

57

1 two members of the Board who have some  
2 expertise are both in favor of it, so  
3 that makes me think that that's  
4 something I really want to look at.  
5 CHAIRMAN KORGE: That's a good  
6 suggestion, but before we move any  
7 further, is there anybody from the  
8 public who signed up to speak on this?  
9 MS. MENENDEZ: No.  
10 CHAIRMAN KORGE: No. Okay.  
11 MR. RIEL: So, just so we're clear,  
12 the intention, the way we intended to  
13 write this, was that all parking spaces,  
14 the maximum percentage was based upon  
15 here -- above, required, and additional.  
16 I just want to make sure that -- that's  
17 what the intent was of these  
18 regulations.  
19 CHAIRMAN KORGE: Say that again?  
20 MR. SALMAN: Read it to me in  
21 English.  
22 MR. RIEL: All parking spaces, no  
23 matter what an applicant or developer  
24 provides on the property, shall be  
25 subject to these percentages.

58

1 CHAIRMAN KORGE: Whether it's  
2 required or excess.  
3 MR. RIEL: Exactly.  
4 MS. MORENO: Yeah. I think all you  
5 need to say is, "can be installed," and  
6 take out the words, "counted as required  
7 parking spaces."  
8 MR. RIEL: Okay.  
9 MS. MORENO: I'll B, "provided that  
10 all of the following are satisfied."  
11 MR. RIEL: And it's subject to  
12 coming back with additional information  
13 regarding those spaces above and beyond  
14 the Code, in terms of percentages.  
15 CHAIRMAN KORGE: Okay.  
16 MR. RIEL: We're clear.  
17 CHAIRMAN KORGE: Okay. Is there a  
18 motion, then?  
19 MR. SALMAN: So moved.  
20 CHAIRMAN KORGE: So moved. Is  
21 there a second?  
22 MS. MORENO: Seconded.  
23 CHAIRMAN KORGE: There's a second.  
24 Is there any more discussion on this?  
25 We've been moved and seconded.

59

1 No discussion. Let's call the  
2 roll, please.  
3 MS. MENENDEZ: Javier Salman?  
4 Javier Salman?  
5 MR. SALMAN: Yes.  
6 MS. MENENDEZ: Eibi Aizenstat?  
7 MR. AIZENSTAT: Yes.  
8 MS. MENENDEZ: Robert Behar?  
9 MR. BEHAR: Yes.  
10 MS. MENENDEZ: Jack Coe?  
11 MR. COE: Yes.  
12 MS. MENENDEZ: Pat Keon?  
13 MS. KEON: Yes.  
14 MS. MENENDEZ: Tom Korge?  
15 CHAIRMAN KORGE: Yes.  
16 MS. MENENDEZ: Cristina Moreno?  
17 MS. MORENO: Yes.  
18 (Thereupon, Mr. Behar left.)  
19 CHAIRMAN KORGE: Okay. The last  
20 item is Application Number 02-07-455-P,  
21 Change of Land Use, Rezoning and Site  
22 Plan Review for the project known as  
23 2600 LeJeune Office Building.  
24 MR. CARLSON: Good evening. Yes,  
25 the last item before you this evening is

60

1 the 2600 LeJeune Office Building.  
2 Before I begin my brief PowerPoint  
3 presentation, I'd like to point out that  
4 you do have updated written comments  
5 before you. They are the blue sheets  
6 which are at your stations. They  
7 include the most current, up-to-date  
8 written comments which have been  
9 submitted to the City.  
10 I do have a --  
11 CHAIRMAN KORGE: Before we begin,  
12 let me just reflect, in the record,  
13 again, that Mr. Behar has recused  
14 himself and has left the meeting.  
15 Go ahead.  
16 MR. CARLSON: Okay, the -- if the  
17 people upstairs could put on my  
18 PowerPoint presentation, I'd appreciate  
19 it.  
20 Thank you very much.  
21 The applicant is making three  
22 requests, which are required to allow  
23 this project to proceed forward. The  
24 first request they're making is a change  
25 of land use from Commercial Use, Low-

61

1 Rise Intensity, to Commercial Use, High-  
2 Rise Intensity. The second is a change  
3 of zoning from MFSA, which is  
4 Multi-Family Special area to C,  
5 Commercial, and the third and final  
6 request they're making is site plan  
7 review of a proposed ten-story-high  
8 commercial office project.

9 The change of land use is required  
10 to allow the construction of the  
11 proposed project.

12 The change of zoning is necessary  
13 to correct the existing inconsistent  
14 residential zoning to be in compliance  
15 with the property's commercial land use  
16 designation.

17 And finally, the site plan must be  
18 submitted with every zoning application  
19 that's submitted to the City.

20 The recommendation. The Planning  
21 Department is recommending denial of  
22 both the change of land use and site  
23 plan for the proposed ten-story  
24 commercial office project. However, the  
25 Planning Department recommends approval

62

1 of the change of zoning, which would  
2 correct the existing inconsistent  
3 residential zoning to be in compliance  
4 with the commercial land use  
5 designation.

6 A little bit of background. The  
7 property is located adjacent to the  
8 Church of Christian Science complex,  
9 which has been identified as a candidate  
10 for historic designation. The property  
11 is located within the MFSA District  
12 boundaries. That district was created  
13 with the intent of lowering development  
14 within that district. Two-story  
15 apartment buildings and a surface  
16 parking lot are currently located on the  
17 property -- currently occupy the  
18 property, and as I previously mentioned,  
19 the existing residential zoning is  
20 inconsistent.

21 As described in the Staff Report  
22 which is provided in your package, there  
23 are inconsistencies and  
24 incompatibilities with specific  
25 Comprehensive Plan objectives and

63

1 policies, which prompts Staff not to  
2 support the requested change in land use  
3 and site plan.

4 Those concerns include:

5 An incompatible land use with the  
6 existing residential property.

7 There lacks a transition between  
8 the proposed high-rise commercial  
9 project and the existing low-rise  
10 residential uses.

11 It establishes a precedent.

12 This would introduce high-rise  
13 development within the MFSA District.

14 It is inconsistent with the City  
15 Hall setting, which is a low-rise scale  
16 and of historic character.

17 Required traffic improvements which  
18 have been identified by the Public Works  
19 Department, more specifically, at the  
20 intersection of Hernando Street and  
21 Biltmore Way, have not been addressed.

22 Insufficient landscape  
23 improvements -- there exist insufficient  
24 landscape improvements, specifically  
25 along the north side of Valencia Avenue.

64

1 And finally, historic preservation.  
2 This project abuts -- is directly  
3 adjacent to the church building and  
4 complex.

5 Staff found that the request for  
6 change of zoning satisfies the Zoning  
7 Code standards for review. It would  
8 correct an inconsistent -- existing  
9 inconsistent zoning designation. It  
10 would provide for the redevelopment of  
11 an underdeveloped property, and it would  
12 promote and is consistent with some  
13 Comprehensive Plan objectives and  
14 policies.

15 Staff also found that the request  
16 for change of land use does not satisfy  
17 Zoning Code standards for review. It is  
18 inconsistent, as I specifically said,  
19 with specific Comprehensive Plan  
20 objectives and policies. It is  
21 incompatible with the adjacent  
22 residential properties. Insufficient  
23 streetscape and traffic improvements are  
24 provided, and it would impact the  
25 adjoining church complex and historic

65

1 City Hall setting.

2 It is Staff's recommendation that  
3 the property be developed according to  
4 the existing Commercial Use, Low-Rise  
5 Intensity land use, which would allow  
6 for a maximum of 77 foot high building  
7 height, which would be more compatible  
8 with the surrounding properties and  
9 uses.

10 In summary, the findings of facts  
11 are that the proposed project is not  
12 consistent with specific goals,  
13 objectives and policies of the City's  
14 Comprehensive Plan.

15 The proposed project does not  
16 satisfy all Zoning Code standards for  
17 Comprehensive Plan map amendments.

18 Proposed height and massing of the  
19 project would have an adverse effect on  
20 adjacent residential properties and  
21 surrounding historic structures and  
22 their settings.

23 Requested development bonuses could  
24 not be awarded for this project if  
25 developed according to the property's

66

1 current MFSA zoning designation.

2 Required traffic improvements are  
3 identified that have not been addressed.

4 But, however, the proposed change  
5 of zoning would correct an existing  
6 inconsistent zoning designation, again  
7 to be compatible with the property's  
8 current commercial land use designation.

9 In summary, the Planning Department  
10 recommends denial of the request for a  
11 change of land use and proposed site  
12 plan. However, if the Board should  
13 choose to support it, an alternative  
14 recommendation and conditions of  
15 approval are included in the Staff's  
16 report for your consideration.

17 Thank you.

18 MS. MORENO: I have some questions.

19 MR. CARLSON: Yes.

20 MR. COE: I have a lot of questions.

21 MR. RIEL: Before you answer the  
22 questions, let me just go through the  
23 3-D model we typically do.

24 MR. AIZENSTAT: Yeah, that's good.

25 MR. RIEL: As Staff always does,

67

1 we've prepared a 3-D model, just to kind  
2 of orient folks.

3 This is Biltmore Way, City Hall,  
4 427, Merrick Park. This is the subject  
5 property, right here. This is where the  
6 Publix is located, and then this is  
7 Miracle Mile.

8 I'm just going to kind of reiterate  
9 some of Walter's -- some of the points  
10 that he pointed out in Staff's  
11 recommendation.

12 Staff is of the opinion that  
13 this -- the project scale as proposed  
14 right here, I believe, is 117 feet in  
15 height. In terms of massing and height,  
16 it does not provide a transition between  
17 land uses. What I mean by that is the  
18 transition of land uses, where you have  
19 the single-family, which is noted in the  
20 yellow color here, and you have the  
21 multi-family development.

22 You see there's really -- although  
23 we didn't put these -- development to  
24 the north of Biltmore Way, all of these  
25 properties are about 35 to 45 feet in

68

1 height. Nowhere on LeJeune Road until  
2 you get to Bird, with only one  
3 exception, in front of the Youth  
4 Center -- I can't think of the building  
5 right there -- that's five or six  
6 stories in height, but nowhere along  
7 LeJeune Road do you see that jump in  
8 height, across LeJeune Road as well as  
9 down here.

10 Let me just kind of go ahead and  
11 pan around. This is the proposed  
12 Bacardi -- previous Burger King  
13 building.

14 Staff is basically of the opinion  
15 that this sets a precedent for high-rise  
16 properties jumping across LeJeune Road,  
17 in addition to the fact that you have  
18 the adjoining church, which you'll see  
19 as I pan around here -- it has kind of a  
20 pinkish color -- that has low-rise  
21 zoning, as well, which allows four to  
22 six.

23 This is obviously the Merrick Park,  
24 which nothing will be constructed on,  
25 then you have kind of the City Hall

69

1 complex.  
 2 We're of the opinion that the  
 3 low-rise commercial is the appropriate  
 4 use for the property, four to six  
 5 stories in height with Mediterranean  
 6 bonuses, and therefore, that's why we're  
 7 supporting the recommendation for the  
 8 change in zoning, to make the land use  
 9 and zoning consistent, and if the Board  
 10 goes in that direction, obviously, and  
 11 we suggest you go in that direction,  
 12 they would only need to come back as a  
 13 by-right review and go to the Board of  
 14 Architects if they construct the  
 15 building within the parameters of the  
 16 Code.  
 17 Obviously, if they do a mixed-use  
 18 building or some other type of use that  
 19 requires a conditional use, it will come  
 20 back to this Board.  
 21 CHAIRMAN KORGE: How would that  
 22 affect the residential -- the current  
 23 residential use and any redevelopment of  
 24 this residential use?  
 25 MR. RIEL: Well, the MFSA District,

70

1 which is this district right here,  
 2 allows 60 to 70 feet in height. That's  
 3 what the zoning allows. 77 feet is  
 4 allowed on this parcel with the  
 5 commercial low-rise land use and the  
 6 commercial zoning. Staff recommended  
 7 the commercial zoning instead of the  
 8 commercial limited, because the  
 9 commercial limited has very limited in  
 10 terms of the height restrictions  
 11 adjoining residential.  
 12 MS. MORENO: Why is that commercial  
 13 and not multi-family?  
 14 MR. RIEL: I don't know the answer  
 15 to that.  
 16 MS. MORENO: Is there any other  
 17 property except on Miracle Mile and  
 18 Biltmore Way -- on Coral Way and on  
 19 Biltmore Way that is commercial, west of  
 20 LeJeune?  
 21 MR. RIEL: There's this building  
 22 right across the street here, this one  
 23 right here, the four-story --  
 24 MS. MORENO: Right.  
 25 MR. RIEL: -- curved one, that

71

1 one is actually -- that's commercial  
 2 limited, and the reason being -- it's  
 3 right here. The reason it's commercial  
 4 limited is because it has single-family  
 5 adjacent to it.  
 6 MS. MORENO: That's the 401 Miracle  
 7 Mile building?  
 8 MR. RIEL: Yes.  
 9 MS. MORENO: Right, but other than  
 10 on Miracle Mile, other than on Coral Way  
 11 and Biltmore Way, is there any other  
 12 commercial building on LeJeune?  
 13 MR. RIEL: No, not -- I mean, and  
 14 I'm trying to get down there.  
 15 MS. MORENO: There's that Jaycee  
 16 Building.  
 17 MR. RIEL: JCI building, yes.  
 18 MS. MORENO: Right.  
 19 MR. RIEL: JCI, which is right  
 20 here.  
 21 MS. MORENO: Everything else is  
 22 either the church or residential, et  
 23 cetera.  
 24 MR. RIEL: It's duplex. The only  
 25 properties that are commercial, with the

72

1 exception of JCI, is this parcel, as  
 2 well as the church parcel, on LeJeune  
 3 Road, west of LeJeune Road.  
 4 CHAIRMAN KORGE: All the others, I  
 5 guess that would be --  
 6 MS. MORENO: Everything else is  
 7 residential.  
 8 CHAIRMAN KORGE: Everything else  
 9 south is zoned residential on --  
 10 MR. RIEL: Yes.  
 11 CHAIRMAN KORGE: -- the west side  
 12 of LeJeune?  
 13 MR. RIEL: Yes.  
 14 MS. MORENO: And everything north.  
 15 MR. RIEL: Well, you have Biltmore  
 16 Way, which has high-rise.  
 17 MS. MORENO: Right. Other than  
 18 Biltmore Way and Coral Way.  
 19 MR. RIEL: Right, and the 401  
 20 Building.  
 21 MS. MORENO: Which is on Coral Way.  
 22 MR. RIEL: Yeah. Well, no, it's  
 23 right here.  
 24 MS. MORENO: Well, it's --  
 25 MR. RIEL: Yeah, it's on Coral Way,

