

1 already been cast, can Robert come back in or
2 no still?
3 MR. COLLER: I don't want Robert to come
4 back in until -- because that means we're going
5 to call the next item, and we can't do a motion
6 for re-consideration, if that's the desire of
7 the Board, until we resolve this.
8 CHAIRMAN AIZENSTAT: Understood.
9 MR. WITHERS: I'll move to re-consider the
10 vote, if that's what you want to do.
11 MR. GARCIA-SERRA: Give me two minutes. It
12 might not be.
13 MR. WITHERS: Maybe we'll hold the second.
14 CHAIRMAN AIZENSTAT: Thank you, everybody,
15 for your patience. Feels like a game show.
16 MR. COLLER: You know, in Shark Tank, it's
17 not good to walk out of the room.
18 MR. SALMAN: No bueno.
19 MR. COLLER: Let me see if we can move this
20 along.
21 CHAIRMAN AIZENSTAT: All right. Mario.
22 MR. GARCIA-SERRA: We'll respect the wish
23 of the Board and go with a deferral.
24 CHAIRMAN AIZENSTAT: So you're going with a
25 deferral?

1 MR. GARCIA-SERRA: Correct. It's already
2 been approved.
3 MR. WITHERS: I will retract my motion to
4 re-consider.
5 MR. COLLER: Yeah.
6 CHAIRMAN AIZENSTAT: It was never second,
7 so we're good.
8 MR. COLLER: He withdrew it, so --
9 CHAIRMAN AIZENSTAT: Thank you very much.
10 MR. GARCIA-SERRA: See you later.
11 CHAIRMAN AIZENSTAT: Let's go ahead and
12 take a five-minute just to get Robert back in
13 and --
14 (Short recess taken.)
15 CHAIRMAN AIZENSTAT: All right. Let's go
16 ahead and get started please. I'd like to call
17 back the session.
18 MR. GRABIEL: Should we vote on allowing
19 Robert to come back or not?
20 MR. BEHAR: You don't have to. I can
21 leave.
22 CHAIRMAN AIZENSTAT: Let the record show,
23 please, that Robert Behar is back in the room.
24 MR. COLLER: I don't think they got us on
25 yet.

1 Now they do.
2 CHAIRMAN AIZENSTAT: Perfect. Since we're
3 live again, as I stated, let the record show
4 that Robert Behar is back in the room.
5 The next item -- we did E-6.
6 Jennifer, let me ask you a question. We're
7 on E-5, which is next, is a long item.
8 MS. GARCIA: Yes.
9 CHAIRMAN AIZENSTAT: We have the applicant
10 that's been waiting quite a while. What I'd
11 like to do, Mr. Navarro, if you're in
12 agreement, I would like to move you up,
13 because, if not, time-wise --
14 MR. NAVARRO: That would be great.
15 CHAIRMAN AIZENSTAT: And if the rest of the
16 Board is in agreement, I'd like to go ahead and
17 move Items E-7 through E-9 at this point.
18 MR. BEHAR: I'm okay with that.
19 CHAIRMAN AIZENSTAT: All right. Let's go
20 ahead. Mr. Attorney, if you could please read
21 Items E-7 through E-9 into the record.
22 MR. COLLER: Item E-7, a Resolution of the
23 City Commission of Coral Gables, Florida
24 granting Remote Parking Conditional Use
25 approval pursuant to Article 14, "Process",

1 Section 14-203, "Conditional Uses," for
2 proposed remote parking associated with a
3 mixed-use project referred to as "4241 Aurora"
4 on the property legally described as Lots 12
5 through 22, Block 6, Coral Gables Industrial
6 Section (4241 Aurora St), Coral Gables,
7 Florida; including required conditions;
8 providing for a repeater provision,
9 severability clause, and an effective date.
10 Item E-8, a Resolution of the City
11 Commission of Coral Gables, Florida approving
12 receipt of Transfer of Development Rights
13 (TDRs) pursuant to Zoning Code Article 14
14 "Process," Section 14-204.6, "Review and
15 approval of use of TDRs on receiver sites," for
16 the receipt and use of TDRs for a mixed-use
17 project referred to as "4241 Aurora" on the
18 property legally described as Lots 12 through
19 22, Block 6, Coral Gables Industrial Section
20 (4241 Aurora St), Coral Gables, Florida;
21 including required conditions; providing for a
22 repeater provision, severability clause, and an
23 effective date.
24 E-9, a Resolution of the City Commission of
25 Coral Gables, Florida approving Mixed-Use Site

1 Plan and Conditional Use review pursuant to
2 Zoning Code Article 14, "Process" Section
3 14-203, "Conditional Uses," for a proposed
4 mixed-use project referred to as "4241 Aurora"
5 on the property legally described as Lots 12
6 through 22, Block 6, Coral Gables Industrial
7 Section, Coral Gables, Florida; including
8 required conditions; providing for a repeater
9 provision, severability clause, and an
10 effective date.

11 Items E-7, E-8, E-9, public hearing.

12 CHAIRMAN AIZENSTAT: Thank you.

13 Mr. Navarro.

14 MR. NAVARRO: Thank you. Thank you,
15 Mr. Attorney.

16 Mr. Chair, Board Members, for the record,
17 my name is Jorge Navarro, with offices at 333
18 Southeast 2nd Avenue. I'm here this evening
19 joined by my clients, Mr. Eduardo Otaola and
20 Mr. Jose Boschetti, who have a long history
21 here in Coral Gables, both as residents and
22 business owners, and who have worked on many
23 projects in the City. I'm also joined by our
24 project architect, Ray Fort, from
25 Arquitectonica, and we're here to present a new

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1 and ground floor retail. One of the reasons I
2 wanted to bring this up is because, this
3 project was designed in the same way that many
4 of the other projects that have been developed
5 in this particular part of the City, in this
6 Commercial area, which is where you have a
7 building that is built and that goes from
8 property line to property line, which really
9 does not give you a lot of area to put open
10 space, and that uses the arcade in order to
11 meet your open space requirements, and that's
12 what's allowed today under your current Code.

13 I know that one of the earlier items, there
14 was an issue of the timing of the legislation.
15 We have come in, and we have changed the
16 development program to a more traditional
17 mixed-use project. We have 80 residential
18 units, we have office space, and we have ground
19 floor retail, but one of the things that you'll
20 see is, we also have a 5,000 square foot park,
21 that we've been able to accommodate, and we've
22 done that as a result of a series of workshops
23 and community outreach that we've had on this
24 project, over the last few months, and what
25 we've done is, we've re-designed this project,

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1 mixed-use project within your Merrick Park
2 neighborhood.

3 This property is approximately over a half
4 acre site, that's located directly across from
5 the Merrick Park Mall, across from Nordstrom,
6 in the heart of the City's Design and
7 Innovation District.

8 If we could put up the PowerPoint. Would
9 that be possible? Thank you.

10 This gives you an idea as to where the site
11 is. It is just north of San Lorenzo. There's
12 been many mixed-use projects that have been
13 approved in this area and that have been
14 developed, and this site is unique, in that it
15 is one of the last larger tracts and provides
16 an opportunity to kind of go against the
17 current of what has normally happened in this
18 area and deliver a different type of project,
19 that provides substantial public benefits, in
20 terms of reductions in density, but also
21 providing much needed open space, that we'll
22 get into.

23 As many of you may recall, this property
24 was approved a few years back for a hotel. It
25 had event space and meetings areas, restaurants

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1 in order to comply with what's being proposed
2 now as the City's Public Park Program, that
3 only applies to this area. I think it's very
4 important. And I know the earlier item had a
5 far reaching legislation that they're working
6 on. This is a Code change that only applies to
7 your Commercial District of Merrick Park, and I
8 wanted to get into that.

9 The Ordinance, essentially, is promoting
10 you to build less density and to provide open
11 space at the ground level. So just to give you
12 an idea, this is your Park's Master Plan. It's
13 the City's Community Recreational Master Plan.
14 And in this plan, if you could see, next to
15 Number 19 down there, this is an area of the
16 City -- and I know all of you have prior gone
17 shopping in Merrick Park or gone to dinner
18 there, there really is no open space. There's
19 no green space, with the exception of the
20 private areas within the mall, that are
21 designated for outdoor dining, with the closest
22 park being over a twenty-minute walk away,
23 because this is an area that is bounded by some
24 pretty major roadways.

