

CITY OF CORAL GABLES  
LOCAL PLANNING AGENCY (LPA)/  
PLANNING & ZONING BOARD MEETING  
VERBATIM TRANSCRIPT  
WEDNESDAY, NOVEMBER 8, 2023, COMMENCING AT 6:04 P.M.

Board Members Present at Commission Chamber:

Eibi Aizenstat, Chairman  
Robert Behar  
Julio Grabiell  
Felix Pardo  
Sue Kawalerski  
Javier Salman  
Chip Withers

City Staff and Consultants:

Jill Menendez, Administrative Assistant, Board Secretary  
Jennifer Garcia, City Planner  
Emilee Aguerrebere, Principal Planner  
Craig Collier, Special Counsel  
Arceli Redila, Zoning Administrator  
Peter Iglesias, City Manager  
Kevin Kinney, Parking Director  
Melissa Zayas, Public Works Transportation  
Division Manager  
Douglas Ramirez, Deputy Director of Development Services

Also Participating:

Laura Russo, Esq., On behalf of Item E-4  
Mario Garcia-Serra, Esq., On behalf of Items E-2 and E-3  
Brian Fisher, architect  
Magda S. Granda  
Jemima Cubas  
Waldo Toyos  
Vicky Rua  
Octavio Santurio, Architect  
Hank Porcher  
Javier Rodriguez, Traffic Consultant  
Juan Espinoza, Traffic Consultant  
Sara Conde, via Zoom

Planning and Zoning Board has established the ability for the public to provide comments virtually. For those members of the public who are appearing on Zoom and wish to testify, you must be visible to the court reporter to be sworn in. Otherwise, if you speak, without being sworn in, your comments may not have evidentiary value.

Lobbyist, any person who acts as a lobbyist must register with the City Clerk as required pursuant to the City Code.

As Chair, I now officially call the City of Coral Gables Planning and Zoning Board Meeting of November 8th to order. The time is 6:04.

Jill, if you would please call the roll.

THE SECRETARY: Robert Behar?

MR. BEHAR: Here.

THE SECRETARY: Julio Grabiell?

MR. GRABIELL: Here.

THE SECRETARY: Sue Kawalerski?

MS. KAWALERSKI: Here.

THE SECRETARY: Felix Pardo?

MR. PARDO: Here.

THE SECRETARY: Javier Salman?

MR. SALMAN: Here.

THEREUPON:

CHAIRMAN AIZENSTAT: Good evening. I'd like to call the meeting to order, and I'd like to ask everybody to please silence their phones and beepers, if they have any still.

This Board is comprised of seven members. Four Members of the Board shall constitute a quorum, and the affirmative vote of four members shall be necessary for the adoption of any motion. If only four Members of the Board are present, an applicant may request and be entitled to a continuance to the next regularly scheduled meeting of the Board.

If a matter is continued due to a lack of quorum, the Chairperson or Secretary of the Board may set a Special Meeting to consider such matter. In the event that four votes are not obtained, an applicant, except in the case of a Comprehensive Plan Amendment, may request a continuance or allow the application to proceed to the City Commission without recommendation.

Pursuant to Resolution Number 2021-118, the City of Coral Gables has returned to traditional in-person meetings; however, the

THE SECRETARY: Chip Withers?

MR. WITHERS: I'm here.

THE SECRETARY: Eibi Aizenstat?

CHAIRMAN AIZENSTAT: Here.

Notice Regarding Ex Parte Communications, please be advised that this Board is a quasi-judicial board, which requires Board Members to disclose all ex parte communications and site visits. An ex parte communication is defined as any contact, communication, conversation, correspondence, memorandum or other written or verbal communication, that takes place outside of a public hearing, between a member of the public and a member of a quasi-judicial board, regarding matters to be heard by the Board. If anyone made any contact with a Board Member regarding an issue before the Board, the Board Member must state, on the record, the existence of the ex parte communication and the party who originated the communication.

Also, if a Board Member conducted a site visit specifically related to the case before the Board, the Board Member must also disclose such visit. In either case, the Board Member

1 must state, on the record, whether the ex parte  
2 communication and/or site visit will affect the  
3 Board Member's ability to impartially consider  
4 the evidence to be presented regarding the  
5 matter. The Board Member should also state  
6 that his or her decision will be based on  
7 substantial competent evidence and testimony  
8 presented on the record today.

9 Does any Member of the Board have such  
10 communication and/or site visit to disclose at  
11 this time?

12 MR. BEHAR: None.

13 MR. SALMAN: No.

14 MS. KAWALERSKI: No.

15 CHAIRMAN AIZENSTAT: Swearing in, everyone  
16 who speaks this evening must complete the  
17 roster on the podium. If anyone -- we ask that  
18 you print clearly, so the official records of  
19 your name and address will be correct.

20 Now, with the exception of attorneys, all  
21 persons physically in the City Commission  
22 Chambers, who will speak on agenda items before  
23 us this evening, please rise to be sworn in.

24 (Thereupon, the participants were sworn.)

25 CHAIRMAN AIZENSTAT: Thank you.

5

1 Zoom platform participants, I will ask any  
2 person wishing to speak on tonight's agenda  
3 items, to please open your chat and send a  
4 direct message to Jill Menendez, stating you  
5 would like to speak before the Board and  
6 include your full-time name. Jill will call  
7 you when it's your turn. I ask you to be  
8 concise, for the interest of time.

9 Then we'll proceed to the phone platform  
10 participants. After the Zoom platform  
11 participants are done, I will ask phone  
12 participants to comment on tonight's agenda  
13 items. I will also ask you to be concise, for  
14 the interest of time.

15 First we have the approval of the minutes.  
16 We have two. I'd like to take up first  
17 September 21st, 2023. Has everybody had a  
18 chance to review?

19 MR. BEHAR: I'll make a motion to approve.

20 CHAIRMAN AIZENSTAT: We have a motion.

21 MR. GRABIEL: I second it.

22 CHAIRMAN AIZENSTAT: Julio seconds.

23 Any comments, discussion? No?

24 Call the roll, please.

25 THE SECRETARY: Julio Grabiél?

6

1 MR. GRABIEL: Yes.

2 THE SECRETARY: Sue Kawalerski?

3 MS. KAWALERSKI: Yes.

4 THE SECRETARY: Felix Pardo?

5 MR. PARDO: Yes.

6 THE SECRETARY: Javier Salman?

7 MR. SALMAN: Yes.

8 THE SECRETARY: Chip Withers?

9 MR. WITHERS: Yes.

10 THE SECRETARY: Robert Behar?

11 MR. BEHAR: Yes.

12 THE SECRETARY: Eibi Aizenstat?

13 CHAIRMAN AIZENSTAT: Yes.

14 The second is the October 11th meeting of  
15 2023. The same, has everybody had a chance to  
16 review? Is there a motion?

17 MR. SALMAN: I so move.

18 CHAIRMAN AIZENSTAT: Javier moves. Is  
19 there a second?

20 MS. KAWALERSKI: Second.

21 CHAIRMAN AIZENSTAT: Sue made the second.

22 Any comments? No?

23 Call the roll, please.

24 THE SECRETARY: Sue Kawalerski?

25 MS. KAWALERSKI: Yes.

7

1 THE SECRETARY: Felix Pardo?

2 MR. PARDO: Here. Yes.

3 THE SECRETARY: Javier Salman?

4 MR. SALMAN: Yes.

5 THE SECRETARY: Chip Withers?

6 MR. WITHERS: Yes.

7 THE SECRETARY; Robert Behar?

8 MR. BEHAR: Yes.

9 THE SECRETARY: Julio Grabiél?

10 MR. GRABIEL: Yes.

11 THE SECRETARY: Eibi Aizenstat?

12 CHAIRMAN AIZENSTAT: Yes.

13 The procedure we'll use for tonight, first  
14 we'll have the identification of the agenda  
15 item by Mr. Coller. Then we'll have the  
16 presentation by the applicant or agent. Then  
17 the presentation by Staff. We'll open the  
18 public comment, first in Chamber, then Zoom  
19 platform, and then the phone line platform.  
20 I'll go ahead and close the public comment.  
21 We'll have Board discussion. Then we'll have a  
22 motion, further discussion, and a second of the  
23 motion, if necessary, and then the Board's  
24 final comments and a vote.

25 What I'd like to do is, we have a Board

8

1 Member that has a conflict with Item E-2 and  
2 E-3 tonight. So what we're going to do is,  
3 we're first going to go ahead and hear E-1, and  
4 then we will move on to E-4 and E-5 and then we  
5 will go to E-3 and E-4.

6 I want to confirm that that's okay with the  
7 rest of the Board Members?

8 MS. KAWALERSKI: Fine.

9 CHAIRMAN AIZENSTAT: Yes?

10 MR. WITHERS: Yes.

11 CHAIRMAN AIZENSTAT: Thank you.

12 Mr. Collier, if you would please read the  
13 first item on the agenda.

14 MR. COLLIER: Item E-1, an Ordinance of the  
15 City Commission providing for text amendments  
16 to the City of Coral Gables Official Zoning  
17 Code pursuant to Zoning Code Article 14,  
18 "Process," Section 14-212, "Zoning Code Text  
19 and Map Amendments," to create carbon concrete  
20 requirements, a review procedure, and an appeal  
21 process that reduces greenhouse gas emissions,  
22 providing for repeater provision, severability  
23 clause, codification, and providing for an  
24 effective date.

25 Item E-1, public hearing.

1 any concrete element of a building in all of  
2 the MFs, MF2, 3 and 4, and all of the MX  
3 districts, so all of our larger buildings.  
4 This wouldn't apply to single-family or to  
5 duplex.

6 And that's it.

7 CHAIRMAN AIZENSTAT: That's it?

8 MS. GARCIA: Yes.

9 CHAIRMAN AIZENSTAT: Okay. Let's go ahead  
10 and open it up for comment, unless anybody has  
11 a quick question.

12 MS. KAWALERSKI: I have one question. Have  
13 you heard from any builders that say they don't  
14 want this to happen?

15 MS. GARCIA: I personally have not. So  
16 I've been told -- we kind of contacted around  
17 to make sure there was no added expense in  
18 doing this. We've been told that it's not an  
19 added expense, it's just an added step for  
20 verification purposes.

21 CHAIRMAN AIZENSTAT: Okay. Thank you.

22 I noticed that Mr. City Manager has joined  
23 us. Welcome, Mr. City Manager. Is there  
24 anything you'd like to say or would you like to  
25 come up?

1 MS. GARCIA: Okay. Jennifer Garcia, City  
2 Planner. I'm lucky today to have so many  
3 architects here to help with the discussion of  
4 this, because it's going to be very technical,  
5 I'm sure.

6 MR. BEHAR: You're sure?

7 MS. GARCIA: So, in a nutshell, we're  
8 requiring to reduce our carbon in the  
9 construction of concrete. So, as you know,  
10 when you are manufacturing and mining the  
11 cement, it's a very dirty, icky process, that  
12 creates CO2 gas emissions, right.

13 So a relatively new technology is able to  
14 capture all or some of that CO2 emissions.  
15 They're able to capture that, and, I guess,  
16 inject it into new concrete or into concrete,  
17 to make it even stronger, and, therefore,  
18 reducing the amount of CO2s they release into  
19 the atmosphere.

20 So the Commission really wants to,  
21 obviously, promote, you know, environmentally  
22 friendly initiatives, and this is one of those,  
23 to reduce the amount of carbon that the City is  
24 releasing, right. So it's to be required in  
25 the construction of anything that's concrete,

1 CITY MANAGER IGLESIAS: Thank you very  
2 much, Mr. Chair. I think I came for the carbon  
3 issue, and -- are we on that? I'm sorry, there  
4 was a resident downstairs, so I wasn't sure.  
5 Are we on the carbon issue?

6 MS. GARCIA: Yes.

7 CHAIRMAN AIZENSTAT: Yes, we are, and the  
8 presentation has been made by Staff.

9 CITY MANAGER IGLESIAS: Thank you very  
10 much.

11 Let me just say, this is a product where  
12 the carbon -- where CO2 is injected, using  
13 recaptured methodology, into concrete, as it's  
14 being mixed. Most of the CO2 that's generated  
15 by concrete is by the cement process, where  
16 you're actually manufacturing cement.  
17 Manufacturing cement is different than creating  
18 concrete -- that's a batch plant -- and  
19 manufacturing cement is a cement plant.

20 So that's a very dirty, hot process,  
21 creates a lot of CO2. So this process actually  
22 takes some of that CO2, to recapture it, and  
23 put it back into the concrete, and then what it  
24 does is, it mixes with the cement to create a  
25 very micro calcium carbonate and it provides a

1 little finer mix. And so it doesn't affect the  
2 strength and increases permeability, which is  
3 not a bad thing right now, my understanding,  
4 there's not a cost involved, right, which is  
5 very important, and there's also a way to  
6 mitigate that, because if there is a source  
7 problem or a cost problem, then it can be  
8 appealed to the Building Official, so it won't  
9 necessarily be used on the project. This also  
10 has LEED implication. So it would help with  
11 LEED, as far as the project is concerned. So  
12 the idea of this is not to add cost to job  
13 sites, but just to recapture some of that CO2  
14 created during the manufacturing of the cement,  
15 which is, of course, used in concrete. Also,  
16 it allows a little less cement ratio, which  
17 also helps out.

18 MR. BEHAR: I think it's a wonderful idea.  
19 I'm in favor. I had a presentation made to us,  
20 you know, six, eight months ago, but nobody has  
21 ever been able to tell me if there's an  
22 additional cost implication, you know, and I  
23 would assume that, you know, there is not, but  
24 if there is, you said there's a mechanism  
25 for -- to appeal it to the Building Official in

13

1 order to mitigate that or --

2 CITY MANAGER IGLESIAS: Mr. Behar, I  
3 personally called and had a Zoom meeting with a  
4 number of batch plants. There should be no  
5 cost involved right now -- no additional cost  
6 involved, but if there is or the product -- or  
7 the product becomes unavailable, for some  
8 reason, then the Building Official can waive  
9 it --

10 MR. BEHAR: Okay.

11 CITY MANAGER IGLESIAS: -- from the  
12 project. So there is an out for this, right,  
13 or if sourcing the concrete starts getting  
14 ridiculously high. So my personal view on this  
15 is that this is good, this doesn't -- and we  
16 don't have any projects that are very large,  
17 that require special concrete. Our  
18 construction is under 200 feet. It's not --

19 MR. BEHAR: And that's exactly -- you know,  
20 the tower that I'm doing is 15,000 PSI  
21 concrete.

22 CITY MANAGER IGLESIAS: That's a whole  
23 different ball game. You've got to get special  
24 aggregate.

25 MR. BEHAR: Yeah.

14

1 CITY MANAGER IGLESIAS: All kinds of issues  
2 there. Believe me, I know. But our structures  
3 here are under 200 feet. So we don't have any  
4 special concrete requirements here, that will  
5 be affected -- that would be affected by this.

6 MR. BEHAR: I think that's the way of the  
7 future, no matter what, so we need to start  
8 looking at it and doing it.

9 MR. COLLER: Mr. Chair --

10 CHAIRMAN AIZENSTAT: Yes, sir.

11 MR. COLLER: -- may I suggest you open it  
12 up for public hearing, and then we can have a  
13 discussion?

14 CHAIRMAN AIZENSTAT: I will. I just didn't  
15 know if anybody had a quick question.

16 MR. WITHERS: I do. How do you measure  
17 it? I mean, I've got concrete. Is someone  
18 going there and actually drilling and measuring  
19 the CO2 in the concrete?

20 CITY MANAGER IGLESIAS: No. No. It would  
21 be through the reports, when you are -- the  
22 engineer gets reports from the actual batch  
23 plant --

24 MR. WITHERS: The actual what --

25 CITY MANAGER IGLESIAS: From -- reports --

15

1 MR. WITHERS: The supplier of the concrete?

2 CITY MANAGER IGLESIAS: From the supplier  
3 of the --

4 MR. WITHERS: So the supplier of the  
5 concrete regulates himself, as far as how much  
6 CO2 is in the concrete?

7 CITY MANAGER IGLESIAS: Well, there are  
8 various companies that do this, and there is a  
9 way of working with those companies that  
10 provide that product to the batch plant. So I  
11 think the laboratories can actually deal with  
12 it. We can even have the labs visit the actual  
13 plants. So if there is -- and I don't want to  
14 state any of the producers or any of the  
15 suppliers of this methodology, but we would  
16 certainly deal with them. So that if that's  
17 not happening, we would be advised.

18 MR. BEHAR: But by the time that concrete  
19 gets here, it's already done -- the process is  
20 already done.

21 CITY MANAGER IGLESIAS: It's just going to  
22 add the actual batch plant.

23 MR. BEHAR: Yeah.

24 CHAIRMAN AIZENSTAT: Felix, did you have  
25 something quickly, before I open it up?

16

1 MR. PARDO: So the question I had was --  
2 because I was concerned -- the appeal period in  
3 case it did increase the cost, and I've read  
4 that -- anything from two dollars to eighty  
5 dollars a cubic yard, but it's negligible  
6 compared to the overall cost of construction.  
7 Are there any other municipalities, counties,  
8 in the State of Florida, that have this type of  
9 ordinance?

10 MS. GARCIA: Not in Florida, no. You will  
11 be the first one in Florida.

12 MR. BEHAR: And, Felix, 80 dollars a yard,  
13 that is significant.

14 MS. KAWALERSKI: It's significant.

15 MR. BEHAR: Two dollars a yard is  
16 reasonable, five dollars a yard, but 80 dollars  
17 a yard --

18 CITY MANAGER IGLESIAS: And we have the  
19 Building Official that can make that decision  
20 on a large project.

21 MR. PARDO: You know, that's the thing.  
22 The key question is if the Building Official  
23 thinks, you know, is two dollars, you know,  
24 enough or eight dollars, so -- but, at the same  
25 time, I think it's a good step -- a first step,

17

1 nobody else has done it. I think it's a good  
2 first step to try to minimize the impact of  
3 what we build, and most of what we build down  
4 here, as you know, is concrete.

5 CHAIRMAN AIZENSTAT: Thank you,  
6 Mr. Manager.

7 CITY MANAGER IGLESIAS: And Commissioner  
8 Withers, these companies, that actually do  
9 this, certify those plants. If those plants  
10 become de-certified, then we immediately know  
11 what's going on.

12 CHAIRMAN AIZENSTAT: Thank you.

13 Jill, do we have any speakers on this item?

14 THE SECRETARY: No speakers have signed up  
15 and no speakers on Zoom.

16 CHAIRMAN AIZENSTAT: No speakers on Zoom or  
17 the phone platform, either?

18 THE SECRETARY: No.

19 CHAIRMAN AIZENSTAT: Okay. At this time,  
20 I'd like to go ahead and close it for public  
21 comment.

22 Mr. Manager, a question that I had is, this  
23 is also for single-family homes or only a  
24 certain size project?

25 MS. GARCIA: No, this will be just for

18

1 multi-family and mixed-use. So single-family  
2 and duplex would be exempted from this.

3 CHAIRMAN AIZENSTAT: Okay.

4 MR. SALMAN: Through the Chair.

5 CHAIRMAN AIZENSTAT: Yeah, go ahead,  
6 Javier.

7 MR. SALMAN: Mr. Manager, can you explain  
8 how it enhances or detracts from the strength  
9 of the concrete?

10 CITY MANAGER IGLESIAS: It doesn't hurt the  
11 strength. The injected CO2 reacts with the  
12 pulled on cement to create a nano calcium  
13 carbonate product that actually becomes a finer  
14 mix. So it probably does not degrade the  
15 strength, it probably increases strength  
16 somewhat, and it also --

17 MR. SALMAN: Has that been tested? Do we  
18 know that for a fact?

19 CITY MANAGER IGLESIAS: Yes, it's been  
20 tested, and it also helps with permeability of  
21 the concrete, which is a big thing, as far as  
22 the carbonation is concerned.

23 MR. SALMAN: Is this a method of gas  
24 effusion into the --

25 CITY MANAGER IGLESIAS: Correct.

19

1 MR. SALMAN: -- when you're actually  
2 preparing the batch?

3 CITY MANAGER IGLESIAS: When you're  
4 batching, correct. It's a process --

5 MR. SALMAN: Basically, for lack of a  
6 better term, aerating the concrete with CO2 --

7 CITY MANAGER IGLESIAS: It's a process of  
8 the recapture of that CO2.

9 MR. SALMAN: So, from the factory, they  
10 collect the CO2 and then give it to the batch  
11 plant --

12 CITY MANAGER IGLESIAS: No. No. It's just  
13 a net. It's just a net. You know, you're  
14 creating it here and you --

15 MR. SALMAN: So they grabbed it out of here  
16 and put it over there.

17 CITY MANAGER IGLESIAS: Exactly. Exactly.  
18 So there is --

19 (Simultaneous speaking.)

20 CITY MANAGER IGLESIAS: But as Mr. Behar  
21 was discussing, concerning concrete, tall  
22 buildings require different issues, special  
23 aggregates. 10,000, 15,000 is a concrete which  
24 is -- you have to input -- our aggregate  
25 doesn't even work for that. We have all sorts

20

1 of materials that we have for taller buildings.  
2 We don't have this issue in under 200 feet,  
3 because all of our buildings are under 200  
4 feet.

5 MR. SALMAN: Okay. Thank you.

6 CHAIRMAN AIZENSTAT: Okay. Sue.

7 MS. KAWALERSKI: No.

8 CHAIRMAN AIZENSTAT: Felix?

9 MR. PARDO: When they introduced the fifth  
10 gash (phonetic) into the mix, it does affect  
11 the curing time, but not that much, right?

12 CITY MANAGER IGLESIAS: That's a whole  
13 different thing. Engineers like it, don't like  
14 it, it does affect the curing time. The  
15 strength goes slightly up. The cement mix goes  
16 slightly down. So there's a savings there.  
17 This is a little bit different. This is  
18 really -- it's a concept like that, but this is  
19 really not gash.

20 MR. BEHAR: If we have a structural  
21 engineer explaining this to us, I feel good.

22 CHAIRMAN AIZENSTAT: Chip.

23 MR. WITHERS: I don't know the first thing  
24 about this. I tried to watch some YouTube and  
25 stuff, but -- is this really -- I mean, it

21

1 the bags of cement, right.

2 MR. WITHERS: Okay.

3 CITY MANAGER IGLESIAS: When you use  
4 concrete, you use cement, water and different  
5 kinds of aggregates and it might have some  
6 added mixtures, right, laid concrete CO2 or --  
7 there are all kinds of added mixtures there.  
8 That is the batch plant. The cement plant is  
9 where the cement is created, the cement portion  
10 of the concrete, and that's where the big  
11 problem is, as far as this CO2 generator.

12 MR. WITHERS: Really, on the manufacturing,  
13 and so by us regulating what concrete goes into  
14 our buildings, we're poking the manufacturer to  
15 do it right?

16 CITY MANAGER IGLESIAS: No. What we're  
17 doing is, we are reducing somewhat the cement  
18 ratio, which helps, because you're using less  
19 cement and we're recapturing some of the CO2  
20 that was released here. So we are off-setting  
21 some of the negatives of -- or what's viewed as  
22 a negative for concrete.

23 MR. WITHERS: So is it the same process  
24 when they make their concrete blocks? Do they  
25 inject CO2 into it?

23

1 sounds really cool. Is it really one of those  
2 just, we're doing a good thing, it's a feel  
3 good for Mother Earth type of deal or is it  
4 really significantly going to impact anything?

5 CITY MANAGER IGLESIAS: No, I think we are  
6 reducing -- we're --

7 MR. WITHERS: How much is it going to  
8 really -- I mean, give me a --

9 CITY MANAGER IGLESIAS: Probably four to  
10 ten percent, something like that, but what  
11 we're doing is, we're reducing the delta from  
12 the cement manufacturing, which is really the  
13 biggest issue, as far as concrete, because the  
14 cement manufacturing is totally different.  
15 Everybody thinks of concrete as the batch  
16 plant, but that cement that is being  
17 manufactured, it's a very dirty, heat intensive  
18 process and --

19 MR. WITHERS: So does concrete, when it's  
20 sitting on a building, release CO2 in the air?  
21 How does the CO2 leave the concrete in the  
22 first place?