73

1 I'm sorry.  
 2 MS. MORENO: That's on Coral Way.  
 3 MR. RIEL: Yes.  
 4 MS. MORENO: I frankly am not  
 5 prepared to support changing it from  
 6 residential to commercial. Everything  
 7 west of LeJeune is residential. Why am  
 8 I putting commercial on those poor  
 9 people who live just west of that  
 10 building?  
 11 MR. RIEL: And Staff, obviously,  
 12 when we do recommendations to the Board,  
 13 we do a lot of analysis. You know, I  
 14 can tell you, I personally went out to  
 15 the property a number of times. Given  
 16 the fact that you have high-rise across  
 17 LeJeune, you know, and it allows 70 feet  
 18 in multi-family, anyway, I felt that 77  
 19 feet, you know, in terms of --  
 20 MS. MORENO: I'm happy for them to  
 21 have the feet in multi-family, but --  
 22 MR. AIZENSTAT: But it's on  
 23 LeJeune.  
 24 MS. MORENO: LeJeune has been a  
 25 bright line separating the commercial

74

1 from the residential, and you're  
 2 allowing commercial now to encroach on  
 3 the residential aspects of LeJeune.  
 4 That is our most sacred part of our  
 5 community, making that -- keeping that  
 6 residential aspect west of LeJeune.  
 7 And as I said, there's nothing  
 8 commercial except those, you know, few  
 9 buildings on Coral Way and on Biltmore  
 10 Way, and then that Jaycee building,  
 11 which is an anomaly, because of a  
 12 specific desire to bring the Jaycees  
 13 International there. Everything else  
 14 has remained residential, historically.  
 15 I really am concerned about changing  
 16 that. It's -- that street has been like  
 17 a barrier between our commercial and our  
 18 residential.  
 19 MR. AIZENSTAT: Which street are  
 20 you talking about?  
 21 MS. MORENO: LeJeune.  
 22 MR. RIEL: LeJeune. You know,  
 23 Staff, when we've gone through -- we did  
 24 the incompatible land use changes for  
 25 the public properties. Pretty much,

75

1 Staff has used the Comp Plan as a  
 2 guiding in terms of the appropriate land  
 3 use on the property. Although I might  
 4 agree that, you know, it should be  
 5 multi-family and might have less impact,  
 6 I just feel commercial is appropriate,  
 7 given the land use in this location.  
 8 MR. AIZENSTAT: I would suggest --  
 9 MS. MORENO: Well, but we can  
 10 change the Comprehensive Land Use Plan.  
 11 MR. RIEL: You can absolutely do  
 12 that. Absolutely, you can. Absolutely.  
 13 MR. AIZENSTAT: See, for me, I  
 14 mean, I'd rather Eric finish his  
 15 presentation and --  
 16 MR. RIEL: I'm finished. I'm  
 17 finished.  
 18 MR. AIZENSTAT: Oh, you're  
 19 finished. Okay.  
 20 MR. RIEL: Yes.  
 21 MR. AIZENSTAT: Then let the next  
 22 side also do their presentation and  
 23 see --  
 24 CHAIRMAN KERGE: Would the  
 25 applicant like to make a presentation at

76

1 this time?  
 2 MS. RUSSO: Good evening,  
 3 Mr. Chairman, Members of the Board. For  
 4 the record, Laura Russo, with offices at  
 5 2655 LeJeune Road. I am here this  
 6 evening representing Valencia Investors,  
 7 LLC, the owner of the subject property,  
 8 and here this evening on behalf of  
 9 Valencia Investors is Otto Boudet  
 10 Murias, and I am here with the  
 11 architects, Javier Font and Patrick  
 12 Valent, of Behar Font, and what I'd like  
 13 to do before I address Staff's  
 14 recommendation, you know, Staff's  
 15 report -- needless to say, we  
 16 respectfully disagree with some of  
 17 Staff's recommendations and conditions,  
 18 and what we'd like to do is, I'd like to  
 19 have the architects take you through the  
 20 project quickly, just to give you an  
 21 idea of what we're talking about and  
 22 what the project is about, and then  
 23 address the six issues that Staff has  
 24 placed with respect to the three  
 25 applications, the change in land use,

77

1 the change in zoning and the site plan  
 2 approval.  
 3 Patrick?  
 4 MR. VALENT: Can you all see this,  
 5 the site plan?  
 6 MR. AIZENSTAT: Yes.  
 7 MR. VALENT: Can you hear me okay  
 8 without a mike? Perfect. I'm going to  
 9 take a few minutes. I'm Patrick Valent,  
 10 with Behar, Font & Partners, and --  
 11 MS. RUSSO: Hold on, we need the mike.  
 12 MR. VALENT: I could speak loudly,  
 13 if you want.  
 14 MR. RIEL: No, you're going to  
 15 need the -- to get on the record --  
 16 CHAIRMAN KORGE: For the TV.  
 17 MR. RIEL: -- you're going to need  
 18 to speak through that mike.  
 19 MR. VALENT: Patrick Valent, with  
 20 Behar, Font & Partners.  
 21 I just want to take a few minutes  
 22 to walk you through some of the key  
 23 elements of the architecture here,  
 24 starting with the site plan here.  
 25 As you can see from the site plan

78

1 here, we're basically wrapping the  
 2 LeJeune and Valencia side with arcades,  
 3 and we've taken the Valencia side down  
 4 from two curb cuts to one curb cut, and  
 5 basically, we've been focusing a lot of  
 6 our efforts on the pedestrian side here.  
 7 So, basically, we have the main focal  
 8 point on the Valencia/LeJeune side,  
 9 that's where the main entrance point is,  
 10 and we have arcades.  
 11 As you can see here, we have the  
 12 arcade --  
 13 MR. RIEL: I think you're going to  
 14 have to move the stuff, because I'm not  
 15 sure folks at home watching this, it's  
 16 being picked up.  
 17 MR. VALENT: How's that? Is that  
 18 better?  
 19 MR. RIEL: Here we go.  
 20 MR. AIZENSTAT: Oh, they found it. They  
 21 found it.  
 22 MR. VALENT: Patrick Valent, with  
 23 Behar, Font & Partners.  
 24 MR. AIZENSTAT: Is it off?  
 25 MR. COE: You need to turn the mike

79

1 on.  
 2 MS. ALFONSO RUIZ: The bottom.  
 3 MR. AIZENSTAT: Just tap it. It's  
 4 on.  
 5 MR. COE: Laura's a high-priced  
 6 technician.  
 7 MR. VALENT: Better now? Okay.  
 8 Let me just walk you through some  
 9 of the key points here when we designed  
 10 the project. We have arcades that wrap  
 11 along Valencia and LeJeune, and we've  
 12 taken those arcades and wrapped them all  
 13 the way around towards the church site.  
 14 We've had several meetings with the  
 15 church group, and this was a result of  
 16 those meetings, and the plans you have  
 17 in front of you are the final result of  
 18 those meetings.  
 19 Also, it is important to note that  
 20 we have Board of Architects' approval,  
 21 Mediterranean approval, DRC. We've gone  
 22 through several rounds with the City  
 23 Staff.  
 24 So, basically, this is the end  
 25 result here, and as I mentioned, we've

80

1 reduced the project on Valencia from two  
 2 curb cuts to one curb cut, and we've  
 3 wrapped the arcade on all three sides.  
 4 Put the elevation up here, Javier.  
 5 Another key element that we want to  
 6 point out here is -- as there was a lot  
 7 of talk about, you know, how the  
 8 transition is being made between the  
 9 residential and the various sides, all  
 10 four facades have a transition and have  
 11 a step-back. So we didn't just do the  
 12 step-back on the Valencia or LeJeune  
 13 side; we also did a step-back on the  
 14 church side and on the alley side. So,  
 15 if you look at the various elevations,  
 16 all four elevations, you'll see that  
 17 step-back.  
 18 So we transitioned from the arcade  
 19 and the pedestrian pedestal level, which  
 20 is about 45 to 50 feet, and then we  
 21 stepped back approximately 10 to 15  
 22 feet, depending on which facade, and  
 23 that creates an even better transition.  
 24 So, basically, you know, that's how  
 25 we're transitioning from the residential

81

1 to the commercial development.

2 Aside from that, there was some  
3 comments that we noticed on the  
4 streetscape plan. We have met with the  
5 Planning -- I'm sorry, with the Public  
6 Service departments. We have addressed  
7 the streetscape along Valencia, and  
8 there was a quite a bit of discussion  
9 about whether that streetscape should go  
10 along -- across the street or should it  
11 go to the west, so --

12 MR. AIZENSTAT: That was actually  
13 my -- Isn't that a public parking garage  
14 or something? What's in back of the  
15 building?

16 MR. VALENT: Right here?

17 MR. AIZENSTAT: Yeah.

18 MR. VALENT: That's a public  
19 parking lot.

20 MS. RUSSO: It's the City's surface  
21 parking lot. It's a --

22 MR. AIZENSTAT: Why did you not  
23 extend the off-street to that?

24 MR. VALENT: It was basically -- we  
25 know that we had to have further

82

1 discussion on whether -- it was asked to  
2 go to the south, and we weren't sure  
3 that was the right thing to do, because  
4 right now there's quite a few curb cuts  
5 on the existing properties.

6 MS. RUSSO: We're willing to do  
7 either.

8 MR. VALENT: Right.

9 MS. RUSSO: And I think part of it  
10 was, did it make more sense to go west  
11 and continue or --

12 MR. AIZENSTAT: I mean, one thing  
13 for me would be to go -- I'm sorry to  
14 interrupt you.

15 MS. RUSSO: Uh-huh.

16 MR. VALENT: No, that's okay.

17 MR. AIZENSTAT: -- would be  
18 actually to go back into the surface  
19 parking lot.

20 MS. RUSSO: To go west, on the  
21 north side, versus just south on that  
22 side.

23 MR. VALENT: We actually suggested  
24 that to Staff, and they were agreeable.  
25 We met with Alberto Delgado, Public

83

1 Works, and the Public Services, and they  
2 said another meeting would be necessary  
3 to finalize that. We're willing to go  
4 either way, to the south or to the west,  
5 so either way works for us.

6 And as I mentioned, we did have  
7 quite a few meetings with the group from  
8 the church. There was quite a bit of  
9 discussion on that transitional area,  
10 the alley to the rear, so much so that  
11 one of the previous submittals actually  
12 had a courtyard that was located within  
13 this little alley place; it was improved  
14 with fountains and water features and  
15 whatnot. At the very end, it was taken  
16 out. There was discussions on whether  
17 that would be the right place for a  
18 courtyard, with loitering or whatever,  
19 so the final result of those meetings is  
20 in your package. That went back to the  
21 Board of Architects and received  
22 approval. So this site plan and floor  
23 plan you have is a result of quite a few  
24 meetings with the church group.

25 And that's basically it, to wrap

84

1 up. We're going to talk a little bit  
2 more about the transitional, the  
3 comments on setting precedents and on  
4 the transition, and we have some other  
5 boards we're going to present on that,  
6 as well.

7 MS. RUSSO: And what I'd like to do  
8 is take the comments in reverse order  
9 and start with the historic  
10 preservation.

11 As Patrick told you, we did meet  
12 with the church members. We met with  
13 church representatives. But we also met  
14 with the City's Historic Preservation  
15 Department, as we were in the midst of  
16 coming up with the design of this  
17 building, to see what were some of the  
18 issues that the Historic Preservation  
19 officer and Department had, because the  
20 historic or the actual -- originally,  
21 the only building on the church that is  
22 targeted for designation is the building  
23 immediately to the north, which is a  
24 rectangular building. It seems now that  
25 perhaps the other buildings that are on

85

1 there now, the church reading room, and  
2 what I would call the Neoclassical  
3 building on Biltmore, too, may also be  
4 eligible for historic preservation.

5 So we met with Kara Kautz and with  
6 Simone Chin, listened to some of their  
7 concerns and issues, implemented that  
8 into the design, but at no point were we  
9 ever asked to come back to the  
10 Department, nor were we asked to go back  
11 to the Historic Preservation Board, so I  
12 find that comment a little disingenuous.  
13 It's almost like saying you didn't do  
14 something, but we weren't asked to do  
15 it, and we met with the property owners  
16 to the north, but we would be more than  
17 happy to, you know, take these plans and  
18 present them.

19 With respect to Number 5, the  
20 insufficient streetscape improvements,  
21 as Patrick indicated to you before, from  
22 Day One, I advised the client and Staff  
23 advised the client that there's always  
24 additional streetscape, whether it's  
25 done across the street or whether it's

86

1 done to the west. When you're coming in  
2 for a change in land use, change in  
3 zoning, you're going to have to do more  
4 than just your side of the property.

5 The big issue here was not that we  
6 didn't want to do it, but what made more  
7 sense, to extend it across the City  
8 surface parking lot up to the Laroc, you  
9 know, or to do it across the street, or  
10 to do some combination -- excuse me,  
11 some combination of both.

12 On the south side, as you know, on  
13 the corner immediately south, is a  
14 condominium building, with certain curb  
15 cuts already established. It is a  
16 condominium building. It probably won't  
17 be redeveloped for decades.

18 To the west of that are a couple of  
19 older, lower rise -- two-story older  
20 apartment buildings that also have curb  
21 cuts. So we thought, if the City wanted  
22 us to do the south side, we would, but  
23 we know we're going to do the south or  
24 the west, so it's not that we don't want  
25 to do it: we just don't know which ones.

87

1 So, with respect to Number 5, we're more  
2 than happy to do any additional  
3 streetscape improvement.

4 With respect to Number 4, required  
5 traffic improvements, as part of the  
6 submittal to this project, we submitted  
7 a traffic report. After that report was  
8 reviewed by Public Works, there were  
9 three issues that were raised. Our  
10 traffic engineer, who is here,  
11 Mr. Richard Garcia, addressed them in a  
12 technical memo to Alberto Delgado, who  
13 was fine with all but one of the issues.  
14 We went and did even more research, and  
15 it has to do with the intersection at  
16 Biltmore and Hernando, and it turns out  
17 that the actual traffic impact of the  
18 additional square footage is minor. I  
19 think it's nine seconds and .3 seconds  
20 at your peak periods.

21 What you have currently is  
22 apparently not the best designed street,  
23 on Hernando and Biltmore, in the  
24 intersection, but the impact of our  
25 request is minimal to that intersection.

88

1 With respect to Number 3,  
2 inconsistency with the City Hall  
3 setting, I respectfully disagree with  
4 Staff, and I disagree because when you  
5 look at the land use -- and I'm going to  
6 ask Patrick to put a land use map up --  
7 which is what we're talking about here,  
8 the City Hall has high-rise land use  
9 immediately to the west of it, and if  
10 you look in your packets, you have the  
11 land use map, and it's the map with all  
12 the colors. What we call the brown  
13 building and blue building, if you  
14 recall, the City bought the blue  
15 building. The blue sits on high-rise  
16 and the brown building sits on high-rise  
17 land use now. Right now, the City owns  
18 it, but if the City found itself in a  
19 need to sell the blue building, and the  
20 person who owned the brown building  
21 bought it, or somebody else in the  
22 future came, until that land use is  
23 changed, the City is sitting surrounded  
24 by high-rise.