25 You have Bird Road to the north, US-1 to

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1 the south, Le Jeune and Ponce as your east and
2 west boundaries. And this parks plan that was
3 done showed a significant need for park space
4 in this area. And prior to embarking on this
5 project, we had several neighborhood meetings,
6 and the things that we heard back from the
7 community at that time were, they wanted to see
8 primarily two things. First of all, reduce
9 density, and second of all, for us to find ways
10 to provide more ground level open space, so
11 people could walk their dogs, they could relax
12 outdoors, and they could have their children
13 play. And as Ray will show you shortly with our
14 site plan, this is exactly what we've been able
15 to accomplish, and we're very proud of it.

16 Under this legislation that we designed the
17 plan under, we've been able to reduce the
18 project density by over 50 percent. This
19 project originally contemplated 180 units, and
20 we are now proposing 80 units. So we've left
21 100 units on the table here. We've also been
22 able to free up the ground level, to provide
23 nine times the amount of ground level uncovered
24 open space than would normally be required
25 under this project. It's going to have shade

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1 trees, as Ray will say. It's going to have
2 world class art, seating areas, lush
3 landscaping, and we're very proud to say that
4 we will be building, hopefully, with your
5 support, the first public park in Merrick Park,
6 that we will deed over to the City, and this is
7 an example of the success that this legislation
8 could have.

9 So, with that, I'll let Ray walk you
10 through the site plan, and I'd like to reserve
11 two minutes for comment, if needed, after the
12 public comment portion, and our entire team is
13 here, obviously, to answer any questions after
14 the presentation.

15 Thank you.

16 CHAIRMAN AIZENSTAT: Thank you.

17 MR. FORT: Good evening. My name is Ray
18 Fort, with Arquitectonica, located at 2900 Oak
19 Avenue, Miami, Florida.

20 So what you're seeing here on the screen
21 right now is some context images, and we've
22 taken them from each corner, but essentially
23 what you have right now is an unimproved lot --

24 MR. COLLIER: Sir, you're going to need to
25 speak into the microphone. I know you're

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1 looking at that picture.

2 MR. FORT: Yeah. I wanted to point at that
3 while I was talking. I'll do my best to do
4 both here.

5 MR. COLLIER: Or maybe you can move the mike
6 a little bit and --

7 CHAIRMAN AIZENSTAT: Is there a portable
8 mike that he can use?

9 MR. PARDO: Here.

10 MR. WITHERS: Felix has it here.

11 CHAIRMAN AIZENSTAT: Next to the steaming
12 coffee.

13 MR. SALMAN: He's using it to stir the
14 coffee.

15 MR. COLLIER: Is this working? Yes.

16 MR. FORT: Okay. So I think we have
17 everything working -- can you hear me okay now
18 from this end? Okay. Great.

19 So it's an unimproved lot. It essentially
20 is a grass field today, surrounded by some
21 perimeter trees, and in the area, we have a
22 number of new developments that surround
23 Merrick Park, including residential buildings
24 that are actually attached to Merrick Park.
25 There are two lots in this view that are

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1 actually under construction, if not by now
2 completed and open to the public. So this is
3 becoming a residential district, that is
4 centered around a retail complex that
5 essentially is becoming kind of a textbook, you
6 know, urban neighborhood, that you have a
7 series of mixed uses, you've got tree lined
8 streets, you've got a retail center that
9 anchors everything together, and apartments
10 that sit over shops, and there are office
11 buildings that are nearby, and there's another
12 one coming along Ponce, as well, that at this
13 point is underway, so it's all shaping up, and
14 it's near transit. So we have a good mixed-use
15 neighborhood. And as Jorge pointed out, there
16 is a lack of green space, and the current space
17 almost functions like a green space to the
18 surrounding neighborhood, as it currently
19 stands.

20 So this is actually a massing of the
21 proposed project, and it fits very well with
22 the context of the other buildings in the area.
23 As you can see, it's the -- oh, no -- let's
24 see, it's the -- it's the gray building that
25 you see here, this is Merrick Park. This is an

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1 office building. These lots now have
2 residential buildings that are completed, but
3 they're of the same scale of this residential
4 building you can see in the lower right-hand
5 image.

6 So what would be currently allowed is a
7 120-foot tall building, that you see at the top
8 of the screen, and we are proposing to add one
9 level, and compress the building, to
10 accommodate a park space to the south side,
11 along San Lorenzo. San Lorenzo also, I'll
12 point out, is the entry street to Merrick Park.
13 So -- excuse me. This is just a little bit
14 cumbersome.

15 So we have San Lorenzo to the south, and
16 this is one of the streets that actually
17 crosses through Merrick Park, and we felt that
18 that was the right location to have this
19 gateway entrance into the park -- into Merrick
20 Park, and have that green space anchor that
21 corner.

22 So, just for clarification, the green line
23 that outlines the proposed Code, in the lower
24 portion of the screen, is the outline of the
25 current Code. So you can see the difference

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1 very clearly on what's overlaid. So, one more
2 time, this green line is just an outline of the
3 current Code image, on the upper portion of the
4 page, and red hash shows what that could have
5 been under the current code.

6 So, with that said, it's about 4,922 square
7 feet of open space to the south side, and we
8 have an arcade that carries across along Aurora
9 Street, that terminates in the residential
10 lobby, which is in green on the left-hand side
11 of the image. The retail is highlighted in
12 pink, and we have a small office lobby to the
13 east side of the page, the south side of the
14 park, and we're proposing all of the back of
15 house along the alley.

16 It should be noted that the garage is lined
17 along the southern side, the park facing side,
18 so that we have a couple of levels of office
19 there. So that, from the park, you have
20 activated uses.

21 The typical residential levels, generally
22 low density per floor, only about ten units a
23 floor, and we've compressed the floor plate,
24 that otherwise would have been allowed the
25 120-foot height mark. The rooftop is comprised

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1 of amenities. So we have interior amenities,
2 exterior amenities and plenty of outdoor space
3 for a building of this type.

4 And this a section of the project. Three
5 levels of parking that are lined by two levels
6 of office, because the office floor to floor
7 heights are taller, and instead of having the
8 transition floor on Level 5 be amenities, we
9 thought it was more interesting to have them at
10 the rooftop level, where we can create
11 something special up there.

12 This is an elevation of the project. We're
13 using a variety of materials, including stones
14 and bronze materials, sconces, et cetera, but
15 when it all comes together, it will look
16 something like this. And in this view, you can
17 see the park, that will be more closely
18 rendered in this view. So we've tried to
19 capture everything in one view, so it's a
20 little bit -- feels like you have a little bit
21 of a fisheye lens here, but it gives you the
22 idea of having the park in the foreground, and
23 the activated use of the building adjacent to
24 it, and this is a view from across the street.

25 And that's the presentation. Thank you.

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1 I'm here to answer any questions you may have.

2 CHAIRMAN AIZENSTAT: Thank you.

3 Before we continue, we have time until
4 9:30. Would anybody like to make a motion --

5 MR. BEHAR: I'll make a motion to extend to
6 ten o'clock.

7 MR. GRABIEL: Second.

8 MR. SALMAN: I'll second.

9 CHAIRMAN AIZENSTAT: As Chip originally
10 said.

11 THE SECRETARY: I'm sorry, who seconded
12 it?

13 MR. SALMAN: I did.

14 CHAIRMAN AIZENSTAT: Mr. Javier.

15 We have a motion just to -- verbal is okay.
16 Everybody in favor say aye.

17 (All Board Members voted aye.)

18 CHAIRMAN AIZENSTAT: Anybody against?
19 Continue, please. Thank you.

20 MR. NAVARRO: Mr. Chair, I just wanted to
21 conclude. I know that we've had a series of
22 meetings. We had actually a meeting in June of
23 this year to show this updated plan to the
24 residents in the area. It was very well
25 received. I know it's difficult to get people

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1 to come out in support of a project, but we did
2 obtain 40 petitions from business owners and
3 residents in the Merrick Park area. They're
4 part of your record. Devin (phonetic) has them
5 as well. We'll submit them again into the
6 Clerk's Office.

