

CITY OF CORAL GABLES
PLANNING DEPARTMENT

CITY OF CORAL GABLES
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
CORAL GABLES CITY COMMISSION CHAMBERS
405 BILTMORE WAY, CORAL GABLES, FLORIDA
WEDNESDAY, JUNE 9, 2010, 6:05 P.M.

2010 JUN 14 AM 10:06

Board Members Present:

Tom Korge, Chairman
Eibi Aizenstat, Vice-Chairman
Robert Behar
Jack Coe
Jeffrey Flanagan
Javier Salman

City Staff:

Patrick G. Salerno, City Manager
Eric Riel, Jr., Planning Director
Elizabeth M. Hernandez, City Attorney
Maria Alberro Menendez, Assistant City Manager
Kevin Kinney, Parking Director
Fred Couceyro, Parks & Recreation Director
Scot Bolyard, Planner
Jill Menendez, Administrative Assistant
Catherine Cathers, Arts & Culture Specialist

Public Speakers:

Rick Holmes
Joel Lehman
Jean Field

CHAIRMAN KORGE: Call the roll, please.

MS. MENENDEZ: Jack Coe?

MR. COE: Yes.

MS. MENENDEZ: Jeff Flanagan?

MR. FLANAGAN: Yes.

MS. MENENDEZ: Eibi Aizenstat?

MR. AIZENSTAT: Yes.

MS. MENENDEZ: Tom Korge?

CHAIRMAN KORGE: Yes.

The next item on the agenda is -- I'd better look at the agenda -- Application Number 00-09-092-P, Planned Area Development Site Plan Review.

MR. RIEL: Mr. Chairman, if I could, just for a matter of the record, I just want to note a change on the agenda, the deferral of the Gulliver Academy application.

CHAIRMAN KORGE: My apologies. That was deferred. I didn't read down far enough. Okay.

MR. COE: That's deferred to July 14.

CHAIRMAN KORGE: To July 14th.

MR. RIEL: To July 14th, and there's a letter I'd like to enter into the record from the applicant.

THEREUPON:

The following proceedings were had:

CHAIRMAN KORGE: All right, so we've got a quorum. Let's get rolling. Will you call the roll, please?

MS. MENENDEZ: Eibi Aizenstat?

MR. AIZENSTAT: Here.

MS. MENENDEZ: Robert Behar?

Jack Coe?

MR. COE: Here.

MS. MENENDEZ: Jeff Flanagan?

MR. FLANAGAN: Here.

MS. MENENDEZ: Pat Keon?

Javier Salman?

Tom Korge?

CHAIRMAN KORGE: Here.

The first item on the agenda is approval of the minutes of the meeting of May 12th, 2010.

Do I have a motion of approval?

MR. FLANAGAN: So moved.

CHAIRMAN KORGE: Second?

MR. COE: Second.

CHAIRMAN KORGE: Any discussion?

Hearing no discussion, no objections --

MR. COE: Call the question.

CHAIRMAN KORGE: Okay.

MR. COE: Some kind of conflict with co-counsel, that was the reason for this?

MS. HERNANDEZ: Right.

MR. COE: Okay.

CHAIRMAN KORGE: You've given us a copy of the letter from Laura Russo, dated June 3rd? Is that the letter?

MR. RIEL: Correct.

CHAIRMAN KORGE: Okay. Thank you. The next item on the agenda is Application Number 05-10-105-P, Change of Land Use.

MR. RIEL: Thank you, Mr. Chairman.

This is a request for a change in land use from Commercial Use, Mid-Rise Intensity, to Commercial Use, High-Rise Intensity, for three City-owned properties, that will allow for the future development of the properties at their highest and best use.

These properties are currently used as a City parking lot and garage -- this references Property Number 1, which is Parking Lot Number 6 -- and Scot, if you could just indicate it. Property Number 2 is Garage Number 4, the 300 Block of Andalusia. Property 3 is Garage

1 Number 1, the 200 Block of Andalusia.

2 MR. COE: These are municipal garages? Are
3 these municipal garages, Mr. Riel?

4 MR. RIEL: These are all City-owned
5 properties.

6 MR. COE: Municipal garages are what we're
7 talking about?

8 MR. Riel: Yes. Yes.

9 This change will allow the City the
10 flexibility to develop the property as a future
11 mixed-use development that could allow any of
12 the following uses: Retail, office, public
13 parking, multi-family residential, public open
14 space, and/or other public uses.

15 No change in zoning is being requested,
16 because all the properties have the proper
17 Commercial zoning designation. In terms of
18 changing the land use, it again allows more
19 flexibility in terms of greater opportunities
20 for development. It's designed as an infill
21 development. It promotes mixed-use, which is
22 consistent in the Central Business District.
23 It allows for quality construction that will
24 allow for integration of a variety of land uses
25 and densities in one development.

1 (Thereupon, Mr. Salman arrived.)

2 MR. RIEL: And again, provides for infill
3 redevelopment of the properties, basically,
4 within a ten-minute walk, which is kind of the
5 norm, in terms of the flexibility of mixed
6 uses, and then, for sure, not least, increases
7 the choices available to public parking.

8 And Scot --

9 We have -- If you look in your packet,
10 Attachment D, we have an illustration which
11 Scot has on the board there, as well. It
12 basically shows the location of each of the
13 properties, an aerial. The existing land use,
14 the proposed land use. And there's no change
15 in the Commercial designation, so obviously,
16 there's no exhibit indicating the same.