25 What the City also didn't put in



89

1 their Staff Report is that on our block,  
2 the block that has the church on the  
3 northeast corner, our property is on  
4 the -- I'm sorry -- yes -- well, the  
5 intersection, the north corner -- we're  
6 on the south. We have the Laroc, which  
7 is a high-rise, 13-story condominium,  
8 residential condominium building, on the  
9 corner of Valencia and Hernando, and to  
10 the north of that, which most of you --  
11 I think it's a strip of stores, the  
12 Design Store, and there's a Roche  
13 Bobois, et cetera, that's all high-rise  
14 land use, and then if you continue to  
15 the west, you have high-rise land use.

16 And so, you know, with all due  
17 respect to Staff, I argue that we're not  
18 setting the precedent. The precedent  
19 was set with the Laroc, in terms of the  
20 height, and at that time, when it was  
21 done, in the '80s, the entire strip,  
22 Valencia to the north, was all  
23 site-specific high-rise, 150 feet, all  
24 the way past the David William, and so  
25 on our block, that pattern of

90

1 development has already been set with  
2 the 13-story high-rise. So we're not  
3 adding a high-rise to our block: that  
4 high-rise already sits there.

5 So whether this building is there  
6 or not, the Laroc is a condominium, it's  
7 not a single-owned building, so it's not  
8 going to go anywhere for the longest  
9 time, and it's actually in -- further  
10 in, toward the west, where you would  
11 think you would want less development,  
12 less height and less intensity.

13 I argue that our location on  
14 LeJeune, where you have approximately  
15 42,000 cars trafficking on a daily  
16 basis -- about 22,000 go northbound,  
17 about 20,000 go southbound on a given  
18 day -- that that particular corner,  
19 which to the east has the Publix, and  
20 for those of you -- you see that Publix  
21 is a high-rise land use site, but it has  
22 as-of-right development for 16 stories.

23 The property immediately to the  
24 south of that is developed as a  
25 high-rise for 13 stories, and the

91

1 property to the south of us is currently  
2 nonconforming. It does not meet the  
3 MFSA, and it is a condominium, so it's  
4 not going anywhere, and it is a  
5 condominium building at four stories,  
6 which I believe serves as the buffer.  
7 You have -- Valencia is actually the  
8 true buffer, and then from Valencia  
9 south, you have your higher intensity or  
10 your higher density, and you have an  
11 alley, and then to the south of the  
12 alley you have your single-family.

13 So it's actually serving as -- the  
14 buffer is Valencia, the south side of  
15 Valencia, and then your single-family,  
16 which is south of the alley, that  
17 bifurcates on an east-west basis.

18 MR. AIZENSTAT: Is it single -- I'm  
19 sorry to interrupt you. Is it  
20 single-family or is it duplex zoned?

21 MR. COE: Multi.

22 MR. AIZENSTAT: I thought that  
23 was --

24 MS. RUSSO: On that -- Well, what  
25 becomes on the north side of -- if you

92

1 were looking -- I don't know if you  
2 have it in front of you, if you have --

3 MR. VALENT: We have a board here.

4 MR. AIZENSTAT: No, I'm talking  
5 about --

6 MR. VALENT: North?

7 MS. RUSSO: Look at Valencia. On  
8 the south side of Valencia, you have  
9 MFSA zoning and it's residential, low  
10 density.

11 MR. AIZENSTAT: Right.

12 MS. RUSSO: Then you have an alley  
13 that runs perpendicular to LeJeune that  
14 bifurcates the block, and to the south  
15 of the alley, facing -- which I believe  
16 is what, Sevilla? On the north side of  
17 Sevilla are single-family.

18 MR. AIZENSTAT: Those yellow --

19 That looks like low density to me. Am I  
20 wrong? I'm looking at this.

21 MR. COE: That's low density.

22 MS. RUSSO: Yes, but I'm saying to  
23 you -- This is our property.

24 MR. AIZENSTAT: Right.

25 MS. RUSSO: I'm saying, this is the

93

1 actual transition.  
 2 MR. AIZENSTAT: Understood.  
 3 MS. RUSSO: These properties are  
 4 low-density. They form -- and this one  
 5 here on the corner is nonconforming and  
 6 won't change any time soon.  
 7 You then have -- these properties  
 8 are allowed to go 35 feet --  
 9 MR. AIZENSTAT: Right.  
 10 MS. RUSSO: -- because they're  
 11 adjacent to the single-family. They're  
 12 separated by an alley.  
 13 MR. AIZENSTAT: Right, but --  
 14 MS. RUSSO: So the transition --  
 15 and these are single-family, the yellow  
 16 is.  
 17 MR. AIZENSTAT: Is it single-family  
 18 or is the yellow low-density?  
 19 MS. RUSSO: The yellow is single-  
 20 family.  
 21 MR. CARLSON: It's low-density,  
 22 multi-family.  
 23 MR. AIZENSTAT: Right.  
 24 MS. RUSSO: The yellow?  
 25 MR. AIZENSTAT: Yes.

94

1 MR. CARLSON: Well, the yellow, the  
 2 light yellow, which is on the south side  
 3 of Valencia, is low-density  
 4 multi-family.  
 5 MR. AIZENSTAT: Right. That --  
 6 MS. RUSSO: Okay.  
 7 MR. AIZENSTAT: That's what I'm  
 8 saying. So you're actually going  
 9 through even a further --  
 10 MS. RUSSO: So it's the light  
 11 yellow versus the yellow yellow for  
 12 single-family.  
 13 MR. VALENT: That's your first  
 14 buffer, is the multi-family, then it  
 15 gets into single-family.  
 16 MR. AIZENSTAT: That's what I'm  
 17 saying, I mean, so your building up here  
 18 buffers as you go along.  
 19 MR. VALENT: Exactly. That's what  
 20 this exhibit is meant to show you. We  
 21 basically were showing this east-west  
 22 corridor here, showing the precedence or  
 23 the line is already created, and then we  
 24 put the blocks in. You can see we  
 25 inserted in the maximum height you could

95

1 go with multi-family.  
 2 MR. AIZENSTAT: I mean, as far as  
 3 the buffer, I mean, I do agree that  
 4 Valencia should be it, not the alley  
 5 that is between the church and --  
 6 between the church and the property. In  
 7 other words, there's an alley that runs  
 8 between the church and the property.  
 9 MS. RUSSO: And that alley was  
 10 vacated in the '60s.  
 11 MR. AIZENSTAT: Right, but --  
 12 MS. RUSSO: Right. There used to  
 13 be an alley that ran --  
 14 MR. AIZENSTAT: That's not a good  
 15 buffer --  
 16 MR. VALENT: You're talking about  
 17 this alley here.  
 18 MR. AIZENSTAT: -- to use that.  
 19 Right. That's not a good buffer.  
 20 MR. CARLSON: There's no alley now.  
 21 MS. KEON: There's no alley anymore.  
 22 MR. AIZENSTAT: It's been vacated.  
 23 MS. RUSSO: It's been vacated up  
 24 to -- Show them to where.  
 25 Basically, the alley --

96

1 MR. VALENT: To this point, right  
 2 here.  
 3 MS. RUSSO: And then it runs south.  
 4 MR. VALENT: It turns right here  
 5 and goes like that.  
 6 MS. RUSSO: So that --  
 7 MR. AIZENSTAT: It's still an open  
 8 space.  
 9 MS. RUSSO: What used to be and  
 10 what visually --  
 11 MR. VALENT: It is. It's not  
 12 developed.  
 13 MS. RUSSO: -- looks like an alley,  
 14 is actually church property.  
 15 MR. AIZENSTAT: Okay, because it's  
 16 an open space to me, and to me, that  
 17 should not be used as a buffer line  
 18 between, let's say, your property and  
 19 the church. If you're going to use a  
 20 buffer line, it should be more Valencia,  
 21 that runs -- as opposed to that alley.  
 22 MR. VALENT: Well, basically, we --  
 23 That was one of the reasons why, as I  
 24 mentioned, we stepped back the building  
 25 there. We really didn't want to have a

97

1 wall there, and that's what we did. It  
2 just wasn't appropriate to do a solid  
3 wall. We see some -- the Laroc, for  
4 instance. We really wanted to bring  
5 this in. You can see the buffer here.  
6 It's even greater on that side than it  
7 is on the Valencia side.

8 MR. AIZENSTAT: Right. I see that  
9 you stepped it up, too.

10 MR. VALENT: Well, you can see that  
11 it's quite -- quite extensive on the  
12 north side there, and we felt that it  
13 was appropriate to do it on the north  
14 and on the west side, because that  
15 abuts, you know, that residential side.

16 MR. AIZENSTAT: It -- I don't know,  
17 is the City-owned parking lot -- what's  
18 that zoned? Is that --

19 MR. CARLSON: That has MFSA zoning,  
20 as well, and the land use designation is  
21 multi-family, medium-density.

22 MR. AIZENSTAT: Okay. I'm sorry to  
23 interrupt.

24 MS. RUSSO: So, currently,  
25 incompatible use and land use

98

1 designation, because it's being used  
2 for, you know, City purposes and it's  
3 being used for commercial parking for  
4 both City Hall and for the -- you know,  
5 the areas -- for the commerces, you  
6 know, the businesses in the area.

7 MR. VALENT: If I could just finish  
8 that point one more time. I think your  
9 point was very well made, that we feel  
10 that the precedence is already set  
11 there. You have the David William, you  
12 have Laroc. You have -- as you can see  
13 from this aerial, which we didn't  
14 create; that's existing. That line of  
15 tall buildings is already created there.  
16 Then beyond that, you have multi-family  
17 to the south and then you have  
18 single-family. So we feel that we  
19 transition, and it's important to note  
20 that we're not going high-rise in the  
21 sense of 190 feet. We're not asking for  
22 190 feet. We've come down significantly  
23 from 190. 117 is mentioned. So it  
24 transitions from the high-rise, 190, to  
25 our 117, to 45.

99

1 MR. AIZENSTAT: Laroc is how tall?

2 MR. VALENT: We believe  
3 approximately 140 to 150 feet.

4 MS. RUSSO: It was built with 13  
5 stories prior to the days of  
6 Mediterranean, when the height of a  
7 high-rise building was 150 feet.

8 MR. VALENT: But more importantly,  
9 it goes straight up, too. I think it's  
10 important to note the shape of the  
11 Laroc. It really -- it just goes  
12 straight up. There are no vertical  
13 breaks.

14 So we have a lower height and quite  
15 a few -- actually two levels of vertical  
16 breaks in these facades.

17 MS. RUSSO: And in the concurrency  
18 review, what you have here is property  
19 with an existing land use designation of  
20 commercial, so the request to go to  
21 high-rise is to add extra square footage  
22 to the property, and in the concurrency  
23 review, which is your level of services,  
24 whether your water, your sewer, your  
25 traffic -- there are -- you know,

100

1 basically, all levels of services are  
2 okay with the additional building, the  
3 additional stories, you know, the  
4 ten-story request that we're making.

5 You know, traffic, which everyone  
6 perceives, but the traffic that is being  
7 generated and the difference between the  
8 low-rise and what we're requesting as a  
9 ten-story, 117 building, is minimal.  
10 And so we -- excuse me.

11 (Inaudible comments)

12 MS. RUSSO: Show -- Another point  
13 is that this basically is sort of the  
14 terminus of Miracle Mile. There was a  
15 comment, you have the 401, which is at  
16 the end of Miracle Mile, across the  
17 street. You have this property.

18 MR. VALENT: Right in here. See,  
19 coming right here. That's the  
20 commercial district, at the end there.  
21 We definitely think that it will really  
22 help Miracle Mile, help the businesses.  
23 This type of element is appropriate.

24 MS. RUSSO: Right, and while the  
25 church property is currently being used

101

1 as a church, it does have also the  
2 commercial land use designation, and at  
3 some time in the -- you know, in the  
4 future, which is the whole purpose of  
5 the land use designation, is for future  
6 development, it will at some point be a  
7 commercial developed property.

8 So, based on the foregoing, we  
9 respectfully request the change in land  
10 use, which would allow the ten-story  
11 building that we're requesting, the  
12 change in zoning, which would correct  
13 the incompatibility, which would match  
14 the zoning to the land use, and site  
15 plan approval, which would keep the  
16 project at the requested 10 stories and  
17 117 feet. So, although it would be  
18 under a high-rise category, it would  
19 actually be limited to the 117 feet and  
20 ten-story building that Mr. Valent  
21 showed you.

22 MR. AIZENSTAT: Are the people from  
23 the church here?

24 MS. RUSSO: Yes, they are here.

25 MR. AIZENSTAT: Okay. I just

102

1 wanted to know.

2 MR. RUSSO: Their legal  
3 representative is here, in case you want  
4 to ask him questions.

5 MR. AIZENSTAT: Yeah, but I'm  
6 sorry, I've interrupted you a couple of  
7 times --

8 MS. RUSSO: That's okay. No, no,  
9 no, that's fine. That's all right.  
10 I've concluded my presentation. Our  
11 traffic engineer is here and the  
12 architects, and needless to say, we're  
13 prepared to answer any questions or  
14 concerns that you may have.

15 CHAIRMAN KORGE: Well, let's take  
16 questions from the Board.

17 MR. SALMAN: I think we should  
18 listen to the public first and then we  
19 can --

20 CHAIRMAN KORGE: You want to listen  
21 to the public first?

22 MR. SALMAN: Yeah.

23 MR. AIZENSTAT: Yeah, I would.

24 CHAIRMAN KORGE: Okay. Good  
25 enough. We'll reserve questions for

103

1 later.

2 MS. RUSSO: Okay.

3 CHAIRMAN KORGE: Will you --

4 MR. RIEL: They need to be sworn  
5 in.

6 CHAIRMAN KORGE: I'm sorry?

7 MR. RIEL: They need to be sworn  
8 in. We have eight people that are --  
9 seven or eight people that signed up.

10 CHAIRMAN KORGE: Whoever is here to  
11 testify, would you stand up to be sworn  
12 in, please?

13 (Thereupon all who were to speak  
14 were duly sworn by the court reporter.)

15 CHAIRMAN KORGE: Okay, would you  
16 call the first name?

17 MS. MENENDEZ: Talbot Trammell.

18 MR. TRAMMELL: Mr. Chairman and  
19 Members of the Board, I'm Talbot  
20 Trammell. I represent the church, and  
21 you mentioned a few minutes ago about  
22 the alley.

23 MR. AIZENSTAT: Right.

24 MR. TRAMMELL: The alley is a fee  
25 simple interest owned by the church.

104

1 They refer to it as an alley at times,  
2 but it's not alley legally at all, and  
3 hasn't been for 48 years, not used by  
4 the public, it's blocked off, and  
5 concerning the setback, there's a zero  
6 setback from our property to theirs, as  
7 I understand it.