7 Also, there was one item that we caught
8 earlier. There was a scrivener's error in the
9 percentage shown on the plans. All of the
10 square footage in the project does not change,
11 it's all correct, it's just that I think we had
12 33 percent open space. It was being based off
13 the lot coverage number, which is not how you
14 do it. It's based on lot size. The square
15 footage is actually 26 percent, but the size of
16 the park doesn't change, and none of the
17 off-site or on-site improvements change.

18 So I just wanted to make that correction on
19 the record. Thank you.

20 CHAIRMAN AIZENSTAT: Thank you.

21 Jennifer.

22 MS. GARCIA: Jennifer Garcia, City Planner.
23 The PowerPoint, please.

24 Just to clarify, this project, similar to
25 the project before, is relying on changes to

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1 requesting to receive 25,812 square feet of
2 TDRs. Again, TDRs are those additional --
3 well, remaining development rights that are
4 from private historic buildings. A historic
5 building usually is built much smaller than
6 what is allowed now by the Zoning Code. So the
7 leftover square footage is then transferred to
8 a receiving site, as they're applying for here.

9 And the last request is the mixed-use site
10 plan. Because they're over the threshold of
11 20,000 square feet, they're required to do a
12 mixed-use site plan, which is a conditional
13 use.

14 So here you can see the vehicular entrance
15 off of Altara, as well as the residential
16 lobby. Now, they're proposing new crosswalks
17 at the intersection of Aurora and Altara.
18 There's ground floor retail occupying most of
19 the ground floor. The loading is accessed from
20 the rear, in the alley, and the park, as you
21 know, is on the south side or the right side of
22 this image.

23 So, as we mentioned, there was a
24 scrivener's error in the -- both, the Staff
25 report and obviously the applicant's submittal.

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1 both, the Comp Plan and the Zoning Code, to
2 allow the extra height, in exchange for open
3 space.

4 The location, as you know, is on Altara,
5 and mostly on Aurora. The south street is San
6 Lorenzo. You can see it here in the aerial,
7 it's all vacant right now. It's kind of the
8 only vacant lot that's in the area.

9 The current Land Use is Industrial, and the
10 Zoning is also Mixed-Use 2. This is the
11 existing conditions. So, as you can see, it's
12 a vacant lot, right next to the Shops at
13 Merrick Park.

14 So there's three requests, the remote
15 parking, the TDR receiving site, as well as the
16 mixed-use site plan. So the first request is
17 the remote parking. So they're requesting to
18 remote park 42 remote parking spaces within the
19 Shops of Merrick Park garage. A similar
20 request was, I think, a few months ago, by this
21 Board. These are spaces that are going to be
22 directly leased from the mall themselves, but
23 they have an excess of what they're required to
24 have for their parking.

25 The second request is the TDRs. So they're

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1 So what's highlighted now is the 26 percent
2 open space. Before it said, I think, 32
3 percent. So that's the only change, as far as
4 the site plan goes, from when it got received
5 and when it was published on the agenda last
6 Friday and what is proposed today. It makes no
7 changes to the site plan. It's just the
8 numbers.

9 So, the density, they're proposing 80
10 units. The FAR is 4.75, because it's including
11 those TDRs that they're receiving from the
12 historic buildings, and the building height, as
13 proposed, is 107.5 feet. And, again, that is
14 based off of the Comp Plan changes and the
15 Zoning Code changes to allow an additional
16 height in exchange for the open space.

17 So they went the DRC back in September of
18 last year. They went to the Board of
19 Architects a few times. Eventually, it was
20 approved through, I think, the Special Master.
21 A neighborhood meeting was in June of this
22 year, and here we are for Planning and Zoning
23 in September.

24 So the letters were sent to the property
25 owners within a thousand feet, as required by

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1 Code, or 500 feet outside of the City limits.
2 That was sent out twice. The property was
3 posted three times, website posting three
4 times, as well, and newspaper advertisement
5 once, as required.

6 So Staff has determined it's consistent
7 with the Comp Plan, based on what's being
8 proposed and what's in the works, it's being
9 transferred into the State, as part of the
10 changes to the Comp Plan, to allow the height,
11 and this complies with those regulations that
12 are proposed in the Zoning Code, not yet
13 adopted. As I mentioned before, they're
14 proceeding at their own risk, assuming that
15 they'll be adopted.

16 The condition of approval, the park is to
17 be open to the public from dawn to dusk,
18 construction staging to be off of San Lorenzo
19 and Altara, so that the sidewalks remain open,
20 underground utility lines along alleyway. The
21 landscape requirements are beyond what would
22 required by the Zoning Code, and streetscape
23 improvements on both sides of San Lorenzo,
24 Aurora and Altara.

25 And that's it.

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1 CHAIRMAN AIZENSTAT: Thank you.

2 Please, proceed. If you could start with
3 your name and address, please.

4 MR. CORDOVES: Thank you.

5 Good evening, Albert Cordoves, 4210 Laguna
6 Street, Coral Gables, Florida 33146.

7 I'm here because I really believe -- I'm a
8 neighbor in a property essentially two blocks
9 away. This is where we have our office. And I
10 truly believe this is an incredibly
11 well-conceived project.

12 Primarily, when it comes to the urbanist
13 challenges of the entire area, I think that
14 having the initiative to expand the open area,
15 anchor it with a park in the corner, it's a
16 very, very prime corner, I think it just does
17 wonders for the entire community, for the
18 project itself, and I think the whole
19 initiative of introducing a lot of more green
20 space, anchoring with parks, and just for some
21 of -- a little bit more height, I think it's
22 just something that most of the projects should
23 take the initiative. It's essentially taking
24 the pedestrian realm to another level, and as a
25 neighbor, as someone who really appreciates the

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1 CHAIRMAN AIZENSTAT: Thank you.

2 Jill, do we have any speakers here?

3 THE SECRETARY: Yes. There's one person.

4 CHAIRMAN AIZENSTAT: In Chambers?

5 THE SECRETARY: No, Zoom. I'm sorry, two.

6 CHAIRMAN AIZENSTAT: So in Chambers --

7 THE SECRETARY: In Chambers, no. No one
8 signed up.

9 CHAIRMAN AIZENSTAT: Nobody from -- in
10 Chambers?

11 THE SECRETARY: Not for this project, no.

12 CHAIRMAN AIZENSTAT: Okay. How about Zoom?

13 THE SECRETARY: We have two people.

14 CHAIRMAN AIZENSTAT: Can you call the first
15 one, please?

16 THE SECRETARY: Sure.

17 CHAIRMAN AIZENSTAT: Thank you.

18 THE SECRETARY: Mr. Cordoves, can you
19 please open your mike?

20 MR. CORDOVES: Thank you.

21 Good evening, everyone. Albert Cordoves --

22 CHAIRMAN AIZENSTAT: Would you please raise
23 your right hand to be sworn in?

24 (Thereupon, the participant was sworn.)

25 MR. CORDOVES: I do.

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1 open spaces and the good design, I really
2 welcome this project.

3 CHAIRMAN AIZENSTAT: Thank you, sir.

4 Next speaker, please.

5 THE SECRETARY: Shasa Hu, can you please
6 open your mike?

7 MS. HU: Hi. Good evening. Thank you for
8 letting me speak tonight to support this
9 proposal.

10 CHAIRMAN AIZENSTAT: Thank you. If you
11 could please raise your right hand to be sworn
12 in.

13 MS. HU: Hi, my name is Shasa Hu. I live
14 at 4205 Anderson Road.

15 CHAIRMAN AIZENSTAT: One second, please.
16 Can you continue raising your right hand? We
17 have a microphone now.

18 (Thereupon, the participant was sworn.)

19 MS. HU: Yes, I swear.

20 CHAIRMAN AIZENSTAT: Thank you. If you
21 could just start with your name and address,
22 please.

23 MS. HU: Shasa Hu. 4205 Anderson Road.

24 CHAIRMAN AIZENSTAT: Thank you.

25 MS. HU: So, good evening, everyone. I

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1 have been living in Coral Gables for the past
2 fifteen years, and my mother also lives at One
3 Village Place, at 4100 Salcedo Street. So this
4 proposal is very important to us.