17 If you note, the properties predominantly
18 are surrounded by High-Rise as well as Mid-Rise
19 uses.

20 What Staff did is kind of give you an idea
21 in terms of what the parameters of the
22 development would be. We did a preliminary
23 zoning analysis, which is on Page 5 in your
24 packet. It lists the -- you know, the
25 property, the total site area. Those

1 properties are available for Mediterranean
2 bonuses under either of the categories, and
3 it's within the Traffic Concurrency Exception
4 Area District.

5 The properties do meet the minimum 200-foot
6 frontage, 20,000 square foot minimum, to go to
7 a High-Rise, and again, they're allowed
8 Mediterranean bonuses.

9 (Thereupon, Mr. Behar arrived.)

10 MR. RIEL: The proposal for change in land
11 use would allow up to 190 feet. That's with
12 Mediterranean bonuses. Currently, the
13 properties are allowed up to 100 feet.

14 CHAIRMAN KORGE: Excuse me for
15 interrupting. I just want to note for the
16 record that both Javier Salman and Robert Behar
17 have arrived. I'm sorry.

18 MR. RIEL: And I just want to clarify, the
19 intent will allow the flexibility of the City
20 to go to that height. You're not looking at a
21 site plan this evening. It's just a change in
22 land use. It allows the ability, when the City
23 determines to develop the parcels, to be able
24 to go up that height, and it allows additional
25 flexibility, again, in terms of the mixing of

1 uses.

2 MR. COE: Could I ask a question, Mr. Riel?
3 I'm a little bit confused by this.

4 Now, you have, on Parcels -- well, Items 2
5 and 3, two municipal garages. The underlying
6 land is owned by the City?

7 MR. RIEL: Yes.

8 MR. COE: And the structure is owned by the
9 City?

10 MR. RIEL: Yes.

11 MR. COE: Is it the City's intent, down the
12 road, to sell off the land?

13 MR. RIEL: There's no -- I mean, there's no
14 development scenario at this time. There's no
15 proposal.

16 MR. COE: If this is rezoned to
17 High-Density, High-Rise, is the City going to
18 build a structure and then lease it? Or are
19 they going to lease the land and have somebody
20 build a structure with a 99-year lease? What
21 are we talking about?

22 MR. RIEL: That's something that's going to
23 be determined later. This is just -- The
24 request before you is a change in land use.
25 The City is the property owner and, obviously,

1 will be the regulator, as well. Any
2 development of that parcel will come through
3 this Board and will go to the City Commission.

4 CHAIRMAN KORGE: I guess the question --

5 MR. COE: Hold on. Hold on a second. How
6 many parking spaces in each of the garages
7 currently exist?

8 MR. RIEL: If you look on Page -- Property
9 Number 1, which is 2100 Salzedo, has 104
10 existing spaces. The 300 Block of Andalusia
11 has 354, and the 200 Block has 282.

12 MR. COE: Now, when we go from Mid-Rise to
13 High-Rise, and there's a building 11, 12, 13,
14 14 stories, whatever is under the Mediterranean
15 bonus, are those existing parking spaces
16 preserved and the developer then will have to
17 have additional parking spaces to meet City
18 parking requirements? Or is it all lost, the
19 municipal parking spaces?

20 MR. RIEL: Again, the future use of the
21 property is subject to the City. I mean, it
22 could be a -- I mean, it could be all the uses
23 I listed. It could be residential, it could be
24 office, it could be primarily a public parking
25 garage, it could be a private-public

1 partnership. That has not been determined at
2 this time. This just allows the future
3 flexibility.

4 MR. COE: Well, wouldn't it make more
5 sense, then, for the City to come up with this
6 rezoning when it has more definite ideas of how
7 the property is going to be developed, rather
8 than speculating now and allow some development
9 that may never take place?

10 My great concern is that we're going to use
11 the existing parking spaces, that, you know,
12 people are told, "Well, don't worry about
13 parking on Miracle Mile. It's not the place to
14 park. We're going to go to parallel parking
15 eventually. That's going to lose parking
16 spaces. Go use the garages."

17 Is there going to come a time when the
18 garages aren't going to exist for the public at
19 large? That's my concern.

20 MR. RIEL: And I can't answer that. Again,
21 this is not a development proposal. It's just
22 a change in land use.

23 CHAIRMAN KORGE: Right. Well, I guess the
24 question he's really getting at is, why do we
25 need a change in land use at this time? Is

1 there some other development occurring, maybe,
2 in the Legislature that's --

3 MR. RIEL: It's just to allow the
4 flexibility when the Commission does decide how
5 the design should proceed forward.

6 CHAIRMAN KORGE: Yeah, but that doesn't
7 answer the question. You could, when the
8 Commission decides to do something with the
9 property, at that time, come with a change in
10 land use, as well as the development proposal.

11 MR. RIEL: That's correct.

12 CHAIRMAN KORGE: But you're not doing that.

13 MR. RIEL: Correct.

14 CHAIRMAN KORGE: Instead, you're coming
15 with a change in land use now, and the simple
16 question is, why now? Why not wait? I think
17 that's what Jack's asking. Why not wait until
18 you're ready to do something with the property,
19 build on the property or sell it or whatever
20 the City plans to do? What's the reason?