8 And I heard that they had the  
9 right, if it's a Mediterranean bonus  
10 situation, to have a zero setback,  
11 and -- but we've had no discussions with  
12 them concerning the setback. The only  
13 reason I mention that is, in here in the  
14 Staff Report, it appears that we had  
15 discussed -- it implies that we had  
16 discussed, perhaps, that. We've had  
17 many discussions with them and they've  
18 been very nice, and Mr. Behar and Ms.  
19 Russo and their representatives have  
20 agreed to make the plans of our 18  
21 spaces like we want them, and the  
22 entrance specifically, and we sure  
23 appreciate that, and they put that in  
24 the last plan and that's the one that's  
25 been filed and we're happy with that

105

1 aspect of it, so that's where we stand.  
2 We filed a report that we have no  
3 objection to the application. We don't,  
4 but obviously, we hadn't gotten into the  
5 setback/buffer thing, and we'd like to  
6 have as much as we could in the way of a  
7 setback, if that's possible, but that's  
8 our position.

9 Our church hasn't discussed  
10 anything except the features of the  
11 parking garage that we would have, and  
12 we're happy with those and that was our  
13 main concern.

14 Do you have any questions?

15 MS. MORENO: I'm sorry, but you  
16 have an objection here in the blue  
17 paper. Can you explain to me what that  
18 is?

19 MR. TRAMMELL: An objection? No, I  
20 don't.

21 MS. MORENO: It says, "The Church  
22 objects to the site plan because it  
23 illegally puts the Church's entrance to  
24 its parking area on the alley and not on  
25 Valencia Avenue to be used jointly with

106

1 Valencia Investors' users."

2 MR. TRAMMELL: Thank you so much.  
3 That was a good question. When we sold  
4 them the property, as a condition of the  
5 sale, they agreed to give us an  
6 easement, which was recorded, giving us  
7 18 spaces, and in the easement, they  
8 were supposed to give us a joint  
9 entrance to the parking garage. We  
10 didn't know where the garage was going  
11 to be built, we didn't know where the  
12 entrance would be, but if it was a joint  
13 drive to the garage, we knew that our  
14 drive would be just as good as theirs,  
15 it would be just as pretty and just as  
16 safe and have as big a turn radius and  
17 everything, and so that was in there.

18 When the plans came out, they had  
19 two separate entrances. They had theirs  
20 on Valencia and they had ours on the  
21 alley. The plans aren't too well marked  
22 about the entrance and exit on the  
23 alley, and after thinking about it, we  
24 were willing to do that if it could be  
25 made safe and wide, because the turning

107

1 radius, when you're coming down the  
2 alley and you're about three -- there's  
3 a zero foot setback, or not much  
4 setback, and you have to make a turn  
5 around, the entrance is too narrow, but  
6 they've corrected that. Mr. Behar and  
7 them said they would do it, and they  
8 did, and we thank them for doing that,  
9 and they've made -- we're happy with the  
10 entrance now.

11 But then I said that if you or  
12 someone doesn't approve the site plan  
13 and we don't get what we've agreed, we  
14 want to reserve our objection to not  
15 being on Valencia, where it's just as  
16 good as theirs, and so -- yes, sir.

17 MR. AIZENSTAT: So the way the site  
18 plan is now, you'll remove your  
19 objection if that's the case?

20 MR. TRAMMELL: Yes, sir, that's  
21 correct.

22 MS. MORENO: Did I understand you  
23 to say that you sold this property to  
24 them, the church did?

25 MR. TRAMMELL: Yes, we did.

108

1 MS. MORENO: Thank you.

2 MR. SALMAN: And that's the only  
3 condition of sale?

4 MR. TRAMMELL: Sir?

5 MR. SALMAN: That was the only  
6 condition of the sale, was that access  
7 agreement that you have?

8 MR. TRAMMELL: No, it was -- They  
9 paid -- There were many conditions of  
10 the sale. We got paid cash --

11 MR. SALMAN: Good for you.

12 MR. TRAMMELL: And there was a  
13 regular real estate contract.

14 CHAIRMAN KORGE: I think what Mr.  
15 Salman is asking --

16 MR. TRAMMELL: The price was six  
17 million dollars or something.

18 MR. SALMAN: But what I'm saying,  
19 there's no contingent -- there's no  
20 contingent issue?

21 CHAIRMAN KORGE: It's not  
22 contingent on rezoning.

23 MR. RIEL: No, I believe that's --

24 MR. TRAMMELL: No. No, sir, it  
25 wasn't. They bought it as is. It

109

1 wasn't conditional.  
 2 MR. RIEL: That restriction, I  
 3 think, is dated back 10 or 15 years, has  
 4 that been, for the 18 spaces?  
 5 MR. TRAMMELL: No, it's --  
 6 MR. CARLSON: No, that -- that  
 7 was agreed --  
 8 MR. RIEL: It was part of the sale?  
 9 Okay.  
 10 MR. CARLSON: -- in order to buy it.  
 11 MR. TRAMMELL: In 2005, when we  
 12 sold them the property, that's when they  
 13 gave us the easement. It was part of  
 14 the sale. At the closing, they gave us  
 15 this grant of easement, which is in the  
 16 court file.  
 17 MR. RIEL: Time flies.  
 18 MR. TRAMMELL: And, you know, said  
 19 they'd give us --  
 20 MR. AIZENSTAT: Yeah.  
 21 MR. RIEL: Time flies.  
 22 MR. AIZENSTAT: So the way -- so,  
 23 according to the site plan that you  
 24 have, you're okay with your 18 parking  
 25 spaces, where they sit and so forth?

110

1 MR. TRAMMELL: Yes, sir. Is  
 2 this --  
 3 MS. RUSSO: Show him the site plan.  
 4 MR. VALENT: I'm sorry, what was  
 5 the question?  
 6 MR. AIZENSTAT: According to the  
 7 site plan, if the gentleman was  
 8 satisfied --  
 9 MR. TRAMMELL: Yes, sir. Where is  
 10 the first --  
 11 MR. AIZENSTAT: -- with the parking  
 12 spaces and the site plan itself.  
 13 MS. RUSSO: He wants to see the  
 14 site plan.  
 15 MR. VALENT: Right in here. This  
 16 is the alley.  
 17 MR. TRAMMELL: This is the alley.  
 18 MR. VALENT: This is it.  
 19 MR. TRAMMELL: Yes, sir. We've  
 20 approved this site plan, and they filed  
 21 it at the last minute, but --  
 22 MR. AIZENSTAT: Okay. I just  
 23 wanted --  
 24 MR. TRAMMELL: -- it's in there  
 25 now, and thank you. That was our main

111

1 concern about the thing.  
 2 MR. VALENT: And we did go to  
 3 Public Works with this.  
 4 MR. AIZENSTAT: Okay. That's what  
 5 I wanted to make sure.  
 6 MR. TRAMMELL: And the Board of  
 7 Architects, too.  
 8 MR. VALENT: Everyone.  
 9 MR. TRAMMELL: Okay. Thank you.  
 10 MR. AIZENSTAT: I'm just going to  
 11 ask you a different question, it might  
 12 not pertain to this, but how do you feel  
 13 about your property having a historic  
 14 designation?  
 15 MR. TRAMMELL: Well, I'm not  
 16 authorized to speak to that, because the  
 17 membership would be the one that would  
 18 give that thought, and I can't tell you.  
 19 I really can't answer that.  
 20 MR. AIZENSTAT: Because that would  
 21 limit you to what you can do with your  
 22 property down the road.  
 23 MR. TRAMMELL: Yes, sir.  
 24 MR. AIZENSTAT: That's why I ask  
 25 that.

112

1 MR. TRAMMELL: Yes, sir, it would.  
 2 MR. AIZENSTAT: You're pretty  
 3 content with the sale of the other land.  
 4 MR. TRAMMELL: Yes, sir. No,  
 5 that's a big thing, and it's an issue in  
 6 our church and some people feel strong  
 7 in one way --  
 8 MR. AIZENSTAT: Okay.  
 9 MR. TRAMMELL: -- or another way,  
 10 but I just can't speak to that. We  
 11 haven't discussed that in --  
 12 MS. MORENO: No official position  
 13 yet.  
 14 MR. TRAMMELL: If you want to ask  
 15 me -- but I'm not here to tell you what  
 16 I think.  
 17 MR. AIZENSTAT: Thank you.  
 18 CHAIRMAN KORGE: Thank you very  
 19 much. Call the next speaker, please.  
 20 MR. TRAMMELL: Thank you guys.  
 21 MR. AIZENSTAT: Thank you for your  
 22 time.  
 23 MR. TRAMMELL: Thank you.  
 24 MS. MENENDEZ: Stanley Davidson.  
 25 CHAIRMAN KORGE: Please state your

113

1 name and address for the record.

2 MR. DAVIDSON: My name is Stanley  
3 Davidson.

4 CHAIRMAN KORGE: Your address,  
5 Mr. Davidson?

6 MR. DAVIDSON: My office number is  
7 2655 LeJeune Road.

8 About two and a half years ago, I  
9 was approached by a real estate man who  
10 was trying to sell me this property,  
11 with the understanding they were going  
12 to be converted to a commercial zoning.  
13 I met with my architect, we drove  
14 through the property, looked at it, and  
15 we decided this property is ideal for it  
16 to stay the way it is, as a residential  
17 property, and we declined to consider  
18 the purchase of it, on the basis of  
19 converting it.

20 MR. RIEL: Mr. Davidson, you're  
21 going to need to speak up a little bit.

22 MR. DAVIDSON: All right. We  
23 declined to consider buying it with the  
24 idea of converting it to a commercial  
25 zoning.

114

1 The property -- the people that  
2 bought it paid a tremendous amount of  
3 money for it, with the idea to convert  
4 it to a high-rise, and it will change  
5 the neighborhood completely. It would  
6 be a precedent for many other requests  
7 for a zoning change for commercial, and  
8 I'm all against it. I would much rather  
9 that it remain residential, the way it  
10 is. Even a high-rise residential  
11 condominium is not as objectionable as a  
12 commercial building in this area, as  
13 residential as it is.

14 Certainly, for the owners, they  
15 couldn't possibly claim any hardship,  
16 because they knew exactly what the  
17 zoning was when they bought it. I would  
18 much rather that it remain residential,  
19 the way it is, but however, if it would  
20 be changed to commercial, it certainly  
21 shouldn't go over six stories, including  
22 the bonus for Mediterranean, and it  
23 certainly should have at least 15 feet,  
24 as the Planning Board recommended, 15  
25 feet setback from LeJeune, 10 feet

115

1 setback from the alley, and 10 feet  
2 setback from Valencia.

3 We certainly agree with the  
4 Planning Board to deny their request.

5 Thank you.

6 MR. AIZENSTAT: Can I ask you  
7 something? First, when you talk about  
8 the setbacks, for example, the setback  
9 from LeJeune --

10 MR. DAVIDSON: The setback on  
11 LeJeune is recommended at 15 feet.

12 MR. AIZENSTAT: It's 15 feet.  
13 Isn't it today that we would like to do  
14 a zero setback, with spaces and stores,  
15 or am I wrong?

16 MR. CARLSON: Currently, the  
17 required -- the required setbacks for  
18 the property without Mediterranean  
19 bonuses would be 10 feet on the north,  
20 which would be adjacent to the church  
21 property, and 15 feet from LeJeune,  
22 which has been designated as the front  
23 of the property.

24 MR. AIZENSTAT: Okay.

25 MR. CARLSON: And then along

116

1 Valencia and along the alleyway, they  
2 can go to zero, but at a certain height  
3 there's a step-back.

4 MR. AIZENSTAT: And how do they  
5 have it?

6 MR. CARLSON: Well, they have --  
7 They're requesting a zero setback on the  
8 north, adjacent to the church property.  
9 They're going from 10 feet to zero.  
10 They're requesting going from 15 to 10  
11 along LeJeune, and I believe they're  
12 meeting the setbacks on Valencia and on  
13 the alleyway.

14 MR. AIZENSTAT: The other buildings  
15 that are on LeJeune, that are recently  
16 constructed, for example, where the  
17 Burger King was going to go in or where  
18 City National -- what setbacks do those  
19 buildings have?

20 MR. CARLSON: I can't -- I would  
21 not --

22 MR. SALMAN: Zero.

23 MR. RIEL: Those are zero.

24 MR. AIZENSTAT: Those have zero  
25 setbacks.

117

1 MR. RIEL: Most definitely zero.  
 2 MR. AIZENSTAT: Right. So I don't  
 3 see why this one --  
 4 MS. KEON: The church -- but the  
 5 church is set back.  
 6 MR. AIZENSTAT: No, no, I'm not  
 7 talking about the church setback. I'm  
 8 just talking about the LeJeune setback.  
 9 MR. SALMAN: What is the setback of  
 10 that church?  
 11 MR. DAVIDSON: The LeJeune setback  
 12 is recommended 15 feet, but the height  
 13 is also a problem.  
 14 MR. AIZENSTAT: And another  
 15 question, if I may ask you. I was a  
 16 little confused at the beginning. You  
 17 currently -- your office is currently on  
 18 LeJeune or you currently live there?  
 19 MR. DAVIDSON: Yes, on the east  
 20 side of LeJeune, not on the west side.  
 21 MR. AIZENSTAT: On the other side  
 22 of LeJeune --  
 23 MR. DAVIDSON: Right.  
 24 MR. AIZENSTAT: -- which is where  
 25 the City National Bank building is?