5 I just want to voice my support for the
6 proposed development, given the developer's
7 willingness to provide a very nice public open
8 space, with the compromise in less density in
9 exchange for a small height increase. I do
10 really like the design, because aesthetically I
11 think that it really adds to the value of the
12 whole Coral Gables and Shops of Merrick Park
13 area. And even looking at the proposed height,
14 it's just like a very slight height, the
15 increase, but that allows the addition of the
16 green space that is currently lacking in this
17 area.

18 So I really think that the City should
19 approve the project, considering that the
20 proposed project will add a value, add green
21 space, with less density, and it's very
22 aesthetically pleasing and it really will add
23 to the value of the whole neighborhood.

24 Thank you for letting me voice my concern
25 and support.

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1 meetings with the neighbor?

2 MR. NAVARRO: Yes. We had -- I believe we
3 had three organized meetings and we've also
4 had -- as a result of those meetings, we've
5 obtained a lot of contact information and we've
6 been back and forth also.

7 MR. BEHAR: And there was support to have
8 the green space in lieu of, you know, the
9 height?

10 MR. NAVARRO: Correct. Yeah, there was a
11 lot of support. I think, even though this is a
12 private property, people see it almost as a
13 public area, and they understand that it is
14 going to be developed, and I think, not only
15 does the open space provide an amenity, but,
16 also, one of the issues that the neighborhood
17 has been talking about is that, because
18 properties get built property line to property
19 line, in this area specifically, when you go to
20 do construction, you have very limited staging
21 areas. So one of the other things that
22 actually came as a result of these discussions
23 with the residents is that we could actually
24 use this open space for staging during
25 construction, which will also serve as another

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1 CHAIRMAN AIZENSTAT: Thank you very much.

2 Do we have any other speakers on Zoom?

3 THE SECRETARY: No.

4 CHAIRMAN AIZENSTAT: Do we have any other
5 speakers on the telephone platform?

6 THE SECRETARY: No.

7 CHAIRMAN AIZENSTAT: At this time, I'd like
8 to go ahead and close it for public comment.
9 Let's start with the Board, Robert.

10 MR. BEHAR: Thank you. I've been waiting
11 all night for it. Thank you.

12 I want to commend the developer and the
13 architect for doing a very nice job. I know
14 this area very well. I practically walk here
15 every day. My office is just on the other side
16 of Merrick Park, on Ponce de Leon. And just
17 today, we came to lunch in Merrick Park. So I
18 really know the area, and I think this is a
19 very good solution that is being proposed,
20 because we do lack green space in this area,
21 and I think that this is a very welcomed
22 addition to it.

23 I've got a couple of questions. And this
24 is going to either Staff or the applicant, the
25 attorney. You did have community reach out

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1 additional benefit.

2 MR. BEHAR: Perfect.

3 This is a question for the architect, and
4 maybe we could get him to answer. Do you have
5 a calculation of the area that otherwise you
6 would have the right to build out? You know,
7 you've got -- in the 120 feet, you have, I
8 guess, it's a 50 by 100, so it's 5,000, times
9 10 stories or, you know, 11 stories, so 55,000
10 of potential FAR that you're not utilizing.
11 You're putting that extra floor, which is --
12 how big is that floor?

13 MR. FORT: Let me look.

14 MR. BEHAR: Your floor plate is -- you've
15 got ten units of approximately, I would say, an
16 average of like 1,500 square foot.

17 MR. FORT: I believe about 13,385 square
18 feet per floor.

19 MR. BEHAR: So the trade off is about
20 55,000 square feet or FAR versus 13,000 square
21 feet.

22 MR. FORT: That's approximately correct,
23 yeah.

24 MR. BEHAR: Close enough.

25 MR. FORT: I would say, plus or minus, yeah.

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1 MR. BEHAR: Yeah. One extra floor is about
2 13, 14,000, compared to the 55,000 that you
3 would otherwise have done under the current
4 Code.

5 MR. FORT: That's correct.

6 MR. BEHAR: And everything else, the open
7 space, you're exceeding. You're going from a
8 hundred, which is allowed, 120, to 137.

9 MR. NAVARRO: Correct. So currently, the
10 current Code allows for 120 feet in height,
11 with an additional 25 for architectural. We're
12 going -- to the top of the residential, it's
13 137.5.

14 MR. BEHAR: Okay.

15 MR. NAVARRO: So it's an additional --

16 MR. BEHAR: 17 and a half feet.

17 MR. NAVARRO: It's actually 13.5 feet --
18 no, 17.5 feet. I'm sorry.

19 MR. BEHAR: I know I was not very good at
20 arithmetic, but --

21 MR. NAVARRO: Better than me, obviously.

22 MR. BEHAR: Okay. And the density, you say
23 you would have been allowed to do close to 180
24 units?

25 MR. NAVARRO: Correct. Yeah. So, in the

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1 plan that we originally had designed, we had
2 180 units within the building, obviously, more
3 leaning towards one or two bedrooms. We've
4 come in and tried to do a more higher end
5 product. We have more two and three bedrooms
6 now. We've been able to reduce that density
7 down to 80, and we also added an office
8 component, which helps to shift some of the
9 potential traffic. We're not only dropping
10 units, but we're also adding a use that allows
11 for some shared parking and alleviates traffic.

12 MR. BEHAR: All right. That's it for now,
13 Mr. Chairman. Thank you.

14 CHAIRMAN AIZENSTAT: Thank you.
15 Javier.

16 MR. SALMAN: I like the project. My
17 question is really for Staff.

18 You said that this had some similarity to
19 the other project. I don't see the similarity.

20 MS. GARCIA: Similarity in that they're
21 requesting the extra height, when it's not
22 allowed currently. It hasn't been adopted yet.

23 MR. SALMAN: I know, but we don't have a
24 Comp Plan Amendment, you know, we're not
25 changing the underlying Zoning.

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1 MS. GARCIA: No, they're not rezoning or
2 anything, but it does require a Comp Plan
3 change. It's been transmitted to the State
4 actually, after the First Reading in the
5 Commission. So, once the State receives it and
6 they review it, they'll send it back to us, and
7 we adopt it, assuming that the Commission votes
8 in favor of it.

9 So when I say it's similar, it's similar as
10 in --

11 MR. SALMAN: That they're taking a certain
12 amount of risk.

13 MS. GARCIA: -- they can't just go to the
14 City Commission next week.

15 MR. SALMAN: Right, but not to the same
16 level that the other one --

17 MS. GARCIA: I'm sorry?

18 MR. SALMAN: Not to the same level the
19 other ones were.

20 MS. GARCIA: It's similar.

21 MR. SALMAN: It's similar, but not to the
22 same level.

23 MR. GARCIA: Right. No, it's not a new
24 district that doesn't exist.

25 MR. SALMAN: This is a procedural issue.

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1 MS. GARCIA: Right. Exactly.

2 MR. SALMAN: We get to update the Comp Plan
3 every year, whether we like it or not.

4 MS. GARCIA: The same procedural issue.

5 MR. SALMAN: So this is just to bring that
6 into line and report it to the State.

7 MS. GARCIA: Right.

8 MR. SALMAN: And that report has to be
9 approved by the Commission.

10 MS. GARCIA: Yes. It's already been
11 transmitted to the State. The State requires
12 that any large scale amendment to the text of
13 the Comp Plan goes to the State in between
14 First Reading and Second Reading. So we had
15 the transmittal meeting, which is First Reading
16 for the Commission, and they voted three-two.
17 Now it's been transmitted to the State, I
18 think, a couple of weeks ago. We're expecting
19 it back in the next month or two, and at that
20 point, then we can go before the Commission for
21 adoption.

22 MR. SALMAN: For adoption. That's really
23 all we're waiting for, is the adoption once the
24 -- the State rarely has a comment, doesn't it?

25 MS. GARCIA: No,.

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1 MR. SALMAN: I didn't think so. I know I've
2 done them for other cities way back in another
3 lifetime.

