Parking
14 Director, about this issue, and he actually
15 told me that even if we wanted to right now, at
16 this point in time, we're not permitted to get
17 on-street parking, because our property is
18 zoned commercial. If your property is zoned
19 commercial, it's not entitled to obtain any
20 on-street parking, resident parking passes.
21 But even, let's say, if the law were to change
22 at some point in the future, we are okay with
23 prohibiting ourselves from that, utilizing any
24 on-street resident parking spaces.

25 As Robert alluded to before, the one thing

1 we have to go by is what the Code requires, and
2 the Code requires 381 spaces for this project.
3 We have 387, so we're even about six over. You
4 know, we have to trust that the Code is
5 properly regulating the amount of parking, and
6 that's what we're going by. Our experience at
7 the Gables Ponce project further south
8 indicates that property is adequately parked
9 and it's parked at the same ratios. As Robert
10 said, you look at other municipalities around
11 Miami-Dade County, wherever you look, Miami,
12 Miami-Dade County, North Miami Beach, I looked
13 at some of them before coming to the meeting.
14 Coral Gables has fairly demanding parking
15 requirements, you know, compared to the rest of
16 the area.

17 So, that said, we are willing to at least
18 do something and prevent our residents from
19 ever using that on-street parking which they're
20 utilizing, and if any other ideas or
21 suggestions come up, we're willing to entertain
22 them, but we feel that we're adequately parked,
23 and as the City Code requires.

24 CHAIRMAN AIZENSTAT: Thank you.
25 At this point, I'll go ahead and close the

1 floor and open it up for Board discussion.

2 Maria, you said you had some questions?

3 MS. ALBERRO MENENDEZ: Yes, I have some
4 questions. Staying with the parking, I notice
5 that the new layout for the easement/alley
6 area --

7 MR. GARCIA-SERRA: Right.

8 MS. ALBERRO MENENDEZ: -- has some parking
9 coming off of it. What's that parking for? I
10 mean, where does that number -- Is it for the
11 commercial or is it for the --

12 MR. BEHAR: Part of the commercial, part of
13 the commercial.

14 MS. ALBERRO MENENDEZ: Okay. How many
15 spaces is that; do you know?

16 MR. BEHAR: You have approximately seven
17 spaces by the alley.

18 MS. ALBERRO MENENDEZ: Right.

19 MR. BEHAR: And then you have 19 spaces
20 underneath the building.

21 MS. ALBERRO MENENDEZ: From where?

22 MR. BEHAR: Nineteen underneath the
23 building.

24 MS. ALBERRO MENENDEZ: Under? Okay.

25 MR. BEHAR: Yeah. If you look at here,

1 there's about 19 spaces, and there's about
2 seven here, so a total of about 26 spaces in
3 that area.

4 MS. ALBERRO MENENDEZ: Okay. Is that -- I
5 mean, I would -- Do you see some of your

6 residents parking in those spaces or do you --
7 MR. BEHAR: Maria, the way we envision it
8 is that if we have a need for visitors or
9 something, they can use those spaces. They
10 don't have to go in the street.

11 MS. ALBERRO MENENDEZ: Got it.

12 MR. BEHAR: So they could use parking
13 within the building, so we don't have to
14 disturb the residents, the neighbors, and we
15 keep all our residents, our tenants, within our
16 property.

17 MS. ALBERRO MENENDEZ: Okay.

18 MR. GARCIA-SERRA: And the passes that the
19 residents get would be parking passes for the
20 garage, not for those spaces on the ground
21 floor.

22 MS. ALBERRO MENENDEZ: Okay.

23 MR. BEHAR: And the way we have designed
24 this, you can see, is that we have direct
25 access from those spaces into the lobby, so a

1 in substitution, it went through a public
2 process.

3 MR. WU: Yes.

4 MS. ALBERRO MENENDEZ: For modifying now
5 the ordinance, which I understand through one
6 of your conditions, they have to modify the
7 existing ordinance for the existing easement/
8 alley, because there's changes being done to
9 it, it has to go through a public process.

10 Shouldn't that have been like in front of us,
11 or does that come in front of us or does that
12 go straight to the Commission?