23 CITY MANAGER IGLESIAS: It's not the  
24 concrete, it's the manufacturing of cement  
25 where the problem -- when you're manufacturing

22

1 CITY MANAGER IGLESIAS That's a  
2 different -- that's a whole different kind of  
3 concrete. The concrete blocks, they use a very  
4 low slump concrete, because those concrete  
5 blocks have to be kicked out and they have to  
6 be done -- so that's a whole different kind of  
7 concrete, but it's very low slump, low water  
8 ratio concrete. It's like pavers. Those  
9 things are eight, nine, ten thousand PSIs,  
10 because when you kick out a paver, it has to  
11 stand, right. If you take off a mold of  
12 concrete, it just -- it's a liquid.

13 When you have a production of a paver or  
14 concrete block, that's a different kind of  
15 concrete, because it has to -- it's similar to  
16 what's used in compulsory shock concrete and it  
17 stands by itself. It has to be like that,  
18 because, if not, you can't produce five blocks  
19 a day. So the machine has to be kicking those  
20 out. So that's a low slump process. That's  
21 different. This is for looking at the batch  
22 plant. Now, if they come up with some process  
23 for that, that's something different, but what  
24 we're looking at is the cast in place concrete  
25 that we use.

24

1 MR. WITHERS: All right.  
 2 CHAIRMAN AIZENSTAT: Julio.  
 3 MR. GRABIEL: I've been hearing and reading  
 4 about this for a while now, so I'm very happy  
 5 that the City is taking the first step, and it  
 6 makes me extremely happy that we are the first  
 7 municipality that's approaching it. So if I  
 8 could make a motion to -- or are we --  
 9 CHAIRMAN AIZENSTAT: Well, I'd like to make  
 10 a comment, if I can.  
 11 MR. GRABIEL: Oh, okay. Sorry.  
 12 CHAIRMAN AIZENSTAT: Robert, are you --  
 13 MR. BEHAR: I'm good.  
 14 CHAIRMAN AIZENSTAT: Just one question that  
 15 I have, does it start at a certain PSI where  
 16 this is implemented?  
 17 CITY MANAGER IGLESIAS: We would use it --  
 18 no, it can be used throughout the range of  
 19 concrete that's being used at the job site.  
 20 Normally our buildings would range anywhere  
 21 from four to seven, which is right in the range  
 22 of -- or maybe three to seven.  
 23 CHAIRMAN AIZENSTAT: Great. So somebody  
 24 that's using, let's say, a 2500 PSI or a 2000  
 25 PSI --

25

1 CITY MANAGER IGLESIAS: You would not use  
 2 that in buildings. In those kinds of  
 3 buildings, you would not use that.  
 4 CHAIRMAN AIZENSTAT: Okay. So it doesn't  
 5 do --  
 6 CITY MANAGER IGLESIAS: Most of the  
 7 concrete that's used is 4000 to 7000, 8000  
 8 tons.  
 9 CHAIRMAN AIZENSTAT: Okay. The reason I  
 10 was asking is because I was just wondering  
 11 how -- concrete is also used sometimes for  
 12 driveways and so forth. So I didn't know what  
 13 the PSI was or if that was going to affect --  
 14 CITY MANAGER IGLESIAS: Normally, you would  
 15 use at least 3000 PSI.  
 16 MR. BEHAR: For a driveway, you would use  
 17 no more than 3000.  
 18 CITY MANAGER IGLESIAS: And you could use  
 19 it on that also.  
 20 CHAIRMAN AIZENSTAT: Okay. Any other  
 21 comments?  
 22 Julio, you wanted to make a motion?  
 23 MR. GRABIEL: Yeah. I'd like to make a  
 24 motion to accept it as is.  
 25 CHAIRMAN AIZENSTAT: Do we have a second?

26

1 MR. WITHERS: I second.  
 2 MR. SALMAN: Second.  
 3 CHAIRMAN AIZENSTAT: We have a motion. We  
 4 have a second. Any discussion? No?  
 5 Call the roll, please.  
 6 THE SECRETARY: I'm sorry, who seconded  
 7 it?  
 8 MR. SALMAN: Javier.  
 9 MR. COLLER: Motion is to approve in  
 10 accordance with department recommendation.  
 11 CHAIRMAN AIZENSTAT: Say that again,  
 12 please.  
 13 MR. COLLER: The motion is to approve in  
 14 accordance with the department recommendation.  
 15 CHAIRMAN AIZENSTAT: That is correct.  
 16 MR. GRABIEL: Correct. Yes.  
 17 THE SECRETARY: Felix Pardo?  
 18 MR. PARDO: Yes.  
 19 THE SECRETARY: Javier Salman?  
 20 MR. SALMAN: Yes.  
 21 THE SECRETARY: Chip Withers?  
 22 MR. WITHERS: Yes.  
 23 THE SECRETARY: Robert Behar?  
 24 MR. BEHAR: Yes.  
 25 THE SECRETARY: Julio Grabiell?

27

1 MR. GRABIEL: Yes.  
 2 THE SECRETARY: Sue Kawalerski?  
 3 MS. KAWALERSKI: Yes.  
 4 THE SECRETARY: Eibi Aizenstat?  
 5 CHAIRMAN AIZENSTAT: Yes.  
 6 CITY MANAGER IGLESIAS: Thank you very  
 7 much. Thank you.  
 8 CHAIRMAN AIZENSTAT: Thank you,  
 9 Mr. Manager, and thank you.  
 10 Next we're going to move on to Item E-4.  
 11 Mr. Coller.  
 12 MR. COLLER: Item E-4, an Ordinance of the  
 13 City Commission of Coral Gables, Florida,  
 14 amending St. Philip's School site plan approved  
 15 under Ordinance No. 3576 to replace an existing  
 16 building with a new pre-K building located at  
 17 1109 Andalusia Avenue, Coral Gables, Florida;  
 18 all other conditions of approval contained in  
 19 Ordinance No. 3576 shall remain in effect; and  
 20 providing an effective date.  
 21 Item E-4, public hearing.  
 22 CHAIRMAN AIZENSTAT: Thank you.  
 23 Ms. Russo.  
 24 MS. RUSSO; Good evening, Mr. Chair,  
 25 Members of the Board. For the record, Laura

28

1 Russo, with offices at 2334 Ponce de Leon  
2 Boulevard. I am here this evening representing  
3 St. Philip's Church and School, and this is my  
4 second round, because, as you heard, this is a  
5 major amendment to a site plan.

6 I worked on getting the site plan approved  
7 back in 2002. So, at that time, under the  
8 auspices of Eric Riel, who was the Planning  
9 Director, we did a new building on the campus  
10 and we established an operating plan. It was a  
11 very complicated site plan, quite  
12 controversial, and it took over a year and a  
13 half, almost two years, to get the site plan  
14 approved, with all of the conditions of  
15 approval, and we are here today -- so  
16 everything has worked smoothly and fine.

17 We are here today, because the eastern most  
18 building on Andalusia is a single-family house.  
19 That was purchased, and it currently houses the  
20 pre-K 3 and pre-K 4. And so that building is  
21 old, it's in need of repair, and the school  
22 decided that instead of trying to repair a  
23 building that does not work functionally,  
24 because it was designed as a single-family  
25 home, not as educational space, that they would

29

1 windows there. So they have protection -- the  
2 windows are non-operable, fixed, impact glass,  
3 and the portion of the building they are on is  
4 storage. So there would be absolutely no  
5 impact. And we have a little bit of a  
6 presentation, so we can show you. So, next  
7 slide, please.

8 This is the existing building that's there,  
9 that's going to go. Next slide. This is the  
10 proposed building. It's already been approved  
11 by the Board of Architects. Next slide. So  
12 this is the existing playground condition, and  
13 if you look in the far left-hand side of the  
14 screen, you see a blank wall structure, with a  
15 little like toy house in front of it. That is  
16 the garage of the existing house, that is  
17 literally on the property line. And so that  
18 was another reason why it was better to  
19 demolish. That's on the property line. We  
20 agreed that, if we did any structure on this  
21 site, we would remove that garage, which, you  
22 know, violated the setbacks, who knows why.  
23 Next slide.

24 So this is now the new space. So you see  
25 how the neighbors will be protected, by a

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1 be better off demolishing it.

2 We approached the Historic Preservation  
3 Department to make sure the building had no  
4 historical significance. It does not. And so  
5 our architect, Octavio Santurio, came up with  
6 plans to replace the house, that is currently  
7 being used, with another structure that has a  
8 single-family appearance to it.

9 And so that was presented to the Board of  
10 Architects. It has been approved by the Board  
11 of Architects. And so the only other condition  
12 of approval that we have asked to impact is, in  
13 the original approval back in 2002, there had  
14 been a requirement that there be no windows on  
15 the eastern elevation that faced the adjacent  
16 neighbors. When we took the original plan, to  
17 the Board of Architects, with that blank  
18 facade, they had a little bit of a fit and  
19 said, "You can add windows, just make them  
20 non-operable."

21 So what we did is, we added windows only on  
22 the front portion of the building, that is  
23 adjacent to the neighbor's garage and driveway,  
24 and on the back portion of the building, which  
25 would be adjacent to their home, we have no

30

1 structure. That structure, on the far left  
2 side, will have no windows, and this is the  
3 playground area behind. And another reason why  
4 the school chose to do the demolition, as you  
5 know, school security is super important in  
6 today's day and age. In my day, when my kids  
7 went to school -- you know, my kids went to  
8 Riviera -- you walked in, you walked out. You  
9 know, those days are, you know, far gone.  
10 Everything is under security. You have to be  
11 buzzed in. You have to be -- so that structure  
12 wasn't as secure, because the new structure now  
13 will allow for security on campus, with the new  
14 building. Next slide, please.

15 This is what the interior flex space will  
16 look like. Many of you know, who may or may  
17 not be exposed to education, it's constantly  
18 changing, in terms of how the classroom, the  
19 interior looks, how kids learn. So this flex  
20 space is way better than the retrofitted  
21 single-family house. Next slide. And this is  
22 also more flex space, which is the rear of the  
23 property, and that's it.

24 And before I conclude and request your  
25 approval for the site plan, I'd like to

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1 recognize that I am here with Reverent Conroy  
2 from the church, with Ed Diaz, who's Head  
3 Officer of Operation, Norma Perez, who is the  
4 Head of the School, and Octavio Santurio, the  
5 architect, who prepared this for us, and we are  
6 prepared to answer any questions you have,  
7 after Staff does its presentation, and I'll  
8 reserve rebuttal, just in case there's any  
9 issue.

10 CHAIRMAN AIZENSTAT: Thank you.

11 MS. GARCIA: Jennifer Garcia, City Planner.  
12 If I could have the PowerPoint, please.

13 Next slide.

14 Okay. All right. So, as you know, the  
15 entire campus is just south of Coral Way, on  
16 Columbus, right north of Salvadore Park, and  
17 the site that we're looking at right now within  
18 that campus is what's identified in the  
19 southeast part of the campus.

20 Zooming in, that's the aerial, so you can  
21 see the campus and the green on the north and  
22 the, you know, west side, and the campus  
23 itself. All of the buildings are mostly  
24 located in the interior, to kind of keep that  
25 residential single-family presence on the

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1 in August, and a Neighborhood Meeting in  
2 October, last month, and here we are for  
3 Planning and Zoning. It will go for First and  
4 Second Reading before the City Commission for  
5 approval of the Ordinance. The letters were  
6 sent out to property owners within a thousand  
7 feet, as required by the Zoning Code. That  
8 happened twice, for the Neighborhood Meeting  
9 and for PZB, and the property was posted twice,  
10 as well as website posting twice, and one time  
11 newspaper advertisement.

12 Staff determined that it is consistent with  
13 the Comp Plan, it complies with the findings of  
14 fact, and you'll find that in your Staff  
15 Report, and it satisfies the Conditions of  
16 Approval. There are three conditions that  
17 we're recommending, the windows that are  
18 proposed to be non-operable and fixed windows  
19 on that eastern elevation towards the  
20 single-family house, that they improve the  
21 swale that's facing Andalusia, the street that  
22 they're on, and all of the other conditions in  
23 Ordinance 3576 to remain in effect, and that's  
24 it.

25 CHAIRMAN AIZENSTAT: Thank you. Thank you.

35

1 streets. The Land Use is institutional use,  
2 and the zoning is Special Use District.

3 So Ordinance Number 3576, which approved  
4 the Site Plan for the property, included that  
5 any changes to the Site Plan would have to be  
6 reviewed by Planning & Zoning and the City  
7 Commission and also had that no windows be  
8 facing that property on the east side.

9 So this is the campus right now, and  
10 zooming in to that Site Plan, you can see that  
11 Classrooms 1 and 2 are flanking either side.  
12 The back of house equipment is tucked in on the  
13 west side, away from the single-family that's  
14 on the east side. They're proposing to restore  
15 the swale, as requested by Staff and the  
16 residents in the area. They have a nice front  
17 yard, to keep that residential character of the  
18 area. They have storage, with the fixed  
19 windows, facing the single-family to the east.  
20 And they have that multi-purpose room and the  
21 playground in the back. That's what it looks  
22 like, as you have already seen, from the  
23 street.

24 And this was reviewed by DRC in April of  
25 this year, Board of Architects twice, approval

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1 Jill, we do have any speakers for this item?

2 THE SECRETARY: Yes. Yes, we do.

3 CHAIRMAN AIZENSTAT: How many do we have?

4 THE SECRETARY: Five.

5 CHAIRMAN AIZENSTAT: Okay. Call the first  
6 person.

7 THE SECRETARY: No? So, actually, two.

8 MR. COLLIER: Can you come up and say what  
9 you just said, so the court reporter can get  
10 that?

11 CHAIRMAN AIZENSTAT: For the record, thank  
12 you.

13 MS. RUSSO: I'm sorry. I requested the  
14 representatives of my group to sign in, just to  
15 avoid the, you know, having to sign in if they  
16 chose to speak at a later time, but they have  
17 decided they don't want to speak, but we're  
18 happy to answer any questions you may have  
19 during the discussion.

20 CHAIRMAN AIZENSTAT: Thank you.

21 THE SECRETARY: Jemima Cubas.

22 MS. CUBAS: Good evening. My name is  
23 Jemima Cubas, and I live at 1044 Coral Way,  
24 right next to the school.

25 CHAIRMAN AIZENSTAT: Thank you. You have

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1 been sworn in?  
 2 MS. CUBAS: Yes, I have.  
 3 CHAIRMAN AIZENSTAT: Thank you.  
 4 MS. CUBAS: This is my husband, Waldo  
 5 Toyos.  
 6 CHAIRMAN AIZENSTAT: Welcome. If you could  
 7 state your full name and address, also.  
 8 MS. TOYOS: It's Waldo Toyos, 1044 Coral  
 9 Way.  
 10 I guess, one of the issues that we have is  
 11 that these structures were built as  
 12 single-family homes, and there is some impact  
 13 going on to us, and we brought it up to  
 14 Reverend Conroy this past year, and it is the  
 15 parking situation. There is no parking for St.  
 16 Philip's. The only parking they use is across  
 17 the street, at Salvadore Park, and some of that  
 18 like street parking there that they have in  
 19 front, but it could also apply to that park.  
 20 We've had a successful park, that was renovated  
 21 this year. We have now a dog park. And we  
 22 continue to have issues with the parking.  
 23 Our street, as much as we want to turn it  
 24 and keep our grass green, this is how it looks  
 25 on a daily basis.

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1 without parking? That's the question.  
 2 CHAIRMAN AIZENSTAT: Thank you. Thank you.  
 3 Next speaker, please.  
 4 THE SECRETARY: Those are all of the speakers.  
 5 CHAIRMAN AIZENSTAT: In Chamber. Do we  
 6 have anybody on Zoom?  
 7 THE SECRETARY: No one has indicated they  
 8 wanted to speak.  
 9 CHAIRMAN AIZENSTAT: And on the phone,  
 10 either?  
 11 THE SECRETARY: No.  
 12 CHAIRMAN AIZENSTAT: At this time, I'd like  
 13 to go ahead and close it for public comment.  
 14 The gentleman that was up, I would like to  
 15 ask you -- I noticed -- if you can come up just  
 16 one second.  
 17 Apart from the school, there are three  
 18 homes that are not part of the school  
 19 presently, that I know of. Is yours one of  
 20 those three?  
 21 MR. TOYOS: No. We're on the corner of  
 22 Coral Way and Cordova. St. Philip's owns the  
 23 house right across from us. So it's -- if you  
 24 could bring up that map --  
 25 CHAIRMAN AIZENSTAT: I was just going to

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1 CHAIRMAN AIZENSTAT: Thank you. And if you  
 2 would also give those to Jill.  
 3 MR. TOYOS: Our parking entrances are  
 4 blocked. We've had to call the police before.  
 5 The sidewalks are blocked. This is an ongoing  
 6 problem, that we expected it to be addressed.  
 7 It hasn't been addressed. It's on Cordova.  
 8 And when you turn single-family homes into  
 9 classroom space -- and I know this has already  
 10 been converted, so we're not even arguing that,  
 11 but that it does affect the neighborhood, it  
 12 does affect the neighborhood.  
 13 And they've already -- I know that St.  
 14 Philip's purchased the northeastern corner of  
 15 this, right across the street from us, on  
 16 Cordova. So how many houses are going to be  
 17 converted in the future, how do you call it, to  
 18 classroom space or -- you know what I mean?  
 19 That will continue to affect the neighborhood,  
 20 you know what I mean, or is this going to stay  
 21 where it's at? Because the actual campus is  
 22 not -- that's the actual campus right now, but  
 23 there's another property on the corner, the  
 24 northeast corner, that's been purchased and is  
 25 this going to continue to move on towards us

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1 ask, is it possible to bring up the map,  
 2 please?  
 3 MR. SALMAN: Sounds like it's the house due  
 4 west of the school.  
 5 MR. WITHERS: But you have those four  
 6 lots --  
 7 MR. TOYOS: No, I'm on the corner of --  
 8 MR. COLLER: Can --  
 9 CHAIRMAN AIZENSTAT: There's a portable  
 10 mike. We just need you to have a mike.  
 11 MR. COLLER: Yeah.  
 12 MR. TOYOS: That's our home.  
 13 CHAIRMAN AIZENSTAT: If you could speak  
 14 into the microphone.  
 15 MR. TOYOS: I'm sorry. That's our home.  
 16 MR. BEHAR: Which one is your home? We  
 17 cannot see --  
 18 CHAIRMAN AIZENSTAT: With the red dot?  
 19 MR. COLLER: Red dot.  
 20 MR. BEHAR: Okay.  
 21 MR. TOYOS: Now, this is owned by St.  
 22 Philip's, okay.  
 23 CHAIRMAN AIZENSTAT: Okay.  
 24 MR. TOYOS: Now, this whole street is the  
 25 issue we're having. And Mary, behind me, our

40

1 neighbor, she can't have any grass, and that's  
2 a parking situation there all of the time.  
3 Across the street, the same issue. But those  
4 photos, that's how Cordova Street is. And I  
5 reached out -- we went, made an appointment  
6 with Reverend Conroy, and I get it, they don't  
7 have parking.

8 CHAIRMAN AIZENSTAT: Okay.

9 MR. TOYOS: But it does affect us. To  
10 submit an application saying that it doesn't,  
11 it does affect us.

12 CHAIRMAN AIZENSTAT: Thank you. I just  
13 wanted to see, which was the house in question,  
14 in relation. I appreciate your time.

15 MR. TOYOS: But that's our other issue, you  
16 know what I mean, are these houses, also, that  
17 are being purchased -- there are three houses  
18 there that are -- how do you call it --  
19 dividing it from their other property, but are  
20 we going to still have this issue going  
21 forward?

22 CHAIRMAN AIZENSTAT: Thank you.

23 Chip, would you like to start?

24 MR. COLLER: Wait. I think we need to give  
25 the applicant an opportunity for rebuttal.

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1 about an area of the community where you have a  
2 very active park. Salvadore Park, ever since  
3 before, but with the renovation, it's an  
4 extremely active park. So a lot of people go  
5 there. It has tennis courts, so a lot of  
6 people use the tennis courts early in the  
7 morning. And one of the courts has been  
8 converted to a pickleball court, which has  
9 raised the popularity of attendance at the  
10 park. In addition, the City has also added a  
11 dog park to the southeast corner of that area.

12 So while I understand there is frustration,  
13 I think increased enforcement, we have no  
14 issue. Whenever anyone in the school sees a  
15 parent parking on property that is not the  
16 official parking spots in front of the school  
17 or in front of the park, we go out there. When  
18 someone in the school is called, they try to  
19 address the situation with the parent, and  
20 every year, like in all schools, they tell  
21 parents, "Please don't park on other people's  
22 swale."

23 You know, again, part of the problem is,  
24 when the school was started, the church itself  
25 doesn't have parking. So this isn't -- you

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1 CHAIRMAN AIZENSTAT: Laura, is there  
2 anything you'd like to say?

3 Thank you.

4 MS. RUSSO: Thank you.

5 A couple of things to address the  
6 situation. The school has been capped at 180  
7 students. We are not requesting an increase.  
8 So it's been the same number of students at  
9 least since 2002.

10 Parking is a little bit of a problem. The  
11 teachers, since the 2002 Master Plan, part of  
12 the conditions for approval is that the  
13 teachers park in the lot that is on the east  
14 side of Salvadore Park, and their parents park  
15 and drop off the young children. There is a  
16 drop-off for the third through fifth graders.  
17 Four parking spaces are coned off, so that  
18 parents can pull in, drop off the kids and  
19 pull out. It's a fifteen-minute window,  
20 from -- I think it's -- is it 8:30 -- 7:45 to  
21 eight o'clock. Come eight o'clock, the cones  
22 are removed, so the parking spaces are  
23 available.

24 As I said to you, the church has been there  
25 over 70 years, and I think that you're talking

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1 know, it's an existing situation, that has  
2 existed this way, from the school's standpoint,  
3 since the mid '50s.

4 So we do our part in trying to help, and  
5 Reverend Conroy, if you'd like, can speak to  
6 the fact that when people call her, she walks  
7 over there, she talks to parents. It's  
8 something that they try to address and be good  
9 neighbors, on an ongoing basis.

10 CHAIRMAN AIZENSTAT: Thank you.

11 MS. RUSSO: You're welcome.

12 MR. BEHAR: I have a question, if I may.  
13 There was a mention that the church had  
14 acquired one of the houses.

15 MS. RUSSO: At this point, there has  
16 been -- we are not making it part of the  
17 overall Master Plan. I don't know what's going  
18 to happen in the future, but right now we're  
19 only dealing with the existing Master Plan,  
20 which is the property that was shown outlined  
21 in purple.

22 So, if anything were to be done in the  
23 future, and that could be five years, ten  
24 years, you know, who knows, but it would  
25 involve, as you know, a change of Land Use,

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1 which would come here, a change in Zoning and a  
2 Site Plan approval. So none of that is being  
3 planned at this time.

4 MR. BEHAR: Okay.

5 CHAIRMAN AIZENSTAT: Thank you.  
6 Chip.

7 MR. WITHERS: I remember voting on this, so  
8 I'm really old, and, you know, the City was  
9 really intent on maintaining the integrity of  
10 the neighborhood, so they required the school  
11 to keep the existing homes. They didn't want  
12 to put parking in. They didn't want to raze  
13 any homes to put parking in. So the City kind  
14 of painted themselves into the corner as far as  
15 parking.

16 I just don't know -- I'm in favor of it. I  
17 think it looks fine. I think it doesn't quite  
18 look like a single-family home, but it's close  
19 enough. And I really don't know what this  
20 structure does, as far as adding to a parking  
21 problem that already exists. I don't know. I  
22 don't know if not doing this is going to help  
23 your parking at all. I kind of doubt it will,  
24 you know. I think it's two different issues,  
25 and knowing the church, in the past fifteen,

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1 MS. RUSSO: We had a Neighborhood Meeting,  
2 and letters were sent to everyone within a  
3 thousand linear feet, as you heard. At the  
4 Neighborhood Meeting, although we had at least  
5 ten people say they were going to show up, we  
6 ended up with only four, and they were two  
7 families represented in the four, the immediate  
8 next door neighbor -- so the neighbors in the  
9 house immediately to the east -- and then a  
10 woman who lived diagonal, who also expressed  
11 some issues with parking.

12 And she understood that some of it came  
13 from -- while, you know, there may be errant  
14 parents, it also came from the dog park,  
15 because people don't walk to the dog park, they  
16 drive, and it came from the pickleball. She  
17 said there was a big increase in parking demand  
18 when the pickleball court, you know, was  
19 converted from the tennis court.