21 MR. RIEL: Again, just to allow
22 flexibility, to go up on that hundred-foot
23 window.

24 MS. HERNANDEZ: And --

25 MR. RIEL: Right now, there's limitations

1 in terms of the maximum height on the property.
2 You can only go to a hundred feet. So what
3 we'd like to do is --

4 CHAIRMAN KORGE: We got that. But that
5 doesn't answer the question.

6 MS. HERNANDEZ: Right, but --

7 CHAIRMAN KORGE: It's a simple question.

8 MS. HERNANDEZ: Right, and just so that you
9 will remember, several years ago, we did go out
10 to RFP. Every single one of the -- First of
11 all, many applicants did not apply, because
12 they could not rebuild the parking garages for
13 the City and at the same time produce a retail
14 or a market that would give them the necessary
15 revenue in order to make up for the investment.

16 The City is just -- you know, we're not
17 aware of any plans right now to go out to RFPs.
18 What we're just doing is moving forward the
19 land use, because we know that it was not a
20 successful venture in the past. You will
21 recall that all three projects basically failed
22 and the developers went away.

23 So that's the only answers we have. We
24 can't give you -- You keep asking questions.
25 All we can give you is the history, what's

1 happened, and, you know, what's here before
2 you.

3 CHAIRMAN KORGE: Would The City's ability
4 to develop this property in the future be
5 impaired if the change in land use were
6 proposed at the same time that the City has
7 decided, however tentatively, what it wants to
8 do with the property?

9 MR. BEHAR: Well, the only thing I could
10 think of is, if in fact you're going to go out
11 at a future date for an RFP and you still have
12 to get the approval --

13 MS. HERNANDEZ: Right.

14 MR. BEHAR: -- of the rezoning --

15 MS. HERNANDEZ: It scares away people.

16 MR. BEHAR: It really does.

17 MS. HERNANDEZ: Yeah.

18 MR. BEHAR: You know, I think you're going
19 to have a better turnout and be more
20 successful --

21 MS. HERNANDEZ: More competitive.

22 MR. BEHAR: -- if everything is in place
23 already.

24 MS. HERNANDEZ: Right.

25 MR. AIZENSTAT: And we have had, in the

1 past, people come before us asking for a change
2 of land use without having specific plans of
3 what they're doing with that property; have we
4 not?

5 MR. COE: Well, except this is City-owned
6 property. I don't care how we're doing it for
7 privately owned property. My great concern is,
8 is this really a public -- serving a public
9 purpose --

10 MS. HERNANDEZ: Right.

11 MR. COE: -- to do this at this time? To
12 me, you know, it says, well, sometime down the
13 road, five years, 10 years, 50 years, we may
14 want to do something with this. No one has
15 answered the question, "Why now?" And I am
16 seriously worried that down the road, we're
17 going to lose all the public parking spaces
18 that we have, because I know what's going to
19 happen. When they build a high-rise, you're
20 going to have parking for -- whether it's
21 condos, apartments, offices or whatever, you're
22 going to have parking to meet the needs of the
23 tenant, not the public at large, and so these
24 hundreds of parking spaces which are now public
25 parking spaces in municipal garages are going

1 to be gone, and that is my great concern. It's
2 going to -- You know, if it's five, 10, 15
3 years from now, the history of all this is
4 lost. I see no reason at this time to do what
5 we're doing.

6 MR. BEHAR: Correct me if I'm wrong, but I
7 think that when this RFP went out, you know,
8 whatever, four or five years ago, whenever that
9 went out, part of the requirement was that the
10 developer had to incorporate the same number of
11 spaces that were on the site in the new
12 development?

13 MS. HERNANDEZ: Right.

14 MR. SALMAN: That's correct.

15 MR. RIEL: That's correct.

16 MR. COE: Is that -- But I don't see that
17 here, and you didn't answer it that way when I
18 asked you.

19 MR. RIEL: And again, there's not a
20 development proposal. Let me just make a
21 couple comments. By increasing the ability to
22 build above a hundred foot, it allows the
23 flexibility to provide more public parking --

24 MS. HERNANDEZ: Right.

25 MR. RIEL: -- mix of uses, different types

1 of uses. There's a severe limitation in terms
2 of the hundred foot, given the size of the
3 parcels and based upon the experience that we
4 had with the RFPs, you know, 10 years ago.

5 Also, as you know, Hometown Democracy is on
6 the agenda for the voters in November.

7 CHAIRMAN KORGE: That's the issue.

8 MR. COE: This November, yes.

9 CHAIRMAN KORGE: That's why you're doing it
10 early.

11 MR. RIEL: And the Hometown Democracy
12 issue, obviously, any change in land use will
13 be required to go to the voters. So this will
14 allow that flexibility. There's no proposal as
15 of this date to develop the parcels or remove
16 the parking or anything --

17 CHAIRMAN KORGE: We know that. We
18 understand that. So it's really the Hometown
19 Democracy Act, that you don't want to have to
20 be faced with a referendum, if it passes in the
21 future. If we can legally change it now, you'd
22 rather do it now.

23 MR. RIEL: Right.

24 CHAIRMAN KORGE: That's what I was asking
25 you before, what's the reason. That's the real

1 reason.

2 MR. RIEL: And also -- I mean, again, it's
3 to allow the development, the ability to -- the
4 flexibility, but yes, the Hometown Democracy
5 issue is one of those.

6 CHAIRMAN KORGE: So just a couple of
7 questions about the change itself, assuming we
8 would agree to the change. I'm looking at the
9 outlines of Properties 1, 2 and 3, and just
10 based on the color differential, I see that
11 like Property Number 1, it looks as if the
12 whole rest of that block should all be the
13 same. You've got a gap in there for -- I guess
14 some Mid-Rise would still be in part of the
15 block. Do you see what I'm saying?