13 MR. WU: We will package that, when this
14 goes before the City Commission, together.

15 MS. ALBERRO MENENDEZ: Okay.

16 MR. GARCIA-SERRA: If you allow me to put
17 in a little bit --

18 MS. ALBERRO MENENDEZ: Sure.

19 MR. GARCIA-SERRA: I had a little bit of
20 experience with it before, because we had to do
21 something similar on another project that had a
22 previously vacated alley, and we do indeed have
23 to amend that ordinance and the restrictive
24 covenant that came along with it, to give a new
25 legal description and reduce the height from 19

1 resident or a visitor could go directly into
2 the building.

3 MS. ALBERRO MENENDEZ: Staying with the
4 alley/easement area, I notice that there's a
5 couple of changes to the ordinance that first
6 established that easement.

7 MR. GARCIA-SERRA: Correct.

8 MS. ALBERRO MENENDEZ: In addition to the
9 layout being different, the height requirement,
10 what is your height requirement or what is the
11 height now for the new elevation or the new
12 building that you're proposing over the alley?

13 MR. BEHAR: We have eight -- we're
14 proposing 18 feet clear.

15 MS. ALBERRO MENENDEZ: Eighteen feet?
16 Okay.

17 MR. BEHAR: Eighteen feet, which the City
18 requires 15, okay? So we're 18.

19 MS. ALBERRO MENENDEZ: Yeah. South Florida
20 Building Code requires that, right.

21 MR. BEHAR: Right.

22 MS. ALBERRO MENENDEZ: Okay. I have a
23 question to the City, related to the alley.

24 When this alley was vacated, or actually,
25 the other alley was vacated and this was given

1 to 18, and what we've done before is, that's
2 part of the process leading up to City
3 Commission. So, assuming we continue the
4 process past this hearing, we then submit a
5 request to City Commission, requesting
6 modification of that ordinance.

7 MS. ALBERRO MENENDEZ: The only thing,
8 though, that I thought of while I was looking
9 at the whole project submittal is, you know,
10 one step is separate from the other. What if
11 that one doesn't get approved? We're kind of
12 like assuming that while we approve the site
13 plan and everything that's --

14 MR. GARCIA-SERRA: Right.

15 MS. ALBERRO MENENDEZ: -- tied to it, we're
16 kind of like putting them in a spot, with then
17 having to modify -- Do you see what I'm saying?

18 MR. GARCIA-SERRA: But the way we've done
19 it before, all those requests, including the
20 modification to the ordinance and the
21 agreement, go to the same City Commission
22 hearing.