20 And we do have two neighbors here, who are  
21 neighbors, and also members of the church. So  
22 they're within the notice area, that are here  
23 in support, and I'd like to just point them  
24 out, Mary Bedford and Jim Phillips, who are  
25 here in support of the school's project. So we

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1 twenty years, gosh, I would think you really  
2 want to try to make this guy happy and solve  
3 his problem, you know, I really do, because  
4 obviously there's a problem. So, you know,  
5 that's a different discussion, but I would  
6 really encourage someone to take a hard look at  
7 it.

8 If it means restricting any parking at all  
9 on that north-south, you know, maybe -- what's  
10 that street that runs north-south off of Coral  
11 Way?

12 MS. RUSSO: Cordova.

13 MR. WITHERS: Cordova.

14 MS. RUSSO: And Columbus is on the other end.

15 MR. WITHERS: That's all I have to say. I  
16 remember it, though.

17 CHAIRMAN AIZENSTAT: Thank you.

18 Javier.

19 MR. SALMAN: Yeah. I have two questions,  
20 one for the applicant and one for Staff. With  
21 regards to my question to you, Laura, you  
22 represent a client that has always been a very  
23 good neighbor, and I was wondering what kind of  
24 outreach -- if you could discuss that kind  
25 of --

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1 always try to be good neighbors.

2 MR. SALMAN: I know you do, but I wanted to  
3 ask.

4 MS. RUSSO: Yeah. Thank you.

5 MR. SALMAN: So you could shine and tell  
6 us.

7 The other question I have is for Staff. Do  
8 we have any letters, through the records, from  
9 any of the people who have been noticed either  
10 for or against?

11 MS. GARCIA: Not for Planning and Zoning.  
12 Uh-huh, no.

13 MR. SALMAN: No?

14 MS. GARCIA: I think we got a couple during  
15 DRC.

16 MS. RUSSO: Addressing the parking, again.

17 MS. GARCIA: Right.

18 MS. RUSSO: And one of the issues was,  
19 during COVID -- the particular house in  
20 question, during COVID, in order to accommodate  
21 the dropping off of children and safety when  
22 school came back, that area was graveled, so  
23 that the younger kids could be dropped off  
24 there and the parents didn't have to park and  
25 walk and expose everybody.

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1 So that part was graveled, and it's  
2 remained graveled, which has caused a little  
3 bit of a heartache, but we promised the  
4 neighbors that it made no sense to landscape  
5 it, and, then, during construction, have it all  
6 ripped up. And so, in our plans -- and it's a  
7 condition of the approval, in our plans, we  
8 have extensive landscaping on that swale area  
9 in front of the particular -- the subject  
10 building.

11 CHAIRMAN AIZENSTAT: Thank you.  
12 Sue.

13 MS. KAWALERSKI: Are there currently no  
14 parking signs on Cordova? There's no, no  
15 parking signs, on the swales?

16 MS. RUSSO: Yes, I think there is. So if  
17 you take where the school is located, and you  
18 go southeast of the corner --

19 MR. COLLER: Can I have the Parking  
20 Director come up to the podium?

21 MS. RUSSO: I was going to say, Kevin  
22 Kinney, the Director of Parking, can address  
23 it, because he knows -- I know there are two  
24 parking signs there, because the owner that  
25 addressed the concern during DRC --

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1 officer that directs traffic at that  
2 intersection on school days, and if there are  
3 signs, he does tell people they can't park  
4 there.

5 MS. KAWALERSKI: Well, I'm just suggesting,  
6 if you don't have a sign in front of your  
7 house, on your swale, is that a possible  
8 solution?

9 MR. COLLER: Well, wait. Wait.

10 CHAIRMAN AIZENSTAT: Hold on. If you're  
11 going to go ahead and ask the gentleman, then  
12 we've got to call him up to the microphone, if  
13 you would like to ask him a question.

14 MS. KAWALERSKI: All right. Yes, please.  
15 Yes, please.

16 MR. TOYOS: For me, it's a solution. I  
17 don't have a problem --

18 CHAIRMAN AIZENSTAT: Just state your name  
19 again, please.

20 MR. TOYOS: Waldo Toyos, 1044 Coral Way.  
21 That's a solution. The policeman is where he's  
22 supposed to be, which I think is where the kids  
23 are at, the entrance to the school, not on  
24 Cordova looking out for our parking spaces,  
25 which I think that's the right place for the

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1 MR. KINNEY: Kevin Kinney, Parking  
2 Director. There are no parking signs -- I'm  
3 trying to think -- the block south of the  
4 gentleman that spoke before.

5 MS. RUSSO: Uh-huh, right.

6 MR. WITHERS: So there are no parking signs  
7 or there are no parking signs?

8 MR. KINNEY: There are two no parking  
9 signs, on the next block, where -- across from  
10 the tennis courts.

11 MR. WITHERS: I got it. I got it.

12 MR. BEHAR: But nothing on Cordova in front  
13 of their home?

14 MR. KINNEY: Not on his block. No.

15 MS. RUSSO: Not on that side -- not up  
16 that --

17 MR. KINNEY: I don't believe that Public  
18 Works has received any request for no parking  
19 signs.

20 MS. KAWALERSKI: I mean, would that help?  
21 I mean, obviously it's a matter of enforcement.  
22 I mean, you can have a sign, without  
23 enforcement, and you would still have a  
24 problem, but would that help?

25 MR. KINNEY: Well, there is a police

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1 policeman to be. So I never see the policeman.  
2 Okay. So that never happens.

3 The parking signs, that would be great, you  
4 know what I mean. I guess that would resolve  
5 it, as long as it doesn't look too commercial,  
6 you know what I mean, the whole area there, but  
7 I'll tell you right now, the people don't care.  
8 They block our entrances sometimes. They stop  
9 on the -- how do you call it -- the sidewalk,  
10 you know what I mean, and we have a lot of  
11 people that walk through there, okay.

12 And even with those no parking signs, you  
13 guys have had to put barricades, because those  
14 parking signs -- I don't think they really care  
15 about the parking signs. So we could put all  
16 of the parking signs down that block, you know  
17 what I mean. At the end of the day, the  
18 mistake here was probably that they converted  
19 residential homes into a school space, without  
20 parking, back then, you know what I mean, you  
21 know, many years ago -- I don't know when it  
22 started -- and now we have the situation, but  
23 we just don't want it to progress into the  
24 other homes that have been purchased, you know  
25 what I mean, and to resolve the parking.

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1 We've asked -- we met with -- and I  
2 understand, they can't have someone out there,  
3 you know what I mean, being a school guard to  
4 that parking space, but the parents don't care.  
5 I've asked parents -- you should see how the  
6 parents react. "Please don't park." They  
7 don't care. They'll just walk right by you,  
8 "Call the police."

9 MS. KAWALERSKI: Just getting back to this  
10 issue of signs, at least, with a no parking  
11 sign, it would be enforceable by law  
12 enforcement. Without any sign, anybody can  
13 park there and police cannot tell them to get  
14 out of the swale.

15 MR. TOYOS: Well, we could, but we have to  
16 start calling -- we don't want to -- you know  
17 what I mean, we're not going to be there  
18 policing the whole block, all of the time, for  
19 the school, you know what I mean. It's  
20 unreasonable to --

21 MS. KAWALERSKI: I'm just saying, this  
22 might be a small step towards something.

23 MR. TOYOS: I agree with you. I agree. I  
24 agree.

25 MR. BEHAR: You know what, that may be

1 a desert, knock themselves out, you know what I  
2 mean. It looks ugly, but --

3 MS. KAWALERSKI: So a question for Staff.  
4 What is permissible in a swale? Robert is  
5 talking about landscaping, but --

6 MS. RUSSO: I can answer that question,  
7 because Deena Bell -- I called Deena Bell in  
8 Landscaping. The City, in answer to not just  
9 here, but in other areas of the City, where  
10 people experience parking on swale -- I happen  
11 to live on Country Club Prado, and since COVID,  
12 you know, every day you can have someone parked  
13 on your swale or all over.

14 They prepared packages. So if you contact  
15 Deena Bell, they already pre-approved certain  
16 types of landscaping, where you just pull a  
17 Public Works permit and you can put landscaping  
18 in your swale, because the City used not to  
19 allow any landscaping in the swale. It was  
20 considered an encroachment on the right-of-way.

21 CHAIRMAN AIZENSTAT: But the way you're  
22 presenting that is that it would be this  
23 gentleman's expense and I don't think that's  
24 correct. So I think that would be a  
25 recommendation that we can make.

1 something. In addition, are there any  
2 landscape on that swale area, like additional  
3 trees or something, that will, you know --

4 MR. TOYOS: Let me put it to you this way,  
5 we'd welcome it, you know what I mean. We  
6 grassed the whole area when we built our house  
7 there, and --

8 MR. BEHAR: Because we may be able to put a  
9 condition that will mitigate that a little bit.  
10 Unfortunately, there's not much, you know, that  
11 we could do with parents not parking there, but  
12 maybe there's a recommendation that we could  
13 do --

14 MR. TOYOS: I love that even better,  
15 because the signs, very commercial, you know  
16 what I mean, and it hasn't worked. I'll tell  
17 you right now, it's on the other block, but it  
18 hasn't worked. That's why they needed to put  
19 barricades out there, to block that corner off  
20 or whatever they do there. But, yeah, if we  
21 could do something, where we could put  
22 something in the swale and just block it off,  
23 we're fine with it.

24 If they want to park on their swale and  
25 have it the way they have it, which looks like

1 Thank you, sir.

2 MR. TOYOS: Thank you.

3 MS. KAWALERSKI: Thank you.

4 CHAIRMAN AIZENSTAT: Sue, are you done?  
5 Thank you.

6 Felix.

7 MR. PARDO: I think the wonderful church --

8 MR. COLLIER: It's a little hard to hear  
9 you. Maybe you can put the -- and I wasn't  
10 asking that you take off your mask, you can  
11 just slide your microphone --

12 MR. BEHAR: Get closer.

13 MR. WITHERS: I haven't seen this guy in 20  
14 years.

15 MR. PARDO: That's what happens when you  
16 see a (inaudible) -- the thing is, you know,  
17 it's a wonderful school, a great church. It  
18 has a history since 1956.

19 MS. RUSSO: As a school.

20 MR. PARDO: And the problem is that, you  
21 know, over time, they felt the need for their  
22 parishioners, as far as the school. They added  
23 and added and added and are still purchasing  
24 single-family homes, which get converted into,  
25 you know, a much larger use, a very

1 incompatible use.  
2 The church is one thing. The park across  
3 the street has become much more active.  
4 Passive things, like a dog park, are not  
5 passive. They really are active. And we've  
6 had that type of problem on every park that  
7 we've developed as a, quote/unquote, dog  
8 friendly park.

9 One of the things that I was surprised with  
10 is that, in reality, the net increase of what  
11 they're proposing to do, to change that  
12 existing building to a new building, is really  
13 a no net increase, but because they're asking  
14 for something, I think that, Staff should have  
15 gone further in requiring certain things.

16 Number One, I was surprised that although  
17 the limitation right now is 180 students, it  
18 could be a State regulation or self-imposed  
19 regulation, I think that that should be a  
20 condition, 180 students, period, a condition.  
21 The second thing is that, I also believe that  
22 the neighbors, whether it's only three  
23 neighbors or four neighbors, compared to the  
24 parents of 180 students and the rest of the  
25 parishioners, have the right of the home that

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1 they purchased and the full use of that home,  
2 without taking away from the value of that  
3 home, and it's on the applicant to provide all  
4 of these things, in the form of conditions,  
5 that is binding, to be fair to all concerned.

6 The third thing is, that recently, this  
7 Board came down very hard on an applicant, with  
8 a very, very small educational facility,  
9 directly across the street from Carver, and  
10 they had conditions, including a policeman for  
11 a certain amount of time, and all of these  
12 things. Where is the equity in this  
13 application, compared to that tiny application?

14 I want this Board to really think about  
15 that, and I'd like Staff to come up with better  
16 conditions, because I don't think that this is  
17 right. I don't think it's fair. I think that  
18 the need is there, but I think that there  
19 should be more assurances for homeowners, and I  
20 think, because they are directly affected by an  
21 activity, which is institutional -- not  
22 commercial, but institutional, and it has a  
23 use, and it is needed in the community, but it  
24 has to also be compatible.

25 Those are all my comments.

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1 MR. BEHAR: May I address Mr. Pardo a  
2 second, because -- the difference, Felix, is  
3 that -- since you mentioned the Board and we  
4 came down, the application that came last month  
5 is a new application. It was not a school.  
6 There's an existing use here. This is not  
7 coming in with a new use. At least, me, as a  
8 Board Member, I see it totally different. And  
9 the way we impose the requirement on the other  
10 application is different than this one. This  
11 use is there.

12 Now, you are right, we have to provide a  
13 way to maintain their lively -- the quality of  
14 life in their property and we are -- at least,  
15 I will maybe make some recommendations that  
16 will ensure that, but I want to make sure that,  
17 on the record, there's two different  
18 situations. I don't want to mix one and the  
19 other. We came down on the other application,  
20 because it was a brand new school, not an  
21 existing use. At least that's the way I looked  
22 at it. I just wanted to clarify that.

23 CHAIRMAN AIZENSTAT: Do you want to  
24 continue, since you're speaking? I was going  
25 to call on you.

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1 MR. BEHAR: Yeah. I think -- listen, for  
2 me, their quality of life, the neighbors, is  
3 very important. I put myself in their  
4 position, and I want to make sure that, you  
5 know, my swale is maintained correctly and  
6 everything is done correctly. So I don't have  
7 a problem with the school and the church  
8 replacing the existing building with a new  
9 building. On the contrary, I like the fact  
10 that you're buffering from that house. You  
11 know, when the time comes, I will make a  
12 recommendation of approval, with multiple  
13 conditions.

14 One of them is that whatever landscape,  
15 whatever needs to be done on that swale area,  
16 it is your responsibility to make sure you pay  
17 for it and you maintain it and you do  
18 everything. It's not fair for us to say, you  
19 know, Public Works has a program, and impose it  
20 on them. This is your responsibility. You  
21 know, I don't have a problem with the school  
22 and the new building and all, but whatever is  
23 going to be done, this is on you.

24 MS. RUSSO: My reason for just telling you  
25 is that before you couldn't get permission to

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1 landscape on the swale, even if you wanted it.  
2 I was just saying that Public Works has  
3 identified this as an ongoing issue, and now  
4 allow landscaping on the swale, and what  
5 they've done to prevent people from putting  
6 things in the triangle of visibility or  
7 dangerous materials, they have put together a  
8 package. So I was just making the point that  
9 it is now allowed, not that I think he should  
10 go do it. So I just wanted to clarify, for the  
11 record.

12 MR. BEHAR: When I say, landscaping, not  
13 just little -- maybe, perhaps, on the swale,  
14 they could, you know, do trees, that will be  
15 more substantial than little ground cover,  
16 something that will, One, beautify that street  
17 and assure that, you know -- not assure,  
18 because, with the parents, you can't, but at  
19 least minimize the effect of parents parking  
20 there.

21 So when it comes to -- that's my comments,  
22 and then we could --

23 MR. COLLER: Mr. Chairman, regarding the  
24 180 students, to my knowledge, that was part of  
25 the previous Ordinance, and we're providing

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1 transmitted to the Commission properly and  
2 correctly.

3 CHAIRMAN AIZENSTAT: I would also think  
4 that the Commissioners read the minutes and/or  
5 look at the minutes, and the recommendations  
6 and so forth are all noted within the minutes.  
7 So I agree with you. I don't want to segue  
8 into that, but I would agree with you.

9 MR. PARDO: And I agree with you, but they  
10 did not have minutes at that time, because we  
11 had not been given minutes to approve until  
12 this meeting.

13 CHAIRMAN AIZENSTAT: Okay.

14 Julio, do you have any comments?

15 MR. GRABIEL: Yeah. I'm a neighbor. I  
16 live on South Greenway, so I walk to the park  
17 every week. That's my grandkids favorite park.  
18 But I understand the neighborhood and I  
19 understand the traffic in there. I agree with  
20 my associate, Mr. Behar, that we need to fix  
21 that portion of the property that's affecting  
22 the owners, and that the cost of that fix  
23 should be born by the school, and they can  
24 select a plan that they like, that's approved  
25 by the City.

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1 that all other conditions of that Ordinance are  
2 still --

3 MS. GARCIA: Yes. So all of the 600 pages  
4 that are part of the Ordinance, all of those  
5 conditions still apply, the pick up and drop  
6 off time, the lighting. The traffic-parking  
7 management, the capped students at 180, that  
8 also applies. This is only extra conditions  
9 because of this new one --

10 MR. PARDO: I read every word of your Staff  
11 recommendation, every word. If those  
12 conditions would have stated 180 students as  
13 the cap, based on a previous agreement, I would  
14 have noted that, since I read every single  
15 word.

16 The other thing, Mr. Chairman, as a general  
17 comment, I want to make sure, because this has  
18 happened already once before, where I was  
19 looking at a Commission Meeting, and I know  
20 that the conditions specifically approved by  
21 this Board, it was not transmitted to the  
22 Commission. I want to make sure that Staff is  
23 a hundred percent accurate in expressing any  
24 conditions, on any motion that is approved with  
25 conditions by this Board, that it gets

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1 I mean, I have seen now, in many houses on  
2 Coral Way, that have the beautiful oaks, that  
3 they have really landscaped it in such a way  
4 that no car will park there, and I think, if we  
5 do that, that might help alleviate the concerns  
6 that they have right now.

7 CHAIRMAN AIZENSTAT: Thank you.

8 A couple of questions I'd like to ask.  
9 When this was done in 2002, was there a  
10 covenant that was done?

11 MS. RUSSO: Yes. There is a declaration of  
12 restrictive covenant on the property that  
13 incorporates the, I don't know, five or six  
14 pages of conditions that were imposed at the  
15 time.

16 CHAIRMAN AIZENSTAT: Part of that covenant  
17 states 180 students?

18 MS. RUSSO: Absolutely, 180 students. It  
19 also has the police officer. It has the  
20 drop-off plan. It has the teacher parking on  
21 the east side of Salvadore Park. It has all of  
22 this outlined in excruciating detail. It also  
23 outlined, you know, the landscaping between the  
24 perimeter of the subject property, where the  
25 house is going to be demolished, and the

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1 neighbors to the east. It also made sure that  
2 if anything were ever done, that the garage  
3 structure that was on the property line be  
4 demolished.

5 So, yes, and those all remain, and the only  
6 thing that will change is the windows, going  
7 from no windows on the front portion of --  
8 which faces the garage and the driveway, to  
9 have fixed non-operable windows, and it's not  
10 to a classroom, anyway, it's a storage  
11 facility. The balance of the building that's  
12 adjacent to the living portion to the residence  
13 to the east is blank and it's heavily  
14 landscaped in between the properties, which was  
15 part of the conditions of 21 years ago.

16 CHAIRMAN AIZENSTAT: Does the covenant  
17 state or talk about any additional square  
18 footage or capped at a certain amount of square  
19 footage for the --

20 MS. RUSSO: My recollection, and, again, I  
21 wasn't reading it for that, but my recollection  
22 is that there is a cap under -- you know, under  
23 "S" zoning. So you were limited, under "S"  
24 zoning, to what your FAR is and your  
25 calculations on land -- you know, lot coverage

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1 forth, but --

2 MS. RUSSO: Has to do so with a public  
3 hearing, but, yes.

4 CHAIRMAN AIZENSTAT: Yes, a public hearing.

5 MS. RUSSO: A covenant, yes, on request and  
6 there's a process.

7 CHAIRMAN AIZENSTAT: But, to me, if there's  
8 a covenant to run with the land, then that  
9 project and anything in the future should stick  
10 to that covenant. That's why I asked you.

11 MS. RUSSO: Right. And it does, and it  
12 has, in fact, sticked (sic) completely for 21  
13 years. It now just became a choice of having  
14 to take a building that is no longer  
15 functional, and the cost of actually trying to  
16 fix an old building, that wasn't designed, you  
17 know, made no sense, and so, it was written in  
18 that covenant, if you are going to demolish any  
19 building and replace it, you have to come to  
20 Planning & Zoning and City Commission.

21 So it sort of reiterated, if someone ever  
22 changed the Code and said, institutional use  
23 doesn't have to go to a public hearing, it's in  
24 the covenant. So it was done as a double  
25 whammy, back then, to make sure that --

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1 and open space. There was a condition that any  
2 new building on the existing campus has to go  
3 before, you know, a public hearing, Planning &  
4 Zoning Board. So it's not as if they can just  
5 pop up a building willy-nilly.

6 And as you know, we also have residences,  
7 where the Reverend lives, that are part of the  
8 campus.

9 CHAIRMAN AIZENSTAT: Right. But there is  
10 no cap on square footage on there?

11 MS. RUSSO: I think it's capped by the  
12 Zoning Code, because, remember, the FAR for --  
13 if I'm not mistaken, I think it's 2.0. Like  
14 it's way lower than -- it might even be lower  
15 than that. So we're under whatever the square  
16 footage is that's allowed for --

17 CHAIRMAN AIZENSTAT: The reason I'm asking  
18 those questions is, if you have a covenant, and  
19 I've seen -- certain projects come by where  
20 there's a covenant, and, to me, a covenant used  
21 to mean something, and when you had a covenant  
22 that was in the property, that was to run with  
23 the land.

24 Now, I understand, legally, the Commission  
25 can go ahead and change the covenant and so

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1 CHAIRMAN AIZENSTAT: Okay. But in reality,  
2 right now, you are going to go ahead and amend  
3 that covenant, because you're putting windows,  
4 which the City is requiring, the Board of  
5 Architects?

6 MS. RUSSO: What we're going to do is do an  
7 amendment to the covenant, and in there state  
8 all of the other conditions remain the same and  
9 constant, and the only thing we are changing is  
10 the language to the window portion, and that  
11 will be reviewed by the City Attorney, the  
12 amendment to the Declaration of Restrictive  
13 Covenant. It will re-emphasize that all of the  
14 other conditions remain, and it will add  
15 whatever new conditions, and it will reference,  
16 for the eastern building, the Site Plan that  
17 was approved by the Board of Architects, for  
18 identification purposes, so you know that it  
19 can't be switched.

20 CHAIRMAN AIZENSTAT: Okay. Like I said, my  
21 concern is, you know, you adding any square  
22 footage to the project. And I know there's  
23 been talk about additional homes possibly  
24 purchased or being purchased, but, to me, I  
25 can't look at that at this stage, because it's

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1 not being brought before me. I have to look at  
2 the evidence and --

3 MS. RUSSO: Right. And I have no  
4 knowledge of it being brought at any time in  
5 the near future. So that's, you know --

6 MR. COLLER: Mr. Chairman, I just want to  
7 point out to the Board, in your attachments,  
8 and they're extensive, and I can see where they  
9 may have been overlooked, on Page 38 of your --  
10 is the Ordinance itself.

11 MR. WITHERS: Is the Ordinance itself.

12 MR. COLLER: You got it.

13 MR. PARDO: 1524, right.

14 MR. COLLER: Right. And also -- it's also  
15 in their covenant, as well. The covenant that  
16 they're required to file, as far as the 180  
17 students and the other conditions.

18 According to this approval, your  
19 recommendation will require all of those  
20 conditions in that prior Ordinance be in full  
21 force and effect. So they're not modifying any  
22 of those conditions.

23 CHAIRMAN AIZENSTAT: Robert, did you want  
24 to --

25 MR. BEHAR: Just out of curiosity, what was

1 I'd like to mention that not only did we  
2 keep the area of the existing structure, we  
3 added, and I believe it's under a thousand  
4 square feet, including the passway that is  
5 there now. We just made it out of concrete.  
6 It's a canvas type of pathway. So it counts as  
7 square footage, which is included on those  
8 thousand square foot that we are over, that we  
9 didn't count it before, and we are just under  
10 the FAR.

11 MR. BEHAR: So the actual usable, not  
12 covered, is very close?

13 MR. SANTURIO: It's the same. Yeah,  
14 they're very, very close, right.

15 MR. BEHAR: Thank you.

16 CHAIRMAN AIZENSTAT: Robert, did you want  
17 to make -- you said you wanted to make --

18 MR. BEHAR: If nobody else, I'll make a  
19 motion and I will welcome friendly amendments.

20 CHAIRMAN AIZENSTAT: Yes. You had an  
21 additional comment?

22 MR. SANTURIO: Can I add something -- I  
23 think Staff -- I think Mr. Pardo mentioned that  
24 Staff didn't have, you know, recommendations.  
25 The reason being is, they're already there.

1 the square footage of the existing building?