4 So that's really the only issue here that
5 is influx. It's a lot less. It's a lot
6 simpler.

7 MS. GARCIA: Yes.

8 MR. SALMAN: And it's going to happen
9 almost automatically anyway.

10 So, really, the question we have before is,
11 the idea of giving up some ground, deeding it
12 over to the City completely and in
13 perpetuity --

14 MR. NAVARRO: Yes, correct.

15 MR. SALMAN: -- in exchange for 17 feet of
16 extra height.

17 MR. BEHAR: Point 5.

18 MR. SALMAN: 17.5. Okay. I get it.
19 That's it. I'm done.

20 CHAIRMAN AIZENSTAT: Thank you.

21 Mr. Pardo.

22 MR. BEHAR: I missed that.

23 MR. PARDO: I have a question. It goes
24 back to --

25 CHAIRMAN AIZENSTAT: If you could speak

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1 into the mike. We're not getting you into the
2 speaker.

3 MR. PARDO: Can you hear me now?

4 MR. NAVARRO: Loud and clear.

5 CHAIRMAN AIZENSTAT: Yes, sir.

6 MR. PARDO: So, first of all, what is the
7 cost of a TDR square foot?

8 MR. NAVARRO: So, in this situation, we are
9 still confirming the price. What we've done
10 is, we have committed to purchase these TDRs
11 from the City. I'm sure you heard, the last
12 budget hearing, there are substantial
13 improvements that need to be -- and repairs
14 that need to be made to this building that
15 we're in today, to the water tower. I think
16 they're \$35, the last time I did a TDR
17 transaction.

18 MR. PARDO: \$35 a square foot?

19 MR. NAVARRO: Yeah, on the private side. I
20 don't know the final price that we'll be
21 purchasing them at.

22 MR. PARDO: Are they normally that price
23 throughout the City, for all of the historic
24 properties?

25 MR. NAVARRO: So, on the private side, the

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1 way that it works is, depends on what they want
2 sell it for and how much you can get them. I
3 mean, they vary in different prices. The way
4 the TDR works -- which I don't need to explain
5 to the Board -- but you're allowed to develop a
6 certain amount of square footage here, you have
7 a historic structure, rather than building it
8 there, because the structures are normally more
9 in residential areas, you are allowed to
10 develop them in the commercial portions of the
11 City. Whatever you buy them, it's an arm's
12 length transaction, so I don't know what --

13 MR. PARDO: I'm not pursuing this, because
14 you did anything --

15 MR. NAVARRO: No. No. No. I'm just
16 saying, it's hard to gage what the price is,
17 because each person is --

18 MR. PARDO: I'm asking this specifically
19 because of our historic resources that we have
20 in the City that need a lot of TLC, you know,
21 and, therefore, you know, I heard the Budget
22 Director say, "Well, you know, we're
23 anticipating a lot less of these high rises,
24 which need the TDRs transferred, so we can then
25 turn around and put them into the restoration

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1 of our historic property."

2 MR. NAVARRO: Yeah. No, I understand also
3 there were some projects that didn't move
4 forward, so there was also a deficit on TDRs
5 they were planning on selling, but we hope to
6 step into that.

7 MR. PARDO: Thank you so much for sharing
8 that.

9 The second question is, I know the Parking
10 Director is here, so I know that the -- I know
11 that the 2016 study of the parking that is
12 available, right, in the project that was
13 designed by our esteemed architect at the end
14 there -- Julio, that's you.

15 MR. GRABIEL: Oh.

16 MR. PARDO: You designed the beautiful
17 shopping center.

18 MR. GRABIEL: I was part of the design
19 team. I did not design --

20 MR. PARDO: Part of the design team, but
21 the thing is that, in that open area and all of
22 that, there was extra parking. And in 2016,
23 there was a study that there were a thousand
24 parking spaces that were additional. And,
25 then, Plummer & Associates stated that the

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1 study was still reliable, and that was a letter
2 that was in our package, dated September the
3 12th.

4 So that being said, can we have on the
5 record what the cost of one of those spaces is?
6 Maybe our Parking Director could tell us.

7 MR. KINNEY: There's actually multiple ways
8 in --

9 CHAIRMAN AIZENSTAT: If you could state
10 your name and title.

11 MR. KINNEY: Kevin Kinney. I'm the Parking
12 Director to the City of Coral Gables. In the
13 district which is now the Innovation and
14 Technology District, there's a couple of
15 different ways to get into the Village of
16 Merrick Park parking. One is to do a deal
17 directly with the Village of Merrick Park and
18 their extra spaces. That was the purpose of
19 the Tim Plummer study. And I would confirm
20 that there have been at least two counts since
21 that date, that still show there is excess
22 parking available.

23 I did toy with the idea of requiring a new
24 count, because it's now 2023, but the numbers,
25 at this point in history, would be better than

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1 MR. KINNEY: If there's a direct contract
2 with Village of Merrick Park, in theory, we do,
3 through the revenue sharing of the lease --
4 under the underlying lease.

5 MR. PARDO: That's what I remember, many,
6 many years ago, when it was developed.

7 MR. KINNEY: But, you know, it's not a big
8 number, but we would make some money through
9 the underlying lease.

10 MR. PARDO: You know, I would ask -- not
11 for this project, and like I said, it's not the
12 fault of this project, but I would like the
13 Planning Staff to work with the Planning
14 Director to actually bring this up as a subject
15 for the Planning Board to look at. I think
16 it's very important, because we're voting on a
17 project that is using remote parking as a
18 concept, and we should understand what the
19 positives and the negatives are.

20 And I would -- you know, I'm sorry, Mr.
21 Chairman, that I may be overstepping my bounds,
22 but I think it's important, because it's all
23 part of what's being negotiated and discussed
24 and weighed on both sides.

25 Thank you very much.

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1 anything that happened --

2 MR. PARDO: Hypothetically, because that's
3 the key word of the day -- hypothetically,
4 let's say you have enough parking spaces. It
5 was confirmed by Plummer, that has a very good
6 reputation, and let's say that you do have
7 these spaces.

8 The question I ask, though, had to do with
9 -- how much money?

10 MR. KINNEY: Cost. Well, I took a long
11 ways to get there, but there's two ways. One
12 is a deal directly with Village of Merrick
13 Park, where it's a monthly fee. And right now
14 they're charging approximately the same thing
15 the City is, which is \$110 a month.

16 Now, there's another way, in that the City
17 has some -- control, really, isn't the right
18 word, but some discretion on how 400 spaces are
19 used, and if an applicant wants to access those
20 spaces, they're required to pay \$10,000 per
21 space to the City, but that's not the case with
22 this development.

23 MR. PARDO: Okay. So they lease them, but
24 the City doesn't make any money, they don't
25 lose any money on these spaces?

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1 So the Parks Incentive Zoning Code right
2 now has been shown to the Commission. And they
3 voted, the first time, correct?

4 MR. NAVARRO: Correct.

5 MR. PARDO: So you're waiting for the
6 second one?

7 MR. NAVARRO: Correct. And we hope to be
8 able -- that that Ordinance goes on the October
9 10th agenda, and, then, after that Ordinance is
10 adopted, that we could move forward or be on
11 the same agenda. I think, one of the things
12 that I think is really helpful, it was helpful
13 for the community, was to see what this
14 legislation, when it's actually put into
15 practice, does, because it's hard to tell with
16 words on a paper, but when you see kind of the
17 exhibit that Ray had put together, what's
18 allowed by right today under the current Code
19 and what could be achieved under the proposed
20 regulations, I think a lot of people, just
21 looking at that picture, were like, oh, yeah,
22 that makes total sense. We would love to be
23 able to -- you know, for a small increase in
24 height, and you're dropping the density by 50
25 percent, to be able to get a beautiful park.

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1 So, I think, having those run together
2 helps, because you're able to show the
3 community, look, this is the concept, but this
4 is how it's applied in real life and this is
5 what you could achieve.

6 MR. PARDO: And I understand, and it's not
7 your fault, either, that when we looked at that
8 area, that nobody took green space into
9 account. They figured that the ten-foot
10 setbacks were more than enough. Now it's
11 built, and the people that live there, they
12 have no place to walk their dogs or anything
13 else.