23 MS. ALBERRO MENENDEZ: Okay.

24 MR. BEHAR: And keep in mind that those
25 modifications, it's minor.

<p style="text-align: right;">Page 33</p> <p>1 MR. GARCIA-SERRA: It's pretty minor at 2 this point. 3 MS. ALBERRO MENENDEZ: Right. 4 MR. BEHAR: It's very minor. I mean, it's 5 just a minor realignment. It's not the -- 6 MS. ALBERRO MENENDEZ: Right. 7 MR. BEHAR: Ninety percent of that alley or 8 the dedication is in the same spot. 9 MS. ALBERRO MENENDEZ: Okay. 10 CHAIRMAN AIZENSTAT: Craig, let me, if I 11 may, interject a second. 12 MR. LEEN: Sure. 13 MS. ALBERRO MENENDEZ: Sure. 14 CHAIRMAN AIZENSTAT: If the Board, at some 15 point, not saying that it does, but if it made 16 a motion at any point within these two items, 17 could it put that requirement, that it would 18 have to be approved by the Commission, as part 19 of a condition or so forth? 20 MR. LEEN: To satisfy that issue? 21 CHAIRMAN AIZENSTAT: Yes. 22 MR. LEEN: You could -- 23 CHAIRMAN AIZENSTAT: Or is that just 24 automatic, when it goes over to the City 25 Commission?</p>	<p style="text-align: right;">Page 35</p> <p>1 MR. LEEN: Well, the City Code gives me the 2 authority, though, to interpret those, and I 3 can look at whether it's material, and I'm 4 required to approve a restrictive covenant, so 5 I would generally look at the restrictive 6 covenant to see if it should be amended, and 7 there have been times with utilities where, if 8 we're getting the same -- basically an 9 equivalent easement, we will grant that. 10 Now, we've never had one come to me where 11 it was this situation. I would generally say 12 that it would go to the Commission, but my 13 recommendation to them would be, if it's not a 14 material change, I don't see why that would 15 prevent them from changing it, and in fact, if 16 they were going to approve this, I would almost 17 think that it's ministerial. It's very close. 18 CHAIRMAN AIZENSTAT: Okay. 19 MR. LEEN: Because that really would not be 20 what's driving the decision, what's driving the 21 decision, if they're going to approve this, 22 unless there was some reason why the 18 or 19 23 feet was a material -- I don't know enough 24 about the ordinance, but at least from what 25 I've heard at this point, I think that what you</p>
<p style="text-align: right;">Page 34</p> <p>1 MR. LEEN: Well, there is a condition that 2 they have to amend that, so it's already in 3 there if you approve it. 4 CHAIRMAN AIZENSTAT: Okay. 5 MR. LEEN: Could you explain to me exactly 6 what the change would be to the ordinance? 7 MR. GARCIA-SERRA: The ordinance, pretty 8 much, when it comes down to the legal 9 description of the area that's where the 10 easement is going to go over is going to change 11 slightly but not dramatically, and then the 12 height that's required by that ordinance was a 13 19-foot clear height, and we're going to ask 14 for an 18-foot, so a one-foot reduction. 15 MR. LEEN: I would think that that's not a 16 material change to the ordinance, or to the 17 restrictive covenant. The condition, though, 18 would require it to be amended. So, you know, 19 instead of the -- There have been times with 20 easements where they've been brought for an 21 administrative approval, if I find it's not 22 material or it's within the purpose of the 23 ordinance -- 24 MS. ALBERRO MENENDEZ: But it's an 25 ordinance.</p>	<p style="text-align: right;">Page 36</p> <p>1 have in the conditions is sufficient. 2 CHAIRMAN AIZENSTAT: Okay. 3 MR. LEEN: And we would just bring that up 4 with the Commission when this came before it, 5 and I would assume -- and I don't want to speak 6 for the -- ultimately, it's the Commission's 7 decision and anything you present them, they 8 could deny -- but that if they made this 9 decision, approving this project, as part of 10 that, they would approve the ordinance change. 11 MS. ALBERRO MENENDEZ: Okay. All right. 12 CHAIRMAN AIZENSTAT: Okay, thanks. 13 Sorry, Maria. 14 MR. LEEN: So it's appropriate to put the 15 condition. I don't think you're conditioning 16 it on something that's -- 17 MS. ALBERRO MENENDEZ: It's already in 18 there. I mean, they already mentioned it in 19 the conditions, but procedure-wise, I didn't 20 know whether, you know, some action had to be 21 taken by this Board before, like do we get 22 involved in amending that ordinance? I'm not 23 sure. 24 MR. LEEN: Well -- 25 MS. ALBERRO MENENDEZ: And if that was the</p>