118

1 MR. DAVIDSON: Right.  
 2 MR. AIZENSTAT: And then you were  
 3 talking about something that you looked  
 4 into buying this property?  
 5 MR. DAVIDSON: It was offered to me  
 6 and I declined to buy it --  
 7 MR. AIZENSTAT: Okay.  
 8 MR. DAVIDSON: -- because I didn't  
 9 want to have it converted. The idea  
 10 was, it was offered to me with the idea  
 11 to convert it to a commercial zoning,  
 12 and my architect thought it would be  
 13 incompatible with the neighborhood and I  
 14 agreed with him and we declined to buy  
 15 it.  
 16 MR. AIZENSTAT: Thank you.  
 17 CHAIRMAN KORGE: Let's call the  
 18 next witness, please.  
 19 MS. MENENDEZ: Maggie Manara.  
 20 Henry Pino.  
 21 CHAIRMAN KORGE: Please state your  
 22 name and address for the record.  
 23 MR. PINO: Yes. Good evening.  
 24 Henry Pino, 232 Andalusia Avenue, Unit  
 25 370. I own my office there, and have

119

1 been there for like five years.  
 2 I've looked at the project, and I  
 3 think the project really does a lot for  
 4 the area. I think that there's a  
 5 precedent set there, especially since  
 6 there's a commercial parking space area  
 7 that's been there for years now, and I  
 8 really don't have a problem with the  
 9 project. I think it does -- it does  
 10 revitalize the area quite a bit from  
 11 what's there right now.  
 12 MR. AIZENSTAT: And your office is  
 13 how close?  
 14 MR. PINO: About two blocks away.  
 15 We're right next to the Chocolate  
 16 Fashion Bakery that's on Andalusia  
 17 Avenue. Yeah, right there.  
 18 MR. AIZENSTAT: Thank you.  
 19 MR. PINO: Thank you.  
 20 MS. MENENDEZ: Nita Yeung.  
 21 CHAIRMAN KORGE: State your name  
 22 and address for the record.  
 23 MS. YEUNG: Nita Yeung.  
 24 CHAIRMAN KORGE: Address?  
 25 MS. YEUNG: My office address is at

120

1 4104 Aurora Street, in Coral Gables. My  
 2 family owns duplexes on the 2900 block  
 3 of LeJeune, and we support this project.  
 4 MR. AIZENSTAT: And you -- I'm  
 5 sorry, the telephone rang. Can you say  
 6 that again?  
 7 MS. YEUNG: My family? My family  
 8 owns duplexes on the 2900 block of  
 9 LeJeune.  
 10 MR. AIZENSTAT: Okay.  
 11 MS. YEUNG: And we support this  
 12 project.  
 13 MR. AIZENSTAT: You support it?  
 14 MS. YEUNG: Yes.  
 15 MR. AIZENSTAT: Okay, thank you.  
 16 MS. YEUNG: Thank you.  
 17 MS. MENENDEZ: Henry Paper.  
 18 MR. PAPER: Good evening,  
 19 Mr. Chairman, Members of the Board. My  
 20 name is Henry Paper. I live at 600  
 21 Biltmore Way. That's two blocks to the  
 22 west of this property.  
 23 By way of just a little background  
 24 on myself, I'm an attorney. I've  
 25 practiced for many years, appeared



121

1 before many boards, State and Federal  
2 agencies. Along with my partners, we  
3 own a significant amount of land in this  
4 City, including almost the whole north  
5 side of the 700 block of Valencia  
6 Avenue.

7 I'm very familiar with this  
8 property -- with this project, and for  
9 all the reasons that have been expressed  
10 earlier tonight by counsel for the  
11 applicant and architect for the  
12 applicant, we echo our support for this  
13 project. I don't want to belabor the  
14 point, take a lot of your time, but I  
15 think everyone on the Board is very  
16 familiar with this site. I know I am.  
17 I go past it multiple times every day.  
18 It's clearly not a residential site.  
19 The zoning has not kept pace with the  
20 character of the surrounding properties,  
21 pretty much all high-rise.

22 I don't have a particular dog in  
23 this fight. I just care about this City  
24 and love the City and like to see the  
25 City prosper. You know Coral Gables has

122

1 become a very prominent and well-known,  
2 prestigious corporate address around the  
3 country. We have a lot of multi-  
4 national corporate residents in this  
5 town, and to continue to attract them,  
6 you need new office product.

7 Our properties are not commercial.  
8 I would support it even if they were  
9 commercial. I think that the request  
10 only does good things for the City, and  
11 I think that the proposed office use is  
12 not too intense for the site. It  
13 provides a very well-reasoned and  
14 balanced transition between the very  
15 intense commercial activity in the  
16 Central Business District and the less  
17 intense activity to the south in the  
18 residential district.

19 I think the office use -- if you're  
20 looking at a commercial use for this  
21 site, office is an excellent selection.  
22 You know, it's quite benign and clean.  
23 Pretty much in the evenings after six or  
24 seven o'clock, there's no activity going  
25 on in office space. Weekends, there's

123

1 no activity in the office space, as  
2 opposed to what you have at a commercial  
3 use over here. Parking requirements for  
4 the office are less intense than retail.

5 So I think, for those reasons, and  
6 for the reasons previously expressed, we  
7 support the application and we hope you  
8 do, too.

9 Questions? Thank you very much.

10 CHAIRMAN KORGE: Thank you.

11 MR. AIZENSTAT: Thank you.

12 MS. MENENDEZ: George Prendes.

13 CHAIRMAN KORGE: Please state your  
14 name and address for the record.

15 MR. PRENDES: My name is George  
16 Prendes. I hold offices at 7600 Red  
17 Road. I'm a property owner of various  
18 residential property in the Valencia  
19 block. I have familiarized myself with  
20 the project, and rather than standing  
21 here and talking about all the positive  
22 things that everyone else has spoke  
23 about, I'm all in agreement (sic) for  
24 the project. I think it's not only good  
25 for the City but it's good for the area.

124

1 Being the use that it's presently  
2 having, I think that this is a very good  
3 project, and I think that you should all  
4 consider approving the application.

5 Thank you.

6 CHAIRMAN KORGE: Any more?

7 MS. MENENDEZ: No more speakers.

8 CHAIRMAN KORGE: No more? Okay.

9 We'll close the public hearing portion  
10 and go to questions for the applicant.

11 MR. AIZENSTAT: Can I ask a  
12 question?

13 CHAIRMAN KORGE: And for the City,  
14 too, but why don't we start with the  
15 applicant?

16 MR. AIZENSTAT: On the bottom  
17 floor, what do you propose to do on the  
18 first floor of the property?

19 MR. VALENT: The ground floor is --  
20 The ground floor will also be office.  
21 The offices are split on two sides, on  
22 both sides of the lobby, so it will be  
23 office use.

24 MR. AIZENSTAT: So it will all be  
25 office?

125

1 MS. RUSSO: And there's no retail  
2 use.  
3 MR. AIZENSTAT: So there's no  
4 retail, there's not going to be any  
5 restaurants, loud noise?  
6 MS. RUSSO: No restaurant, no  
7 retail use.  
8 MR. VALENT: No.  
9 MS. RUSSO: Strictly office.  
10 MR. AIZENSTAT: For the neighbors  
11 or anything like that?  
12 MR. VALENT: Not at all.  
13 CHAIRMAN KORGE: Somebody needs to  
14 explain to me, because I'm still  
15 confused about the height limits  
16 surrounding the property. Looking at --  
17 I see, from your presentation, the paper  
18 presentation, I see it's on Block Number  
19 6, I guess, and I'm having trouble  
20 figuring out, what are the -- Putting  
21 aside this particular project, all  
22 around it there are height limitations.  
23 What are they?  
24 MR. CARLSON: Can I walk you  
25 through them?

126

1 CHAIRMAN KORGE: I would appreciate  
2 that very much.  
3 MR. CARLSON: All right.  
4 Currently, the subject property, as  
5 a low-rise commercial site, would be  
6 allowed four to six stories, up to 77  
7 feet.  
8 CHAIRMAN KORGE: Do this for me.  
9 MR. CARLSON: Okay.  
10 CHAIRMAN KORGE: Just --  
11 MR. CARLSON: I just started --  
12 CHAIRMAN KORGE: Biltmore Way, you  
13 know -- Start from Biltmore Way and work  
14 your way south --  
15 MR. CARLSON: Okay.  
16 CHAIRMAN KORGE: -- so I understand  
17 what all these colors mean.  
18 MR. CARLSON: Okay. On Biltmore  
19 Way to the north, which is the church  
20 property, that also has a commercial  
21 low-rise intensity land use designation.  
22 That allows four to six stories, six  
23 stories with Mediterranean bonuses, up  
24 to 77 feet. As I said, the subject  
25 property is the same. You go to the

127

1 west of the property, that is  
2 residential use, multi-family,  
3 medium-density. Okay, that's a medium  
4 density. It's an MFSA zoning  
5 designation, and because it's adjacent  
6 to low-rise -- or excuse me, low-  
7 density, which is across the street to  
8 the south, that's limited to 60 feet in  
9 height.  
10 So the brown properties all along  
11 the north side of Valencia, from the  
12 subject property all the way to Hernando  
13 Street, that's allowed to go to 60 feet.  
14 MS. RUSSO: But for the fact that  
15 it's already developed with the Laroc,  
16 and you have --  
17 MR. AIZENSTAT: Yes, what's there?  
18 MS. RUSSO: In other words, that's  
19 at 150, so -- and the Laroc being a  
20 condominium, not a single-owned  
21 apartment building, in order for a  
22 condominium to be terminated, you would  
23 need every single owner in there to  
24 agree, and then that building could be  
25 taken down.

128

1 So the fact that the height  
2 limitation is 60, it --  
3 CHAIRMAN KORGE: I know where the  
4 Laroc is, but where exactly is the Laroc  
5 in relation --  
6 MS. RUSSO: The Laroc is -- the  
7 only thing separating our project from  
8 the Laroc is the City's surface parking  
9 lot.  
10 (Thereupon, Mr. Coe left.)  
11 MR. CARLSON: And so if the City's  
12 surface parking lot were to be  
13 developed, it would have to -- it would  
14 be limited to 60 feet. If anything else  
15 on the north side of Valencia Avenue was  
16 to be developed, it could only go to 60  
17 feet.  
18 Across the street -- again, heading  
19 south, across the street on the south  
20 side of Valencia, that's low-density  
21 multi-family.  
22 MR. AIZENSTAT: That's the light  
23 beige?  
24 MR. CARLSON: That's the light  
25 beige, and because it's adjacent to

129

1 single-family, it's limited to 35 feet  
2 in height.

3 MR. AIZENSTAT: Well --

4 MR. CARLSON: So on the south side  
5 of Valencia -- In the MFSA district,  
6 when an MFSA district abuts a  
7 single-family or duplex-zoned property,  
8 it's limited in height to 35 feet, and  
9 this all along here abuts those zoning  
10 districts, so on the south side of  
11 Valencia, the highest you can go is 35  
12 feet.

13 On the north side of Valencia, the  
14 highest you can go is 60 feet, and then  
15 when you go south of -- actually, onto  
16 Almeria Street, which is south of the  
17 low-density, that's single-family and  
18 that's subject to the single-family  
19 development provisions.

20 So what you have is the existing  
21 church at 77 --

22 MS. RUSSO: But now go west,  
23 because west of the existing church you  
24 have high-rise at 150, with bonuses to  
25 190.

130

1 MR. CARLSON: But we're going  
2 around the southern side.

3 MS. RUSSO: Take the existing  
4 church site and go west.

5 MR. CARLSON: But as you asked,  
6 going south from Biltmore, it's 77 for  
7 the church site, it's 77 for the subject  
8 site, it's 60 for the north side of  
9 Valencia, it's 35 on the south side of  
10 Valencia, and then it's the  
11 single-family south of there --

12 MS. RUSSO: Which is 29.

13 MR. CARLSON: -- which is 29.

14 CHAIRMAN KORGE: So why is -- If  
15 everything surrounding it to the north  
16 and west is 60 feet or higher, why would  
17 we impose a 35-foot requirement right on  
18 LeJeune, across the street from the  
19 35-foot -- or what size -- what height  
20 requirement are we setting there? You  
21 want to set what height requirement --  
22 the City, the Staff, wants to set it at  
23 what height?

24 MR. AIZENSTAT: 77.

25 MR. CARLSON: We want -- our

131

1 recommendation is the same height as  
2 what the church is, which has the same  
3 land use designation. The church can go  
4 four to six, 77 feet. That's the same  
5 land use designation which the subject  
6 property has, and we're recommending the  
7 same height.

8 CHAIRMAN KORGE: So, Ms. Russo, why  
9 should that be higher than everything  
10 else around it?

11 MS. RUSSO: Because even though  
12 Mr. Carlson keeps telling you that to  
13 the west of the subject property is 60  
14 feet, I'm telling you, that's on a map  
15 without looking -- if you go right  
16 outside and you look --

17 CHAIRMAN KORGE: I understand.

18 MS. RUSSO: -- the reality is that  
19 that development pattern is -- is --

20 MR. AIZENSTAT: There.

21 MS. RUSSO: -- is there. The  
22 precedent has been set. When the Laroc  
23 was built in the '80s, it was determined  
24 that this whole corridor on the north  
25 side of Valencia was high-rise.

132

1 So whether we even discuss it going  
2 to the west of Hernando, I'm taking --  
3 my position is that our block is a  
4 unique block. If you just look at Block  
5 6, you start out with the fact that you  
6 have the church property at 77. You go  
7 west and you have high-rise, potentially  
8 up to 190, and you have the proper  
9 frontage there. You go south and you  
10 already have 130 -- I mean, a 150-foot  
11 high-rise and then you have a surface  
12 commercial parking lot, and so we're  
13 saying 10 stories is a transition, and  
14 what makes it particularly different  
15 from the south is the fact that we're on  
16 LeJeune and we're commercial, and  
17 LeJeune is not that wide. LeJeune is  
18 only a 60-foot right-of-way, and then  
19 immediately east of us we have the  
20 potential, which is already under  
21 consideration, of Publix going 16  
22 stories as-of-right on their site, and  
23 to the south, Mr. Davidson's building,  
24 which is a 13-story, 150 -- a  
25 150-foot-high building.

133

1 MR. RIEL: Mr. Chair --  
 2 MS. RUSSO: So, you know, even  
 3 though our category that we're asking  
 4 for is a hundred -- I mean, is  
 5 high-rise, our site plan request  
 6 specifically is limiting us to 10  
 7 stories, which is -- you know, the  
 8 problem here is, the City has a mid  
 9 range that is only six to eight, so  
 10 anything above eight to 16 automatically  
 11 is considered high-rise. So our request  
 12 is for 10 stories and 117 feet.  
 13 MR. AIZENSTAT: Your 10 stories  
 14 includes your bonuses?  
 15 MS. RUSSO: 10 stories, using all  
 16 bonuses. I mean, you know, it's 10  
 17 stories, 117 feet.  
 18 MR. AIZENSTAT: Tops?  
 19 MS. RUSSO: Tops.  
 20 MR. SALMAN: Six, period, end of  
 21 story.  
 22 MR. VALENT: Top, maximum.  
 23 MS. RUSSO: Maximum.  
 24 MR. SALMAN: Six, period, end of  
 25 story. Never again, no more than 117.