16 MS. HERNANDEZ: Uh-huh.

17 CHAIRMAN KORGE: Why -- I mean, is that not
18 a change because you need the owner to apply
19 for that?

20 MR. RIEL: Yes. It's held by private --
21 It's privately owned. It's not under the
22 City's ownership.

23 CHAIRMAN KORGE: Okay. That answers the
24 question for all of this.

25 MR. AIZENSTAT: That answers the question,

1 what?

2 CHAIRMAN KORGE: For all three of these,
3 because you see all three of these -- like
4 Andalusia, on the second one, it's all but two
5 lots. One or two lots at the end would be --

6 MR. AIZENSTAT: Right, no, I see that, but
7 by going the extra height, you're actually
8 allowing for the additional -- Wouldn't you be
9 allowing for the additional parking to be in
10 place?

11 MS. HERNANDEZ: Uh-huh.

12 MR. AIZENSTAT: To where at the height that
13 it is now, you can't have it.

14 MR. RIEL: Mr. Chair, if I could, I believe
15 the City Manager would like to make a couple of
16 comments.

17 CHAIRMAN KORGE: Sure.

18 MR. SALERNO: Thank you, Mr. Chairman and
19 Members. There was a concern mentioned by one
20 Board member earlier that by doing this,
21 somehow there's a concern about, well, we don't
22 know what's going to be developed there or
23 whatever. This is a land use plan change, and
24 theoretically, land use plan changes are
25 supposed to be considered absent site plans,

1 absent elevations, absent design issues. So
2 this is just providing the City flexibility.

3 Cities across the State of Florida today
4 are going through this process. Private
5 developers are going through this process
6 across the State of Florida today. The City is
7 doing this to protect a valuable resource and
8 asset to this community, because if that
9 amendment passes, there is going to be an
10 extended period likely of uncertainty, court
11 challenges, interpretations, et cetera, that
12 are going to follow this, perhaps, for years,
13 before it becomes established law on this
14 matter.

15 We have a need today for additional
16 parking. If we did nothing, the City could,
17 today, decide to tear down that parking garage
18 and put a residential -- and put some other
19 type of development. So this action here
20 doesn't preserve a single thing, as far as
21 parking, because the City has that right today.
22 It could tear down one garage. It could tear
23 down both garages. It could tear down one and
24 build one twice as big on the other site.

25 So I just don't want anybody to be

1 concerned that this, somehow, is an action that
2 somehow gets interpreted as reducing parking.
3 It is nothing but the contrary, frankly,
4 because it will give us greater ability and
5 flexibility to add more parking. And the
6 question was -- Let's say there was additional
7 office development associated with this. Well,
8 that's going to have to be met on site, in
9 addition to whatever our parking needs are.
10 So, if we have public parking needs of 350,
11 okay -- this is theoretical, because we don't
12 have plans -- but if you had 350 today and the
13 parking director says, "You know, I really
14 would like to have 500 spaces in that area,"
15 what that's going to mean is, any other
16 potential review, is that we would have 500,
17 and there might be additional office
18 development, and they'll meet their own needs
19 on top of that. So it doesn't reduce anything.
20 It frankly gives further flexibility.

21 I think, as the City Attorney mentioned
22 before, the City went through a process, an RFP
23 process. It wasn't successful --

24 MS. HERNANDEZ: At all.

25 MR. SALERNO: -- because the economics --

MR. BEHAR: Didn't make sense.

MR. SALERNO: -- were such that it didn't make sense. We're trying to solve problems that will facilitate adding more parking in the downtown. That is what is behind this. We're not looking at this as an opportunity to sell land or whatever. Parking is important. This is to facilitate that. This is to not put the City in limbo for several years, potentially, after the fact, and not be able to look at those opportunities.

These are assets of the City that need to be protected, and it would be imprudent on our part to have not brought this item forward. That's why cities, as I said, all across the state, are doing this now, because they don't want to be in limbo.

MR. BEHAR: Not only that. I mean, this gives the flexibility where you're going to be able to get a private-public partnership --

MR. SALERNO: Absolutely.

MS. HERNANDEZ: Right.

MR. BEHAR: -- which is the only way that you're going to see any major development take place.

MR. SALERNO: You all know that we are not flush with cash today. Most cities or counties are not flush with cash today. We need to look at these opportunities, to explore and let us leverage our asset with the private sector, in partnership, and develop something that's even better than we have today.

Those garages, they're both old. One is exceedingly old and needs to be replaced, and this is just prudent -- a prudent planning and business practice to take this step today. If we don't proceed, you'll be foregoing -- in my opinion, we could be facing a situation where it has significant financial consequences of us not acting today.

Any other questions from members?

CHAIRMAN KORGE: Any other questions or discussion?

MR. BEHAR: I do like to ask Mr. Riel another question.

The only thing that bothers me a little bit is the fact that we're -- it's sort of a spot zoning, because you're only going for the land that is owned by the City. You're not taking, for example, on Property Number 1, the adjacent

lots, whatever they are, 5 through 11 -- you're not taking the whole block in consideration, because -- and that's what is the only thing that's bothering me a bit here. Obviously, that's owned by somebody else, but shouldn't the --

MS. HERNANDEZ: Right. They're not the applicant.

MR. BEHAR: They have to apply.

MS. HERNANDEZ: Every applicant has to apply for its own --

MR. AIZENSTAT: Let them apply.