2 MS. RUSSO: The existing house?

3 MR. BEHAR: Yeah.

4 MS. RUSSO: I think it's just shy of 3,000  
5 square feet. I think it's 29 and change. And  
6 we're adding a little bit more --

7 MR. BEHAR: How much are we adding? What  
8 is the proposed?

9 MS. RUSSO: I think it's 1,200, and part of  
10 that is because they're doing a passageway from  
11 the building adjacent, so that the students  
12 don't go outside and are not --

13 MR. BEHAR: But that passageway is a  
14 covered area. The actual useful square  
15 footage --

16 MS. RUSSO: You know what, I think I'm  
17 going to allow Octavio Santurio and he'll be  
18 better able to answer the question architect to  
19 architect.

20 MR. BEHAR: Yes, please. To architects.  
21 You have four.

22 MR. SANTURIO: Four architects.

23 Octavio Santurio, architect for St.  
24 Philip's. My office is at 6262 Southwest 40th  
25 Street, South Miami, Florida 33155.

1 They have monitoring of the parking. We have  
2 presence of a police officer. You know, it has  
3 to be done, to the best of our knowledge. I  
4 have a child that went there from pre-K3 to  
5 fifth grade, and I was very much involved in  
6 the school and I think it's a little bit unfair  
7 to blame the whole parking situation on them,  
8 you know.

9 And I agree with you, I think that we  
10 should do something to better it, but I don't  
11 think that putting the burden on St. Philip's  
12 to go ahead and maintain the landscaping that's  
13 across the street, and to do that -- I mean,  
14 you know -- I want to get this approved for the  
15 school, because the way the building is right  
16 now is deteriorated. It's spalling, floors are  
17 sagging, and we're not asking for anything that  
18 is going to create an additional problem. The  
19 parking issue, it's there.

20 CHAIRMAN AIZENSTAT: Okay. Thank you.  
21 Robert.

22 MR. BEHAR: I'm going to make a motion to  
23 approve with the conditions, making sure that  
24 all of the conditions that was agreed-upon in  
25 2002 are maintained to the fullest, and an

1 additional condition that the church has to  
2 work with Public Works to make sure that we  
3 incorporate landscaping on the swale of the  
4 neighbors, whatever Public Works will approve,  
5 because we cannot impose something that is not  
6 going to be approvable by them, but at least  
7 I'm going to make my recommendation that the  
8 church maintains that area.

9 CHAIRMAN AIZENSTAT: Install and maintains?

10 MR. BEHAR: Install -- all of the cost  
11 associated is the responsibility of the  
12 applicant, and I welcome any other friendly  
13 amendments to this.

14 CHAIRMAN AIZENSTAT: And if I may ask, you  
15 were talking about substantial size trees, as  
16 opposed to ground coverage.

17 MR. BEHAR: Whatever Public Works will  
18 approve. I don't know --

19 MR. SALMAN: You're limited on your  
20 triangles for visibility, so that's something  
21 that's going to limit a lot of what they can  
22 do.

23 MR. BEHAR: Right. But it's not on the  
24 corner. It's on the side street. From the  
25 side street, you don't have the visibility

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1 can put two trees close together, that are a  
2 different -- a variety that allows that, within  
3 the Public Works purview for approval, that  
4 will be better than one, because that sort of  
5 limits it.

6 Likewise, it's going to limit the use of  
7 that swale area for excess parking for the  
8 owners, but this is obviously something that  
9 could probably work.

10 MR. BEHAR: Javier, I think that Public  
11 Works should be able to --

12 MR. SALMAN: I understand that, and we're  
13 defining that here, right. That's what we're  
14 trying to do, is put some parameters around  
15 this requirement, because at least my approval  
16 is going to be conditioned upon moving the  
17 Staff's recommendation, together with their  
18 three conditions, and your fourth.

19 CHAIRMAN AIZENSTAT: So, Robert, your  
20 recommendation is, the way you had spoken?

21 MR. BEHAR: With a friendly amendment to  
22 add --

23 MR. SALMAN: To add a limitation so that it  
24 be both sides of Cordova, from Coral Way to  
25 Andalusia.

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1 triangles.

2 MR. SALMAN: Yeah, but the triangles have  
3 to do with the driveways, as well.

4 MR. BEHAR: Well, but -- yes, whatever is  
5 affected. I mean, I don't --

6 MR. SALMAN: So you have a very limited  
7 area that you can actually affect and have to  
8 maintain landscaping. I think it's going to  
9 probably be maybe a tree, between the  
10 driveways, because you can't put one next to  
11 the driveways, because you block the view,  
12 right.

13 MR. SANTURIO: Yeah, you have a ten-foot  
14 triangle.

15 MR. SALMAN: Honestly, what this is all  
16 going to boil down to is that, first, we need  
17 to put a limit on it on. So we have to say  
18 it's on Cordova, from Coral Way to Andalusia.

19 MR. BEHAR: Right.

20 MR. SALMAN: So that's my first friendly  
21 amendment.

22 MR. SANTURIO: I agree with you.

23 MR. SALMAN: And second of all, it's that  
24 it should be landscaping that would limit the  
25 availability of space for parking. So if we

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1 MR. BEHAR: Well, the two sides of -- both  
2 sides of Cordova. One is the homeowner's. The  
3 other -- is that a residence -- residential?

4 MR. SALMAN: Yeah. They're all  
5 residential.

6 MR. BEHAR: Okay.

7 MR. SANTURIO: They're all residential.

8 MR. BEHAR: Okay. I'm okay with that.  
9 Perfect.

10 MR. SALMAN: Okay.

11 CHAIRMAN AIZENSTAT: Sue, you had a  
12 comment?

13 MS. KAWALERSKI: I just wanted to narrow  
14 the scope here, because at first the amendment  
15 was about taking care of the neighbors. I  
16 mean, how far do the neighbors extend? You  
17 know, so I think we have to be very defined on  
18 which neighbors we're talking about, is it one  
19 house, is it two houses, and be more specific.

20 CHAIRMAN AIZENSTAT: That's why we're  
21 naming the boundaries.

22 MR. BEHAR: From Coral Way to --

23 MR. SALMAN: Andalusia.

24 MR. BEHAR: -- Andalusia.

25 MS. KAWALERSKI: Okay. And how many houses

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1 does that include?  
 2 MR. SALMAN: Four, I believe.  
 3 MS. KAWALERSKI: Two houses or four houses?  
 4 Let's get a definition here.  
 5 MR. SALMAN: So, no, that counts, too. So  
 6 guess what, you're not going to be able to park  
 7 on that one, either.  
 8 CHAIRMAN AIZENSTAT: So we have that --  
 9 MS. KAWALERSKI: Okay. And I have one  
 10 more, please. And I think Javier mentioned  
 11 this, the landscaping has to prevent parking.  
 12 It can't just be landscaping, because there's  
 13 landscaping on Sunset Drive and people park on  
 14 that landscaping. So it has to be landscaping  
 15 that prevents anyone from parking on that  
 16 swale.  
 17 MS. RUSSO: As a deterrent.  
 18 CHAIRMAN AIZENSTAT: Cactus?  
 19 Mr. Coller, you had a comment.  
 20 MR. COLLER: I just wanted to -- does the  
 21 applicant understand what the condition is?  
 22 Are you in agreement with that?  
 23 MS. RUSSO: We understand, and, yes, we're  
 24 in agreement.  
 25 MR. COLLER: Okay.

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1 CHAIRMAN AIZENSTAT: Any other friendly  
 2 amendment?  
 3 MR. PARDO: I think the enforcement signs  
 4 that give, then, the police the ability to  
 5 ticket -- once you get hit with a ticket, you  
 6 won't do that again.  
 7 MS. RUSSO: So I just want to clarify, so  
 8 we know now. So the no parking signs are going  
 9 to go on the same properties that are being  
 10 landscaped?  
 11 MR. PARDO: Correct.  
 12 MR. SALMAN: It's the same limitation, I  
 13 would think.  
 14 MS. RUSSO: Right? Okay. The block south  
 15 has no parking signs on there. So this is no  
 16 parking on the properties between Coral Way and  
 17 Andalusia, on Cordova?  
 18 MR. PARDO: I would suggest, you know, that  
 19 the applicant reach out to that particular  
 20 owner that was here today and be more accurate.  
 21 CHAIRMAN AIZENSTAT: I think that's not  
 22 going to be in our -- I mean, it could be --  
 23 MR. PARDO: No. No. No.  
 24 CHAIRMAN AIZENSTAT: That's something that  
 25 you're asking --

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1 MR. PARDO: I'm asking them to --  
 2 CHAIRMAN AIZENSTAT: I'm sure the church  
 3 and the school will do that, has done that and  
 4 will continue to do that.  
 5 MR. COLLER: And I think, to some extent,  
 6 it's up to Public Works to make the decision of  
 7 whether to put no parking signs there, correct?  
 8 So there's only so much -- our condition is to  
 9 coordinate with the Public Works Department for  
 10 no parking -- potential no parking signs --  
 11 MR. BEHAR: But I'm sure, if they have it  
 12 on the block further to the south, there's no  
 13 reason why --  
 14 CHAIRMAN AIZENSTAT: We're just making a  
 15 recommendation.  
 16 MR. BEHAR: Right.  
 17 CHAIRMAN AIZENSTAT: And it is up to the  
 18 City to make sure it can be enforced and it's  
 19 legal.  
 20 MR. COLLER: Right.  
 21 CHAIRMAN AIZENSTAT: Because if it's  
 22 something that can't be enforced or legal, you  
 23 can't do it.  
 24 We have the motion. Is there a second?  
 25 MR. SALMAN: I'll second it.

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1 CHAIRMAN AIZENSTAT: Javier did a second.  
 2 Any other comment? No?  
 3 Call the roll, please.  
 4 THE SECRETARY: Javier Salman?  
 5 MR. SALMAN: Yes.  
 6 THE SECRETARY: Chip Withers?  
 7 MR. WITHERS: Yes.  
 8 THE SECRETARY: Robert Behar?  
 9 MR. BEHAR: Yes.  
 10 THE SECRETARY: Julio Grabiell?  
 11 MR. GRABIEL: Yes.  
 12 THE SECRETARY: Sue Kawalerski?  
 13 MS. KAWALERSKI: Yes.  
 14 THE SECRETARY: Felix Pardo?  
 15 MR. PARDO: Yes.  
 16 THE SECRETARY: Eibi Aizenstat?  
 17 CHAIRMAN AIZENSTAT: Yes.  
 18 Thank you.  
 19 MS. RUSSO: Thank you all very much.  
 20 CHAIRMAN AIZENSTAT: I'd like to ask the  
 21 City, on Item E-5 -- how much time do you think  
 22 you need on Item E-5, because I've got some  
 23 gentlemen that have been waiting?  
 24 MS. GARCIA: The PowerPoint, probably five  
 25 minute. Discussion, it's hard to tell.

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1 CHAIRMAN AIZENSTAT: Okay. Robert -- go  
 2 ahead. Let's go ahead and move on to E-5.  
 3 MS. GARCIA: Okay.  
 4 CHAIRMAN AIZENSTAT: Mr. Collier.  
 5 MR. COLLIER: Item E-5, an Ordinance of the  
 6 City Commission of Coral Gables, Florida,  
 7 providing for text amendments to the City of  
 8 Coral Gables Official Zoning Code pursuant to  
 9 Zoning Code Article 14, "Process," Section  
 10 14-212, "Zoning Code Text and Map Amendments,"  
 11 to create an open space incentive program  
 12 within the Central Business District to  
 13 incentivize additional landscaped open space by  
 14 allowing a maximum building height of one  
 15 hundred and twenty-four feet, providing for  
 16 repeater provision, severability clause,  
 17 codification, and providing for an effective  
 18 date.  
 19 Item E-5, public hearing.  
 20 MS. GARCIA: Jennifer Garcia, City Planner.  
 21 If I could have the PowerPoint, please.  
 22 So before you is a change -- some changes  
 23 have been made since the agenda was published,  
 24 since the Staff Report was published.  
 25 So the changes, you can see on the screen

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1 right now, and you can see the red line in your  
 2 packet, right, that we just passed out. So the  
 3 changes -- the fifteen percent is now the  
 4 baseline, as far as the increased additional  
 5 landscaped open space required to have  
 6 additional height. So it's no longer an  
 7 increment of five percent, it's actually just  
 8 fifteen percent, a flat out. There's not an  
 9 incremental structure to it anymore.  
 10 The park -- this clarifies the park may be  
 11 conveyed to the City of Coral Gables, so it may  
 12 become a public owned parcel, instead of being  
 13 owned by the abutting developer or property  
 14 owner. And it clarified that it would be  
 15 maintained by the applicant. It wouldn't be  
 16 maintained by the City, it would be maintained  
 17 by the applicant -- built and maintained by the  
 18 applicant. And then clarifying that the width  
 19 be can be no less than one-third the length.  
 20 We studied some typical block sizes and lot  
 21 sizes and a one to three ratio was a little  
 22 difficult to get, since a lot of our lots are a  
 23 hundred feet deep. So we kind of just  
 24 clarified that it shouldn't be less than  
 25 one-third of the building.

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1 So, in summary, this text amendment only  
 2 applies to MX2 zoning within the CBD, the  
 3 Central Business District, and it is again to  
 4 incentivize fifteen percent landscaped open  
 5 space at the ground level, for a maximum height  
 6 of 124 feet, and to be conveyed to the City.  
 7 It's prohibited within 200 feet of a  
 8 single-family residential zoning. It's only if  
 9 they share property only with MX1 or MX3  
 10 zoning. It's prohibited to face on Miracle  
 11 Mile. So we want to keep Miracle Mile at our  
 12 maximum of four stories, low scale character,  
 13 and then, Mediterranean style bonus of Coral  
 14 Gables would be required for this.  
 15 So going back to early 2000, there was a  
 16 Charrette that was done in 2002, and a lot of  
 17 study was done in the CBD and North Ponce, and  
 18 there a lot of recommendations that came from  
 19 that. Those recommendations were to  
 20 incentivize and to enhance our public realm, to  
 21 create a more walkable, vibrant downtown, and  
 22 part of that is to -- architecturally, to have  
 23 buildings that face the street, and you can see  
 24 that we've been able to do that, along with the  
 25 architecture and the Med Bonus, but we're not

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1 quite there when it comes to really  
 2 incentivizing that ground floor landscaped open  
 3 space.  
 4 The image on the left is what you usually  
 5 find in our mixed-use buildings, are these  
 6 arcades that count towards open space, and it's  
 7 perfectly fine. It's perfectly acceptable, as  
 8 far as complying with the Zoning Code, and it  
 9 creates a nice walkable and sheltered area, but  
 10 what the Commission wants to do is go beyond  
 11 that and have actual open to the sky, small  
 12 usable park space, in our Central Business  
 13 District.  
 14 And so you can see, on the right side is --  
 15 although very hardscaped, but it's an example  
 16 within our CBD of having that open space, open  
 17 to the sky, creating that spaces for  
 18 congregation and gathering of people.  
 19 So, the most recent built example of this  
 20 is the Villa Valencia project. The top left  
 21 image was their initial design, which was kind  
 22 of spread out through the site. It had very  
 23 minimal setbacks on the rear and the side and  
 24 the front. A lot of community members and the  
 25 residents and the neighbors got involved, they

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1 wanted to have a park on that corner of  
2 Hernando and Valencia. So the image on the  
3 bottom left is showing what was actually  
4 approved by the Commission, with a lot of the  
5 feedback and the pushing of residents.

6 They want to have a nice, lush park. So,  
7 on the right side, you can see a picture. It's  
8 kind of hard to take a picture of it, just  
9 because there's a lot of trees, and a lot of  
10 landscape and foliage in that immediate area,  
11 but this is kind of the intent of what we're  
12 trying to do. We're trying to create those  
13 landscaped open space, that's useable spaces,  
14 next to our buildings.

15 So this is in the CBD, the Central Business  
16 District. It's comprised mostly of MX3 and MX2  
17 zoning, with a little bit of MX1 in the end  
18 area. It's south of Navarre, it's east of  
19 Douglas Road, north of Almeria and then -- I'm  
20 sorry, east of Le Jeune and west of Douglas  
21 Road.

22 So MX1, as you can see, is mostly on Le  
23 Jeune Road, and that's capped at 77 feet. MX2  
24 is what this would apply to, and that's at 97  
25 feet. MX3 is more or less surrounding around

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1 applied to. The properties that are facing  
2 Miracle Mile are ghosted out, because this will  
3 not apply to anything facing Miracle Mile.

4 This is a graphic showing the current  
5 regulations and it acts as a -- we hear a lot  
6 from the neighbors about, we want to see the  
7 sky, we want access to the blue sky, right. So  
8 you can see the sixty-foot right-of-way, which  
9 is the typical width of our right-of-way in our  
10 CBD. The two masses on either side are maximum  
11 MX2 current regulations and 3.5 FAR. Now, if  
12 the building is pushed further to the right,  
13 and moving that open space, by requiring that  
14 fifteen percent of the property be open to the  
15 sky and be landscaped, that would move the FAR  
16 to be on top of the building, on top of the 97  
17 feet, to do a maximum of 124 feet. So there's  
18 no increase in the FAR or development rights,  
19 it's just moving that mass to the top of the 97  
20 feet, and be able to open up that access to the  
21 sky.

22 So, before, you had limited access to the  
23 sky. If you move the building in, and moved  
24 that mass up and allow more height in that  
25 area, you're able to have more of that public

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1 the CBD area, as far as being on Alhambra and  
2 Ponce and the major streets, and that's capped  
3 at 190.5 feet.

4 So looking at an aerial, again, south of  
5 Navarre, east of Douglas Road, north of Almeria  
6 and east of Le Jeune Road. So the area in red  
7 is the CBD district, that's mostly built out,  
8 and then the area that's kind of highlighted  
9 around Miracle Mile, that's the Zain/Friedman  
10 Miracle Mile Downtown Overlay District. So the  
11 major streets that we have in our CBD are  
12 Alhambra, Ponce, as well as Miracle Mile, and  
13 that's bounded between Le Jeune and Douglas  
14 Road.

15 So looking at the larger sites that may  
16 take advantage of this -- this is not a change  
17 to the underlying zoning, MX2. This is just an  
18 option, a development option, for a homeowner  
19 to be able to utilize. So there's a few  
20 surface parking lots that could utilize this,  
21 and they're located along the south. Of  
22 course, anyone can assemble properties and be  
23 able to utilize this, as well.

24 So the MX2 zoning is highlighted here in  
25 red. So you can see where this would be

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1 realm feeling.

2 And so, again, prohibited within 200 feet  
3 of single-family residential. This applies  
4 mostly to the southeast part of the CBD, and it  
5 would be limited to only shared property line  
6 with MX2 or MX3 zoning. So you can't share a  
7 property line with any other kind of zoning.  
8 And, again, prohibited to face Miracle Mile.

9 And this is an old rendering of Villa  
10 Valencia, and so you can see, that lushness is  
11 what the Commission is looking for. So they  
12 want to have it privately maintained, publicly  
13 accessible, and in a prominent location. So it  
14 can't be in the back. It needs to be in a  
15 prominent location. The width can be no less  
16 than one-third of the length. So it's a nice  
17 sizeable area, so it's not long and skinny and  
18 not useful. Fifty percent of it would have to  
19 be shaded with trees. It would have to include  
20 pedestrian amenities, such as, you know,  
21 walkways, benches, and stuff like that. And,  
22 then, a maximum of 20 percent -- I'm sorry, a  
23 20 percent maximum hardscape. So, again, we  
24 want to have that lush landscaped area. And,  
25 then, also, the requirement would be to improve

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1 both sides of the street, of the abutting  
 2 streets.  
 3 So the requirements are on the left. I  
 4 just went through those. The additional open  
 5 space required will be fifteen percent and the  
 6 maximum height would be two additional stories.  
 7 It would be 124 feet. This is the graphic  
 8 showing the ten percent, which is already  
 9 required, and then fifteen percent would have  
 10 to be open to the sky and landscaped and meet  
 11 all of the requirements I just went through.  
 12 So that volume, that fifteen percent  
 13 volume, this is being moved from the volume in  
 14 the front, where the open space is going to be  
 15 provided, and moved to the very top. So  
 16 there's no additional development rights, no  
 17 additional FAR or development potential. It's  
 18 really just raising that maximum height, to  
 19 allow the balloon of that 3.5 FAR to move.  
 20 This is currently what's allowed. Looking  
 21 in context, between MX3, MX2 and MF2, which is  
 22 to the north, and as you require that fifteen  
 23 percent open space, then the building would  
 24 raise a little bit, two stories.  
 25 To summarize, again, but, again, the

1 changes that you have before you is increasing  
 2 the fifteen percent as base landscaped  
 3 requirements directly to single-family, twenty  
 4 percent maximum hardscape. There are some  
 5 other changes that were discussed at the  
 6 Commission.  
 7 So December (sic) 10th is when the City  
 8 Commission discussed this, and they wanted to  
 9 have feedback. As you know, the Commission  
 10 can't discuss it amongst themselves, unless  
 11 it's in a public hearing, so they are  
 12 discussing and getting feedback on how to  
 13 change some of the regulations. We  
 14 incorporated some of those feedback into the  
 15 draft ordinance. We went to the community on  
 16 October 23rd, to our first meeting. We got  
 17 some feedback at that meeting. We're going to  
 18 meet again with the community at the end of  
 19 this month, November 29th, and we're here today  
 20 for the November 8th Planning & Zoning Board  
 21 Meeting to get your feedback, and that's it.  
 22 CHAIRMAN AIZENSTAT: Thank you.  
 23 MR. BEHAR: Just very quickly, you said,  
 24 the community meeting that you had, what was  
 25 the feedback from the community?

1 MS. GARCIA: They were concerned about the  
 2 five percent being too little. If it was a  
 3 small property. So we took that, we studied it  
 4 a little bit more to see what the maximum could  
 5 be. So instead of doing an incremental raise  
 6 in the height, it would just be a flat out  
 7 fifteen percent. We thought that was a  
 8 comfortable starting pointing, as far as  
 9 additional open space.  
 10 And the idea, actually, was to come back to  
 11 the community, because the mailers got out a  
 12 little bit later than we had anticipated. So  
 13 now we're going to the mail them out, I think  
 14 today, so people should be able to get them in  
 15 their mailbox soon, to attend later this month.  
 16 MS. KAWALERSKI: How many people attended  
 17 that meeting?  
 18 MS. GARCIA: I want to say, three or four.  
 19 It was not very well attended.  
 20 MS. KAWALERSKI: Three or four?  
 21 MS. GARCIA: Uh-huh.  
 22 MS. KAWALERSKI: How many mailers were sent  
 23 out?  
 24 MS. GARCIA: I don't remember. I think it  
 25 was almost 3,000.

1 MS. KAWALERSKI: 3,000 mailers, okay.  
 2 CHAIRMAN AIZENSTAT: Sue, what I'd like to  
 3 do -- since it's a City presentation, what I'd  
 4 like to do is open it up for public comment  
 5 first.  
 6 MS. KAWALERSKI: Fine. I was just  
 7 following Mr. Behar's comment.  
 8 CHAIRMAN AIZENSTAT: Understood.  
 9 Do we have speakers?  
 10 MS. GARCIA: Yes. We have a few people on  
 11 Zoom, but they have not indicated they wish to  
 12 speak, but in person we have Magda Granda.  
 13 CHAIRMAN AIZENSTAT: Thank you.  
 14 Can you come up, please?  
 15 MS. GRANDA: Good evening, Members of the  
 16 Board, ladies and gentlemen. I reside at the  
 17 corner of --  
 18 CHAIRMAN AIZENSTAT: Could you start with  
 19 your name and address, please?  
 20 MS. GRANDA: I'm so sorry.  
 21 CHAIRMAN AIZENSTAT: Thank you.  
 22 MS. GRANDA: I'm not used to be here. My  
 23 name is Magda Granda. My address is 49 Majorca  
 24 Avenue, Apartment 203. We're a small  
 25 condominium, five stories high, with sixteen

1 residences. I've lived on that corner for 32  
2 years now, and in Coral Gables since 1980,  
3 so -- and in Miami, since 1960. So I've seen a  
4 lot of changes.

5 My objection to this is a building that is  
6 going to be built at 33 Alhambra. It is twelve  
7 stories high. Are any of you familiar with our  
8 neighborhood? It's a very small -- it's three  
9 blocks, from Douglas to Minorca and Galiano,  
10 three blocks. The tallest building, not  
11 Columbus Center, of course, because that was  
12 built by right, is four stories high, which is  
13 55 Alhambra.