134

1 MR. VALENT: No more.  
 2 MS. RUSSO: Excuse me?  
 3 MR. SALMAN: No more than 117?  
 4 MS. RUSSO: No more than 117.  
 5 MR. SALMAN: Except for your  
 6 parapets and other stuff.  
 7 MR. VALENT: Yes. That is our  
 8 finished roof slab height.  
 9 MR. RIEL: Mr. Chair, I just want  
 10 to remind the Board, if you recall, we  
 11 did an MFSA study, which included Bird,  
 12 Biltmore Way, Segovia. That area was  
 13 designated as a transitional zone. When  
 14 we went back and redid the Zoning  
 15 Code -- that was in advance of the  
 16 Zoning Code. The intent was to  
 17 transition off of Biltmore Way, as you  
 18 go back off of Biltmore Way, to  
 19 transition down to single-family.  
 20 Staff is of the opinion that  
 21 LeJeune Road is the dividing line.  
 22 Although, you know, the applicant  
 23 indicates that Laroc is down the street,  
 24 that's kind of an anomaly. That was  
 25 developed under the site-specific

135

1 standards --  
 2 MR. AIZENSTAT: But it's there.  
 3 MR. RIEL: -- in the early '80s.  
 4 MS. RUSSO: And to the west.  
 5 MR. RIEL: I understand that, but  
 6 it was developed in the early '80s,  
 7 under site-specific, which allowed 13  
 8 stories. But also note, the Laroc is  
 9 also set back. It's not, you know, 10  
 10 foot from the road, as well, so -- I  
 11 mean, when we did the MFSA and the  
 12 transition zone, we realized the Laroc  
 13 was there. It's been there 25 years.  
 14 It's not going to go anywhere. We  
 15 understand that. And that was taken  
 16 into consideration when we looked at the  
 17 MFSA zoning district.  
 18 MS. RUSSO: But that whole  
 19 corridor -- I mean, just to -- you know,  
 20 again, respectfully, we disagree, but if  
 21 I take the corridor, he says Laroc, and  
 22 then I continue, my father lived in the  
 23 600 Biltmore Way, and that was the whole  
 24 block. I mean, 600 Biltmore Way is 13  
 25 stories before Mediterranean, but it

136

1 also was the whole block north of  
 2 Valencia. It wasn't just, you know, the  
 3 south half on the Biltmore side. It was  
 4 the whole block, and if you continue  
 5 going west, that pattern goes on. Then  
 6 you have the David William.  
 7 So what I'm saying is, I think the  
 8 development pattern is already  
 9 established. The precedent is there,  
 10 and on this block, more than anything,  
 11 it's more evident. It's right there  
 12 next to us. And it's on a calmer part  
 13 of the block. I mean, if anything, you  
 14 would think the more intense use and the  
 15 intense height should be on LeJeune,  
 16 where you have 40,000 cars going by  
 17 daily, not on Hernando, where you have,  
 18 you know, much less traffic.  
 19 CHAIRMAN KORGE: Well, that implies  
 20 that where the church property is  
 21 located, putting aside historical  
 22 considerations, that would end up at a  
 23 similar height at some point.  
 24 MR. AIZENSTAT: It could.  
 25 MS. RUSSO: It could.

137

1 MR. AIZENSTAT: Yeah.  
 2 MS. RUSSO: I mean, the request  
 3 would have to come before you. It  
 4 wouldn't be an automatic thing. The  
 5 request would have to come before you.  
 6 MR. AIZENSTAT: The way I look --  
 7 MS. RUSSO: And I think that  
 8 depends on what, you know, are the  
 9 ultimate plans -- what the ultimate  
 10 plans are for the church. Whether or  
 11 not there's historic designation, I  
 12 mean, I think, you know, like all  
 13 things, you have to take it, you know,  
 14 on its own merits, when and if that  
 15 comes before you. It may never come  
 16 before you, because, you know, the  
 17 church may embrace the historic  
 18 designation. The church may not.  
 19 MS. MORENO: Ms. Russo, I was on  
 20 this Board when this area came before  
 21 us, on an emergency basis, because of  
 22 the concern of the neighborhood of  
 23 overdevelopment, and the MFSA was  
 24 adopted as a response to the fact that  
 25 the buildings that were there were

138

1 high-rises, the David William and the  
 2 600 and the Laroc and all of those.  
 3 The intent at that point was to  
 4 provide incentives by creating the  
 5 townhouse area and all of that, to avoid  
 6 further development of this area, and  
 7 this project goes against all of that,  
 8 in addition to which it's not  
 9 residential. It's commercial.  
 10 MS. RUSSO: But I think --  
 11 MR. AIZENSTAT: But --  
 12 MS. MORENO: Everything west of  
 13 LeJeune is residential.  
 14 MS. RUSSO: Yeah, but this was  
 15 already -- in other words, the  
 16 request -- this property already has a  
 17 commercial land use designation that  
 18 some Board, you know, one of your  
 19 predecessors, made a determination that  
 20 that was the appropriate land use for  
 21 the site. We did not make that request.  
 22 So, already having the land use  
 23 designation of commercial, which makes  
 24 this an unusual block and I think very  
 25 different -- I understand exactly what

139

1 you're saying, as you proceed further  
 2 west. I think it's an entirely, you  
 3 know, different situation when you're on  
 4 LeJeune Road and you already have a  
 5 commercial --  
 6 MS. MORENO: There's not a single  
 7 commercial building on LeJeune Road  
 8 except for the Jaycee building at the  
 9 corner of University and the 401 Miracle  
 10 Mile building. That's it. Everything  
 11 else -- that little strip of Biltmore  
 12 Way that has some stores. Everything  
 13 else is residential, either duplex or  
 14 small apartment buildings. There's  
 15 nothing commercial west of LeJeune Road.  
 16 You would be creating --  
 17 MS. RUSSO: Until you go south.  
 18 South of Bird Road, there is.  
 19 MS. MORENO: South of Bird Road is  
 20 different. This has been, historically,  
 21 the Coral Gables residential district.  
 22 I love your project. I can't support it  
 23 where it is.  
 24 MR. AIZENSTAT: See, I feel the  
 25 opposite. I feel that as a commercial,

140

1 as what it is, I think it would be  
 2 better twofold, and one is, we wouldn't  
 3 have the traffic that the residential  
 4 would bring. If you look at today's  
 5 environment and what's going on, I don't  
 6 know if I would support another  
 7 residential project there. There's so  
 8 many residential projects. By one  
 9 token, they're not doing -- One of my  
 10 concerns would have been actually if  
 11 they're doing commercial, if they're  
 12 doing restaurants or bars or anything  
 13 down below that might impact --  
 14 MR. RIEL: But understand, if the  
 15 applicant gets approval of the site plan  
 16 and has commercial zoning and they  
 17 decide to put a restaurant in and they  
 18 meet the parking requirements, they will  
 19 be approved for a restaurant.  
 20 MR. AIZENSTAT: That might be  
 21 something --  
 22 MR. RIEL: And there are a whole  
 23 host of other commercial uses that are  
 24 intense.  
 25 MS. RUSSO: I can proffer no

141

1 restaurant, no retail, and that could be  
2 a condition that we would put in the  
3 declaration of restrictive covenant.

4 MR. AIZENSTAT: And to me, with  
5 traffic, if they've done -- I don't know  
6 the traffic. If they have done their  
7 traffic and the City is satisfied with  
8 their traffic -- unfortunately, we don't  
9 have the City Staff here from Traffic to  
10 talk about it, but if they have done  
11 their traffic to where the City is  
12 satisfied, and I've got a commercial  
13 area to where I don't have traffic at  
14 night there, I don't have traffic on the  
15 weekends, meaning it brings in more  
16 traffic, I'm okay with the City's  
17 recommendation to make it commercial.  
18 It makes sense to me.

19 As far as the building itself, I  
20 think what you physically see there is  
21 totally different than what I'm looking  
22 at on paper, and if I look at it that  
23 way, it makes sense to me. It's stepped  
24 back. I see the buffers. I see the  
25 buffer zone as Valencia and not, quote,

142

1 unquote, what would have been that alley  
2 between the properties. I mean, that --  
3 I'm sorry, you know, that's the way I  
4 feel.

5 MR. SALMAN: The Biltmore Way  
6 corridor -- correct me if I'm wrong --  
7 was always intended to be a high-rise  
8 corridor.

9 MR. RIEL: Yes.

10 MR. SALMAN: I mean, from Day One.

11 MR. RIEL: Yes.

12 MR. SALMAN: From the day Merrick  
13 laid it out.

14 MR. RIEL: It dates back to 1929,  
15 yes.

16 MR. SALMAN: Exactly.

17 MR. RIEL: Because we did the  
18 analysis as part of the MFSA.

19 CHAIRMAN KORGE: I'm sorry, which  
20 corridor are you saying?

21 MR. RIEL: The Biltmore Way.

22 MR. SALMAN: The whole Biltmore Way  
23 corridor. It was always --

24 MR. RIEL: It was changed. It was  
25 residential, though, at one time --

143

1 MR. SALMAN: Yeah.

2 MR. RIEL: -- but it still had the  
3 height of 190 feet. It switched to  
4 commercial.

5 MR. SALMAN: That's correct, and I  
6 just want to state that for the record.

7 Also, the MFSA issue was a reaction  
8 to the growth of housing on the north  
9 side of Valencia --

10 MR. RIEL: Correct.

11 MR. AIZENSTAT: Right.

12 MR. SALMAN: -- where we were going  
13 to be blocking a lot of people's views,  
14 and it was -- but they were building  
15 pretty much as-of-right in many  
16 respects, and what they had -- what they  
17 suffered was pretty much a downzoning of  
18 their situation because of this new --  
19 and I wasn't necessarily in agreement  
20 with the whole process, by the way.

21 You have a very unique property. I  
22 think you're abutting a much taller  
23 building already across the street,  
24 because the way the whole zoning is set  
25 up, instead of zoning across streets,

144

1 we're zoning back to back, and there's a  
2 whole series of issues that we can't fix  
3 because they're all underlying, but the  
4 reality is that this becomes the last  
5 possible place you're going to be able  
6 to build a high-rise, on that end of  
7 that corridor, from -- going south. I'm  
8 looking at going south. And you have  
9 two that would bracket the whole area  
10 around the City Hall, the one on the  
11 800 -- or, excuse me, the 401 --

12 MS. RUSSO: The 401.

13 MR. SALMAN: -- Building, which  
14 eventually will probably be redeveloped  
15 as it reaches its life cycle, and this  
16 site, and they are far enough away from  
17 the City Hall not to be a visual  
18 nuisance to them.

19 Likewise, I like the fact that  
20 you're not going to be putting any kind  
21 of intense retail use on the ground  
22 floor, so that it would be a quiet  
23 neighbor to the residents along  
24 Valencia.

25 The duplexes that are there, you

145

1 know, ladies and gentlemen, those were  
2 all built as pretty much land banks, I  
3 mean, a way to be able to pay for the  
4 taxes and eventually be developed for  
5 their intended use. Now their intended  
6 use has changed, because of the new  
7 MFSA, so they're sort of stuck there,  
8 into their relative density, but  
9 initially that was designed to be and  
10 intended to be of a higher density than  
11 what is currently allowed, and that's  
12 why you have the alleyway separating  
13 that from the single-family residential,  
14 and that was -- that was not a mistake.  
15 If you go to the next block, they're  
16 back to back.

17 MS. RUSSO: They're back to back.

18 MR. SALMAN: Okay. Again, that's  
19 not a mistake. There's underlying logic  
20 to the plan.

21 And you're right, this is a unique  
22 site, and I think that the request to  
23 repair the zoning to the higher -- to  
24 the high-rise intensity for the  
25 commercial is logical and one that I

146

1 would support.

2 So I don't see any reason why -- I  
3 don't think you're asking for anything  
4 that's not illogical (sic).

5 CHAIRMAN KORGE: Pat, would you --

6 MS. KEON: I would have to agree  
7 with Cristina. I think that LeJeune  
8 Road, in this community, for -- I've  
9 lived here for 35 years. I'm going to  
10 tell you, for those 35 years and for a  
11 very long time, LeJeune Road is the  
12 bright line between the commercial  
13 development and the residential  
14 community, and despite that you may have  
15 that development along Biltmore Way and  
16 you have that -- but it's limited to  
17 Biltmore Way. It doesn't -- most of it  
18 is a half of a block. This is not  
19 Biltmore Way. This is Andalusia and  
20 Valencia. It's not Biltmore Way.

21 I think that you have some  
22 protection for this residential area by  
23 having that whole corner done as  
24 low-rise, and it does step back, so you  
25 don't have canyons, and you don't have

147

1 that sense going down LeJeune, you don't  
2 have that sense coming up Biltmore Way.  
3 It does gradually go up high and then it  
4 comes back down again, which is an  
5 entirely different look than if you sat  
6 at that height all along.

7 So I would have to strongly agree  
8 with the argument that Cristina has  
9 proffered and could not support this --  
10 that height at this place, although it's  
11 a beautiful building. It's a beautiful  
12 building, and you deserve all the credit  
13 in the world for your design capability,  
14 because it's beautiful. I really think  
15 we have a very ominous obligation to  
16 ensure that we protect the residential  
17 community that exists here west of  
18 LeJeune Road.

19 CHAIRMAN KORGE: Are you saying  
20 that you're opposed to even the Land Use  
21 Plan change proposed by the Staff?

22 MS. MORENO: I am. I would propose  
23 changing the Comprehensive Land Use Plan  
24 to residential.

25 MS. KEON: I mean, I would even --

148

1 MS. MORENO: The MFSA.

2 MS. KEON: Right. I mean, I --  
3 that would be my preference, but to  
4 leave it as low density, so then I know  
5 it's no more than four stories or  
6 whatever. I could live with that and I  
7 could support that, which is --

8 CHAIRMAN KORGE: Is it four  
9 stories?

10 MS. RUSSO: It's four stories and  
11 up to 77 feet with bonuses.

12 MS. KEON: I mean, I could live  
13 with what's there, knowing that that is  
14 also the designation of the church, so  
15 if the church ever sells, that will  
16 remain that, also, so you have that  
17 gradual tapering from that four or five  
18 stories, whatever, back into where then  
19 it does go up, it undulates and it comes  
20 back down as it goes into the  
21 residential neighborhoods, and the fact  
22 that Laroc is there, you know, one  
23 mistake does not make for another.