<p style="text-align: right;">Page 37</p> <p>1 case, then it would have been better to have 2 seen it all at once, rather than to have you 3 come back, but if I'm hearing that in reality 4 it doesn't have to come through this Board, 5 then -- 6 MR. LEEN: The easement requirement is in 7 the City Code. There is one -- There's an 8 equivalent requirement for vacations in the 9 Zoning Code, but it's generally been driven by 10 the City Code, and my experience has been that 11 goes to the Commission, and there's certain 12 reviews that occur, but I don't recollect, and 13 I would ask Jane, if you know of any. Do you? 14 Have we sent those to the Planning and Zoning 15 Board? 16 MS. TOMPKINS: I don't recall any. 17 MS. ALBERRO MENENDEZ: There's a 18 separate -- 19 MR. LEEN: I think it's only if it's part 20 of a site plan. 21 MS. ALBERRO MENENDEZ: Yeah, there's a 22 separate section. I think now you're going to 23 put it under the DRC, or it's part of the DRC 24 or part of the City Code, street and alley 25 vacations.</p>	<p style="text-align: right;">Page 39</p> <p>1 MS. ALBERRO MENENDEZ: I think back then, 2 the South Florida Building Code required it at 3 19 feet, and it's changed since then. Now it's 4 at 15. Am I correct? 5 CHAIRMAN AIZENSTAT: Was it because of fire 6 trucks or access? 7 MS. ALBERRO MENENDEZ: Yes, primarily 8 because of the height of the vehicles. 9 MR. BEHAR: The 19 feet, I don't know where 10 it came from, besides -- you know, and Julio 11 and Marshall can attest to this -- that's 12 always been at 15 feet, because if you look at 13 any underpass on the highway, you only get 14 13-6, 14 feet. So 19 feet came in, I'm sure -- 15 It wasn't ever a requirement from the Building 16 Code -- 17 MS. ALBERRO MENENDEZ: Right. 18 MR. BEHAR: -- Miami-Dade County or Coral 19 Gables, to have that height. 20 MS. ALBERRO MENENDEZ: But I can share with 21 you that back then, we had a lot of 22 encroachments from a lot of the developments 23 around here which had balconies, which had 24 marquises over the right-of-way, and at that 25 time, I remember that there was some</p>
<p style="text-align: right;">Page 38</p> <p>1 MR. LEEN: Yes. 2 MS. ALBERRO MENENDEZ: And so that's why I 3 thought maybe it came back to here, because it 4 does require a public hearing. 5 MR. LEEN: Yes, it does require -- If it's 6 a material change, we've always required a 7 public hearing. You know, what is immaterial? 8 It usually has been left to the City Attorney 9 and Staff to determine, although the Commission 10 can disagree and always direct us to bring it. 11 I think here, though, we're making it clear, 12 you're making it clear, that you're 13 recommending a condition that they change the 14 ordinance, and that's going to go to the 15 Commission, and I think Staff is proposing -- 16 MS. ALBERRO MENENDEZ: It's in the Staff 17 conditions. 18 MR. LEEN: Staff is proposing that, in 19 addition, so Staff has made their view. I have 20 no issue with that, and it's fine with me for 21 it to go to the Commission. 22 MS. ALBERRO MENENDEZ: Okay. 23 CHAIRMAN AIZENSTAT: Out of curiosity, 24 what's the reason for doing it at 19 feet, to 25 being specific at a height?</p>	<p style="text-align: right;">Page 40</p> <p>1 regulation; I think it was the South Florida 2 Building Code required 19 feet then. But now 3 it's changed. Now it's at 15. 4 MR. BEHAR: Yeah, and in the brief analysis 5 I did, the retail in Columbus Center is pretty 6 high. Maybe they were trying to match that 7 retail component. You know, this is not an 8 office building, so you're not going to have 9 the same type of retail component. So, you 10 know, when I went and looked at the plan for 11 Columbus Center, it was pretty high, not 19, it 12 was actually less, but maybe that was the 13 reason they established 19 as a base, to match 14 that. So what we're doing is just lowering 15 that by a foot. 16 MS. ALBERRO MENENDEZ: Okay. 17 MR. FLANAGAN: If I can basically follow 18 up -- 19 MS. ALBERRO MENENDEZ: Sure. 20 MR. FLANAGAN: I'm sorry, one quick 21 follow-up. Mario, how is the easement 22 changing? You say the legal is changing. Is 23 the quantum of land staying the same? 24 MR. GARCIA-SERRA: Quantum, you know, we 25 haven't done that analysis, but if there's a</p>