14 MR. NAVARRO: That's true.

15 MR. PARDO: I get that.

16 So the next question is for Staff, on the
17 Comprehensive Plan change that has gone to the
18 State. So can Staff explain to this Board what
19 has gone to the State? Is it only this area,
20 the Innovation area?

21 MS. GARCIA: Yes.

22 MR. PARDO: Or is it other sections of the
23 City that have gone to the State?

24 MS. GARCIA: No, just what was proposed to
25 you, I think, a couple of months ago.

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1 MR. PARDO: Right. Okay.

2 So this has to also be approved for this
3 project to go forward?

4 MS. GARCIA: Yes.

5 MR. PARDO: Okay. So, I think, from my
6 personal opinion, of all of the places that you
7 would do a project like this, this would be the
8 right place, because it's compatible with the
9 other buildings and the other areas in that
10 area.

11 Now, that being said, Mr. Navarro, did you
12 have any negative responses from the neighbors,
13 especially the ones that live in the duplexes
14 or the single-family homes on the perimeter of
15 Bird Road?

16 MR. NAVARRO: No. Actually, most of the
17 residents that came, and we sent mailed notice
18 to everybody within the radius, it was -- it
19 feels almost like that community, since it's
20 like isolated by those roads, most of the
21 people that actually came, and there were some,
22 but most of them were from actually inside of
23 Merrick Park and we didn't -- I mean, there
24 wasn't -- there's nobody here this evening,
25 which is a good sign, but -- I mean, we had

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1 MR. PARDO: Okay. All right, because --

2 MS. GARCIA: It applies just for this area.

3 MR. SALMAN: This is what used to be the
4 Overlay District for this area.

5 MS. GARCIA: Yes. That's what we're modifying.

6 MS. GARCIA: Yeah. Yeah. So it used to be
7 called, you know, the Industrial District, and
8 now it's called the Design and Innovation
9 District.

10 MR. SALMAN: But the underlying zoning has
11 always remained, it's never been removed.
12 You're just operating with the overlay
13 district.

14 MS. GARCIA: Yes.

15 MR. PARDO: So the reason this is not a
16 minor Comp Plan change is because of the size
17 of the area?

18 MS. GARCIA: No, because they're changing
19 the Comp Plan Text. Whenever you change a text
20 in the Comp Plan, it requires it be reviewed by
21 the State.

22 MR. PARDO: Right, but it's not considered
23 a minor --

24 MS. GARCIA: It's not considered a small
25 scale amendment, no.

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1 some questions and comments about what we were
2 doing, but we didn't get any negative feedback.

3 MR. PARDO: Because it's compatible with
4 where they live.

5 MR. NAVARRO: Yeah. Correct. I mean, the
6 majority of those buildings are already
7 developed at 120 feet, and they're, you know,
8 at 137, it's --

9 MR. PARDO: The only thing I would ask you
10 and your client is, please, please, please
11 design the outside lighting of the project
12 where it doesn't look like something out of Las
13 Vegas. I find it so offensive that some of the
14 buildings, including new buildings that have
15 been designed in the City of Miami proper, we
16 could see it clear across, halfway into the
17 residential areas of Coral Gables. That would
18 be the only condition that I would propose on
19 this project.

20 MR. NAVARRO: We'll make sure to do that.
21 We want to make sure our lighting is also
22 compatible with the ambiance we're creating in
23 the park, so --

24 MR. PARDO: Right. One thing is to uplight
25 it and all of that. The other thing is, it

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1 shouldn't look like a billboard.
 2 MR. NAVARRO: Yeah, not the neon trims that
 3 we've seen in some projects.
 4 MR. PARDO: Thank you.
 5 CHAIRMAN AIZENSTAT: Thank you, Felix.
 6 Chip.
 7 MR. WITHERS: I just have two questions.
 8 Art in Public Places, I read -- I didn't
 9 understand the verbiage in the letter about a
 10 waiver or something in the Art in Public
 11 Spaces. Could you explain that?
 12 MR. NAVARRO: That's a great question.
 13 So your Code allows for two mechanisms.
 14 One is to just pay a building permit. The
 15 other one is called a waiver, which is a very
 16 strange term, because you're not waiving it,
 17 you're just allowing for you to go and procure
 18 the art and put it on-site.
 19 MR. WITHERS: I got it.
 20 Okay. So that's my next question. World
 21 class art, what are we expecting, maybe a gator
 22 or something like that?
 23 MR. NAVARRO: So, this project is unique,
 24 because there's another project directly -- let
 25 me get my coordinates -- to the east -- thank

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1 you, east of Ponce. It's an office building
 2 that was approved, and that site had a public
 3 art contribution that was required, and at the
 4 time, we were looking at this site, and we were
 5 going to combine those two monies, from those
 6 two projects together, the same developer. So
 7 we were going to have -- rather than getting
 8 two, you know, let's say, not so world class
 9 art pieces, we would get a very good art piece.
 10 And now it just so happens that we have a
 11 beautiful park to put it in. So our idea is
 12 to, obviously, have our team work with someone
 13 who specializes in that, to really select
 14 something that is exquisite, so that we could
 15 display it, and that will happen after,
 16 hopefully, this project is approved. We go
 17 through the waiver process, which essentially
 18 requires review and approval by your Arts Board
 19 and your Cultural Advisory Board, and
 20 ultimately by the City Commission.
 21 MR. WITHERS: The second question, I
 22 didn't see a fence around the park or anything.
 23 MR. NAVARRO: No fence. We want to have
 24 just, you know, free walk-through. This is
 25 really an urban area, rather than an area kind

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1 of --
 2 MR. PARDO: I got it. Thank you.
 3 MR. NAVARRO: I know you brought that up on
 4 the last one. This one has no fence. You can
 5 walk --
 6 MR. WITHERS: You should know how I feel,
 7 then.
 8 CHAIRMAN AIZENSTAT: Thank you, Chip.
 9 Sue.
 10 MS. KAWALERSKI: Hi. I'm going to start
 11 small.
 12 MR. NAVARRO: Okay.
 13 MS. KAWALERSKI: Can we look at the park
 14 again?
 15 MR. NAVARRO: Sure. A hundred percent.
 16 MR. COLLER: Mr. Chairman, given the time,
 17 you might want to extend.
 18 CHAIRMAN AIZENSTAT: Yes, thank you.
 19 Is there a motion to extend, and if so,
 20 what --
 21 MR. SALMAN: I make a motion to extend
 22 to --
 23 MR. WITHERS: Eleven o'clock?
 24 MR. SALMAN: -- 10:30.
 25 MR. BEHAR: 10:15?

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1 CHAIRMAN AIZENSTAT: 10:20?
 2 MR. SALMAN: 10:30. If we finish earlier,
 3 we are done.
 4 MR. BEHAR: Okay. 10:30.
 5 CHAIRMAN AIZENSTAT: 10:30. We have a
 6 motion. Is there a second?
 7 MR. GRABIEL: I'll second.
 8 CHAIRMAN AIZENSTAT: We have a second.
 9 Everybody in favor say aye.
 10 (All Board Members voted aye.)
 11 CHAIRMAN AIZENSTAT: Everybody against?
 12 No?
 13 Continue, please. Sorry about that.
 14 MR. NAVARRO: If we could get the
 15 PowerPoint presentation back up. Is that
 16 possible?
 17 CHAIRMAN AIZENSTAT: Thank you for
 18 reminding me, Mr. City Attorney.
 19 MR. NAVARRO: Did you want to see --
 20 MS. KAWALERSKI: The park.
 21 MR. NAVARRO: -- the site plan or the
 22 rendering?
 23 MS. KAWALERSKI: The rendering, please.
 24 Okay. There we go.
 25 I don't know about you, but that doesn't

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1 look like a park. That looks like a walkway,
 2 with a couple of trees.
 3 MR. NAVARRO: So one of the things is that,
 4 our rendering is still not updated, because
 5 there were some changes made by the City
 6 Commission, and they've put a minimum
 7 requirement of green area that has to be
 8 provided within the park. We just haven't
 9 updated the rendering yet.

10 But I think Staff or I should be able to
 11 confirm what the percentage of the green area
 12 is, but there's been some requirements to make
 13 it a little more green.