24 MR. SALMAN: If this project were  
25 to be casting shadows on single-family

149

1 residences, I would suggest that you  
2 might have a stronger point, but  
3 honestly, your concern with regards to  
4 canyons is not going to happen here.  
5 MS. MORENO: You start with this  
6 one, and the next thing, we're going to  
7 get --  
8 MS. KEON: The church will go next,  
9 and it will keep going.  
10 MS. MORENO: And it will keep on  
11 going, all down LeJeune. "We're across  
12 the street from commercial, there's  
13 already precedents." You know, it will  
14 be commercial buildings from Coral Way  
15 to Bird Road, all along LeJeune.  
16 MR. AIZENSTAT: Well, I see -- I'm  
17 sorry.  
18 CHAIRMAN KORGE: I'm a little  
19 concerned. I mean, we -- I have a  
20 strong recollection of that whole  
21 moratorium area --  
22 MS. MORENO: Uh-huh.  
23 CHAIRMAN KORGE: -- and we went  
24 through this in excruciating detail.  
25 There were compromises --

150

1 MS. MORENO: Yeah, people crying  
2 and people fighting here.  
3 CHAIRMAN KORGE: It was pretty  
4 contentious, but compromises were made,  
5 and I don't know, I mean, just undoing  
6 that, even if it seems logical -- I  
7 mean, it doesn't sound like it's, you  
8 know, out in left field somewhere, and  
9 the design is superb, I mean, there's no  
10 question about that. I don't know. I  
11 mean, just undoing that political  
12 compromise, I don't know that's a wise  
13 thing to do, I mean, and I don't think  
14 that the owner should be surprised. You  
15 know, this wasn't something that  
16 happened 30 years ago. It was highly  
17 contentious. It slowed down the Zoning  
18 Code rewrite, because we had to address  
19 that before we could finish up the  
20 rewrite. I mean, I -- you know, in a  
21 perfect world, maybe it should have been  
22 designated for a higher rise commercial  
23 use, but that wasn't the compromise. I  
24 don't --  
25 MR. SALMAN: This is a boundary

151

1 property for that area, for that  
2 designated area.  
3 CHAIRMAN KORGE: Well, the whole  
4 issue was that boundary area in there.  
5 MS. MORENO: Yeah, right, that was  
6 the issue.  
7 CHAIRMAN KORGE: I mean, those were  
8 the issues.  
9 MS. MORENO: And the result was  
10 that MFSA area. That was the result of  
11 all that brouhaha that we had here.  
12 MR. SALMAN: It was a brouhaha. It  
13 was silly.  
14  
15 MR. AIZENSTAT: You see, to me,  
16 everything which I read from the  
17 objections is noise and traffic. By  
18 going commercial, I think you're helping  
19 that out, with this specific property.  
20 CHAIRMAN KORGE: Well, I don't  
21 think changing to conform to the  
22 Comprehensive Land Use Plan as  
23 low-intensity or low-density  
24 commercial does any violence to the --  
25 what we did in the moratorium area,

152

1 because that was there in the moratorium  
2 area when we made all those other  
3 changes to the MFSA. So conforming to  
4 the Comprehensive Land Use Plan doesn't  
5 concern me, but changing the  
6 Comprehensive Land Use Plan now to a  
7 higher intensity of use, I mean, I don't  
8 know that I'm prepared to do that at  
9 this time, myself.  
10 MR. AIZENSTAT: Let me ask you a  
11 question, Eric. One of the Board  
12 members had to leave, and we're also  
13 missing, obviously, Robert, who had to  
14 recuse himself. How does that affect  
15 the vote or --  
16 MR. RIEL: Well, it depends on how  
17 you vote.  
18 MR. AIZENSTAT: No, no, no, I don't  
19 mean by that. What I'm saying is --  
20 MR. SALMAN: But they would have a  
21 right to appeal, won't they?  
22 MR. RIEL: Well, if you go -- if  
23 you go for -- you need to have four  
24 votes for a recommendation, whatever  
25 that motion may be. So, for instance,



153

1 if you have two-three or three-two, it  
2 goes forward with a no recommendation,  
3 with the indication that three  
4 parties --  
5 CHAIRMAN KORGE: However I vote,  
6 it's going to be no recommendation.  
7 That's clear already, right? I mean --  
8 MR. AIZENSTAT: Right. That's why  
9 I'm saying -- because from what I'm  
10 hearing, I mean, you're already  
11 missing --  
12 MS. KEON: Two.  
13 CHAIRMAN KORGE: So, I mean,  
14 getting to the point that you're driving  
15 to --  
16 MS. RUSSO: But it could be  
17 three-three. It could be a three-three,  
18 which would still go --  
19 MR. RIEL: That option goes to the  
20 applicant. If they want to postpone  
21 their request until the next meeting,  
22 they can certainly do that. That's up  
23 to them.  
24 CHAIRMAN KORGE: And I'm not sure  
25 that how we vote really is going to

154

1 make it --  
2 MS. RUSSO: We'll move forward,  
3 only because, you know, with the next --  
4 with the missing Board member, you could  
5 still end up with the three-three or  
6 four-two, but, you know, either way, we  
7 prefer to move forward.  
8 CHAIRMAN KORGE: Move forward?  
9 MS. RUSSO: Please.  
10 CHAIRMAN KORGE: So, if there's no  
11 further discussion, what we should do, I  
12 guess, is first take the proposal of the  
13 Comprehensive Land Use Plan change, and  
14 take a motion one way or another on  
15 that, which would be, I guess, the  
16 applicant --  
17 MR. SALMAN: Well, actually, we  
18 need four votes --  
19 MS. KEON: Yeah.  
20 MR. SALMAN: -- because there's two  
21 issues for two different bodies.  
22 MR. AIZENSTAT: You need two votes.  
23 MR. SALMAN: No, it's four votes.  
24 MS. RUSSO: I think you need to  
25 vote on three different things.

155

1 MS. KEON: Three different.  
2 MR. SALMAN: Correct, three.  
3 MR. RIEL: You need three motions.  
4 MR. SALMAN: But we are acting --  
5 CHAIRMAN KORGE: Well, first, we're  
6 a Local Planning Agency --  
7 MR. SALMAN: Local Planning Agency.  
8 MS. RUSSO: Right.  
9 MR. SALMAN: And then also Planning  
10 and Zoning.  
11 CHAIRMAN KORGE: For a change of  
12 land use from Commercial Use, Low-Rise  
13 Intensity, to Commercial Use, High-Rise  
14 Intensity. That's the request of the  
15 applicant.  
16 MS. MORENO: I move that we deny  
17 that request.  
18 CHAIRMAN KORGE: Is there a second  
19 for that motion?  
20 MS. KEON: I'll second.  
21 CHAIRMAN KORGE: Any discussion on  
22 that motion?  
23 Let's call the roll on that,  
24 please.  
25 MS. MENENDEZ: Eibi Aizenstat?

156

1 MR. AIZENSTAT: Okay, just to be  
2 clear, she voted to deny?  
3 MS. MORENO: Deny.  
4 CHAIRMAN KORGE: A motion to deny.  
5 MR. AIZENSTAT: So I like it, so I  
6 would vote --  
7 CHAIRMAN KORGE: No.  
8 MR. SALMAN: No.  
9 MR. AIZENSTAT: Right. Okay, I  
10 just wanted to be clear. Thank you.  
11 No.  
12 MS. MENENDEZ: Pat Keon?  
13 MS. KEON: Yes.  
14 MS. MENENDEZ: Cristina Moreno?  
15 MS. MORENO: Yes.  
16 MS. MENENDEZ: Javier Salman?  
17 MR. SALMAN: No.  
18 MS. MENENDEZ: Tom Korge?  
19 CHAIRMAN KORGE: Yes.  
20 Now we're convening as the Planning  
21 and Zoning Board for review of a change  
22 of zoning from MFSA to --  
23 MR. RIEL: Commercial.  
24 MS. RUSSO: Commercial.  
25 CHAIRMAN KORGE: -- Commercial.

157

1 Can we even do that with a denial  
2 of a --  
3 MR. RIEL: Yes.  
4 MS. RUSSO: Yes.  
5 MS. MORENO: Yes.  
6 MR. RIEL: Yes, you can. Staff is  
7 recommending you change the zoning to be  
8 consistent with the land use.  
9 MS. RUSSO: Staff is recommending  
10 approval of Number 2.  
11 MS. KEON: Yes.  
12 CHAIRMAN KORGE: Okay. Well,  
13 before we go down that road, how do you  
14 feel about that, changing it, now that  
15 it's just low-rise? Would you still  
16 prefer that?  
17 MR. SALMAN: You'd still want the  
18 commercial.  
19 MS. RUSSO: Well, yes, I would  
20 still like the inconsistency corrected.  
21 CHAIRMAN KORGE: You would like it  
22 to be consistent.  
23 MS. RUSSO: Absolutely.  
24 CHAIRMAN KORGE: Okay.  
25 MR. AIZENSTAT: I'd like to make a

158

1 motion that we move toward the Staff  
2 recommendation on that.  
3 MR. SALMAN: I'll second it.  
4 CHAIRMAN KORGE: Second. Any  
5 discussion on that?  
6 MS. KEON: Let me make sure. Will  
7 you clarify for me what this commercial  
8 is? This is low-rise?  
9 CHAIRMAN KORGE: It's low-rise.  
10 MS. KEON: Four-story, as is shown  
11 currently on the land use map that's in  
12 this?  
13 MS. MORENO: Yes.  
14 MR. RIEL: The height is regulated  
15 by the Commercial Low-Rise Intensity,  
16 which allows four floors --  
17 MS. KEON: Okay.  
18 MR. RIEL: -- up to six with  
19 Mediterranean bonuses, and the permitted  
20 height would be 77 feet, is a Commercial  
21 zoning.  
22 MS. MORENO: Eric, can't we request  
23 a change in land use to this  
24 Multi-Family Special area?  
25 MR. RIEL: You could certainly do

159

1 that.  
2 MS. MORENO: Okay. Now, should I  
3 have done that as the Local Planning  
4 Board before this?  
5 CHAIRMAN KORGE: Yes.  
6 MR. RIEL: Well, what's unique  
7 here, you have a change in land use.  
8 You had a motion for denial. It's  
9 three-two, so that's a no recommendation  
10 to go forward.  
11 If the Board wants to go in that  
12 direction of changing the land use from  
13 Commercial Low-Rise to another, I would  
14 suggest that motion be made now --  
15 MS. MORENO: Okay.  
16 MR. RIEL: -- before you act upon  
17 the zoning.  
18 MR. AIZENSTAT: Well, we have a  
19 motion and a second, so how do you --  
20 MR. RIEL: Right. You obviously  
21 need a motion and second, if that's the  
22 intent of the Board.  
23 CHAIRMAN KORGE: Well, I'm not  
24 going to change my vote on the first  
25 one, so if you still want to -- if you

160

1 want me to reopen the Local Planning  
2 Agency as a courtesy to you, I'll do  
3 that, if nobody objects, and we'll go  
4 vote, the way you want, but I'm not  
5 going to change my vote. I'm not going  
6 to --  
7 MR. AIZENSTAT: What?  
8 CHAIRMAN KORGE: Do you want to  
9 reopen the Local Planning Agency?  
10 MS. MORENO: I just want it to be  
11 clear that we're not forced to change it  
12 to commercial because the Land Use Plan  
13 says it's commercial. You also have the  
14 option of changing the Land Use Plan to  
15 Multi-Family Special Area.  
16 CHAIRMAN KORGE: I certainly  
17 understood that.  
18 MS. MORENO: Okay.  
19 CHAIRMAN KORGE: I presume  
20 everybody else did. So we have a motion  
21 for Item Number 2, the change of zoning  
22 from MPFA, Multi-Family Special Area, to  
23 C, Commercial, to correct the  
24 inconsistency, and there's a second for  
25 that motion. Is there any discussion on

161

1 that motion?  
 2 No discussion? We'll call the roll  
 3 on that, please.  
 4 MS. MENENDEZ: Cristina Moreno?  
 5 MS. MORENO: No. As I indicated, I  
 6 would prefer to change the Land Use  
 7 Plan.  
 8 MS. MENENDEZ: Javier Salman?  
 9 MR. SALMAN: Yes.  
 10 MS. MENENDEZ: Eibi Aizenstat?  
 11 MR. AIZENSTAT: Yes.  
 12 MS. MENENDEZ: Pat Keon?  
 13 MS. KEON: Yes.  
 14 MS. MENENDEZ: Tom Korge?  
 15 CHAIRMAN KORGE: Yes.  
 16 MR. RIEL: That goes forward as an  
 17 approval, four-one. So we need a motion  
 18 on the site plan.  
 19 CHAIRMAN KORGE: Pardon me?  
 20 MR. RIEL: We need a motion on the  
 21 site plan.  
 22 CHAIRMAN KORGE: Yes, on the site  
 23 plan review, which --  
 24 MS. MORENO: I make a motion to  
 25 deny the site plan review, consistent

162

1 with our refusal to change the  
 2 intensity, which I believe is a  
 3 prerequisite.  
 4 MR. AIZENSTAT: Right.  
 5 MR. RIEL: Yes, it is.  
 6 MS. KEON: I'll second it.  
 7 CHAIRMAN KORGE: There's a motion  
 8 and a second. Is there any discussion  
 9 on that?  
 10 No discussion? We'll call the  
 11 roll.  
 12 MS. MENENDEZ: Javier Salman?  
 13 MR. SALMAN: No.  
 14 MS. MENENDEZ: Eibi Aizenstat?  
 15 MR. AIZENSTAT: No.  
 16 MS. MENENDEZ: Pat Keon?  
 17 MS. KEON: Yes.  
 18 MS. MENENDEZ: Cristina Moreno?  
 19 MS. MORENO: Yes.  
 20 MS. MENENDEZ: Tom Korge?  
 21 CHAIRMAN KORGE: Yes.  
 22 MR. RIEL: That motion goes forward  
 23 with no recommendation, as well.  
 24 CHAIRMAN KORGE: Yes.  
 25 MS. RUSSO: Thank you.

163

1 MR. AIZENSTAT: Thank you.  
 2 CHAIRMAN KORGE: Are we done?  
 3 MR. RIEL: Just one quick -- I just  
 4 want to -- We prepared an attainable  
 5 housing summary. The Commission asked  
 6 us to try to get the word out. I just  
 7 gave you a copy. It's in front of you.  
 8 We have nothing else.  
 9 CHAIRMAN KORGE: The meeting is  
 10 adjourned.  
 11 (Thereupon, the meeting was  
 12 adjourned at 8:10 p.m.)  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

164

1 C E R T I F I C A T E  
 2  
 3 STATE OF FLORIDA:  
 4 SS.  
 5 COUNTY OF MIAMI-DADE:  
 6  
 7 I, JOAN L. BAILEY, Registered Diplomat  
 8 Reporter, Florida Professional Reporter, and a  
 9 Notary Public for the State of Florida at Large,  
 10 do hereby certify that I was authorized to and  
 11 did stenographically report the foregoing  
 12 proceedings and that the transcript is a true and  
 13 complete record of my stenographic notes.  
 14  
 15 I further certify that all witnesses  
 16 were duly sworn by me.  
 17  
 18 DATED this 20th day of August, 2008.  
 19  
 20  
 21  
 22 JOAN L. BAILEY, RDR, FPR  
 23 Notary Commission Number DD 64037  
 24 Expiration June 14, 2011.  
 25



August 13, 2008

City of Coral Gables - Planning Department  
Letters Received from Property Owners

Application No. 02-07-455-P – "2600 LeJeune Office Building (Change of Land Use, Rezoning and Site Plan Review)

	Date Received	Name and Address	Object	No Objection	Comments (Verbatim)
1.	08 13 08	Consuelo de Marchena 400 Valencia, Apt. # 5 Coral Gables, FL 33134		X	I think this building proposed will help to reduce our property taxes.
2.	08 13 08	430 Valencia LLC Jose Iglesias Coral Gables, FL 33134		X	We need more office space to support the retail on Miracle Mile which is suffering before all stores have to close down.
3.	08 13 08	Ivan Villalobos 400 Valencia Avenue, #4 Coral Gables, FL		X	This will bring great revenue to Coral Gables. This will also take away the eyesore that we have now. We need change in our economy!
4.	08 13 08	Daniel Jose Guerra 400 Valencia Avenue, Apt. # 7 Coral Gables, FL 33134		X	I am in favor of this new project for this location – this proposed building is compatible with the area since there is a much taller building to the west & surrounding. I think this building will be an asset to the City of Coral Gables & will help with our tax (unreadable).
5.	08 13 08	Rolando A. & Hilda B. Iglesias 525 Coral Way, # 304 Coral Gables, FL 33134		X	I am in favor of this project which sits in a very commercial corridor and is compatible with most of the heights of previously approved buildings to the west, we need help to lower our taxes and support the stores and restaurants before they all have to shut down.
6.	08 13 08	Alberto Manrara/ Maggie Manrara 511 Sevilla Coral Gables, FL	X		LeJeune Road is getting too overbuilt with high rises. Impact on traffic and quality of life.
7.	08 13 08	Ernest Limmiatis 845 S. Alhambra Circle Coral Gables, FL 33146		X	
8.	08 12 08	Iloi-Sang Yeung		X	Dear Members of the Planning Board,  I am the owner of several residential duplex properties along Le Jeune Road. I do not object to the proposed change in land use and change in zoning applications for the above referenced property.  I understand that the project is asking for 10 stories in height and believe this is appropriate especially because of its location on the very trafficked Le Jeune Road.  Sincerely, Iloi-Sang Yeung  I object because a tall building on that corner will increase traffic, spoil views, and spoil the feeling of community in the area.
9.	08 12 08	Barbara V. Hertz 441 Valencia Avenue, Apt. 1001 Coral Gables, FL 33134	X		
10.	08 12 08	Jaclyn Smith 441 Valencia Avenue, #Ph Coral Gables, FL 3334	X		- Obstruction of view to my unit. - Property devaluation because of obstruction of view. - Too large of a tower for such a classic "residential" area.
11.	08 12 08	Dora C. Venegas 441 Valencia Avenue, #402 Coral Gables, FL 33134	X		Too much noise and traffic.