<p style="text-align: right;">Page 41</p> <p>1 difference, it's very minor. You know, right 2 now -- 3 MS. ALBERRO MENENDEZ: The configuration is 4 changed. 5 MR. FLANAGAN: But I'm just curious if 6 it's -- 7 MR. BEHAR: Just to describe one area, that 8 before it was coming down, you've got this 9 little bump and this sticks out. FP & L 10 requires that the vault is minimum size, so in 11 order to accommodate the FP & L vault and put 12 the vault on the back side, not on the street, 13 put it in the alley, it requires a little 14 longer. So that is a minor alignment to get 15 the compliance with FP & L. 16 MR. FLANAGAN: So, right now, it's 17 basically straight? 18 MR. BEHAR: It's pretty much straight, 19 right. 20 MR. FLANAGAN: This aligns it a little bit 21 to the west. 22 MR. BEHAR: That's it. That's what it 23 does. Actually, what it does -- 24 MR. FLANAGAN: So it probably -- If I read 25 the site plan right, that may even help with --</p>	<p style="text-align: right;">Page 43</p> <p>1 up and -- 2 MS. ALBERRO MENENDEZ: Do you have the -- 3 Do you have what Atkins gave you in writing, by 4 any chance? 5 MS. SENESPLEDA: Yes, we do. 6 MS. ALBERRO MENENDEZ: But you don't have 7 it with you? 8 MS. SENESPLEDA: But not here, but -- 9 CHAIRMAN AIZENSTAT: Could I ask you to 10 state your name and just your position? 11 MS. SENESPLEDA: Yamilet Senespleda. I'm 12 the City Engineer. 13 CHAIRMAN AIZENSTAT: Thank you. 14 MS. ALBERRO MENENDEZ: Do you all have a 15 copy of what Atkins gave us? 16 MR. WU: We have what Yamilet sent to us, 17 which -- What happens is, the consultant sends 18 the response to the Public Works Department, 19 then they forward them, having in their review 20 consolidated comments. 21 MS. SENESPLEDA: Yes, and then they did the 22 review of the study and we have also the second 23 traffic study, the revised one. 24 MS. ALBERRO MENENDEZ: Did they make any 25 recommendations related to -- From what I read</p>
<p style="text-align: right;">Page 42</p> <p>1 MR. BEHAR: With the maneuver of the 2 trucks. 3 MR. FLANAGAN: -- the flow, maneuvering. 4 MR. BEHAR: It really does, because, you 5 know, the turning radius becomes better. 6 MR. FLANAGAN: Okay. 7 MS. ALBERRO MENENDEZ: Then my last 8 questions are in the area of the traffic study, 9 and my question to the City, who reviewed the 10 traffic study on behalf of the City? Did we 11 have a consultant review it? 12 MR. WU: No, it was reviewed in-house. 13 MS. ALBERRO MENENDEZ: Who, in-house? 14 MS. SENESPLEDA: That was Atkins. 15 MS. ALBERRO MENENDEZ: I'm sorry? 16 MS. SENESPLEDA: Atkins. 17 MS. ALBERRO MENENDEZ: A consultant? 18 CHAIRMAN AIZENSTAT: So it's a consultant? 19 MS. SENESPLEDA: Yes. 20 MS. ALBERRO MENENDEZ: Okay. Did we have 21 something in writing from them or -- 22 MS. SENESPLEDA: Yes, we did. 23 MS. ALBERRO MENENDEZ: Okay, because it's 24 not part of the package. 25 CHAIRMAN AIZENSTAT: Were you going to come</p>	<p style="text-align: right;">Page 44</p> <p>1 from the study, and the traffic engineers can 2 come and clarify it, perhaps, but it's that 3 some of these streets are going to be operating 4 in a level F. The level of service is an F, at 5 Alhambra and Douglas, and D on minor streets. 6 So my question is, was there any 7 recommendations -- I didn't see any in the 8 traffic study that the consultant for the 9 developer submitted. So my question is, did 10 our consultant or did Staff think of anything 11 that could be done to lessen the impact of 12 these levels? 13 MS. SENESPLEDA: The problem is that is a 14 pre-existing condition. Right now, without the 15 development, the level of service at that 16 intersection is F. So after the development, 17 the situation is going to be like -- 18 MS. ALBERRO MENENDEZ: Continue to be F. 19 MS. SENESPLEDA: Yeah. There is nothing 20 that -- you know, that is -- You cannot 21 consider the negative impact, because it's a 22 pre-existing condition. 23 MS. ALBERRO MENENDEZ: So my question, 24 then, if I can talk to the consultants that did 25 this study -- Thank you for coming up. Thank</p>