14 MS. KAWALERSKI: Yeah, because that would
 15 not be a park in my definition of a park.

16 Okay. Is that rendering, the update,
 17 available anywhere, that we can take a look at
 18 it?

19 MR. FORT: We don't, but we do understand
 20 that I think what is making this feel more
 21 maybe plaza like, instead of park like, is that
 22 we have planters that are surrounded by
 23 essentially curbs, and the idea, in the next
 24 iteration -- in the updated iteration, will be
 25 to move curbs, add more, essentially, green

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1 MS. KAWALERSKI: Okay. Okay. All right.
 2 Next question, the remote parking, is that
 3 part of our Remote Parking Ordinance -- I know,
 4 when we had the Miracle Mile discussion, and
 5 there was a Remote Parking Ordinance, does that
 6 Ordinance apply to this?

7 MR. KINNEY: The short answer is, yes, and
 8 that whole ordinance process went through P&Z a
 9 year and a half ago, two years ago.

10 MS. KAWALERSKI: Okay. I appreciate that.
 11 So it falls under the Remote Parking Ordinance?

12 MR. NAVARRO: Yeah, correct. It's one of
 13 the allowable --

14 MS. KAWALERSKI: I was so involved in the
 15 Miracle Mile thing, that I didn't think it went
 16 beyond, but thank you for clarifying that.

17 And, of course, you know I would mention
 18 this, right? I want to mention this, like I
 19 did with the other project, it's the cart
 20 before the horse, right? We have a process.
 21 We have a huge change in our Zoning Code, the
 22 Comp Plan, right? We have a huge change -- I
 23 mean, it was admitted here. I think Felix
 24 asked the question, is this a big deal, and
 25 it's a big deal, okay, and we're not there yet,

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1 space, and limit the pathways to its perimeter
 2 and not to necessarily have them cutting
 3 through.

4 MS. KAWALERSKI: Okay. So that sounds like
 5 this would just be the opposite proportion of
 6 what we're seeing here. Where we're seeing the
 7 concrete, that it would be green? Where we're
 8 seeing green, that would be maybe a walkway
 9 area?

10 MR. FORT: Approximately, yes. That's correct.

11 MR. SALMAN: Through the Chair, I think
 12 that the site plan describes more of the actual
 13 intent of the green space, if you go to --

14 MS. KAWALERSKI: Right. Well, that's why I
 15 was --

16 MR. SALMAN: -- your Sheet A016.

17 MS. KAWALERSKI: Because that looks green.
 18 That looks gray.

19 MR. NAVARRO: Yes.

20 MS. KAWALERSKI: Okay. So we have
 21 assurances that that's going to be an actual
 22 like park --

23 MR. BEHAR: Sue, if I may, that could be a
 24 condition. If it goes that way, it could be a
 25 condition.

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1 right? We're not there yet. We don't have an
 2 answer yet. I know it went through First
 3 Reading. It's going to the State. But, you
 4 know, it's not necessarily that you're going to
 5 get a three person vote on that.

6 MR. NAVARRO: Yeah, and like I said, one of
 7 the things that was helpful at the last meeting
 8 was having this plan travel with that
 9 Ordinance, because most people that don't have
 10 the experience that this Board has, that looks
 11 at projects, can't understand what the formula
 12 between open space and height is and how that
 13 really looks like, when you have two projects,
 14 but having a project that -- I mean, we've been
 15 able to get petitions in support, because
 16 people see it, and when you look at a picture
 17 like this, you're like, oh, yes, wait a minute,
 18 this looks a hundred times better than what is
 19 currently being built today, and if this
 20 Ordinance is not adopted, we would be coming
 21 back to you with what is a more traditional
 22 building, that, you know, goes lot line to lot
 23 line, but, I think, you know, in this case,
 24 it's unique, it's only this area, and you have
 25 a project that has kind of redesigned itself in

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1 order to illustrate that Ordinance.
 2 MS. KAWALERSKI: And I agree with you,
 3 Felix, that, you know, it is a big deal
 4 changing the Comp Plan, the way this is going
 5 to be changed for the entire area, not just
 6 project specific, right?

7 MR. NAVARRO: Yeah. This is only the
 8 Merrick Park area.

9 MS. KAWALERSKI: Right, for the Merrick
 10 Park area, but it's more than your project.

11 MR. NAVARRO: Correct.

12 MS. KAWALERSKI: It's a little different,
 13 in that it has gone through First Reading
 14 already. So that's just my thought. You know,
 15 I'm usually against the cart before the horse.

16 MR. NAVARRO; I know.

17 MS. KAWALERSKI: Okay. That's all I have
 18 to say.

19 CHAIRMAN AIZENSTAT: Thank you.

20 MR. NAVARRO; Thank you.

21 CHAIRMAN AIZENSTAT: Julio.

22 MR. GRABIEL: I think it's a good project,
 23 I think it works well on that site, and the
 24 park is going to be used by the community.

25 I have a question on the remote parking.

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1 How does that work? I mean, is --

2 MR. NAVARRO: So this site, the previous
 3 site, when the hotel was approved, it was a
 4 hundred percent remote parked, and they had an
 5 agreement with the mall, that runs with this
 6 land, for us to remote park.

7 In this particular case, I'll tell you
 8 exactly how it works. So we are providing 136
 9 spaces on-site, with 46 of those spaces
 10 off-site. We have a total of only 80 units,
 11 with 136 spaces on-site. So based on your
 12 parking study, we could accommodate, during the
 13 residential hours, all of the parking on-site,
 14 and while -- you know, office are usually
 15 weekday uses. We should be able to accommodate
 16 all of the office uses on-site. And if there's
 17 additional parking that's needed, those would
 18 be leased within the mall and they would
 19 operate either through a valet service or the
 20 employees of the office building will get
 21 passes so they can park --

22 MR. GRABIEL: So the residents have the
 23 parking in the building?

24 MR. NAVARRO: Yes. That's our idea, during
 25 the non-peak hours, they could be used by

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1 office, as well.

2 CHAIRMAN AIZENSTAT: And is there -- I'm
 3 sorry, go ahead.

4 MR. GRABIEL: No, I'm done.

5 CHAIRMAN AIZENSTAT: You're done?

6 Is there a separation in floors between
 7 what is commercial and residential for the
 8 parking?

9 MR. NAVARRO: Yeah. I think Ray could walk
 10 you through it. What we did is, we didn't want
 11 the area next to the park to just be garage, so
 12 we created a liner.

13 MR. FORT: But he's saying, for the parking
 14 itself.

15 CHAIRMAN AIZENSTAT: Yeah, for the park --
 16 in other words, for the parking itself, does
 17 the commercial have the first floor and then --

18 MR. NAVARRO: I don't think we've gotten
 19 that far into the details yet, but --

20 MR. FORT: Yeah, it would probably be
 21 something along those lines, where we -- at a
 22 certain point, we'll have a gate within the
 23 garage that limits --

24 CHAIRMAN AIZENSTAT: Okay.

25 MR. FORT: -- further access to the upper

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1 levels.

2 CHAIRMAN AIZENSTAT: I mean --

3 MR. NAVARRO: We do intend for it to be a
 4 condo building, so more likely than not it's
 5 going to have some secured parking for the --

6 CHAIRMAN AIZENSTAT: And especially if
 7 you're doing 80 units and the higher end units
 8 and the larger units. You're going to have to
 9 comply with the amount of parking that you need
 10 per bedroom and square footage and so on.

11 MR. NAVARRO: Yeah. And we intend for this
 12 to be very high end product, which is kind of
 13 like if you saw the amenity deck on top, that's
 14 like -- you know, we really tried to cater that
 15 towards the high end product, so we are
 16 going -- you're probably right, that we are
 17 going to want to have some security for the
 18 residential through an internal gate somewhere,
 19 in some floor.

20 CHAIRMAN AIZENSTAT: Correct. I think most
 21 of my sentiments have been echoed by my fellow
 22 Board Members that are here. You know, I like
 23 the project. I think it fits well in the area
 24 that it's going into.

25 Felix, do you have a comment that you

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1 wanted to make?