August 13, 2008

City of Coral Gables - Planning Department  
Letters Received from Property Owners

Application No. 02-07-455-P – “2600 LeJeune Office Building (Change of Land Use, Rezoning and Site Plan Review)

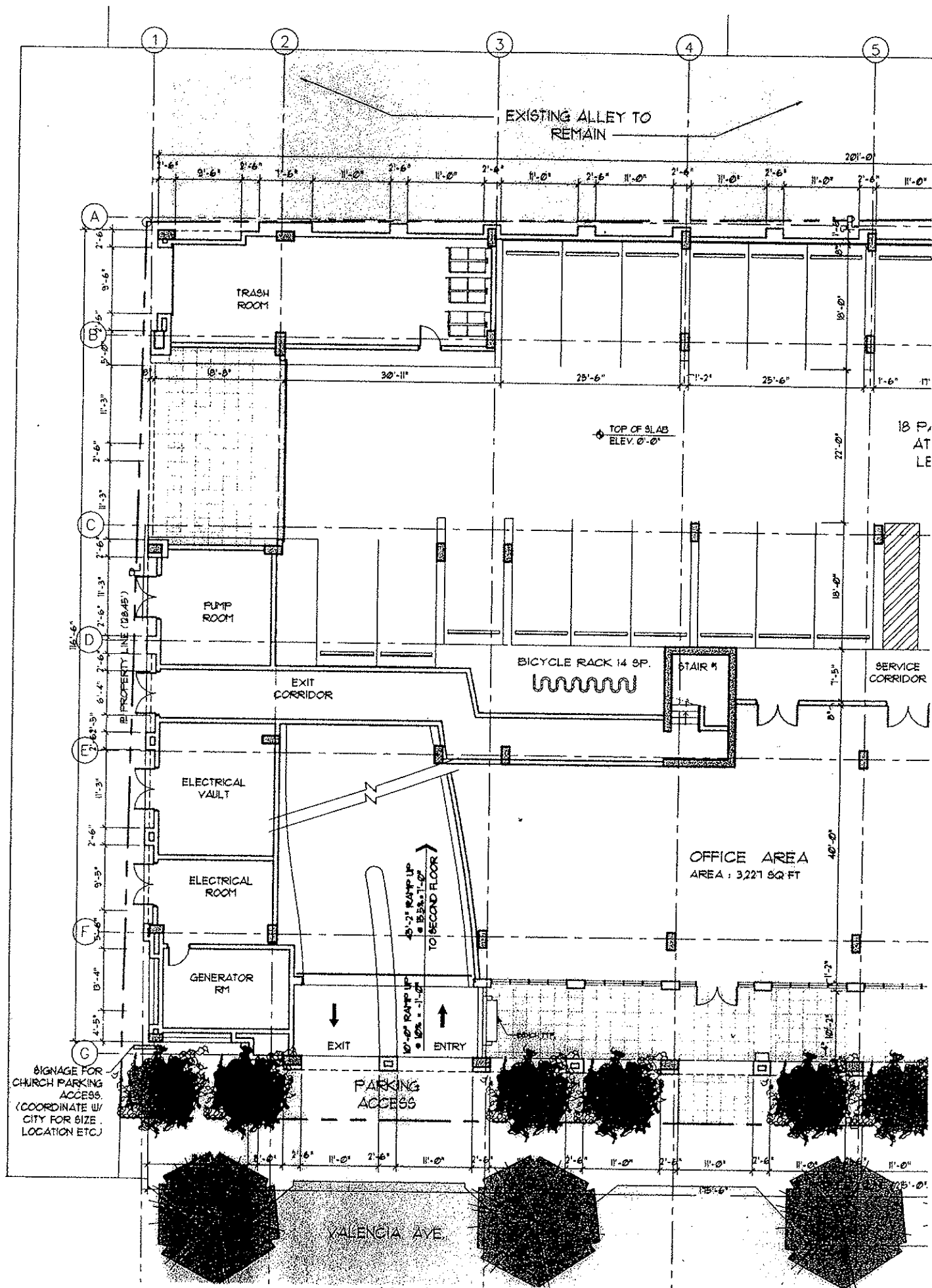
	Date Received	Name and Address	Object	No Objection	Comments (Verbatim)
12.	08 12 08	Frank Panebianco 441 Valencia Avenue, #1201 Coral Gables, FL 33134	X		I object because: 1. Must keep that area residential. 2. Increase in traffic. 3. Block view of owners of 441 Valencia East Side (I live on west side). 4. Devalue our property.
13.	08 12 08	Marta P. Manzarbelia 441 Valencia Avenue, #502 Coral Gables, FL 33134	X		Too much noise and traffic.
14.	08 12 08	Diana G. Lopez Ona 441 Valencia Avenue, Apt. 301 Coral Gables, FL 33134	X		I am worried parking, traffic and noise.
15.	08 12 08	Rogelio & Maria Cisneros 441 Valencia Avenue, #1002 Coral Gables, FL 33134	X		Too much noise & traffic & is going to block our view.
16.	08 12 08	Michiko Yazawa 441 Valencia Avenue, 901 Coral Gables, FL 33134	X		Obstruction of view and I don't want have more traffic.
17.	08 12 08	Adriana Moreno-Zarate 441 Valencia Avenue, Apt. 701 Coral Gables, FL 33134	X		- Obstruction of view to my unit - Property devaluation - Tower to large for our residential area
18.	08 12 08	Hilda R. Bocles 441 Valencia Avenue, #801 Coral Gables, FL 33134	X		My view will be very much affected – my property will be devaluated due to the rezoning to commercial from residential. – Traffic and noise will increase with very negative effects.
19.	08 12 08	Alberto C. Garcia-Tunon 441 Valencia Avenue, Apt. 601 Coral Gables, FL 33134	X		- The existing “concrete wall” in areas surrounding the proposed project (inc. the incomplete Bacardi Bldg) does not warrant additional construction in the neighborhood. - The “ten (10) story” height of the proposed commercial building, in excess of other buildings in the adjoining area, will seriously compromise the scenery facing CG City Hall. - The proposed building will seriously jeopardize <u>existing</u> traffic and parking problems in both side of LeJeune Avenue
20.	08 12 08	Marta Hernandez 9504 S.W. 89 Place Miami, FL 33176 Owner of: 441 Valencia Avenue, #501 Coral Gables, FL 33134	X		That side of LeJeune Road. Is all residential, such tall building for commercial purposes is going to depreciate our properties.
21.	08 12 08	Ivin J. Rand 441 Valencia Avenue, #603 Coral Gables, FL 33134	X		Too much noise and too much traffic.
22.	08 12 08	Cesar Badillo and Shayrin Badillo 400 Valencia Avenue, Unit 1 Coral Gables, FL 33134	X		I object to changing the zoning from MFSA to Commercial. I live directly across from the proposed project. This project is not at the same scale as the surrounding properties. Approving this change will reduce not only the value of my property but it will diminish our quality of life due to: increased traffic, noise & construction.

August 13, 2008

City of Coral Gables - Planning Department  
Letters Received from Property Owners

Application No. 02-07-455-P – “2600 LeJeune Office Building (Change of Land Use, Rezoning and Site Plan Review)

	Date Received	Name and Address	Object	No Objection	Comments (Verbatim)
23.	08 11 08	Manuel Berberian 436 Almeria Avenue Coral Gables, FL 33134	X		Too many commercial structures around a residential zone – STOP! This Mayor was elected to stop proliferation of hi rise buildings – what a treason!
24.	08 07 08	First Church of Christ, Scientist P.O. Box 140504 Coral Gables, FL 33114 Talbot W. Trammell Attorney and Agent for the Church 410 Andalusia Avenue Coral Gables, FL 33134		X	<p>The Church does not object to this application because it approves of the Church's parking area in the most recent Site Plan filed, a portion of which is attached hereto as Exhibit A; however, if, and only if, the portion of this most recent Site Plan which applies to the Church's parking area is not approved by the Board of Architects, this Board and the City Commission, the Church makes the following objection.</p> <p><b>Objection:</b> The Church objects to the Site Plan because it illegally puts the Church's entrance to its parking area on the valley and not on Valencia Avenue to be used jointly with Valencia Investors' users as required by the Grant of Easement that Valencia Investors (Valencia) gave the Church. A copy of the Grant of Easement was recorded in the Official Public Records of Miami-Dade County and is in the City's File on the “2600 LeJeune Office Building” application.</p> <p>Exhibit A is attached.</p>
25.	08 05 08	Ramon Fernandez Miriam Blanco 357 Almeria Avenue, # 505 Coral Gables, FL 33134	X		The City is becoming ugly & congested especially if you place a 10 story which will seem like a high rise in that lot which nothing should be taller than City Hall. The Building (Bacardi) seems Taller than Code?
26.	08 04 08	Robert B. Moorman 365 Miracle Mile Coral Gables, FL		X	Go ahead. We NEED more office buildings in Downtown. We need more high rises. Our crooks in City Hall need more payoffs. Brown needs more taxes – He's hungry & thirsty.
27.	08 04 08	Stanley S. Davidson 2655 LeJeune Road Suite 711 Coral Gables, FL 33134	X		<p>I object to the height – it ought to be in accordance with existing “Commercial Use, Low-rise Intensity”. The change would certainly be incompatible with the existing neighborhood and would create a precedent for requests for other incompatible changes.</p> <p>The owners are not deprived of anything since they acquired the property recently while being fully acquainted with existing zoning and its limitations.</p>





# **2600 LeJeune Office Building**

Change of Land Use, Rezoning  
and Site Plan Review

08.13.08 PZB Meeting

1

## **Request**

- The applicant is making three requests required for the proposed 2600 LeJeune Office Building, as follows:
  1. Change of land use from "Commercial Use, Low-Rise Intensity" to "Commercial Use, High-Rise Intensity".
  2. Change of zoning from "MFSA", Multi family Special Area to "C", Commercial.
  3. Site plan review of proposed 10 story / 117' high commercial office project.

08.13.08 PZB Meeting

2

- The change of land use is required to allow construction of a proposed 10 story high-rise commercial building.
- The change of zoning is necessary to correct the existing inconsistent residential zoning to be in compliance with the property's commercial land use designation.
- A site plan must be submitted for review with any rezoning application.

08.13.08 PZB Meeting

3

## Recommendation

- The Planning Department recommends denial of the change of land use and site plan for the proposed 10 story commercial office project.
- The Planning Department recommends approval of the change of zoning to correct the existing inconsistent residential zoning to be in compliance with the property's commercial land use designation.

08.13.08 PZB Meeting

4

## **Background**

- The property is located adjacent to the Church of Christian Scientist complex, which has been identified as a candidate for historic designation.
- Property is located within MFSA District boundaries.
- Two story apartment buildings and a surface parking lot currently occupy the property.
- The existing residential zoning is inconsistent with the property's commercial land use designation.

08.13.08 PZB Meeting

5

## **Basis of denial**

- As described in Staff's report, there are inconsistencies and incompatibilities with specific Comprehensive Plan objectives and policies which prompts Staff not to support the requested change in land use and site plan, that include the following concerns:
  - Incompatible land use with existing residential properties (lacks transition between uses).
  - Establishes precedent (high-rise within MFSA District).

08.13.08 PZB Meeting

6

- Inconsistent with City Hall setting (existing low-rise scale and historical character).
- Required traffic improvements (intersection of Hernando Street and Biltmore Way).
- Insufficient streetscape improvements (north side of Valencia Avenue).
- Historic preservation (adjacent church building and complex).

08.13.08 PZB Meeting

7

## **Change of zoning**

- The request for change of zoning satisfies Zoning Code standards for review:
  - Would correct existing inconsistent zoning designation.
  - Would provide for the redevelopment of an underdeveloped property.
  - Would promote and is consistent with some CLUP objectives and policies.

08.13.08 PZB Meeting

8

## **Change of land use**

- The request for change of land use does not satisfy Zoning Code standards for review:
  - Inconsistent with specific CLUP objectives and policies.
  - Incompatible with adjacent residential properties.
  - Insufficient streetscape and traffic improvements provided.
  - Would impact adjoining church complex and historic City Hall setting.

08.13.08 PZB Meeting

9

- It is Staff's recommendation that the property be developed according to the existing "Commercial Use, Low-Rise Intensity" land use designation allowing for a maximum 77'-0" building height, which is compatible with the surrounding properties and uses.

08.13.08 PZB Meeting

10

## **Findings of fact**

- Proposed project is not consistent with specific goals, objectives and policies of the City's Comprehensive Plan.
- Proposed project does not satisfy all Zoning Code standards for CLUP map amendments.
- Proposed height and massing of the project would have an adverse effect on adjacent residential properties and surrounding historic structures and their setting.

08.13.08 PZB Meeting

11

- Requested development bonuses could not be awarded if developed according to the property's current "MFSA" zoning designation.
- Required traffic improvements are identified that have not been addressed.
- The proposed change of zoning would correct an existing inconsistent zoning designation to be compatible with the property's current commercial land use designation.

08.13.08 PZB Meeting

12

## **Conditions of approval**

- The Planning Department recommends denial of the request for change of land use and the proposed site plan. However, an alternative recommendation and conditions of approval are included in Staff's report if the Board recommends approval of the applicant's development proposal.