14 What I see -- I mean, I am glad that it's  
15 MG building, because they build quality.

16 CHAIRMAN AIZENSTAT: But we're here -- I  
17 understand that your concern is with a specific  
18 project. What I would ask you to do, if  
19 possible, is maybe summarize how what is being  
20 presented will affect your building, in  
21 general.

22 MS. GRANDA: The previous project was ten  
23 stories high. This is going to be twelve.  
24 It's a concrete wall on Alhambra.

25 CHAIRMAN AIZENSTAT: But are you stating

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1 We had a parking situation, as well. We  
2 couldn't -- because people that work in the CBD  
3 were parking in our neighborhood and kept our  
4 visitors from parking on the street, but that  
5 was solved with residential parking on one side  
6 of Majorca. So we are fine there. "Pero" we  
7 see all of these tall buildings coming up all  
8 around us, you know, which brings a lot of  
9 people, commercial spaces. We don't need more  
10 commercial spaces in Coral Gables to be closed,  
11 empty.

12 What we need on Alhambra is townhomes in  
13 the front of the building facing Alhambra --  
14 that would be a plus for the neighborhood --  
15 not commercial space on Alhambra Circle. They  
16 can do whatever they want in Alhambra Plaza.

17 CHAIRMAN AIZENSTAT: Thank you.

18 MS. GRANDA: Okay?

19 CHAIRMAN AIZENSTAT: Yes, ma'am.

20 MS. GRANDA: So do we have any idea when  
21 this is going to come up again, so I can be  
22 here?

23 CHAIRMAN AIZENSTAT: Right now we're just  
24 taking public comment. We'll ask Staff, if  
25 this particular item is coming back, we don't

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1 that it's going to be twelve because -- if this  
2 is approved it will be twelve or are you  
3 stating that it's going to be twelve -- are you  
4 here to talk about that specific project?

5 MS. GRANDA: Yes.

6 CHAIRMAN AIZENSTAT: But that's not before  
7 us right now, to talk about that project.

8 MS. GRANDA: So I have to come back when --

9 MR. COLLER: I would be concerned if we're  
10 going to have conversation about a specific  
11 project that may come before this Board. I  
12 don't know if it will. If maybe you could  
13 speak generally about your concern about  
14 height.

15 CHAIRMAN AIZENSTAT: That's why I'm asking  
16 you if you, just in general, and not speak  
17 about a specific project.

18 MS. GRANDA: "Bueno" to begin with, it's  
19 news to me that the CBD extends to Navarre. It  
20 used to be like half the block and now it goes  
21 to Navarre. We are a community of small  
22 buildings, five stories high, except Alhambra  
23 1. I believe it has ten stories or eight  
24 stories high, on Alhambra. So we are concerned  
25 of what happens in our neighborhood.

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1 know yet --

2 MS. GRANDA: Well, I see Mr. Garcia-Serra  
3 here, and I know he's the attorney for the  
4 project.

5 CHAIRMAN AIZENSTAT: I'm not at liberty to  
6 discuss -- there's no project that's being --  
7 maybe Mr. Garcia can meet with you after, but  
8 during the course of what we're doing, I'd like  
9 to just stick and focus on the agenda item  
10 that's before us.

11 MS. GRANDA: Okay. I'll be back. Thank you.

12 CHAIRMAN AIZENSTAT: Thank you, ma'am.  
13 Thank you.

14 THE SECRETARY: We have one more speaker  
15 and someone on Zoom. Vicky Rua. She needs to  
16 be sworn.

17 CHAIRMAN AIZENSTAT: Can you come up,  
18 please? Thank you.

19 Can you state your name, for the record?

20 MS. RUA: My name -- I need to be sworn,  
21 too. Okay. My name is Vicky Rua. I live at  
22 50 Alhambra Circle.

23 CHAIRMAN AIZENSTAT: Thank you.

24 MS. RUA: You're welcome.

25 (Thereupon, the participant was sworn.)

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1 MS. RUA: So I came to learn about this new  
2 project like maybe three days before the  
3 meetings on September 23rd.

4 CHAIRMAN AIZENSTAT: What project?

5 MR. RUA: Well, not the project, the  
6 amendment. Let me talk with the amendment.

7 And the letters arrived in my house,  
8 because I have the envelope and the letter, the  
9 23rd. So we only had three neighbors present.  
10 And I believe, Mr. Pardo, you were on the call.

11 MR. PARDO: On Zoom.

12 MS. RUA: And I was the lady that said  
13 that I cringe that such a big change for the  
14 CBD would be something done so hastily. So I  
15 started to try to find out what Commissioner  
16 had asked for this amendment, and I was told  
17 that it was Kirk Menendez, and then I found out  
18 who was behind this rush in getting this CBD  
19 changed so hastily, and it came to my attention  
20 it was MG Developers.

21 So MG Developers --

22 CHAIRMAN AIZENSTAT: But I'd like to go  
23 back.

24 MS. RUA: Tell me what I need to stop  
25 saying.

1 ahead and see you. If you don't care for that,  
2 then it's fine to continue.

3 MS. CONDE: Yeah, I'm having trouble  
4 accessing my camera, so you'll have to take me  
5 off the record.

6 MR. COLLER: Well, let me just say this  
7 about -- this is a legislative item. So while  
8 we swear everyone in, it's not as important as  
9 a quasi-judicial item, where we've got a  
10 specific application.

11 CHAIRMAN AIZENSTAT: Continue please, Sara.

12 MS. CONDE: Okay. You know, a couple of  
13 things. One thing is, it seems like this isn't  
14 really a solid plan, because, again, she's  
15 saying it's the fifteen percent and it was five  
16 percent in the agenda. I mean, I think this  
17 needs to be hashed out a little bit more.

18 You know, I have heard from some of the  
19 neighbors that there wasn't really enough time,  
20 there was only five days from the time the  
21 letters were sent until there was a meeting. I  
22 mean, I think -- just to echo what the previous  
23 speaker said, I think this is a little bit  
24 hasty.

25 The other thing I wanted to mention is

1 CHAIRMAN AIZENSTAT: A specific project,  
2 because we're not looking at a specific  
3 project.

4 MS. RUA: I'm talking about the text  
5 amendment. I'm not talking about a --

6 CHAIRMAN AIZENSTAT: In general, you're  
7 talking, not --

8 MS. RUA: I'm talking about, in general,  
9 how the text amendment came to be.

10 CHAIRMAN AIZENSTAT: Okay.

11 MS. RUA: Okay. And it is my  
12 understanding that it was only one  
13 Commissioner, not all of the Commissioners. So  
14 that's the only thing I'm saying. It's a big  
15 decision just to be taken hastily. That's all.  
16 Okay.

17 CHAIRMAN AIZENSTAT: Yes, ma'am. Thank you  
18 for your time.

19 Do we have any more speakers in Chamber?

20 THE SECRETARY: No, not in Chambers, but we  
21 have on Zoom, Sara. Please unmute yourself.

22 MS. CONDE: Hi, this is Sara Conde. I'm  
23 from 228 Alecio Avenue.

24 CHAIRMAN AIZENSTAT: If you would -- Sara,  
25 if you'd like to be sworn in, we need to go

1 that, you know, it seems like we're changing  
2 zoning piecemeal. You know, first, a couple of  
3 weeks ago, it was in the district around  
4 Merrick Park. Now it's this Business  
5 Development District. And, you know, this is  
6 -- and then you only have to talk to one  
7 thousand people around the perimeter of that  
8 area -- you know, I mean, if we're going to  
9 change zoning all over the City, let's do it at  
10 once, and let's tell everybody in Coral Gables  
11 that we're just changing the zoning.

12 You know, I think that this is a little bit  
13 piecemeal. I think not enough people are  
14 involved, not enough of the residents are  
15 involved, you know, and I just think that this  
16 is a little -- you know, not very solid and  
17 I'll end my comment. Thank you.

18 CHAIRMAN AIZENSTAT: Thank you.

19 Jill, do we have anybody else?

20 THE SECRETARY: No one else raised their  
21 hand to speak.

22 CHAIRMAN AIZENSTAT: Okay. At this time,  
23 I'd like to go ahead and close for public  
24 hearing.

25 Mr. Pardo --

1 MR. PARDO: Yes.

2 CHAIRMAN AIZENSTAT: -- I would like to ask  
3 something. There was a lady on the record that  
4 stated that she had spoken to you about --

5 MR. PARDO: No. No. She said that I was  
6 on Zoom, and it was -- the meeting was a  
7 Sunshine Meeting, which I was allowed to  
8 attend, because it was a Sunshine Meeting, and  
9 I attended, not physically there, I attended on  
10 Zoom.

11 CHAIRMAN AIZENSTAT: Now, Mr. Collier, is  
12 that something that he should disclose before  
13 the Board since it's an ex parte communication  
14 or --

15 MR. COLLIER: See, because this is a  
16 legislative item and it's not a quasi-judicial  
17 item if it were a quasi-judicial item -- then,  
18 obviously, it's something to disclose --

19 CHAIRMAN AIZENSTAT: I just want to make  
20 sure.

21 MR. PARDO: No. No. No. I understand.

22 MR. COLLIER: But a legislative item, we  
23 have a lot more leeway, so it's fine.

24 CHAIRMAN AIZENSTAT: Okay. Thank you.

25 Mr. Pardo, would you like to start?

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1 and -- you see the very tall Allen Morris  
2 project, it has a great large boulevard, on two  
3 sides, that has sunlight, but when you go into  
4 the rest of the CBD area, that additional 27  
5 feet, I think, is a negative. And although I  
6 applaud Staff for coming up with the fifteen  
7 percent for the additional green area, I think  
8 that's great, but it's, still, at what cost.

9 So I still have an issue with it, because  
10 it's -- in my opinion, we're -- a previous  
11 Commission approved this, and, then, all of a  
12 sudden, now they see it built, and they're  
13 saying, oh, gee, we need -- you know, we need  
14 more green space.

15 Now, the last thing I want to say about  
16 this is that, I think, most people that say, "I  
17 want a park," they don't know what they're  
18 being sold, and a five thousand square foot  
19 postage stamp somewhere is not a park, in my  
20 opinion, and those are the things that I am  
21 concerned with, in adding this additional  
22 height, because the two ladies that already  
23 addressed this Commission, what they're  
24 concerned with is, it's about the height, when  
25 it comes to this particular proposed

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1 MR. PARDO: Sure.

2 You know, one of the things that I had  
3 actually suggested on Zoom to the Planning  
4 Director was the possibility of providing the  
5 graphics to the public, in other words, have it  
6 on their website, in order for people to  
7 understand better than just looking at the  
8 written component of it, and one of the things  
9 that I personally saw, and I still see it  
10 today, is that the lines that were shown to see  
11 the sky is from the ground up, but what is not  
12 shown is the shadow of the additional height on  
13 those streets in the CBD area.

14 If you have more height, all of those  
15 streets will be in shade during certain parts  
16 of the year, where they'll be in shade all day,  
17 and I think that's a negative, because I've  
18 traveled and lived in other areas, where you  
19 walk through those areas, and it's pretty --  
20 it's a negative, in my opinion, because you  
21 don't need to have shade trees anymore to  
22 provide shade, because you're in shade all of  
23 the time, and based on these small  
24 right-of-ways, it's problematic.

25 Now, if you go over to Alhambra Circle,

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1 legislation. So I am very much against it.

2 CHAIRMAN AIZENSTAT: Thank you.

3 Sue.

4 MS. KAWALERSKI: All I can say is, this  
5 stinks, and I'll tell you why. At my very  
6 first Planning and Zoning Meeting, we had a  
7 project that was pulled from the agenda because  
8 it was all about a district that did not exist  
9 in our Zoning Code, 2.5 mixed-use. It didn't  
10 exist, but there was a project, on the agenda,  
11 for us to approve something that doesn't even  
12 exist in the Zoning Code. And if I recall that  
13 proposal for a 2.5 mixed-use, not in our Zoning  
14 Code, was to allow developers to build up to  
15 135 feet, okay.

16 That kind of disappeared. The 2.5 MX  
17 disappeared along the way over the last of  
18 couple of months, and all of a sudden, we're  
19 seeing projects, resolutions, and guess what it  
20 is? It's really 2.5 MX. This is a sheep in  
21 wolf's clothing -- or is it a wolf in sheep's  
22 clothing?

23 MR. WITHERS: Yeah, that's what it is.

24 MS. KAWALERSKI: Whatever it is. You know  
25 what it is, we're getting the wool pulled over

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1 our eyes, either by a Commissioner or by a  
2 developer, and the answer here, from the  
3 residents, I am sure, is going to be,  
4 absolutely not.

5 As I expressed at the last meeting, if we  
6 want to change the Zoning Code, let us go  
7 through the proper process, not sneak it in to  
8 Planning and Zoning as, oh, we're going to give  
9 you a pallet of grass, in exchange for 27 more  
10 feet. Nobody needs a pallet of grass. What we  
11 need is to listen to the residents and go  
12 through the proper procedure of changing the  
13 Zoning Code, if that's what the residents want  
14 to do, but enough of this hiding behind words.

15 Green space -- everybody wants green space.  
16 It's like, do you like children? You're not  
17 going to say no. Do you like green space? Of  
18 course, you do, but at what cost are we having  
19 a pallet of grass? 27 feet, to cast shadows on  
20 small streets, to subvert the public from the  
21 process of being able to express, yes, I want  
22 this in the Zoning Code, or, no, I don't, this  
23 is bogus. I'm sorry, this is bogus. We should  
24 not even be considering this at Planning and  
25 Zoning. And it is a big, fat, huge no from me.

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1 MR. WITHERS: But what was the reasoning  
2 behind that?

3 MS. GARCIA: We didn't want to have -- I  
4 say, we --

5 MR. WITHERS: Yes.

6 MS. GARCIA: The sponsoring Commissioner  
7 did not want to have another option out of the  
8 Med Bonus. He didn't want to be --

9 MR. WITHERS: I'm sorry, who is the  
10 sponsoring Commissioner? It is Kirk Menendez?

11 MS. GARCIA: Yes. Yes.

12 MR. WITHERS: Okay. So that was who it  
13 was.

14 MS. GARCIA: So he didn't want something  
15 that was conflicting with the Med Bonus. The  
16 Med Bonus is being studied and the criteria is  
17 being studied, as well, and he didn't want to  
18 conflict with what the Med Bonus was meant to  
19 be, which is to create Mediterranean style  
20 buildings in our City. That was all.

21 I mean, I think, from a development  
22 standpoint, you probably would not-not do the  
23 Med Bonus, because you want that FAR.

24 MR. WITHERS: Yeah. Right. I would think  
25 so, too.

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1 CHAIRMAN AIZENSTAT: Can you tell us how  
2 you really feel?

3 Chip.

4 MR. WITHERS: I have a question. What is  
5 the reasoning behind that it must have a  
6 Mediterranean architecture mandatory to comply  
7 with this?

8 MS. GARCIA: The Med Bonus would apply. So  
9 they can't have a modern building and start at  
10 seventy feet and have an extra two stories,  
11 with a modern building. The Mediterranean  
12 Bonus has to apply. It has to meet that  
13 criteria.

14 MR. WITHERS: So this bonus --

15 MS. GARCIA: We didn't want to have this be  
16 another option, instead of Med Bonus.

17 MR. WITHERS: Got it. So this bonus is on  
18 top of the Mediterranean Bonus?

19 MS. GARCIA: Yes. Uh-huh. Correct.

20 MR. WITHERS: And if they don't want the  
21 Mediterranean Bonus, then they can't accept  
22 this bonus?

23 MS. GARCIA: If they can't get Med Bonus  
24 from the Board of Architects, then, yes, they  
25 can't meet this.

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1 Okay. The next question, fifty percent  
2 canopy, is that on day one or is that like a  
3 phased in, because that's a lot of canopy on  
4 day one?

5 MS. GARCIA: Yes, it is, and that's  
6 intentional.

7 MR. WITHERS: So they have to put in mature  
8 trees.

9 MS. GARCIA: Mature trees.

10 MR. WITHERS: With Felix's comment about  
11 shade, how do those trees do?

12 MS. GARCIA: How do trees do?

13 MR. WITHERS: Well, I mean, is that going  
14 to affect the viability of that tree, do we  
15 think, or has Public Works looked at that?

16 MR. BEHAR: But any tree that is on the  
17 north side of any building, a three-story  
18 building, will be in shade, no matter what.

19 MR. WITHERS: Anyway. All day long?

20 MR. BEHAR: Yeah. It doesn't matter where  
21 it's at. In the north side of the -- any  
22 building, three-story building, is going to  
23 cast shadows on the trees, throughout the City.

24 MR. PARDO: That will be the south, also.

25 MS. GARCIA: In the winter, right.

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1 MR. BEHAR: So --

2 MR. WITHERS: That's all I have. This  
3 five-minute discussion has turned into thirty.  
4 So that's all I have.

5 CHAIRMAN AIZENSTAT: Thank you, Chip.  
6 Javier.

7 MR. SALMAN: Jennifer, I have a question.  
8 I'm sorry.

9 MS. GARCIA: It's okay.

10 MR. SALMAN: Two questions. The first is,  
11 the CBD limitation --

12 MS. GARCIA: The boundary?

13 MR. SALMAN: The boundaries.

14 MS. GARCIA: Uh-huh.

15 MR. SALMAN: Okay. Is there any reason why  
16 we're doing it down the middle of the street,  
17 as opposed to along the back of the property  
18 line?

19 MS. GARCIA: The CBD boundary is not  
20 changing.

21 MR. SALMAN: No. Is that because that's  
22 the way it's defined?

23 MS. GARCIA: Yes.

24 MR. SALMAN: Okay. So that's already  
25 recorded --

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1 need to look at how we do that boundary and  
2 maybe wiggle it. I'm sorry, but you're here  
3 for -- as I understand it, we are here to be  
4 giving feedback to this process --

5 MS. GARCIA: Uh-huh.

6 MR. SALMAN: -- and not necessarily to  
7 impose limitations. So that's my feedback.

8 MS. GARCIA: Yeah.

9 MR. SALMAN: I think it's a planning error  
10 mistake, okay.

11 MS. GARCIA: Yeah, from a planning  
12 perspective, you want to have like facing like  
13 on the street, absolutely.

14 MR. SALMAN: From the middle of the block,  
15 not along the center line of the block down the  
16 street. That is just not -- bad planning,  
17 failed Planning 101.

18 MS. GARCIA: Yeah.

19 MR. SALMAN: All right. And, then, again,  
20 I want to explain and see if I understand you  
21 correctly. The volume of building that we  
22 would be setting back to create this space is  
23 then being added on top?

24 MS. GARCIA: Uh-huh.

25 MR. SALMAN: So it will also be set back,

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1 MS. GARCIA: Unfortunately, yes.

2 MR. SALMAN: -- that's the boundary line?

3 MS. GARCIA: Yes.

4 MR. SALMAN: That is the problem.

5 MS. GARCIA: Yeah.

6 MR. SALMAN: Because then you get really  
7 odd situations across streets, which is  
8 something that needs to be looked at. You  
9 know, I would do both sides of Almeria, west of  
10 Ponce, because the east of Ponce is a totally  
11 different collection of buildings and houses  
12 and whatnot, whereas on the west side, it's  
13 much more homogenous with regards to its  
14 commercial nature and the ability -- it's all  
15 being redeveloped as we speak.

16 MS. GARCIA: Right.

17 MR. SALMAN: This is about creating open  
18 space in areas that we know are probably going  
19 to be developed in the next couple of years.

20 MS. GARCIA: Correct. And for a property  
21 that is probably out of the City's budget to  
22 purchase. As you know, CBD property values  
23 are very expensive.

24 MR. SALMAN: I understand.

25 So, respectfully, my comment is that we

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1 because we're setting back the base, so,  
2 therefore, we get a taller tower, but open  
3 space?

4 MS. GARCIA: Correct.

5 MR. SALMAN: Is that space contiguous  
6 fifteen percent or can it be split or does it  
7 have to be -- that's a question, because I saw  
8 a couple of graphics here, where one was  
9 fifteen percent, then five percent, then ten  
10 percent.

11 MS. GARCIA: Right. So the underlying ten  
12 percent requirement for a mixed-use zoning, MX2  
13 zoning, there's no requirement it has to be  
14 open to the sky, no requirement it has to be on  
15 the property. It could be in the right of way.  
16 It's very loose, on purpose. It's supposed to  
17 be for urban buildings.

18 MR. SALMAN: To a certain extent, I kind of  
19 like it.

20 MS. GARCIA: But for this one, it needs to  
21 be contiguous, it needs to be in a prominent  
22 location, and it needs to be certain  
23 dimensions. Dimensions is not the right word,  
24 it's certain ratios, so it's actually useable  
25 space. It's not just ten feet of, you know --

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1 MR. SALMAN: Right. On a ten thousand  
2 square foot lot, fifteen percent is fifteen  
3 hundred square feet. That's not a lot of  
4 light.

5 MS. GARCIA: No.

6 MR. SALMAN: That's not a lot of open  
7 space.

8 MS. GARCIA: So this probably will not work  
9 for that small property.

10 MR. SALMAN: Probably not.

11 MS. GARCIA: Because that's part of --  
12 uh-huh.

13 MR. SALMAN: Probably not.

14 And, certainly, the Med Bonus would,  
15 because you would get some benefit on the  
16 small --

17 MR. BEHAR: But if you look at it, Javier,  
18 it's an additional fifteen percent, right?

19 MS. GARCIA: Correct.

20 MR. BEHAR: An additional fifteen percent.

21 MR. SALMAN: No, I see it as a relocation  
22 of the setback volume. Is that correct or  
23 wrong? I don't see it as a net increase. I  
24 see that as the same volume being moved.

25 CHAIRMAN AIZENSTAT: I see it as a net

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1 increase. I see the Mediterranean Bonus, and  
2 then the additional.

3 MR. SALMAN: No. I think that the ability  
4 to move is tied to the Med Bonus. Without the  
5 Med Bonus, you don't get it.

6 MS. GARCIA: So all this is doing is  
7 requiring an additional fifteen percent. Ten  
8 percent, they can meet with arcades or a paseo  
9 of they can have it open to air on their site.  
10 It doesn't really matter. So they have to  
11 provide, fifteen percent that has to be open to  
12 the sky, ten percent of it, they can meet  
13 however they want to, and all this is doing is  
14 raising that level -- that maximum height to be  
15 higher, to be able to squish that FAR to the  
16 side.

17 MR. SALMAN: Again, let's be completely  
18 clear. I mean, are we adding to the volume of  
19 the FAR? We're not changing the FAR.

20 MR. BEHAR: No, we're not.

21 MS. GARCIA: It's staying the same.

22 MR. SALMAN: There is no increase here.

23 MR. BEHAR: No.

24 MR. SALMAN: So this is just about  
25 relocation of buildable volume.

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1 MS. GARCIA: Yes.

2 MR. BEHAR: Yes.

3 MR. SALMAN: Okay. You said it that  
4 wasn't, that we're increasing. The only thing  
5 we're increasing is height.

6 MR. BEHAR: No, but you're adding fifteen  
7 percent of open space. That graphic may be one  
8 to look at, that -- where it says, fifteen  
9 percent of the property. Yeah, you're taking  
10 that mass and you putting it on top. I don't  
11 know the equation, if it's the same or not, but  
12 you're --

13 MR. SALMAN: We're being told it's the same  
14 volume.

15 MR. BEHAR: I don't think that's the same  
16 volume, but I'm not going to -- we're not here  
17 -- but what it does is, it's giving you an  
18 additional fifteen percent of continuous open  
19 space, right? That's my understanding.

20 MS. GARCIA: Yes, open to the sky.

21 MR. PARDO: In exchange for 27 percent more  
22 height.

23 MR. BEHAR: Yes.

24 MR. SALMAN: Yeah. That's the way it -- I  
25 just wanted to make sure I understood it and

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1 that I brought -- yeah, I think we had a  
2 diversity of opinion as to what you were saying  
3 here, because we weren't all clear. So I just  
4 wanted to bring it up, so that we all know what  
5 we're talking about.

6 So it is tied to the Med Bonus. So you  
7 have to have the Med Bonus in order to be able  
8 to do this relocation.

9 MS. GARCIA: Yes.

10 MR. SALMAN: And without it, you can't.

11 MS. GARCIA: Correct. That's one of the  
12 criteria.

13 MR. SALMAN: Why did you link them?

14 MR. WITHERS: I asked that question.

15 MR. SALMAN: I know you did. I didn't like  
16 her answer, so I wanted her to think about it  
17 again.

18 MS. GARCIA: The concern was that we did  
19 not want to conflict with the Med Bonus. We  
20 wanted the Med Bonus to remain the Med Bonus.  
21 We wanted to have those nice street facing  
22 buildings, that looked like the original vision  
23 of George Merrick.