MR. FLANAGAN: But from a planning consistency standpoint, I would have -- When I first looked at these -- and you look at the color on the map and you see that you are kind of horseshoeing -- at least on the Salzedo one, you're horseshoeing around about four or five parcels, and then on the 300 block of Andalusia, you neglected the westernmost two lots.

MS. HERNANDEZ: Uh-huh.

MR. FLANAGAN: Even though they're under private ownership, the City could have talked to the property owner and filed an application

on their behalf, to achieve the planning consistency of those blocks. As it sits today, on the Salzedo one, I mean, there's a very definitive line between the east half of those blocks that abut Ponce and the west half of those blocks that abut Salzedo.

So everything on the north side of Alhambra was High Density, but it looks like there's a very definitive reason for keeping the east half different from the west half. I'm not -- The 300 block of Andalusia, I think that makes sense, but I think the entire block should be brought in, including those two lots on the west, because it completes the north-south, and then I'll tell you my thought, you know, when you look at the 200 block of Andalusia, I think it's inappropriate, because it's like a sore thumb sticking down.

MR. SALERNO: Let me add -- if I could just add something to that. How we arrived at this was a request by me to the Planning Staff to look at all City-owned properties in the Downtown. I don't know the exact number. It was in excess of 20 --

MR. RIEL: 39.

1 MR. SALERNO: 39. Eric remembers. So I
2 asked for a comprehensive review of City-owned
3 properties. Out of 39, Eric came forward and
4 said there are three that he would support and
5 recommend, that made sense. And we did have a
6 discussion about other private properties that
7 should be considered, and the City has had a
8 practice, and Eric had told me that he does not
9 recall the City ever taking administrative
10 actions, you know, to change the land use on
11 somebody's property that they didn't request.

12 Now, certainly, I mean, we have tens of
13 thousands of parcels in this City, and every
14 person, you know, they can -- they need to
15 represent their own interests and so forth, and
16 it doesn't mean that they can't come back
17 later, if it made sense, and they have that
18 time frame.

19 If they so choose to not protect their
20 interest, perhaps, or it's -- you know, that's
21 up to them. We can't look after the tens of
22 thousands of individual parcel owners and make
23 this their land use decisions, and we haven't.

24 MR. BEHAR: We're not asking you to do
25 that --

1 MR. SALERNO: Right.

2 MR. BEHAR: -- but I think it's
3 inappropriate, you know, with all due respect,
4 to be able to -- Were these adjacent property
5 owners notified that we're going to go through
6 this process?

7 MR. SALMAN: Yes.

8 MR. RIEL: They received notice of the land
9 use change.

10 MR. SALERNO: They received notice.
11 Everybody received notice, yes.

12 MR. SALMAN: I got notified.

13 MR. SALERNO: Everybody received notice
14 that was in the appropriate distance, and they
15 would have been notified, but we --

16 MR. COE: If they don't care, they don't
17 care.

18 MR. SALERNO: But we -- but we needed to
19 take care of and make sure -- so out of 39
20 properties, Staff came forward and said there's
21 three that they would recommend to take action
22 on. So we're talking about, you know, a very
23 small percentage of those that, from a variety
24 of criteria, they looked at, you know, and came
25 up with these three as appropriate.

1 And like I said, there are significant
2 financial consequences of inaction. This is
3 not a decision that no action doesn't have a
4 consequence. This has a consequence,
5 financially, to the City. No action is just --
6 it's not a --

7 CHAIRMAN KORGE: It's an action, too.

8 MR. SALERNO: It's an action in a way that
9 has financial consequences, and that's what --

10 MR. BEHAR: Let me be clear, I am in
11 support, okay?

12 MR. SALERNO: Yeah, I know, you want to
13 make it perhaps even further, and I agree with
14 you.

15 MR. BEHAR: I agree, you know, with
16 Mr. Flanagan. I think that from a planning
17 standpoint --

18 MR. SALERNO: Absolutely.

19 MR. BEHAR: -- it should be consistent.

20 MR. SALERNO: And they will have that
21 opportunity in the future, and you will have
22 that to consider, whether or not other folks,
23 because -- so you'll have that opportunity in
24 the future, if that -- if that goes forward,
25 but the City hasn't had a practice of

1 administratively rezoning -- rechanging the
2 land use on properties --

3 MR. SALMAN: That it doesn't own.

4 MR. SALERNO: -- that it doesn't own.
5 That's been the City's practice.

6 CHAIRMAN KORGE: I agree with Robert, but
7 maybe it would be worthwhile, personally, to
8 reach out to the landowners, if you can
9 identify them.

10 MR. SALERNO: We could do that.

11 CHAIRMAN KORGE: And just talk to them
12 about it, tell them how we feel about it. It
13 seems to me highly likely that they would
14 want -- if it's not going to cost them a lot of
15 money, they would want to make an application,
16 a timely application, too, because it increases
17 the usage -- it will increase the value in the
18 long term for the property owner, and it fits
19 with better planning, which is the reason we're
20 involved with it.

21 MR. SALERNO: Mr. Chairman, we will do
22 that. We'll follow up, Mr. Chairman. I think
23 it's a great idea. Mr. Behar, same thing. We
24 will do that, absolutely.