<p style="text-align: right;">Page 45</p> <p>1 you.</p> <p>2 MS. SENESPLEDA: You're welcome.</p> <p>3 MS. ALBERRO MENENDEZ: Hi.</p> <p>4 MR. McWILLIAMS: John McWilliams, with</p> <p>5 Kimley-Horn & Associates, at 1221 Brickell</p> <p>6 Avenue.</p> <p>7 MS. ALBERRO MENENDEZ: Hi. I'm reading</p> <p>8 your conclusion sheet. It says it's expected</p> <p>9 to operate at adopted levels of service D or</p> <p>10 better during a.m. and p.m. peak hours. I</p> <p>11 guess my question is, is this development going</p> <p>12 to make these levels of service worse, or is it</p> <p>13 what she just said --</p> <p>14 MR. McWILLIAMS: Well, I mean, to be honest</p> <p>15 with you, there's really two -- there's two --</p> <p>16 there's two tests you do. The first test is</p> <p>17 whether you are going to be a significant</p> <p>18 impact, which is how much traffic you really</p> <p>19 place on a particular movement or intersection,</p> <p>20 and then the question, if you are significant,</p> <p>21 then whether you adversely impact it.</p> <p>22 So a project like this, it's a relatively</p> <p>23 small project in density, although we studied</p> <p>24 those intersections, we don't really consider</p> <p>25 it a significant impact, although they have a</p>	<p style="text-align: right;">Page 47</p> <p>1 rules about when you install them. So, you</p> <p>2 know, she's right. It's a difficult situation</p> <p>3 with stop sign control.</p> <p>4 MS. ALBERRO MENENDEZ: How about when you</p> <p>5 look at these intersections, the timing of</p> <p>6 them? Sometimes that helps.</p> <p>7 MR. McWILLIAMS: Well, the timing, any time</p> <p>8 you look at a traffic signal, you could adjust</p> <p>9 the timing, and what we found --</p> <p>10 MS. ALBERRO MENENDEZ: Did you look at it</p> <p>11 when you -- kind of like an --</p> <p>12 MR. McWILLIAMS: Yeah, we look at if</p> <p>13 there's a need to optimize them. If we place</p> <p>14 our traffic on a signalized intersection and we</p> <p>15 analyze it and it meets the level of service</p> <p>16 standard, we don't optimize it just for the</p> <p>17 sake of optimizing it, because we're trying to</p> <p>18 pass the City's Code test of whether or not we</p> <p>19 meet the level of service. If there's a</p> <p>20 situation where there is a problem, we will</p> <p>21 look at optimizing it, and then the County</p> <p>22 would then consider that as the project gets</p> <p>23 built, as to whether they want to modify the</p> <p>24 signal timings.</p> <p>25 MS. ALBERRO MENENDEZ: Okay.</p>
<p style="text-align: right;">Page 46</p> <p>1 pre-existing deficiency.</p> <p>2 MS. ALBERRO MENENDEZ: Okay.</p> <p>3 MR. McWILLIAMS: And what happens a lot,</p> <p>4 too, you'll see in a lot of traffic studies,</p> <p>5 LOSF. That's at a stop controlled side street</p> <p>6 of a major road like Douglas, and you know as</p> <p>7 well as I do, when you travel during the peak</p> <p>8 hours, if you go out to a major road during</p> <p>9 rush hour and there's not a traffic signal</p> <p>10 there and you try to make a left, it's</p> <p>11 difficult. So a lot of times, what we see is,</p> <p>12 people know that and they redirect their route</p> <p>13 and they'll go to a signalized location, where</p> <p>14 they can make a left. Unfortunately, the</p> <p>15 models -- We can't exactly model human</p> <p>16 behavior, so we don't make that assumption</p> <p>17 automatically. If we feel like they would use</p> <p>18 that under normal circumstances, we still</p> <p>19 assign them to that movement. So it's not much</p> <p>20 we can do. An intersection may have a failing</p> <p>21 movement on the side street, but it doesn't</p> <p>22 have enough traffic volume to warrant</p> <p>23 installing a traffic signal.</p> <p>24 MS. ALBERRO MENENDEZ: Okay.</p> <p>25 MR. McWILLIAMS: And there's very strict</p>	<p style="text-align: right;">Page 48</p> <p>1 MR. McWILLIAMS: Okay?</p> <p>2 MS. ALBERRO MENENDEZ: Thank you.</p> <p>3 MR. McWILLIAMS: Uh-huh.</p> <p>4 MS. ALBERRO MENENDEZ: That's it,</p> <p>5 Mr. Chairman.</p> <p>6 CHAIRMAN AIZENSTAT: Thank you.</p> <p>7 MR. BELLIN: Eibi, I'd like to ask Robert a</p> <p>8 question, a couple questions.</p> <p>9 I seem to remember on our building, we had</p> <p>10 a problem with going underneath the building,</p> <p>11 the alley, we went over the alley, and I think</p> <p>12 it was greater than 18 feet. I don't really</p> <p>13 remember the particulars, so -- but I'd just</p> <p>14 suggest you check that one.</p> <p>15 MR. BEHAR: Will do. I mean, I already met</p> <p>16 with Fire --</p> <p>17 MR. BELLIN: Okay.</p> <p>18 MR. BEHAR: -- and Fire asked me for 14,</p> <p>19 actually. Fifteen is more than plenty, and the</p> <p>20 Code is -- the City's Code is 19, and it's</p> <p>21 going to be even amended or text amended to 14</p> <p>22 feet, so, you know, 18 exceeds any requirement</p> <p>23 that I'm aware of, anywhere in Miami-Dade</p> <p>24 County.</p> <p>25 MR. BELLIN: Okay. The other question I</p>