24 MR. SALMAN: So then --

25 MS. GARCIA: We didn't want to provide

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1 another avenue to get away from the Med Bonus.  
2 We wanted to just add on to the Med Bonus.

3 MR. SALMAN: Okay. That's it.

4 MR. BEHAR: I could add to that. Mr. Pardo  
5 and myself sat on a committee that took away  
6 all of the ability to do anything else, but a  
7 Med Bonus architecture, and it would have been  
8 nice that -- if you had other options, and you  
9 still provided more open space, but it is what  
10 it is.

11 MR. SALMAN: I just object to the linkage.  
12 I think that you can have a very beautiful  
13 modern building, in a context, with green space  
14 in front of it, an expanded green space, and  
15 increase the width -- the effective width of  
16 the street at that point, and not necessarily  
17 tie it. I disagree with that.

18 MR. BEHAR: I agree with you 150 percent.  
19 That would have been the right thing to have  
20 done.

21 CHAIRMAN AIZENSTAT: Thank you.

22 MR. SALMAN: I'm done.

23 CHAIRMAN AIZENSTAT: Julio.

24 MR. GRABIEL: Yeah. I'm having a problem  
25 with this. I understand the wish for open

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1 space. I understand the wish for more green  
2 space in downtown. But, to me, it's bogus open  
3 space. It's not significant. Any City has to  
4 have a balance between the hard edge of the  
5 street, the building volume, and open space.  
6 And what I think is happening or is going to  
7 happen is that we're going to get a little bit  
8 of open space here, and then some over there,  
9 but they're not significant and they don't  
10 necessarily speak to each other. There's no  
11 guarantee that if we approve this, there's  
12 going to be significant open space in  
13 significant locations. It could be anywhere,  
14 and it just doesn't make sense.

15 Open space has to be located in such a way  
16 that it adds value to the City fabric, and the  
17 way that this is being done is, there's no  
18 control. It's a little bit of open space here,  
19 some open over there, and the buildings don't  
20 necessarily talk to each other, and I don't  
21 know the solution, but I am very uncomfortable  
22 with this.

23 I don't mind the height, for the fellow  
24 Board Members that are concerned with the  
25 height. I'm not worried about height. Our

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1 streets are wide enough that light will get  
2 there. We're not adding any more square  
3 footage. So we're not taking from anybody.  
4 But I am concerned with not having the right  
5 open space, at the right location, and this one  
6 doesn't, in any way, help us control that, and  
7 I don't know the solution. I don't have a  
8 solution for it, but it's a problem.

9 CHAIRMAN AIZENSTAT: Chip, go ahead --

10 MR. WITHERS: I was going to make a motion,  
11 but I know there's others yet to speak.

12 CHAIRMAN AIZENSTAT: Robert.

13 MR. BEHAR: I will agree with Julio. It  
14 needs to be a little bit more defining. I  
15 don't have a problem with the additional  
16 twenty-seven feet, if we're going to get  
17 fifteen percent open space -- additional  
18 fifteen percent open space, at all. I think --  
19 I just came -- I visited my son in Washington,  
20 DC this past -- and I went to some of the areas  
21 in Georgetown, in particular, and there was a  
22 couple of instances where you do see little  
23 parks, per se, not any bigger than -- I mean,  
24 not fifteen hundred square feet, but anywhere  
25 from three to five thousand square feet, and it

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1 was very pleasant to have those breaks in a  
2 street frontage.

3 I think, if it's done correctly -- you  
4 know -- and I don't know, Julio, how do we get  
5 that done -- I think it's going to be  
6 beneficial. The example that you gave us here  
7 on Hernando and Valencia, right --

8 MS. GARCIA: Uh-huh.

9 MR. BEHAR: -- I think that that came out  
10 very nice, because it's not a very big space,  
11 but it really relieves, you know, the building  
12 being so close, you know, and I personally  
13 think it's a very positive thing to do, you  
14 know, in the City, in the MXD -- in the CBD,  
15 I'm sorry.

16 MR. GRABIEL: But if you look at that  
17 particular example -- and I agree with you --  
18 if you look at a particular example, Valencia  
19 Condominium, and it's very well done. There is  
20 a defined street edge, on both corners -- both  
21 sides of that park. In other words, it's not  
22 just an open space with nothing else. There's  
23 an edge that continues the pattern of the  
24 building on both sides, and that's what I'm  
25 worried about, that all of a sudden, we start

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1 doing these open parks that have no  
2 relationship to the fabric of the City. That  
3 one respects the fabric of the City perfectly  
4 well.

5 MS. GARCIA: And that was the intent of  
6 requiring that they improve both sides of the  
7 abutting, so that it fits in more and it's all  
8 coordinated, as far as, like across the street,  
9 you feel like you're part of that park  
10 improvement -- park open space improvement.

11 MR. BEHAR: That is -- I don't know how to  
12 solve that, but you are right, you know, it  
13 would be -- but I would be in favor of it.  
14 That's all of my comments.

15 CHAIRMAN AIZENSTAT: I mean, there's been a  
16 lot of comments that have been made, I think,  
17 additional direction to you. A lot of my  
18 thinking has been echoed between my colleagues  
19 here.

20 One of the things that I like to just state  
21 is, when the Ordinance was put up, it was  
22 talking about not the fifteen percent, and now  
23 it came to us at fifteen percent. I think it  
24 has to be noticed better, on the fifteen  
25 percent, with time. Mr. Collier, I don't know

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1 how you feel about that, but, to me, I think  
2 there has to be more ample time on that, so  
3 that, you know, people can come and voice their  
4 opinions.

5 Also, I don't know why -- there is a  
6 concern that was raised about, they got the  
7 notice, and, then, five days later or "X"  
8 amount of days, very shortly after that, was  
9 the -- I think the City should look at why  
10 there was that concern, and see what happened.

11 MS. GARCIA: Yeah. We know what the issue  
12 was. It was the mail service provider, and so  
13 the following meeting -- for the next meeting,  
14 we had half our department stuffing envelopes  
15 for two days straight, so --

16 CHAIRMAN AIZENSTAT: Okay. So we do know  
17 that there was an issue with that?

18 MS. GARCIA: Yeah.

19 CHAIRMAN AIZENSTAT: Okay. So, for those  
20 two reasons, I mean, I would not be in favor  
21 myself of any approval or anything. I'm not  
22 saying I disagree with the open space, if it's  
23 done correctly, and I'm not saying I disagree  
24 with the fifteen percent, but I do think that  
25 there were flaws within the notice and the way

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1 the fifteen percent was changed.

2 Chip, do you want to --

3 MR. WITHERS: I'd like to defer to my  
4 fellow Board Member Sue, since she was the one  
5 that was the least softly spoken about this, if  
6 she wants to bring forth a motion.

7 MS. KAWALERSKI: I'd like to make a motion  
8 to deny this.

9 MR. WITHERS: I'll second.

10 CHAIRMAN AIZENSTAT: So we have a motion to  
11 deny. We have a second.

12 You're not saying, to go back --

13 MS. KAWALERSKI: No, I'm not. A straight  
14 denial.

15 CHAIRMAN AIZENSTAT: Okay. I mean, I would  
16 be more in favor of it coming back, give proper  
17 notice, have more people come and talk to us,  
18 so we can hear what the public has to say.

19 MS. KAWALERSKI: And, again, I don't want  
20 to repeat myself, but I will. This is a major  
21 zoning change. It's a 2.5 mixed-use. Let's  
22 not fool ourselves. And with a major zoning  
23 change, we should go through the process.  
24 Therefore, this is not tweakable. This is  
25 deniable. And that's why I have a motion to

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1 deny.

2 CHAIRMAN AIZENSTAT: So Sue wants to make a  
3 straight motion to deny. Chip has second. Any  
4 comments?

5 MR. BEHAR: No. I will agree with you. I  
6 mean, this could be modified, because we're not  
7 looking at one project specific. This is  
8 legislation that should stand on its own.

9 And I don't know if, Sue, you are concerned  
10 about the one project that came, that's going  
11 to come back to us. There's other areas of the  
12 CBD that this could be very positive, not --  
13 and I understand when maybe you are still going  
14 back to that 2.5 project that came, you know,  
15 that was -- but maybe this is -- you know,  
16 let's look at it in other areas, not project  
17 specific.

18 And I don't know, and I don't want to  
19 assume something that you're thinking, but I  
20 think this is -- in other areas, this could be  
21 very good.

22 MS. KAWALERSKI: Let me just address that,  
23 Robert. We have so many different kinds of  
24 overlays. Here I am, a brand new Board Member,  
25 and there's this overlay, there's that overlay.

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1 Where does the Zoning Code come into play? All  
2 of a sudden, the City is split into so many  
3 little pockets of overlays, there's no Zoning  
4 Code. Why do we have a Zoning Code? Let's  
5 just invent overlays.

6 CHAIRMAN AIZENSTAT: All right. So --

7 MS. KAWALERSKI: So I'm saying, this is  
8 another one of those overlays, okay, that's  
9 going to creep into other parts of the City.  
10 If we want to change the Zoning Code, let's go  
11 through the process. This is not tweakable.  
12 This is a zoning change.

13 CHAIRMAN AIZENSTAT: Sue, we have a motion.  
14 We have a second. Any other discussion --

15 MR. COLLER: Can I get a clarification?

16 CHAIRMAN AIZENSTAT: Yes.

17 MR. COLLER: With regard to the notice of  
18 this meeting, the notice for this meeting  
19 was --

20 MS. GARCIA: It was sent timely, yeah. It  
21 was sent thirteen days prior.

22 MR. COLLER: Okay. So the notice that  
23 we're talking about is the --

24 MS. GARCIA: Neighborhood Meeting.

25 MR. COLLER: -- Neighborhood Meeting.

1 had. Sometimes, if you design a horse by  
2 committee, you end up with a camel, and this is  
3 probably one of those cases.

4 CHAIRMAN AIZENSTAT: Okay. I --

5 MR. WITHERS: I mean, we approved two of  
6 these last meetings, didn't we? Why were those  
7 different? What was special about those?  
8 That's my only -- what made those approvable?

9 MR. PARDO: I could answer that, if you'd  
10 like. First of all --

11 MR. COLLER: Could you speak up into the  
12 mike? We really can't hear you.

13 MR. PARDO: In those particular places, the  
14 area that was the green space was a specific  
15 side of the property, and it was deeded to the  
16 City in perpetuity, and that's what the  
17 difference was with that, and possibly having a  
18 front porch effect of green space, as Julio was  
19 saying, that it could be unsuccessful, and  
20 that's why this has not been thought out  
21 properly, and I think it would be a wrong  
22 message to Staff to say, keep working on what  
23 you're doing and maybe you could get it  
24 approved.

25 I think they really have to go back and

1 MS. GARCIA: Uh-huh.

2 CHAIRMAN AIZENSTAT: All right.

3 MR. COLLER: All right. So it's legally  
4 before you, but there was a notice problem with  
5 regard to the neighborhood comment.

6 MR. BEHAR: Mr. Chairman, we have a motion  
7 and a second before --

8 MR. WITHERS: Let me just respond. Listen,  
9 I'm all in favor of the concept. I think it  
10 fared well in front of the Nordstrom property.  
11 I think that was an excellent placement. I  
12 just think it's haphazardly put together. You  
13 know, I still don't understand --

14 CHAIRMAN AIZENSTAT: But if that's the  
15 case, then why not send it back --

16 MR. WITHERS: Well, I mean, Staff can come  
17 back and bring it back --

18 MR. BEHAR: Not --

19 MR. PARDO: Mr. Chairman --

20 CHAIRMAN AIZENSTAT: Yes, sir.

21 MR. PARDO: -- a point of order here. What  
22 Staff is being told is, this is not approvable  
23 or tweakable, but that doesn't say that Staff  
24 cannot go back to the drawing board and start  
25 again and take the comments that this Board

1 think about, like the other area that was  
2 successful, and it was very different.

3 MR. BEHAR: But, Felix, let me ask you,  
4 this is a guidance, to a project to come in,  
5 locating that area where we feel and the  
6 Commission feels that it's appropriate. This  
7 is not telling the project, you know -- or  
8 any -- because this is not project specific.  
9 This is saying that if you're going to take  
10 advantage of the Med Bonus and the additional  
11 height, that you have to provide fifteen  
12 percent open space.

13 When they come back here, if we don't feel  
14 that they've done the job correctly, then they  
15 don't get approval.

16 MR. PARDO: I think that the big difference  
17 between what Chip was asking about, which is  
18 the Innovative Center, the old Industrial  
19 Center, and this particular area, where it's  
20 the CBD, and the CBD has no faces, including  
21 facing lower residential areas and certain  
22 things. In my opinion, I agree a hundred  
23 percent with Chip, that I don't think this was  
24 thought out very well, and I think it was put  
25 together in such a way -- and sometimes it's

1 better just to erase the board and start again  
2 and look at it differently.

3 I think Staff would be able to do that, but  
4 I don't think that trying to straighten a bent  
5 nail and re-drive it is going to be the right  
6 thing to do.

7 CHAIRMAN AIZENSTAT: All right. We have a  
8 motion. We have a second, unless anybody  
9 changes their second or their motion, which I  
10 don't hear such, so let's go ahead and -- yes,  
11 Chip.

12 MR. WITHERS: No, I'm getting ready to  
13 vote. I think I'm going to be called first.

14 CHAIRMAN AIZENSTAT: You were just -- Jill,  
15 will you call the role, please?

16 THE SECRETARY: Julio Grabiell?

17 MR. GRABIEL: No.

18 MR. SALMAN: Wait a minute. Wait a minute.  
19 Wait a minute. A point of order, are we voting  
20 to deny --

21 MR. COLLER: So a yes vote is a  
22 recommendation of denial. We don't deny things  
23 here. We make recommendations.

24 MR. SALMAN: I understand.

25 MR. COLLER: And then it goes to the City

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1 Commission. So a yes vote is to deny, a no  
2 vote means to -- sounds like a double negative,  
3 not to deny, and then we move on to another  
4 motion.

5 CHAIRMAN AIZENSTAT: Correct. So we have a  
6 no vote. Continue.

7 THE SECRETARY: Sue Kawalerski?

8 MS. KAWALERSKI: Yes.

9 THE SECRETARY: Felix Pardo?

10 MR. PARDO: Yes.

11 THE SECRETARY: Javier Salman?

12 MR. SALMAN: Yes.

13 THE SECRETARY: Chip Withers?

14 MR. WITHERS: Yes.

15 THE SECRETARY: Robert Behar?

16 MR. BEHAR: No.

17 THE SECRETARY: Eibi Aizenstat?

18 CHAIRMAN AIZENSTAT: My vote is, no,  
19 because I think it should be worked on and not  
20 just denied. Thank you.

21 MR. COLLER: Okay. So the item is  
22 recommended for denial on a four-three vote,  
23 right?

24 CHAIRMAN AIZENSTAT: Yes, sir.

25 MR. COLLER: May I suggest -- we've gone

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1 now from 6:00 to 8:15 -- we take a five-minute  
2 break, because you have the last item and you  
3 need to announce that you're --

4 CHAIRMAN AIZENSTAT: Before we take a  
5 five-minute break, let the record show that --

6 MR. BEHAR: I'm going to recuse myself,  
7 because the item coming up is Publix, and  
8 Publix is a client, so I want to make sure that  
9 there's no conflict. I will recuse myself.

10 CHAIRMAN AIZENSTAT: Thank you, sir.

11 MR. COLLER: Okay.

12 CHAIRMAN AIZENSTAT: Thank you. We're  
13 going to take just a five-minute, please.

14 (Short recess taken.)

15 CHAIRMAN AIZENSTAT: Let's go ahead and get  
16 the meeting resumed. The next item is E-2 and  
17 E-3. Mr. Coller, if you'd read them in  
18 together, but we'll vote separately.

19 MR. COLLER: Item E-2, an Ordinance of the  
20 City Commission of Coral Gables, Florida  
21 approving a Planned Area Development (PAD)  
22 pursuant to Zoning Code Article 14, "Process,"  
23 Section 14-206, "General Procedures for Planned  
24 Area Development" for a proposed Publix grocery  
25 store and liquor store on the property legally

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1 described as Lots 1 through 48, Block 8, Coral  
2 Gables Crafts Section (2551 Le Jeune Road),  
3 Coral Gables, Florida; including required  
4 conditions; providing for a repeater provision,  
5 severability clause, and an effective date.

6 Item E-3, a Resolution of the City  
7 Commission of Coral Gables, Florida approving  
8 Conditional Use Review of a Site Plan pursuant  
9 to Zoning Code Article 14, "Process" Section  
10 14-203, "Conditional Uses," for a proposed  
11 Publix grocery store and liquor store on the  
12 property legally described as Lots 1 through  
13 48, Block 8, Coral Gables Crafts Section (2551  
14 Le Jeune Road), Coral Gables, Florida;  
15 providing for required conditions, providing  
16 for a repeater provision, severability clause,  
17 and an effective date.

18 Items E-2 and E-3, public hearing.

19 CHAIRMAN AIZENSTAT: Thank you.

20 MR. GARCIA-SERRA: Good evening, Mr. Chair,  
21 Members of the Board. Mario Garcia-Serra, with  
22 offices at 600 Brickell Avenue, here this  
23 evening representing Publix Supermarkets, Inc.,  
24 the owner of the site at 2150 South Le Jeune  
25 Road. I'm joined today by Hank Porcher, who's

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1 the fee developer for Publix, as well as Brian  
2 Fisher, our project architect, along with our  
3 civil engineering and traffic consulting team.

4 If I could have the presentation up on the  
5 screen, please.

6 So here's the project site. I think that,  
7 at this point, almost every resident of Coral  
8 Gables has entered this store at one point in  
9 time. It has been a Publix store since 1962.  
10 It has served both, Publix and the community,  
11 well, but Publix feels strongly that it is time  
12 to upgrade this location and build a new store,  
13 and not just any new store, but a new store  
14 that will become Publix's flagship location;  
15 its greatest store, both, aesthetically and  
16 functionally.

17 This site, as I'm sure Jennifer will  
18 explain to you later, is a significant site.  
19 It's a whole city block, about three acres in  
20 size, Le Jeune Road on the west, Salzedo on the  
21 east, Andalusia on the north, Valencia on the  
22 south.

23 It is important to note that Publix has  
24 approached this project with the mindset of a  
25 community grocer and not the mindset of a

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1 property, which we would be willing to convey  
2 to the City. This will be more than a grocery  
3 store. It will be a building where the  
4 community can meet many of its daily needs, in  
5 addition to grocery shopping and serve almost  
6 as a community center or community focus.

7 With that said, I'll ask Brian to come up  
8 now and walk you through the project.

9 MR. FISHER: Brian Fisher, 2315 Bellad  
10 Road, Brevard, Florida, Fisher Architects.

11 The project, like Mario said, is the city  
12 block. We are entertaining a grocery use, a  
13 liquor use, and we also have some additional  
14 retail, which is on the west end -- west  
15 side -- I'm sorry, east side of the project.

16 The Publix store is going to be very  
17 unique. We have multiple entry points coming  
18 into the store. We have a cafe entry. We have  
19 a main entry, which I'll call it, off of  
20 Andalusia, around the elevator core, and then  
21 we also have a secondary entry off the south  
22 side of the building, which comes through the  
23 cafe area, as well. We have a liquor use,  
24 which is on -- would be the northwest corner of  
25 the project. And that gives us many

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1 developer. As you can see from the graphic up  
2 on the screen, the property is an entire city  
3 block. It is located in the Central Business  
4 District. And it is zoned MX3. This is the  
5 most intense zoning in the City of Coral  
6 Gables, and Publix has been courted by many  
7 developers, to join venture with it and build a  
8 high-rise or several high-rise towers, but  
9 Publix has rejected those attempts and is  
10 focused on doing what it does best, providing a  
11 high quality grocery store.

12 On a property where up to 190 feet in  
13 height and 18 stories is allowed, Publix is  
14 only proposing three stories and 36 feet.  
15 Where there could be 400,000 square feet of  
16 usable floor area, only 66,000 square feet is  
17 proposed.

18 What will be happening on this site is a  
19 great new state-of-the-art supermarket, with a  
20 sit down cafe, ready to serve both, residents  
21 and officer workers, a liquor store, to meet  
22 that need, a public -- a considerable public  
23 recreational and open areas, which you have  
24 never seen before as part of a grocery store,  
25 including a public park on the east end of the

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1 opportunities to interact with the street  
2 frontages, entry points, glazing, things like  
3 that, which is kind of unique for a grocery  
4 store like this. They tend to be, you know,  
5 more of a mass, that doesn't really interact  
6 with the street.

7 We have all of our service entries -- we're  
8 entering off of Valencia and then exiting on to  
9 Andalusia with trucks. All of our truck  
10 movements and deliveries and unloading and  
11 loading will be internal to the building. So  
12 there will be nothing external taking place.

13 Then, we have some large open spaces on the  
14 east and the west end of the project, one being  
15 labeled as a park, which seems to be a hot  
16 topic tonight, that we're looking at  
17 introducing it to the project, and we're not  
18 needing, you know, an extra 29 feet of height  
19 or anything. So we're -- you know, we're much  
20 shorter and still have the open space.

21 Some of the main features of this project  
22 are multiple entry points into it, the uses  
23 that we have, the fact that we are down at  
24 street level. We're not introducing parking at  
25 the street level. All of the parking is going

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1 to be above the store. The second level would  
2 be an internal parking deck, and then the top  
3 level would be as a rooftop parking deck.

4 This is a rendering, looking from the  
5 street level, from what would be the northwest  
6 corner of the project. What you're looking at  
7 there with the glazing and the barrel tile  
8 roof, sloped roof, is the liquor store  
9 component. We have an arcade that is going off  
10 towards the left, which would bring it into the  
11 main entry on the north side of the building.  
12 And, then, if you go around to what has been --  
13 in conversation has been labeled as the cafe  
14 entry, we have two additional entry points into  
15 the store, with some outside street cafe  
16 dining.

17 At the east end of the project, we have a  
18 large green park space, that there's to be some  
19 large trees. We have a lot of grass area that  
20 will help support those trees, the growth and  
21 maturity of them. We have an opportunity for  
22 two retail components down here. We're seeing  
23 it as being restaurant type uses. The square  
24 footage of those spaces, we've done some market  
25 research and feel that that is a good size for

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1 the architecture.

2 This is a closeup view of the cafe area,  
3 that is at the other end of the project, on the  
4 west side. That's one of the entries into  
5 Publix. And inside, this area would be deli,  
6 and an opportunity to buy sandwiches and things  
7 like that, for lunchtime breaks for office  
8 people, as well as retailers that are walking  
9 around the area. And we see a lot of  
10 interaction with people coming and going from  
11 some of the office buildings in this area,  
12 coming through these entry points. And so that  
13 will happen all of the way around the building.

14 Just in the scale of the project to what's  
15 going on around the project and what will be  
16 going on, you can see it's going to be a fairly  
17 low piece of architecture. We have some  
18 significant open areas on either end to really  
19 address some of the interaction of the outside  
20 dining and leisure type components that can  
21 happen around this building. And that's  
22 coming -- looking at the other side, and you  
23 can see some of the scale of the projects and  
24 buildings around us.

25 That's it.

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1 those uses, for what we want to try and get  
2 there and see. On this end of the building, we  
3 also have an elevator and a stair connection to  
4 the parking decks above.

5 This is looking at the same park area, from  
6 the south corner of the project, and as you  
7 see, we're thinking that has to be more of a  
8 retail resident -- I'm sorry, restaurant type  
9 of use, with outside activity and cafes.

10 This is the entry coming into the main  
11 elevator core, coming down from the garage into  
12 the store, and, then, all of these storefronts  
13 you see here are actual storefronts into the  
14 store. So you'll be seeing interaction between  
15 the street and the interior of the store.

16 This is one of the arcades that's going  
17 down the same street there, and like we're  
18 saying, all of these streetfronts will be  
19 looking into different departments of the  
20 store, and some of the interior dining areas,  
21 some of the delis and things like that.

22 This is the dining area for the two  
23 restaurant spaces at the far end of the  
24 project. This shows an arcade that goes  
25 through that area, that separates the park from

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1 CHAIRMAN AIZENSTAT: Thank you.