25 MR. FLANAGAN: Can I ask, what's the future

1 land use designation of the parking lot -- I
2 guess it would be the zero block of Andalusia,
3 over by the Ross --

4 MR. SALMAN: That's part of The Palace.

5 MR. RIEL: High-rise.

6 MR. FLANAGAN: Part of The Palace?

7 MR. RIEL: High-rise.

8 MR. FLANAGAN: That's High-Rise?

9 MR. RIEL: Yes.

10 MR. SALMAN: I remember, I was here when
11 they passed it.

12 MR. SALERNO: Huh?

13 MR. SALMAN: I was here when they passed
14 it.

15 MR. RIEL: It was changed to High-Rise to
16 allow the additional flexibility to go up
17 higher for the mixed use.

18 CHAIRMAN KORGE: Are there any more
19 questions or discussion?

20 MR. FLANAGAN: Does the City not own -- I
21 guess for the 200 block of Andalusia, the City
22 doesn't own those four blocks to the west of
23 the parking garage, which I thought was the
24 back --

25 MS. HERNANDEZ: I'm sorry?

1 MR. FLANAGAN: -- which I thought was the
2 back side of the theater?

3 MR. RIEL: The theater, I know they own --

4 MR. FLANAGAN: These four lots? It looks
5 like Lots Number 44, 5, 6 and 47?

6 MR. RIEL: Yes. It's the Miracle Theater.

7 MR. SALMAN: That's the Miracle Theater.
8 That's the back end of the theater.

9 CHAIRMAN KORGE: Is there a motion,
10 perhaps?

11 MR. SALMAN: I'd like to make a motion,
12 Mr. Chairman, to approve Staff's
13 recommendation.

14 CHAIRMAN KORGE: We have a motion to
15 approve the Staff recommendation for a land use
16 change. Is there a second?

17 MR. BEHAR: Second.

18 MR. AIZENSTAT: Should we have -- Is there
19 any public input or --

20 MR. COE: Are you skipping the public?

21 CHAIRMAN KORGE: Oh, I apologize. You're
22 right. I'm sorry. We'll open it for public
23 discussion.

24 MR. RIEL: And, Mr. Chair, I also have one
25 thing I need to enter in the record, as well,

1 just, there's a requirement by the Department
2 of Community Affairs -- There's a courtesy
3 informational sheet that Scot has placed up
4 here. Anybody who would like to receive the
5 notice of intent that the DCA publishes, they
6 need to sign that sheet, and the State will
7 notify them of their actions.

8 CHAIRMAN KORGE: Okay. Any discussion from
9 the public? Anybody from the public who wishes
10 to make some input on this, please come
11 forward.

12 Sure, come on up. State your name and
13 address for the record, please.

14 MR. HOLMES: Thank you. It's great to see
15 you all. I'm honored to be here. My name is
16 Rick Holmes. I own 256 Miracle Mile, which is
17 just in front of one of these garages, and
18 forgive me -- I'm grateful to you, Mr. Coe, and
19 to you, Chairman -- Korge, I guess, for your
20 skepticism, because when I got this, my heart
21 started pounding out of my chest. This kind of
22 issue is something that could actually cause me
23 a heart attack. I'll tell you why. I want to
24 preserve Low-Rise Miracle Mile, I want to
25 preserve parking, and I want to get a

1 department store in order to do it, in the very
2 two garages, two of the three that you're
3 considering.

4 It's been a 12-year journey for me. I
5 probably am as far behind now as I was when I
6 started 12 years ago. I think that this is
7 almost the jugular vein, if you will, the life
8 blood of the City, is parking, its future.
9 What happens in 300 and 200 Andalusia, I
10 believe, will determine a whole lot about the
11 future of Coral Gables, including whether
12 Miracle Mile can make it and can stay Low-Rise,
13 our main street of Coral Gables, Low-Rise in
14 the future.

15 It not only depends on parking. It
16 depends, in my opinion, on whether we can
17 incorporate a department store in any
18 redevelopment of these two parcels.

19 So I'll flatter myself. The City Manager
20 asked me if I was going to speak in favor of
21 this or not. He knows me well enough to know
22 that my issue is the department store, and then
23 I told him yes, I will, and I'll tell you why I
24 would be in favor of it.

25 Number one, I thank both of you for

1 insisting on an explanation, why now, and we're
2 fortunate we have a City Manager and a Planning
3 Director who are honest and forthcoming, and
4 they've given what seems to be a pretty good
5 explanation, "We want to get ahead of the curve
6 on the land use constitutional amendment."

7 I don't want to go on forever here, you've
8 got a limited time, but I'll just say to you,
9 in the 12-year journey that I've had, trying to
10 bring a department store to these sites, one of
11 the frustrations that I've had is that we don't
12 have a higher limit on what's allowed on these
13 sites.

14 So, if I were sitting in your position --
15 and it really is an honor for me to get to see
16 you all, finally. I can see that our community
17 is well served, with some of the high-powered
18 people in the entire county sitting right here
19 in front of me today. Thank you. I would vote
20 yes, but as I said to the City Manager a few
21 minutes ago, my heart is still beating out of
22 my chest, because I don't know what's the plan
23 behind this. The same question that you all
24 started out with, is there some agenda that
25 we're not hearing about? My agenda is, let's

1 get a department store in there.

2 Thank you.

3 MR. BEHAR: Mr. Holmes, I've got a question
4 for you. You say you own a shop that is on
5 Miracle Mile, in front. What type of store is
6 that?

7 MR. HOLMES: Thank you for asking. I'm
8 going to brag to you for a second. My family,
9 as far as I know, is the oldest property-owning
10 family on Miracle Mile. My grandfather lucked
11 into meeting the founder of the City, who
12 helped him choose which property to buy. We
13 used to own 10 stores. When my mother died, a
14 bunch were sold off. We now own four.