<p style="text-align: right;">Page 49</p> <p>1 have is, do you have to go for a variance for 2 the encroachment of the -- 3 MR. BEHAR: No, because this is a PAD. 4 MR. BELLIN: So it's in a development 5 order? 6 MR. BEHAR: Right, planned development, so 7 you don't -- 8 MR. WU: It's viewed as one project, all 9 together, not two separate projects. 10 MR. BELLIN: Okay. 11 CHAIRMAN AIZENSTAT: Julio? 12 MR. GRABIEL: Robert, I notice that the 13 area of the existing plaza is where the Art in 14 Public Places is going to be applied. 15 MR. BEHAR: Correct. 16 MR. GRABIEL: But you're limiting it to the 17 south side of the alley. It doesn't go to the 18 building itself. Is that -- Is there any 19 reason why you're limiting it to just the 20 plaza? 21 MR. BEHAR: Julio, right now, what we're 22 doing is, as you can see, that's the plaza that 23 will be part of the Art in Public Places. 24 We're keeping the building here, because this 25 will be under -- We cannot, as you know, as the</p>	<p style="text-align: right;">Page 51</p> <p>1 you look at it, the idea is to extend a 2 pleasing pattern all the way through the 3 building, okay? So you feel like, when you 4 come out the -- you know, which will be the 5 back, but we consider it the second front 6 door -- you are really stepping onto the plaza. 7 So you're not going to treat it -- We're trying 8 to keep -- and I have a rendering here. 9 If you look at this rendering, what we 10 tried to do is the building to be a backdrop to 11 the plaza. We don't want to take away from the 12 plaza. The building becomes a canvas, a 13 backdrop to the plaza, and if we start -- and 14 we have some articulated towers element to 15 emphasize the paseos, but we tried to keep it 16 somewhat simple, not to take away from the 17 plaza. 18 MR. GRABIEL: Okay. 19 MR. BEHAR: You don't agree with me on that 20 one. 21 CHAIRMAN AIZENSTAT: Okay. Jeff? 22 MR. FLANAGAN: No. 23 CHAIRMAN AIZENSTAT: You're satisfied? 24 MR. FLANAGAN: (Nods head). 25 MR. BELLIN: I'd like to make a motion to</p>
<p style="text-align: right;">Page 50</p> <p>1 architect -- we cannot do the Art in Public 2 Places. We have to go and hire a consultant, 3 an artist, and do all the work. So that 4 portion, and I know that's been conversation 5 with the City, will be under a separate permit, 6 per se, okay? But it will be part of the Art 7 in Public Places, and already there's a lot of 8 conversation with artists, creating 9 beautiful -- As a matter of fact, we showed it 10 to the neighbors in that meeting that we had a 11 couple weeks ago, creating some sculptures, 12 trees, bougainvilleas, something really, really 13 pretty, to dress up that whole plaza. 14 MR. GRABIEL: The reason I'm asking is that 15 I think it was right of you to put a face of 16 the building on the plaza, which is that 17 entry -- 18 MR. BEHAR: Right. 19 MR. GRABIEL: -- from the alley, but since 20 you're limiting the artwork to the south side 21 of the alley, I'm concerned that if there's an 22 opportunity to actually apply the art to the 23 face of that building, that the way you're 24 showing it is limiting it. 25 MR. BEHAR: Well, what we've done is, if</p>	<p style="text-align: right;">Page 52</p> <p>1 approve with conditions. 2 CHAIRMAN AIZENSTAT: With conditions, 3 meaning conditions -- 4 MR. BELLIN: The conditions -- 5 CHAIRMAN AIZENSTAT: That are on here? 6 MR. BELLIN: -- in the report. 7 CHAIRMAN AIZENSTAT: We have a motion. Is 8 there a second? 9 MS. ALBERRO MENENDEZ: I'll second it. 10 CHAIRMAN AIZENSTAT: We have a second. Any 11 discussion? 12 MR. LEEN: Before you -- I just wanted to 13 clarify one thing for the record. I did do a 14 little research into the vacation and easement 15 ordinance, and it is in the City Code. It does 16 say, as part of the procedure, that it comes 17 before the Planning & Zoning Board, but it says 18 that it does it as part of the site plan 19 review, and then it would go to the Commission, 20 and it really is focused more on a vacation, as 21 opposed to a modification, but I think, in my 22 opinion, what we've done here is satisfactory. 23 MS. ALBERRO MENENDEZ: Okay. 24 MR. LEEN: And you had a chance to look at 25 it. It would go to the Commission, and the</p>