2 MR. PARDO: Yes. I wanted to address Sue's
3 concern, because it's a very good one, about
4 the cart before the horse. I think this really
5 is very different to the previous application.
6 The reason it's different is because Staff has
7 now gone before the State to be able to change
8 all -- the entire area there.

9 Going back to Julio's comment about the
10 parking, we had a previous application come in,
11 and it was almost like a hotel. In other
12 words, they had a valet. The valet would pick
13 up the car -- most of the people that will live
14 in the building will be inside this particular
15 building.

16 So, as far as the Comp Plan change, it's
17 being really put in holistically to be able to
18 provide green space, that was missed the first
19 time, when this area was done. And it's not
20 being done, where I brought up to our very
21 competent attorney, about the possibility of
22 spot zoning. In this case, it's not spot
23 zoning. It's the entire district. And I find
24 that it's more of a correction to an issue.

25 Keep in mind that there are very few

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1 parcels left in this area, and this is just
2 something that now is compatible and enhancing
3 the pedestrian space, and I think that the
4 architects did a very good job in layering the
5 bottom portion, to be able to bring the scale
6 down to a more human scale, in that area, where
7 we have a very, very tight grid, very tight
8 grid.

9 So I don't feel -- me, personally, I don't
10 feel that we got the cart before the horse. At
11 the end of the day, our recommendation would
12 be, you know, for the project and for the
13 district, and I think that it's the right thing
14 to do.

15 MR. BEHAR: So with that said, I'll make a
16 motion --

17 CHAIRMAN AIZENSTAT: Well, actually, I'd
18 like to ask if Felix would like to make a
19 motion.

20 MS. KAWALERSKI: And before he makes a
21 motion, I would like a motion to include what
22 Robert said --

23 MR. BEHAR: I want to make a motion to
24 approve with --

25 MR. COLLER: Wait. We have three items.

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1 CHAIRMAN AIZENSTAT: Correct.

2 MR. GRABIEL: We need three different
3 motions.

4 MR. COLLER: So I want to make sure that
5 the conditions that you want goes with the
6 right item.

7 So the first item is the conditional use
8 for the mixed-use project. That would be Item
9 E-7. I think that actually would be -- we'd
10 put it on that. So if you want to move --

11 MR. BEHAR: Yes, sir.

12 MR. COLLER: You want to move E-7, with the
13 condition that --

14 MR. BEHAR: I move E-7 with the condition
15 that the applicant works with Staff on the
16 final design of the park, okay.

17 MR. PARDO: And the lighting of the --

18 MR. COLLER: And also the --

19 MR. BEHAR: And I will take a friendly
20 amendment --

21 CHAIRMAN AIZENSTAT: Not to be a Vegas
22 style.

23 MR. COLLER: That's a little hard.

24 MR. BEHAR: I'll say to work with the
25 design of the lighting not to protrude into the

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1 adjacent neighbors' property. Is that
2 acceptable?

3 MR. PARDO: Thank you.

4 MR. GRABIEL: I'll vote for that.

5 CHAIRMAN AIZENSTAT: Felix, would you like
6 to second?

7 MR. PARDO: Yes.

8 MR. BEHAR: We have a second. Any
9 discussion? No?

10 Call the roll, please.

11 THE SECRETARY: Chip Withers?

12 MR. WITHERS: Yes.

13 THE SECRETARY: Robert Behar?

14 MR. BEHAR: Yes.

15 THE SECRETARY: Julio Grabiell?

16 MR. GRABIEL: Yes.

17 THE SECRETARY: Sue Kawalerski?

18 MS. KAWALERSKI: Yes.

19 THE SECRETARY: Felix Pardo?

20 MR. PARDO: Yes.

21 THE SECRETARY: Javier Salman?

22 MR. SALMAN: Yes.

23 THE SECRETARY: Eibi Aizenstat?

24 CHAIRMAN AIZENSTAT: Yes.

25 The next is E-8.

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1 MR. BEHAR: Motion to approve.
 2 CHAIRMAN AIZENSTAT: With Staff's
 3 recommendation?
 4 MR. BEHAR: With Staff recommendation.
 5 CHAIRMAN AIZENSTAT: We have a motion to
 6 approve with Staff's recommendation by Robert.
 7 Is there a second?
 8 MR. GRABIEL: I second.
 9 CHAIRMAN AIZENSTAT: Julio seconds. Any
 10 discussion? No?
 11 Call the roll, please.
 12 THE SECRETARY: Robert Behar?
 13 MR. BEHAR: Yes.
 14 THE SECRETARY: Julio Grabiell?
 15 MR. GRABIEL: Yes.
 16 THE SECRETARY: Sue Kawalerski?
 17 MS. KAWALERSKI: Yes.
 18 THE SECRETARY: Felix Pardo?
 19 MR. PARDO: Yes.
 20 THE SECRETARY: Javier Salman?
 21 MR. SALMAN: Yes.
 22 THE SECRETARY: Chip Withers?
 23 MR. SALMAN: Yes.
 24 THE SECRETARY: Eibi Aizenstat?
 25 CHAIRMAN AIZENSTAT: Yes.

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1 MR. COLLER: Regarding E-9, I have a
 2 correction. I think that -- looking at these
 3 conditions now, it really goes to the site
 4 plan. So if we're going to move E-9, I'd like
 5 the same conditions be on E-9, as well, whoever
 6 is moving it?
 7 Mr. Behar --
 8 MR. BEHAR: Yes, sir.
 9 MR. COLLER: -- you're going to make the
 10 motion, with your conditions. Okay.
 11 MR. BEHAR: With the conditions as I made
 12 for E-7.
 13 MR. COLLER: Very good.
 14 CHAIRMAN AIZENSTAT: We have a motion.
 15 MR. GRABIEL: I'll second that.
 16 CHAIRMAN AIZENSTAT: We have a second. Any
 17 discussion? No?
 18 Call the roll, please.
 19 THE SECRETARY: Julio Grabiell?
 20 MR. GRABIEL: Yes.
 21 THE SECRETARY: Sue Kawalerski?
 22 MS. KAWALERSKI: Yes.
 23 THE SECRETARY: Felix Pardo?
 24 MR. PARDO: Yes.
 25 THE SECRETARY: Javier Salman?

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1 MR. SALMAN: Yes.
 2 THE SECRETARY: Chip Withers?
 3 MR. WITHERS: Yes.
 4 THE SECRETARY: Robert Behar?
 5 MR. BEHAR: Yes.
 6 THE SECRETARY: Eibi Aizenstat?
 7 CHAIRMAN AIZENSTAT: Yes.
 8 MR. COLLER: Mr. Chairman, wait a minute.
 9 MR. BEHAR: You told me 5,000 square feet,
 10 but you only had 4,922. What happened to the
 11 70 square feet?
 12 MR. NAVARRO: It's a small overhang --
 13 MR. COLLER: Can we go back to item -- I
 14 think, the one we skipped over, E-5. Have we
 15 had a formal motion to defer that to the next
 16 meeting?
 17 MR. BEHAR: No, but I'll make a motion to
 18 defer E-5.
 19 MS. KAWALERSKI: I'll second.
 20 MR. PARDO: Second.
 21 CHAIRMAN AIZENSTAT: Let's have Sue second
 22 that.
 23 MS. KAWALERSKI: I'll second that.
 24 MR. COLLER: And that would be to the next
 25 meeting, which is what -- I don't know if we're

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1 readvertising that, but what's the date for
 2 that meeting?
 3 THE SECRETARY: October 11th.
 4 MR. COLLER: October 11th. So that would be --
 5 CHAIRMAN AIZENSTAT: We have a motion. We
 6 have a second to defer. I think we can just do
 7 a voice. Everybody in favor.
 8 (All Board Members voted aye.)
 9 CHAIRMAN AIZENSTAT: Anybody against? No?
 10 With that said, I'd like to --
 11 MR. BEHAR: I'll make a motion to adjourn.
 12 MR. SALMAN: I'll second.
 13 CHAIRMAN AIZENSTAT: Javier seconds. Thank
 14 you very much.
 15 (Thereupon, the meeting was concluded at
 16 10:15 p.m.)
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C E R T I F I C A T E

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STATE OF FLORIDA:
SS.
COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 6th day of October, 2023.



NIEVES SANCHEZ