15 To answer your question, Mr. Behar, I
16 have Massage Envy in my particular location.
17 The stores that I share with my sisters, we
18 have Agonagona, a women's clothing, we have
19 Gables Gyms, and we have a bridal store.

20 MR. BEHAR: And the reason I'm asking, you
21 said that you are in favor of a department
22 store?

23 MR. HOLMES: Yeah. I think that what we
24 need to do -- Thanks for asking me. The
25 Village of Merrick Park came here. They

1 certainly awoke all of us on Miracle Mile as to
2 what we could have done and should have done
3 and didn't do, and they brought in spectacular
4 department stores -- fortunately, high-end
5 department stores, Neiman Marcus, Nordstrom.
6 What a grand-slam home run.

7 I made it my mission to say, how can
8 Miracle Mile try and keep up with what we could
9 have done and should have done already? And
10 I've talked to every major department store
11 ever since, and I may even have to run for City
12 Commission if I can't get a job with the City
13 that I'm trying to get right now as assistant
14 economic sustainability director. Why?
15 Because Coral Gables -- You all as planners can
16 really appreciate this. We, hopefully, will
17 forever be a small suburb, residential
18 community, where rich people or want-to-be rich
19 people like you and me can raise our children
20 and not be afraid of crime and this and that.
21 So let's keep our main street, Miracle Mile,
22 Low-Rise. That gives the suburban feel that we
23 want our community to remain. But in order to
24 do that, we've got protect our property owners
25 on Miracle Mile from these pressures to build

1 up, up, up, up, up. How do you do that?

2 Anchor them with a department store.

3 Ask yourselves right now -- forgive me,
4 thank you for letting me talk -- do you shop on
5 Miracle Mile? The answer might be, "I'd like
6 to, I try to, but I don't really shop there.

7 If I've got to get something quick, I go to
8 Dadeland, I go to a department store," this and
9 that and the other. I want Miracle Mile to be
10 a place where you can say, "Hey, I've got to
11 get some socks." Run down to Miracle Mile, go
12 to the Macy's, that I've talked to for there.

13 I want it to continue to have the anchor,
14 the power, the attraction that you, sitting
15 there right now, can say, "Well, you know, I
16 don't really shop on Miracle Mile," but you'll
17 say, "Oh, yes, I do, because there's a
18 department store there." I want us to anchor
19 Miracle Mile.

20 MR. BEHAR: That could be a double-edged
21 sword, because you could kill the small shops
22 that exist there, when you bring a department
23 store. I mean, that's my concern, because
24 there is a charm to Miracle Mile, and if you
25 bring a -- if you brought a big department

1 store in, there's a lot of places that may not
 2 be able to compete with the department stores.
 3 MR. HOLMES: Well, that's always a concern,
 4 but if you look at the history of retail, I
 5 mean, the places that took over from the main
 6 streets, you know, decades ago, are the malls.
 7 Ask your small retail at the malls. They're
 8 doing fine. They're paying two, three times
 9 the rent of places on Miracle Mile.
 10 So, although I understand your concern, the
 11 whole history of retail goes against your
 12 concern, because the stores --
 13 CHAIRMAN KORGE: You know, I think we're --
 14 MR. HOLMES: -- the stores that make it,
 15 make it malls that are anchored by department
 16 stores.
 17 CHAIRMAN KORGE: I think we're kind of
 18 straying a little bit --
 19 MR. HOLMES: Yeah, yeah.
 20 CHAIRMAN KORGE: -- from our issue. Do you
 21 have anything else to add about the change in
 22 land use, at this time? You support it?
 23 MR. HOLMES: Well, I would just do what I
 24 think your instincts are. I would say, "I vote
 25 yes, but with many caution flags. We're going

1 to keep watching this."
 2 CHAIRMAN KORGE: Okay. Thank you.
 3 Is anybody else from the public here to
 4 speak on this particular application?
 5 None?
 6 Well, we still have a motion on the floor.
 7 It's been seconded. Is there any discussion
 8 among the Board for that motion, further
 9 discussion?
 10 MR. FLANAGAN: We're doing these as a
 11 group, all together?
 12 CHAIRMAN KORGE: I'm sorry? Do you want
 13 them divided or would you prefer to just do it
 14 as a group?
 15 MR. SALMAN: I would do them as a group.
 16 CHAIRMAN KORGE: I'd prefer it as a group,
 17 but if there's an objection, I'll --
 18 MR. FLANAGAN: If I'm the only one, then
 19 that's fine.
 20 CHAIRMAN KORGE: Okay, we'll do it as a
 21 group. Do you have an objection to one
 22 particular one you want to express?
 23 MR. FLANAGAN: I'm just having a very hard
 24 time with the 200 block of Andalusia.
 25 MR. AIZENSTAT: With which one?