<p style="text-align: right;">Page 53</p> <p>1 Commission would make the final decision. 2 MR. FLANAGAN: Can I add to that? 3 CHAIRMAN AIZENSTAT: Yes. 4 MR. FLANAGAN: Where was I? One of Staff's 5 conditions did say that the location of -- that 6 they can go to amend the ordinance to -- I 7 think revise it, but that the location of the 8 easement will not change. Here, Number 5, you 9 can reconfigure the substitute alleyway, but 10 the location of the easement shall remain the 11 same. 12 MR. BEHAR: And we're keeping it the same. 13 The location is the same. We just 14 reconfigure -- We're not relocating to the 15 other side of the property. I mean, it's 16 within the same area where it currently exists. 17 MR. FLANAGAN: Okay. 18 CHAIRMAN AIZENSTAT: Staff is okay with 19 that? 20 MR. WU: Yes, we're okay with that. And 21 the record can clarify, the motion is for which 22 application? We have two applications before 23 us. 24 CHAIRMAN AIZENSTAT: This is for the 25 first --</p>	<p style="text-align: right;">Page 55</p> <p>1 MR. BELLIN: I'll make a motion for 2 approval with conditions. 3 CHAIRMAN AIZENSTAT: With conditions. 4 MR. LEEN: The same conditions as the -- 5 That's fine. 6 MR. BELLIN: The same conditions. 7 MS. ALBERRO MENENDEZ: I'll second it. 8 CHAIRMAN AIZENSTAT: We have a second by 9 Maria. Any discussion? 10 Having none, call the roll, please. 11 MS. MENENDEZ: Julio Grabiell? 12 MR. GRABIEL: Yes. 13 MS. MENENDEZ: Marshall Bellin? 14 MR. BELLIN: Yes. 15 MS. MENENDEZ: Anthony Bello? 16 MR. BELLO: Yes. 17 MS. MENENDEZ: Jeff Flanagan? 18 MR. FLANAGAN: Yes. 19 MS. MENENDEZ: Maria Menendez? 20 MR. ALBERRO MENENDEZ: Yes. 21 MS. MENENDEZ: Eibi Aizenstat? 22 CHAIRMAN AIZENSTAT: Yes. Thank you. 23 MR. BEHAR: Thank you very much. Thank 24 you. 25 CHAIRMAN AIZENSTAT: Thank you.</p>
<p style="text-align: right;">Page 54</p> <p>1 MR. WU: The ordinance. 2 CHAIRMAN AIZENSTAT: Correct. 3 MR. WU: Thank you. 4 MR. LEEN: We're going to do separate votes 5 on them? 6 CHAIRMAN AIZENSTAT: How would you like to 7 have it handled? 8 MR. LEEN: I'd prefer separate votes. 9 CHAIRMAN AIZENSTAT: Okay. We have a 10 motion. Any other discussion? No? 11 Call the roll, please. 12 MS. MENENDEZ: Jeff Flanagan? 13 MR. FLANAGAN: Yes. 14 MS. MENENDEZ: Julio Grabiell? 15 MR. GRABIEL: Yes. 16 MS. MENENDEZ: Maria Menendez? 17 MS. ALBERRO MENENDEZ: Yes. 18 MS. MENENDEZ: Marshall Bellin? 19 MR. BELLIN: Yes. 20 MS. MENENDEZ: Anthony Bello? 21 MR. BELLO: Yes. 22 MS. MENENDEZ: Eibi Aizenstat? 23 CHAIRMAN AIZENSTAT: Yes. 24 Now for the second item. Is there a 25 motion?</p>	<p style="text-align: right;">Page 56</p> <p>1 Let's just take about three minutes or 2 four, so they'll clear out, and then we'll 3 continue. 4 (Thereupon, a brief recess was taken.) 5 CHAIRMAN AIZENSTAT: Okay, let's go ahead 6 continue, please. 7 The next item is an Ordinance of the City 8 Commission of Coral Gables, Florida, providing 9 for text amendments to the City of Coral Gables 10 Official Zoning Code, Article 3, "Development 11 Review," Division 10, Transfer of Development 12 Rights, known as TDRs, by expanding the area 13 for qualifying TDR sending sites to include 14 historically designated properties within a 15 Multi-Family 2, known as MF2 District, located 16 in the area north of the Central Business 17 District, known as CBD, bounded by Southwest 18 8th Street to the north, Navarre Avenue to the 19 south, Douglas Road to the east, and LeJeune to 20 the west; providing for severability, repealer, 21 codification and an effective date. 22 MS. SPAIN: Good evening. 23 CHAIRMAN AIZENSTAT: Welcome. 24 MS. SPAIN: Is this on? For the record, 25 Dona Spain, Historic Preservation Officer.</p>