2 MR. GARCIA-SERRA: Thank you very much  
3 Brian.

4 Mr. Chair, Staff is recommending approval,  
5 and we very much appreciate that recommendation  
6 for approval. That recommendation, however,  
7 does come with certain recommended conditions  
8 of approval that we do take issue with and we  
9 would ask for you to consider perhaps some  
10 modification to that.

11 If I could have the presentation back.

12 Okay. So based on this drawing, City Staff  
13 is recommending that we increase the size of  
14 the park on the east side to approximately  
15 19,000 square feet, so an increase from  
16 about -- we're at 10,800 right now, to about  
17 19,000 square. That is Condition 1-A-2. We  
18 are fine with that condition of approval, in  
19 regards to just increasing the park from the  
20 approximate 10,800 square foot size to about a  
21 19,000 square foot size. What is complicating  
22 the situation is the next condition of  
23 approval, 1-B-3, which is difficult for us to  
24 accept, which requires that, aside from  
25 removing the retail to make the park bigger on

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1 that end, it requires that we move the building  
2 further west, and then add more, sort of, let's  
3 call it, substitute retail space on that east  
4 end of the property facing the park.

5 We feel that that in particular is asking  
6 too much. Moving the building further west  
7 eats away from the plaza on the west side,  
8 which is the feature of the project, the  
9 outdoor dining area of the cafe. Similarly  
10 that substitute retail space, which City Staff  
11 is requesting on the east end, we feel, in our  
12 opinion, would be too small and too shallow to  
13 be good quality retail space. Per the  
14 presentation, it's about 4,800 square feet of  
15 retail space as proposed to right now. We feel  
16 that that would be of sufficient size and depth  
17 to have an active use, such as a restaurant or  
18 other use -- other similar use. By moving --  
19 by increasing the park and moving the building  
20 further west, we're estimating it would be  
21 about half that size of the retail space in  
22 there, and we feel that that's just a  
23 substandard retail space, really, for what  
24 we're looking to do.

25 The park, whether it's 10,000 square feet

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1 of 20,000 square feet, is a considerable  
2 concession for a project of this scale. We are  
3 fine with a larger park, as I mentioned, but  
4 the additional concessions of moving the  
5 building and adding retail space, which we feel  
6 will not be high quality, is not appropriate,  
7 in our opinion. That's on the, let's call it,  
8 retail space on the enlarged park condition.

9 Then there's the Condition 1-B-1, and that  
10 is City Staff requesting a two-way bicycle lane  
11 on the south side of Andalusia, on the west  
12 side of Salzedo. Similar to the previous  
13 discussion, we're okay with some of that, but  
14 not okay with other parts. We're fine with  
15 Salzedo. We're fine with the idea of a bicycle  
16 lane on Andalusia. We feel strongly that it  
17 should be on the north side, as we're  
18 indicating in this drawing.

19 The two-way bicycle lane is going to  
20 require a minimum of at least ten feet in  
21 width. A bicycle lane on the north side of  
22 Andalusia would have it running along the  
23 municipal parking garage immediately across the  
24 street, which is appropriate, considering  
25 people may utilize it. A bike lane on the

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1 north side can continue along the north side of  
2 Andalusia also, to connect with the proposed  
3 mobility hub, which is a block away.

4 Importantly, a bike lane on the north side will  
5 not interfere with the bus stop, which exists  
6 today and is proposed to remain on the south  
7 side of Andalusia, on the northwest corner of  
8 our property, where there's a bus stop right  
9 now.

10 On the same note, a bike lane on the south  
11 side is not the safest condition for cyclists  
12 or pedestrians. We will have both, customers  
13 and delivery trucks accessing the site of the  
14 property, increasing the possibility of  
15 collision. And the impact on the public  
16 sidewalk that would be available on our side of  
17 the street, it would reduce it until about a  
18 five-foot width, which is the sort of width  
19 that is relatively small. We're trying to get  
20 away from having that narrow of a public  
21 sidewalk pretty much in every project that is  
22 done in the City. So that's the discussion on  
23 the bicycle lane.

24 Lastly, Conditions 4-K and 5-B require the  
25 undergrounding of utilities, not just adjoining

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1 our property, but also a block north and a  
2 block south on Salzedo. Again, similarly, we  
3 are fine with incorporating utilities  
4 underground which adjoin our property, but  
5 going a block north and a block south, is, in  
6 our estimation, about a cost of \$750,000 per  
7 block, for a total additional cost of 1.5  
8 million, again, a request that we just feel is  
9 excessive.

10 A nearby project, The Regency, which was  
11 approved some time last year, if you look at  
12 its conditions of approval, they're required to  
13 install underground adjoining and abutting  
14 their property, but not off-site. This is sort  
15 of making that requirement go outside.

16 We have been working on this project for a  
17 long time. I mean, a lot of effort has gone  
18 into it. These comments which we're making to  
19 the Staff's recommended conditions are not  
20 being done to be difficult or to be miserly.  
21 They're being made to ensure that we have a  
22 viable project that Publix would build. We  
23 want to continue making shopping a pleasure in  
24 Coral Gables, and just need your help to make  
25 the recommended conditions work for both sides,

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1 so that we can have a project here that's  
2 acceptable to Publix and can be built and will  
3 continue to serve the community another 70, 80,  
4 90 years, a good quality grocery store.

5 With that said, I'll reserve some type for  
6 rebuttal, and open it up to the rest of the  
7 crowd present.

8 CHAIRMAN AIZENSTAT: Thank you.

9 MR. SALMAN: Mr. Chair, noting the time,  
10 I'd like to extend the period of this meeting  
11 until 9:30 time certain.

12 CHAIRMAN AIZENSTAT: We have a motion. Is  
13 there a second?

14 MS. KAWALERSKI: Second.

15 CHAIRMAN AIZENSTAT: I think we just do it  
16 by voice.

17 MR. COLLER: Yeah.

18 CHAIRMAN AIZENSTAT: Everybody in favor  
19 say, aye.

20 (All Board Members voted aye.)

21 CHAIRMAN AIZENSTAT: Anybody object? No?  
22 Thank you. Continue.

23 MS. GARCIA: Okay. Jennifer Garcia, City  
24 Planner.

25 Could I have the PowerPoint, please? Thank

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1 both lanes of Andalusia, landscape in the cycle  
2 track. That was approved by the Commission, I  
3 believe, last year.

4 So this is the summary of the project. It  
5 is about, like he said, three acres or 132,000  
6 square feet. The open space they're providing  
7 is 33.49 percent of open space. Their FAR is  
8 well below the 3.0, at 65,000 square feet.  
9 They're meeting all of their setbacks and step  
10 backs. And they're, of course, meeting their  
11 parking, and the building height is well under  
12 their maximum height at just 36 feet.

13 So, for a Planned Area Development, as you  
14 know, is providing flexibility for a  
15 development -- providing flexibility of the  
16 Zoning Code. So the Zoning Code right now is  
17 basically designed to regulate and provide  
18 provisions for your more typical mixed-use  
19 building, right, with lots of windows and doors  
20 and transparency, minimal curb cuts. Publix,  
21 however, is a large scale grocery, and so they  
22 have their own needs that they need to have, to  
23 be able to function and be able to serve the  
24 community well.

25 So their public benefit, like I said, was

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1 you.

2 So these are two requests for a Planned  
3 Area Development, PAD, with also a conditional  
4 use for a site plan review.

5 So, as we know, the location of Publix,  
6 it's South Andalusia, between Salzedo and Le  
7 Jeune, the entire block. The aerial, you can  
8 see that it's comprised right now mostly of a  
9 surface parking lot, with the Publix structure  
10 on the east side. The future land use is  
11 commercial high-rise and the zoning is MX3.  
12 This is a picture of what is there now, the  
13 Publix building, and also the parking lot to  
14 the west.

15 The request is for a Planned Area  
16 Development, the PAD, and also the conditional  
17 use for a site plan approval. So the first  
18 request, for a PAD, what they're providing is  
19 the Salzedo undergrounding of the powerlines,  
20 the trees, and on-street parking and the bike  
21 lanes on Salzedo to connect Miracle Mile to the  
22 new featured park on Almeria, Salzedo Public  
23 Park, which is, more or less, recommended to be  
24 19,000 square feet, and also streetscape  
25 improvements on Andalusia and on Valencia, in

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1 the public park, the Salzedo improvements,  
2 Andalusia and Valencia. The idea here is that,  
3 as the building is really only facing a couple  
4 of key points, Salzedo, with the retail space  
5 to the north, Andalusia the main entrance to  
6 the store, into the cafe that's facing Le  
7 Jeune, there's not a lot of transparency,  
8 there's not a lot of access through the block,  
9 to the store on Valencia and throughout the  
10 entire block. So this is made to -- the intent  
11 of the conditions of approval and for the  
12 improvement to the street, is to basically have  
13 that nice streetscape, even though the building  
14 itself can't function as your typical mixed-use  
15 building.

16 Second request is a site plan review. As  
17 you can see, this is Le Jeune Plaza, they're  
18 going to have on the west side. The Publix  
19 entrance, like I said, is off of Andalusia to  
20 the north. The vehicular entrance also is on  
21 the north, as well as the loading egress. The  
22 retail is facing the park, on Salzedo. The  
23 loading ingress is off of Valencia, and then  
24 Publix itself is about 56,000 square feet, with  
25 a cafe and a liquor store facing Le Jeune Road.

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1 This is another aerial looking -- I'm  
2 sorry, another view looking down, of 285  
3 parking spaces. Again, the grocery store is  
4 about 56,000 square feet and the liquor store  
5 is 2,500 square feet from Le Jeune.

6 The timeline is that the DRC reviewed it  
7 back in November of last year. It went to the  
8 Board of Architects several times. They went  
9 to the Board of Adjustment to get their  
10 approval to have a liquor store close within a  
11 religious use. The Neighborhood Meeting, they  
12 had was in June. And here we are for Planning  
13 and Zoning in November.

14 Letters to property owners were mailed  
15 within a thousand feet of the property, and  
16 that was mailed two times, the Neighborhood  
17 Meeting, as well as Planning and Zoning. The  
18 property was posted twice, as well as on the  
19 website twice and it's been advertised in the  
20 newspaper once for this meeting.

21 So Staff determined that, with the  
22 conditions of approval, it is consistent with  
23 the Comp Plan, the goals, objectives and the  
24 policies, and we recommend approval, with  
25 conditions, and those conditions are two-fold.

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1 proffered, the conveyance of the completed park  
2 to the City of Coral Gables, again, the public  
3 realm improvements on Andalusia, Salzedo and  
4 Valencia, underground utilities on Salzedo,  
5 between Miracle Mile and Almeria, again, to  
6 connect that future park to Miracle Mile, the  
7 crosswalk on Le Jeune, and also signal  
8 adjustments as to the traffic impacts, if  
9 there's any.

10 And that's it.

11 CHAIRMAN AIZENSTAT: Thank you.

12 MR. WITHERS: Can I have one just quick  
13 question?

14 CHAIRMAN AIZENSTAT: Yes, sir.

15 MR. WITHERS: When I printed my packet,  
16 there was an unloading and loading restricted  
17 off hours, and it was removed from that.

18 MS. GARCIA: The loading and --

19 MR. WITHERS: On the conditions of approval  
20 -- maybe I missed it right now.

21 MR. PARDO: Yeah, that's changed.

22 MR. WITHERS: It's changed. It says,  
23 unloading and off-loading.

24 MS. GARCIA: Oh, yes, yes, yes.

25 So, working with Publix, the intent of that

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1 Part of the conditions are to be completed  
2 before First Reading before the City  
3 Commission, and that's to revise the ingress  
4 and egress for the loading area. There were  
5 some concerns about how the large trucks would  
6 be going into Andalusia. So they're going to  
7 work with Public Works and their consultant to  
8 revise that a little bit, to widen that, to  
9 make that curb a little bit larger; to increase  
10 the Salzedo Park to about 19,000 square feet,  
11 to reduce -- to do that, to reduce the retail  
12 depth to be consistent with the smaller scale  
13 retail of our Downtown, and then to revise the  
14 park design with Public Works' input.

15 As far as the public rights of way, we're  
16 asking to see that two-way cycle traffic on the  
17 south side of Andalusia and the west side of  
18 Salzedo, between Miracle Mile and Almeria,  
19 again, to connect that corridor from Miracle  
20 Mile to the Almeria Park that's going to be  
21 built in the coming years, continuous concrete  
22 sidewalks on the right-of-way and a crosswalk  
23 Le Jeune, on the south side of Valencia.

24 Going further, the conditions of approval  
25 also include the conveyance, as they have

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1 was to have the unloading and loading happen  
2 off hours and not during high traffic volumes.  
3 They have some loading --

4 MR. WITHERS: That's fine.

5 MS. GARCIA: -- times that happen during  
6 those times, so that was too restrictive. We  
7 were just trying to help --

8 MR. WITHERS: Is that the only change? I  
9 didn't follow you. Is that the only change  
10 that was made?

11 MS. GARCIA: I believe so, from the  
12 conditions of approval, yes. I think that's  
13 the only thing that changed, from what I  
14 remember.

15 CHAIRMAN AIZENSTAT: Jill, do we have any  
16 speakers in here? Okay.

17 THE SECRETARY: No one has raised their  
18 hand to speak and no one from the public is  
19 here.

20 CHAIRMAN AIZENSTAT: So we have no  
21 speakers, either in Chamber, Zoom or on the  
22 phone platform?

23 THE SECRETARY: No.

24 CHAIRMAN AIZENSTAT: Okay. So let me go  
25 ahead and close it for public comment at this

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1 time.  
 2 Sue.  
 3 MS. KAWALERSKI: I have questions for  
 4 Staff. So, on Andalusia, there was talk, at  
 5 one point, during the mobility hub discussion,  
 6 of taking away the parking on the south side of  
 7 Andalusia. I see it's here and with bump outs.  
 8 Wasn't there a plan to remove parking on the  
 9 south side of Andalusia altogether?  
 10 MS. GARCIA: Yes. That's part of the  
 11 conditions of approval, for them to revise  
 12 their drawings for having that cycle track on  
 13 the south side and moving those bump outs,  
 14 before First Reading at the City Commission.  
 15 MS. KAWALERSKI: Okay. So the revised plan  
 16 would not have the bump outs and parking on the  
 17 south side?  
 18 MS. GARCIA: Uh-huh. It will have the  
 19 cycle track --  
 20 MS. KAWALERSKI: Okay. Andalusia is one  
 21 way, correct?  
 22 MS. GARCIA: Yes.  
 23 MS. KAWALERSKI: And why is Staff  
 24 recommending a bi-directional cycle track?  
 25 MS. GARCIA: Because what the Commission

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1 approved, I believe, last year, at some point,  
 2 that's the direction they've been giving Staff.  
 3 MS. KAWALERSKI: Really?  
 4 MS. GARCIA: Uh-huh. It connects, you  
 5 know, the Biltmore Way area across Le Jeune --  
 6 MS. KAWALERSKI: Yeah. No, I understand,  
 7 but bi-directional is a very funky design,  
 8 especially on a one way street, where, you  
 9 know, you're going to be facing traffic if  
 10 you're heading west. You're facing oncoming  
 11 traffic. A cyclist would be facing oncoming  
 12 traffic. That's very disconcerting for a  
 13 cyclist.  
 14 I mean, you're a cyclist. Would you agree?  
 15 MS. GARCIA: Yeah. So I believe we're  
 16 going to have some kind of buffer, preferably  
 17 some kind of low landscape, to separate that  
 18 movement.  
 19 MS. KAWALERSKI: Okay. So you're talking  
 20 about a protected bike lane or a buffer --  
 21 MS. GARCIA: You have to have some kind of  
 22 buffer for a two-way cycle track.  
 23 MS. KAWALERSKI: A landscaped buffer?  
 24 MS. GARCIA: Right. I think recommending  
 25 it, you would probably want to have that cycle

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1 track -- I don't want to design on the spot,  
 2 but you probably we want to have it raised.  
 3 MS. KAWALERSKI: Okay. So, you know,  
 4 obviously, you know, we want some continuity on  
 5 either side of the project, when it comes to  
 6 cyclists, right? So how are you going to put a  
 7 bi-directional on Biltmore Way? I mean, I  
 8 think that's been nixed altogether by the  
 9 residents.  
 10 MS. GARCIA: Well, right know, Biltmore Way  
 11 has a very significantly wide sidewalk, that  
 12 many people bike on, as well, right now.  
 13 MS. KAWALERSKI: Okay. So let me ask you a  
 14 couple of things, so this is the old, no bump  
 15 outs, no parking on the south side.  
 16 MS. GARCIA: Correct. Uh-huh.  
 17 MS. KAWALERSKI: Okay. On the west side of  
 18 Salzedo, is that also a bi-directional --  
 19 MS. GARCIA: I should clarify. That's what  
 20 Staff is recommending, that they take out the  
 21 bump outs and trees and put in the cycle track  
 22 there. They have concerns about that location.  
 23 I think Mario went into detail about that.  
 24 MS. KAWALERSKI: Okay.  
 25 MS. GARCIA: So there's discussions.

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1 MS. KAWALERSKI: Okay. But Staff is  
 2 recommending the bi-directional buffer bike  
 3 lanes?  
 4 MS. GARCIA: Uh-huh.  
 5 MS. KAWALERSKI: Is that a bi-directional  
 6 on the west side of Salzedo or a single?  
 7 MS. GARCIA: I'm sorry -- oh, sorry,  
 8 bi-directional.  
 9 MS. KAWALERSKI: That's also  
 10 bi-directional? So you maintain a  
 11 bi-directional on Salzedo?  
 12 MS. GARCIA: On the west side, uh-huh.  
 13 MS. KAWALERSKI: Okay. And that's it.  
 14 What about the rest of the perimeter? What  
 15 about on Valencia?  
 16 MS. GARCIA: On Valencia, trees and bump  
 17 outs.  
 18 MS. KAWALERSKI: Okay.  
 19 MS. GARCIA: On Le Jeune, we can't have  
 20 anything.  
 21 MS. KAWALERSKI: Okay. So you have bump  
 22 outs on Valencia now, because there's no bump  
 23 out -- yeah, there are bump outs here. So  
 24 you're maintaining the bump outs on Valencia.  
 25 MS. GARCIA: Yes.

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1 MS. KAWALERSKI: And no accommodations for  
2 bicycles on Valencia?

3 MS. GARCIA: Correct.

4 MS. KAWALERSKI: Okay. All right. Thank  
5 you.

6 CHAIRMAN AIZENSTAT: Thank you, Sue.  
7 Felix.

8 MR. PARDO: First of all, Mr. Fisher, I  
9 think you've done a magnificent --

10 MR. COLLER: I'm sorry, you're going to  
11 need to speak into the mike.

12 MR. PARDO: Mr. Fisher, I think you've done  
13 a magnificent job on the design of the  
14 building.

15 MR. COLLER: I think it's off.

16 CHAIRMAN AIZENSTAT: I think your mike is  
17 off.

18 MR. COLLER: Or it's dead.

19 MR. WITHERS: I can hear him perfectly.

20 MR. COLLER: Of course you can.

21 CHAIRMAN AIZENSTAT: Chip, would you go  
22 ahead and just turn your mike over to him, if  
23 you don't mind.

24 MR. WITHERS: Do you have five bucks,  
25 Felix? What?

1 which you don't presently have. You just have  
2 the Post Office which is dead at night. You  
3 have a very large development that's being  
4 built immediately to the south. So the  
5 activation of this street is more important  
6 than additional square footage for a park.  
7 This is really more of a plaza than a park, and  
8 I think that you hit it right on the head.

9 The other thing is that, you pushed -- by  
10 pushing the building toward the west, toward Le  
11 Jeune Road, you've also identified that  
12 corridor very, very cleverly and you've  
13 provided just enough push and pull there, where  
14 you have both, the liquor store and you also  
15 have the eating establishment, where people  
16 from the offices, from the multi-story office  
17 building to the south of you, can walk over,  
18 and that resolves an issue there, too, for  
19 them.

20 The other thing is that you eliminated the  
21 cross parking, illegal parking, in that parking  
22 lot, which doesn't allow customers to park  
23 there at this grocery store. So all of the way  
24 around, the improvement is sensational. I  
25 think -- there's no doubt in my mind that you

1 MR. PARDO: All right. As I said,  
2 Mr. Fisher, you should be commended for the  
3 design that you did. Number One, it's very  
4 sensitive. Number Two, let me tell you what  
5 you did right. You took out all of the  
6 parking -- and I know Craig will take some of  
7 the credit, but you took all of the dangerous  
8 ingress, egress into the surface parking lot  
9 that exists there, right next to the traffic  
10 light, which is just a nightmare when people  
11 are trying to exit. You moved it over to  
12 Andalusia and you put the ramp on that side,  
13 and, of course, you got the loading and  
14 unloading, very correctly, coming in through  
15 Valencia, going through, and then the trucks  
16 can back up and take their time in backing up.  
17 I really don't understand what Staff's concern  
18 is with that. I think you've done a superb job  
19 with that.

20 The second thing is, I agree with you,  
21 because on the retail space that you have on  
22 Salzedo, they are the right size for retail  
23 spaces, for restaurants. And when people come  
24 out of the theater, they have another  
25 restaurant. There's activity now on Salzedo,

1 also worked with the Board of Architects. I  
2 saw the markups that were in the packet, and  
3 you also listened to them very carefully, and  
4 I'm sure it was very constructive, and you --  
5 based on the comments that were in the packet,  
6 you could see that you had hit every single one  
7 of those points.

8 The other thing is that, I disagree a  
9 hundred percent with Staff's comment about  
10 providing any type of bicycle lane on two of  
11 the most dangerous streets that there are,  
12 which were made -- years ago, were made one  
13 way, to be able to try to control the volume of  
14 traffic going westbound and eastbound, because  
15 most of the people in Miami-Dade County cut  
16 through Coral Gables, because that's just the  
17 way we are. Putting a bicycle lane there is  
18 like giving a loaded gun to a kid. It's just a  
19 matter of time before it goes off and someone's  
20 going to get hurt.

21 When, the City, you know, incredibly put in  
22 a dedicated bicycle lane on parts of Salzedo,  
23 south of this, and down University, it was a  
24 complete failure. The reason is that these are  
25 high traffic areas, which are very dangerous,

1 and most cyclists try to avoid these dangerous  
2 things, because normally it's a losing  
3 experience.

4 I think that, at the end of the day, I  
5 don't have any comments, except one. We do  
6 have a County owned bus stop, which is located  
7 on the northwest corner of the property, and it  
8 really is heartbreaking to see people that work  
9 hard for a living, can't own a car, and they're  
10 waiting for the bus, and it's a torrential  
11 downpour, and the amount of cover that they  
12 have from the County-provided bus, is terrible.  
13 You know, I would hope that Publix, having a  
14 very big heart, would provide a bigger shelter  
15 there for people that are hard-working, that  
16 are waiting for the bus, especially during  
17 inclement weather, since it only rains here  
18 about 95 percent of the time during the summer.

19 And, lastly, I cannot say enough about the  
20 way that you maintained the scale, and, also, I  
21 have to commend you on not being greedy, and, I  
22 mean, Publix, as a company. I know, for a  
23 fact, that they have been approached by  
24 developers for years, and years, and years.  
25 Keeping the scale of the property down the way

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1 that you've done it, and also making sure that  
2 the primary use is exactly what you've done, I  
3 attest to the fact that the liner that you're  
4 providing on Salzedo, although you're not in  
5 the business of being landlord, because you  
6 usually are self-using, when it comes to your  
7 properties, it's still going to be a great  
8 addition to the area.

9 So I want to thank you. I want to make  
10 sure that I'm clear in saying that you've done  
11 everything that I think is humanly possible to  
12 make this a better place and it serves the  
13 community, and I really appreciate it.

14 And I do not understand the comment from  
15 Staff about revising the ingress, egress  
16 driveways, unless it's to be able to  
17 accommodate the bicycle lanes. I don't agree  
18 with that. And I don't agree with adding any  
19 more square footage for the park, and -- which  
20 would reduce the depth and obviously make it a  
21 disadvantage to be able to get something that  
22 can give back to the City.

23 So, as far as all of the other conditions  
24 -- and I was a little confused, and maybe Staff  
25 can explain, because I remember, years ago,

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1 Publix did have a liquor store on that site.  
2 It was an independent, small building on the  
3 north side of the surface parking lot, which  
4 eventually was torn down, and Publix had a  
5 liquor store or it was a liquor store. I  
6 thought it was owned by Publix. And I don't  
7 understand why it had to go to the Board of  
8 Adjustment for the use.