1 MR. BEHAR: Which one?
 2 MR. FLANAGAN: Property Number 3.
 3 CHAIRMAN KORGE: Number three?
 4 MR. FLANAGAN: Yeah.
 5 CHAIRMAN KORGE: Why do you have a problem
 6 with that one?
 7 MR. FLANAGAN: It's mid-block, nothing
 8 else --
 9 MS. HERNANDEZ: Number 3?
 10 CHAIRMAN KORGE: That's the garage behind
 11 the Miracle Theater.
 12 MR. SALMAN: Miracle Theater, right.
 13 MR. FLANAGAN: And then the balance of the
 14 block on the west end, which is City property,
 15 is included.
 16 CHAIRMAN KORGE: Well, I mean, I have a
 17 problem with all of these little holes here,
 18 but --
 19 MR. BEHAR: I have a problem with the
 20 holes.
 21 CHAIRMAN KORGE: But we're not going to fix
 22 that today.
 23 MR. FLANAGAN: But why can't we advertise
 24 and come back and include the holes?
 25 MR. AIZENSTAT: Because the people --

1 MS. HERNANDEZ: You can't force the land
 2 use on somebody that, you know --
 3 MR. SALMAN: We can't force it.
 4 MR. FLANAGAN: But we don't know that
 5 they --
 6 MR. AIZENSTAT: But they were noticed. We
 7 have a Board member that sits with us that is
 8 right near this property that was noticed.
 9 MR. RIEL: We sent out over 1,500 notices,
 10 a thousand feet of each of these properties.
 11 CHAIRMAN KORGE: I will just note that most
 12 people don't pay attention to them, and I think
 13 if you follow up -- excuse me, I think if you
 14 follow up individually, you'll get a different
 15 response from those people --
 16 MR. RIEL: As the Manager indicated, we
 17 will do that --
 18 CHAIRMAN KORGE: Yeah.
 19 MR. RIEL: -- but, you know, I disagree
 20 with you. I did get a lot of calls in the
 21 office and did get a lot of questions on this,
 22 on these applications.
 23 MS. HERNANDEZ: Yeah, and you get
 24 objections and --
 25 CHAIRMAN KORGE: Okay. Not from the right

1 people, I guess.

2 MR. RIEL: Not from the neighboring
3 property owners.

4 CHAIRMAN KORGE: Any more discussion?
5 Hearing none, we'll call the roll on this
6 motion.

7 MS. MENENDEZ: Eibi Aizenstat?

8 MR. AIZENSTAT: Yes.

9 MS. MENENDEZ: Robert Behar?

10 MR. BEHAR: Yes.

11 MS. MENENDEZ: Jack Coe?

12 MR. COE: Yes.

13 MS. MENENDEZ: Jeff Flanagan?

14 MR. FLANAGAN: Yes.

15 MS. MENENDEZ: Javier Salman?

16 MR. SALMAN: Yes.

17 MS. MENENDEZ: Tom Korge?

18 CHAIRMAN KORGE: Yes.

19 MR. RIEL: Your recommendation goes to the
20 Commission at their July 13th meeting.

21 MR. AIZENSTAT: Eric, let me ask you a
22 question. If any of the property owners that
23 are adjacent here want to come forward now and
24 apply, what type of fee would they have with
25 the City in doing so?

1 MR. RIEL: A change in land use fee, I
2 believe, is \$10,000, and then the advertising,
3 which is another \$5,000.

4 MR. SALMAN: Advertising.

5 MR. AIZENSTAT: The 10,000 and the 5,000?

6 MR. RIEL: Yeah. That's basically to cover
7 the cost for the advertising, the notice, staff
8 time and so forth.

9 CHAIRMAN KORGE: Is it legal to waive those
10 fees, in this circumstance?

11 MR. RIEL: We have not waived them for
12 private property owners. It sets a really bad
13 precedent.

14 MR. FLANAGAN: If you do that, where do you
15 start and where do you stop?

16 MR. AIZENSTAT: If they would have come
17 now, at the same time, how would that have
18 worked?

19 MR. RIEL: Well, the issue is that the Code
20 only allows two amendment cycles a year, for
21 changes in land use. City-initiated
22 applications aren't subject to that twice a
23 year. So they would have to wait until August.

24 MR. AIZENSTAT: Okay.

25 MR. RIEL: In all likelihood, they could go

1 through the process in advance of Hometown
2 Democracy, however. It's dependent on the
3 application.

4 MR. AIZENSTAT: Thank you.

5 CHAIRMAN KORGE: The next item on the
6 agenda is Application Number 05-10-104-P,
7 Change of Land Use and Change of Zoning for two
8 City-owned applications -- properties.

9 MS. HERNANDEZ: Right.

10 MR. BOLYARD: Good evening, Chairman,
11 Members of the Board. For the record, my name
12 is Scot Bolyard, with the Planning Department.

13 The item before you is for a change of land
14 use and a change of zoning for the property
15 located at 4650 Alhambra Circle. The proposed
16 change of land use is from Residential Use,
17 Single-Family, Low Density, to Parks and
18 Recreation, and the proposed change of zoning
19 is from Single-Family Residential District to
20 Special Use District.

21 The size of the property is just under half
22 an acre, at .48 acres. The surrounding uses
23 are one and two-story single-family residences.
24 The proposed change of land use and change of
25 zoning are required to provide for the

1 property's future intended use as a green space
2 or neighborhood park.

3 The Parks & Recreation Department has
4 agreed to conduct neighborhood meetings with
5 surrounding property owners to present and
6 provide for public input and comments for
7 future development plans at the property.

8 Staff, based on analysis of the
9 application, recommends approval of the
10 proposed changes, based on the following
11 findings of fact: That the future development
12 of the property will be subject to Zoning Code
13 regulations for S, Special Use District
14 designated properties, which includes, but not
15 limited to, restrictions on setbacks, height,
16 landscaping, and floor area ratio. Any
17 placement of structures on the property
18 requires conditional use public hearing review
19 before the Planning & Zoning Board and City
20 Commission. The application is in compliance
21 with and furthers the goals, objectives and
22 policies of the Comprehensive Plan, and this
23 proposal would provide for the redevelopment of
24 vacant land to allow for future development as
25 a green space or neighborhood park.