9 So I'm all in on the project.

10 MS. KAWALERSKI: May I rebutt something  
11 that my colleague just said about bike lines?  
12 Cyclists have a different experience when  
13 there's a line in the road versus when there is  
14 buffering, and buffering, in this case, is  
15 landscaping. It's a much different experience.  
16 It is much more safer, when you have the kind  
17 of buffering that you are talking about.

18 And we have to start somewhere with bike  
19 lanes in this City. We are a car-centric city  
20 right now. We have to start thinking about  
21 better mobility in this City. This is a  
22 perfect project. Where shopping is a pleasure,  
23 we should be able to shop there on our  
24 bicycles, and this is one of those projects  
25 that I think demands a bicycle lane, if not

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1 lanes, around that project.

2 So thank you.

3 CHAIRMAN AIZENSTAT: Thank you.

4 Chip.

5 MR. WITHER: Let me get my microphone back.

6 So I was a bag boy in that store, 84, is it  
7 or is that 94? 84.

8 MR. GARCIA-SERRA: Your memory is  
9 excellent. It is Store Number 84, in a system  
10 now that has almost 2,000 stores.

11 MR. WITHERS: Herb Chancy was the manager.  
12 Raul Rodriguez was the third man. I know all  
13 of the Publix lingo, so I know. I enjoyed that  
14 time in my life. And I also have to tell a  
15 story about Publix, on Store 94, when they had  
16 the opportunity to develop that lot off of  
17 Monza, and they came to the City in good faith  
18 and decided that they were going to ask for  
19 closure of the alley, which they didn't have to  
20 ask, and they brought a site plan in at the  
21 time to show that we're planning to build a  
22 larger store there, and as a result, they were  
23 denied, because -- you know, reasons be what  
24 they may, but they were a hundred percent  
25 professional on that. So I never really

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1 publicly thanked Publix for that, but I think  
2 that was very high integrity.

3 Now, a question, has there been any  
4 discussion about, what are you going to do with  
5 all of those air rights above this site? I  
6 mean, there's millions of dollars sitting on  
7 top of that site.

8 MR. GARCIA-SERRA: You know, there is more  
9 development potential on this site, but Publix  
10 is not proposing to utilize it, you know, in  
11 any way right now.

12 MR. WITHERS: I'm just curious. I'm not  
13 asking for any commitment. I'm just wondering,  
14 is this it? I mean, this is Publix's, you  
15 know, dream store and nothing more?

16 MR. GARCIA-SERRA: Yes. It's not like  
17 they're coming back any time soon to propose a  
18 tower on top of this building or anything like  
19 that.

20 MR. WITHERS: Okay. That's all I have.

21 CHAIRMAN AIZENSTAT: Thank you.  
22 Javier.

23 MR. SALMAN: I actually had the privilege  
24 to serve as the Chair of the Board of  
25 Adjustment when this project came through, and

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1 that's just my personal opinion.

2 Ultimately, it's something that needs to be  
3 looked at carefully and worked out, because I  
4 think that you've got some major conflicts and  
5 traffic flow issues and a six-inch curb or a  
6 bush is not going to stop a 5,000 pound car.  
7 It's just not going to happen.

8 MS. GARCIA: Right. Yeah, the issue is  
9 crossing Le Jeune. As you know, Le Jeune is a  
10 major divider between --

11 MR. SALMAN: Yeah, I've seeing cars in the  
12 intersection get hit and end up, you know, in  
13 the parking lot for Publix, and I, too,  
14 remember when there was a liquor store, as well  
15 as a fresh bakery there, a couple of other  
16 little small retails.

17 MR. WITHERS: Yeah, I remember that.

18 MR. SALMAN: Remember that?

19 MR. WITHERS: Yeah.

20 MR. SALMAN: My wife worked there. She was  
21 16.

22 MR. WITHERS: Really?

23 MR. SALMAN: Yeah.

24 I disagree completely and I want to find  
25 out what your logic is for the increase of the

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1 at that time, we did not have the issue of the  
2 bike lanes being discussed as a possibility.  
3 So my question is to Staff, when did that  
4 happen?

5 MS. GARCIA: I think, Melissa, from Public  
6 Works, is going to look that up really quick.  
7 I know there's been discussions related to the  
8 mobility hub. I'm not sure when that decision  
9 was made, to have a two-way cycle track.

10 I don't need the PowerPoint.

11 Do you have an approximate time of year?  
12 Last year sometime.

13 MR. SALMAN: Is the City engaged in  
14 conversations with the County in regards to  
15 that bus drop-off, because that's in direct  
16 conflict with what you're trying to do, if  
17 you're planning to put in a bicycle lane -- a  
18 double bicycle lane there?

19 MS. GARCIA: I'm not sure.

20 MR. SALMAN: What I'm getting to, is that  
21 it's kind of half baked, okay. So you need to  
22 look at that. And I would be more in favor if  
23 it were divided, in that you maybe have one --  
24 so that it goes with the traffic, one on the  
25 north side and one on the south side, but

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1 park on Salzedo from ten to nineteen thousand.  
2 I'm sure you have a very good reason. I'm  
3 dying to hear it.

4 MS. GARCIA: The Commission, as you know,  
5 is really interested in having larger park  
6 spaces.

7 MR. SALMAN: Uh-huh.

8 MS. GARCIA: And that's kind of the  
9 reasoning, that they -- they see that the plaza  
10 on Le Jeune is not going to be well used, just  
11 because of the traffic and the noise on Le  
12 Jeune. I think they're proposing some kind of  
13 raised planter between the store and the  
14 sidewalk which is next to Le Jeune --

15 MR. SALMAN: Yeah, there's a seating and a  
16 buffer, which means the errant cars --

17 MS. GARCIA: So the idea is not to fully  
18 get rid of that, but just to move it over -- I  
19 think it was five or ten feet over, to be able  
20 to have a 20-foot liner facing a larger park.

21 MR. SALMAN: Okay. But we've got about six  
22 thousand square feet or seven thousand square  
23 feet on the front, about ten or eleven thousand  
24 square feet on the back. You want to move  
25 eight thousand square feet back. So you're

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1 going to reduce the front setback to like close  
2 to zero. Is that what you're suggesting?

3 MS. GARCIA: No, I believe the nine --

4 MR. SALMAN: Or you're leaving the design  
5 and just moving it over --

6 MS. GARCIA: The diagram that he had  
7 showed, with the arcade, I think is a very  
8 generous arcade, plus the sidewalk that's  
9 facing the arcade, that's on the rendering that  
10 Mario had showed -- the idea is that that  
11 arcade would be widened, while the building is  
12 scooting over, just enough so you have about 20  
13 feet for a nice -- for a better liner.

14 MR. SALMAN: Okay. This project has been  
15 through the Board of Architects, Board of  
16 Adjustment in this particular orientation and  
17 this particular configuration, with the size of  
18 the park on Salzedo and the size of the retail  
19 on Salzedo approved all of way through, and now  
20 we're looking to make a change. At this late  
21 stage of the game, I don't think so. I don't  
22 think so. That's not right. That's acting in  
23 bad faith. And I'm not going to be part of  
24 that discussion, because that's wrong.

25 I worked with Publix. My first project

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1 ever was working with a developer to develop  
2 their first 40M store -- 60M Store, forgive me,  
3 and it was on 107th and 16th, and they were  
4 complete gentlemen about it. They were always  
5 men of their word. And the developer was able  
6 to work with them, because of that, and they  
7 were able to get the concessions that they  
8 needed, including the oversized parking spaces,  
9 that you need a clear view to 107th --  
10 everything that they wanted -- because they  
11 were Publix and they live up to their side of  
12 the bargain always.

13 So I cannot be part of a City that doesn't  
14 live up to its side of the bargain, because  
15 this is too late to come in for that kind of a  
16 change for me to support. So I'm kind of  
17 upset, but -- also, I think it's completely  
18 unviable to reduce the retail area -- you know,  
19 from forty by sixty, to what, twenty by sixty?  
20 That doesn't make any sense. That's just not  
21 usable space. You can't rent that out. What  
22 are you going to have, balloon store sales --  
23 you know, there's nothing that's going to be  
24 there. It's going to be dead.

25 MS. GARCIA: The idea is that there would

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1 be access from the north and the south side.

2 MR. SALMAN: No, that's not going to  
3 happen. You need to have a certain amount of  
4 depth for retail or a restaurant to work. You  
5 barely have that with the 2,400 square feet,  
6 and it's perfect for a restaurant, because it  
7 has access to a service alley right behind it.  
8 You know how hard that is to find in Coral  
9 Gables? It's almost impossible. So, yeah, a  
10 high end restaurant or restaurants coming in  
11 there, because it will be so easy for them to  
12 do it, and I look forward to it.

13 I agree with what my colleague said, that  
14 that's not a park, that's a plaza, and if you  
15 want a park, we've got other options, rather  
16 than holding a gun to somebody who's almost  
17 done, to try and get more out of them.

18 So those are my opinions, and that is  
19 indicative of probably how I'm going to vote.

20 CHAIRMAN AIZENSTAT: Thank you.

21 Julio.

22 MR. GRABIEL: Yeah.

23 Could you put up the City's requirements,  
24 conditions of approval?

25 MS. GARCIA: Conditions of approval? Okay.

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1 Yeah. Could I have the PowerPoint, please?

2 So this is the conditions of approval prior  
3 to the City Commission, because it's more about  
4 the site plan, change of site plan, and  
5 reflecting the rights of way, the plans for a  
6 two-way cycle track on Andalusia, as well as  
7 the concrete sidewalks and the tweaking of the  
8 right-of-way.

9 MR. GRABIEL: The revised ingress and  
10 egress driveways to loading area, what does  
11 that entail?

12 MS. GARCIA: Yeah. So the traffic study  
13 came back with a vulnerability study, showing  
14 that -- how do I explain this? Yes, thank you.

15 We have the consultant right here.

16 MR. COLLIER: Have you been sworn in?

17 MR. RODRIGUEZ: No.

18 MR. COLLIER: Okay.

19 (Thereupon, the participant was sworn.)

20 MR. RODRIGUEZ: Yes.

21 Hi. My name is Javier Rodriguez, and I'm  
22 working as a City Consultant.

23 CHAIRMAN AIZENSTAT: Can you state your  
24 address, please, for the record?

25 MR. RODRIGUEZ: Yes. I wish I could

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1 remember. I'm so sorry. It's in 25th -- 87th  
2 and 95th Lane or 25th Street, Doral.

3 MR. COLLIER: All right. That gets us  
4 close. That's good enough.

5 MR. WITHERS: Remind me never to ask you  
6 directions to your house, okay.

7 MR. RODRIGUEZ: At least I'll be safe.

8 Oh, man, so regarding the question that you  
9 guys had about the ingress, so that's based on  
10 a swale path analysis that we perform based on  
11 DOT standards. This was performed from a WB 67  
12 large truck vehicle, and that's on the east  
13 side of where the development is, where the  
14 trucks are either coming in or coming out, and  
15 so the analysis came back that the turning  
16 radius, currently it's not sufficient for them  
17 to be able to do a safe turn outside of the  
18 loading area, or to inside of the loading area.

19 If they turn currently, the way that the  
20 provided space is, they'll be hitting a column  
21 or they'll be hitting some part of the  
22 building. So that's pretty much where that  
23 recommendation comes from, from the results of  
24 the analysis.

25 MR. SALMAN: The current radius for the

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1 consultant. I apologize.

2 MR. GARCIA-SERRA: It's the City's  
3 consultant, but we do have our own traffic  
4 consultant and this is supposed to be a science  
5 or sort of engineering. We actually had a  
6 pretty extensive call about it, both, with our  
7 traffic consultant and theirs, and if there's  
8 any level of re-design, it's a question of how  
9 much pavers and so forth are going out of the  
10 walkway and how much of it is just going to be  
11 pure driveway. It's not like an actual retail  
12 space is being affected.

13 MR. RODRIGUEZ: Yeah, I don't think so, either.

14 MR. GARCIA-SERRA: And so, you know, within  
15 that, I think there's even a little bit of an  
16 internal debate, within the City, as to, okay,  
17 now, really, how much driveway do we need for  
18 aesthetic purposes and so forth. You know,  
19 from our point of view, if you look at that  
20 store right now, those truck drivers pull some  
21 miracles off, okay, by being --

22 MR. WITHERS: I'm sure Publix has a few  
23 tractor-trailer drivers on the road every  
24 night, and I'm assuming they drive in and out  
25 Public stores all of the time, and I would

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1 egress.

2 MR. GRABIEL: How does it affect the floor  
3 plan?

4 MR. RODRIGUEZ: The east side.

5 MR. GRABIEL: How does it affect the floor  
6 plan?

7 MR. RODRIGUEZ: They might have to  
8 re-design to provide the sufficient radius.  
9 Granted, it shouldn't be too much of an issue.  
10 It should be something that should be feasible  
11 to do, I would say, based on the results, but,  
12 yeah, they will have to re-design to provide  
13 the sufficient radius which we stated in the  
14 traffic report.

15 CHAIRMAN AIZENSTAT: To just ask, if you're  
16 stating that they have to re-design something,  
17 what's the implication of that?

18 MR. RODRIGUEZ: Well, to be able to provide  
19 the sufficient radius. That will be --

20 CHAIRMAN AIZENSTAT: I understand that,  
21 but, Mario, if your consultant is saying that  
22 you may have to redesign something --

23 MR. GARCIA-SERRA: He's actually the City's  
24 consultant.

25 CHAIRMAN AIZENSTAT: I'm sorry, The City's

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1 think Publix would want their drivers to have  
2 plenty of room to make turns and back in.

3 MR. GARCIA-SERRA: Agreed.

4 MR. WITHERS: So no offense to the City and  
5 you, but, I mean, I'm thinking, these folks  
6 over here deliver a lot of groceries every  
7 night, and I would think that they want to make  
8 sure that their access and egress is pretty  
9 solid. That would be my only --

10 MR. GARCIA-SERRA: It's the key to our  
11 business. If that doesn't get in, we're not  
12 making money. So, you know --

13 MR. RODRIGUEZ: Oh, yeah, you know, we're  
14 always going to go based on results. So, you  
15 know, we're always going to, you know, make  
16 sure -- you know, if our results show  
17 something, then we're not going to go back on  
18 that, you know. We're going to make sure that  
19 we give you --

20 MR. WITHERS: I get it.

21 MR. RODRIGUEZ: -- it straight forward, so  
22 everybody is, you know, able to see --

23 MR. GRABIEL: Could we go through the list  
24 again -- the list of the City's --

25 CHAIRMAN AIZENSTAT: Jennifer, if you could

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1 put up a list of your --  
 2 MR. GRABIEL: Of your requests, your  
 3 changes.  
 4 CHAIRMAN AIZENSTAT: Of the conditions.  
 5 MS. GARCIA: Could I have the PowerPoint,  
 6 please?  
 7 MR. GRABIEL: The other ones -- we talked  
 8 about the Salzedo Park increasing to nineteen  
 9 thousand from what it is right now.  
 10 CHAIRMAN AIZENSTAT: Ten thousand.  
 11 MR. GRABIEL: Reduced proposed retail  
 12 depth, why is that?  
 13 MS. GARCIA: To be able to meet that  
 14 nineteen thousand square feet --  
 15 MR. GRABIEL: Okay. So if we leave the  
 16 park the way it is, that's a moot point.  
 17 MS. GARCIA: Correct.  
 18 MR. GRABIEL: Revised proposed park design,  
 19 because of the increased square footage, is  
 20 that why? Is there some other reason for it?  
 21 MS. GARCIA: No. I believe there was some  
 22 discussions about incorporating some design  
 23 features in the park that the Public Works  
 24 Landscape Division was interested in seeing --  
 25 MR. GRABIEL: Okay.

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1 MS. GARCIA: -- and tweaking the design. I  
 2 don't think it's a real big deal, but --  
 3 MR. GRABIEL: Big deal. And Publix is okay  
 4 with changes on the design of the --  
 5 MR. GARCIA-SERRA: Sure. No, we know we  
 6 have a process to work with the City to get  
 7 that park to be what the City wants.  
 8 MR. GRABIEL: Okay. Then two-way cycle  
 9 track -- and what's the change in that one, on  
 10 the --  
 11 MS. GARCIA: It's not being reflected on  
 12 their plans right now. So the request is that  
 13 they would reflect those public rights-of-way  
 14 improvements on their plans before it goes to  
 15 the Commission.  
 16 MR. GRABIEL: Okay. And Publix is okay  
 17 with that change?  
 18 MR. GARCIA-SERRA: Well, no. The two-way  
 19 cycle track is one of the objections that we  
 20 have.  
 21 MR. GRABIEL: And why is that?  
 22 MR. GARCIA-SERRA: In our opinion, if  
 23 there's going to be a bicycle lane, it should  
 24 be on the north side of the street, as opposed  
 25 to the south side of the street.

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1 MR. GRABIEL: Why is that?  
 2 MR. GARCIA-SERRA: Connectivity with the  
 3 mobility hub that's on the north side of  
 4 Andalusia, further to the east. There's less  
 5 possibility for interference with traffic  
 6 movement from the customers and the trucks that  
 7 are going to be coming in and out of the store,  
 8 the overall sort of streetscape.  
 9 MR. GRABIEL: Okay. And why does the City  
 10 want to move it to the south side?  
 11 MS. GARCIA: To connect across the street  
 12 from Le Jeune Road. On the north side of Le  
 13 Jeune, at the intersection, it's a weird  
 14 connection, and then there's the park. So it  
 15 does only connect past that. So many people  
 16 who bike connect to go into Downtown from that  
 17 sidewalk on Biltmore Way and Le Jeune and cross  
 18 there, because that's the only way you can  
 19 cross.  
 20 MS. KAWALERSKI: And, also, I recall,  
 21 during the mobility hub discussion, that on the  
 22 north side, there was going to be access for  
 23 rideshare, so there would be a lot of traffic  
 24 on the north side of Andalusia.  
 25 MR. GRABIEL: Okay. And why do you object

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1 to moving the bicycle path?  
 2 MR. GARCIA-SERRA: The bicycle lane?  
 3 MR. GRABIEL: Yeah.  
 4 MR. GARCIA-SERRA: We feel that it should  
 5 be on the north side, because it's going to  
 6 take a lot from our side, including reducing  
 7 the sidewalk on our side to a five-foot width,  
 8 the public sidewalk in our site to a five-foot  
 9 width, which we feels is really a sort of  
 10 substandard situation, and we feel that the  
 11 connectivity would be better on the north side,  
 12 overall, for the bicycle lane. You know, it's  
 13 a considerable width and impact on our side.  
 14 MS. KAWALERSKI: Well, you know, the  
 15 reduction to five feet for a sidewalk is  
 16 perfectly fine, if you have a cycle track,  
 17 because you're taking bicycles off the  
 18 sidewalk, okay, and the last thing you want to  
 19 do is put bicycles together with pedestrians.  
 20 So five feet is fine for bi-directional foot  
 21 traffic.  
 22 MR. FISHER: Another thing -- Brian Fisher,  
 23 again -- with our planners, we thought the bike  
 24 path on that side of the street, since it's a  
 25 one way road, the outside lane of that bike

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1 path would be traveling in the same direction  
2 as vehicles. That's just a little conversation  
3 we had with our planners in our office.

4 CHAIRMAN AIZENSTAT: Thank you.

5 MR. GRABIEL: Okay.

6 CHAIRMAN AIZENSTAT: That's it?

7 For me, I also -- I feel that the size of  
8 the retail, the 4,000 square foot retail, lends  
9 to having a better tenant there than a smaller  
10 tenant.

11 Do you have something in mind already for  
12 that space?

13 MR. GARCIA-SERRA: A specific tenant, no,  
14 but the use -- the idea of the use has been  
15 some sort of a restaurant type of use.

16 CHAIRMAN AIZENSTAT: And they would be able  
17 to utilize the area of the park and so forth?

18 MR. GARCIA-SERRA: Well, we specifically  
19 have reserved some area around that, which  
20 would not be part of the park, but would be an  
21 outdoor dining area.

22 CHAIRMAN AIZENSTAT: And for the liquor  
23 store, is there a reason that you put the  
24 liquor store directly on Le Jeune, as opposed  
25 to somewhere that's more concealed?

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1 MR. FISHER: Working with the Board of  
2 Architects, they wanted to create that activity  
3 and storefront entries, and the liquor store is  
4 one of the items that we had that could  
5 introduce another entry point and also glazing  
6 and things like that.

7 CHAIRMAN AIZENSTAT: I'm just thinking, you  
8 know, you're driving down one of the busiest  
9 streets and you look over and instead of seeing  
10 a Publix, you see a liquor store. That was my  
11 only --

12 MR. FISHER: It is going to be Publix. It  
13 will be very defined as it's Publix. It's not,  
14 you know, a seedy liquor store in a dark street  
15 type thing. So it will have the same -- it  
16 will say, liquor, as far as signage, but it's  
17 going to --

18 CHAIRMAN AIZENSTAT: Integrated?

19 MR. FISHER: And the cafe next door is  
20 going to be a similar storefront and entries,  
21 things like that.

22 CHAIRMAN AIZENSTAT: I share also a similar  
23 concern, as Felix does, with the two-way for  
24 the bike path. I know my colleague Sue likes  
25 the two-way bike path, but, for me, especially

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1 on a one way street, I am concerned.

2 I'd like to ask Jennifer, is there a  
3 two-way bike path anywhere around there  
4 currently or is this going to be the first of a  
5 two-way?

6 MS. GARCIA: This will be the first one.

7 CHAIRMAN AIZENSTAT: So this will be the  
8 first two-way --

9 MS. GARCIA: This is the first bike lane, I  
10 think, in that entire area.

11 CHAIRMAN AIZENSTAT: In the entire area?  
12 So you're assuming that everybody else that's  
13 along that street somehow will develop or the  
14 City will or the DOT or whoever it is, to  
15 incorporate a two-way bike path that will be  
16 contiguous?

17 MS. GARCIA: I think the City will probably  
18 develop it, as part of the mobility hub plans,  
19 that connect to it, for those two blocks.

20 CHAIRMAN AIZENSTAT: Okay. But for me, my  
21 concern is, really, on a one way street, having  
22 the bike path go two ways, and I understand  
23 that there's a buffer, but I just want to  
24 express my concern.

25 MS. KAWALERSKI: And I agree with you, had

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1 there not been any kind of landscape buffer,  
2 had it been a line on the road, not a good  
3 idea. It would be very disconcerting and  
4 dangerous, but if you have a landscape buffer  
5 of approximately anywhere from about, what,  
6 eighteen inches to two feet -- is that what  
7 you're --

8 MS. GARCIA: I think that would be advised.  
9 If we can't do landscape, it has to be some  
10 kind of raised --

11 MS. KAWALERSKI: Right, it has to be a  
12 raised bed, curbing, the whole thing.

13 MS. GARCIA: Right.

14 MS. KAWALERSKI: That, as a cyclist, would  
15 be perfectly okay.

16 CHAIRMAN AIZENSTAT: Before I continue, I'd  
17 just like to see -- we're at 9:20 -- if there's  
18 just a motion no extend a little bit.

19 MR. WITHERS: I'll move to ten o'clock. I  
20 tried this the last time and I remember --

21 CHAIRMAN AIZENSTAT: We have a motion until  
22 ten o'clock. Is there a seconds?

23 MR. PARDO: Second.

24 CHAIRMAN AIZENSTAT: Felix second.

25 Everybody in favor say aye.

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1 (All Board Members voted aye.)  
 2 CHAIRMAN AIZENSTAT: Anybody opposed?  
 3 Go ahead.  
 4 MS. KAWALERSKI: No, I'm done, but I do  
 5 want to comment that I agree with the increase  
 6 in the park -- I do not want to sacrifice the  
 7 increase in the park at the expense of the  
 8 retail, provided that those restaurants do not  
 9 start encroaching into that park with tables.  
 10 CHAIRMAN AIZENSTAT: Also, if we can, Jill,  
 11 I didn't mention, but I want to make sure that  
 12 the e-mail that you gave all of us is entered  
 13 into the record.  
 14 THE SECRETARY: Yes.  
 15 CHAIRMAN AIZENSTAT: Thank you. All right.  
 16 MR. WITHERS: Has the City actually done  
 17 any studies on how many bicycles there are  
 18 really Downtown? Maybe I'm just not cognizant  
 19 of the fact, but I don't ever see people riding  
 20 bikes Downtown, anyway.  
 21 MS. KAWALERSKI: There's a reason for it.  
 22 It's dangerous right now, because there are no  
 23 bike lanes.  
 24 MR. WITHERS: No. I mean, I'm talking  
 25 about other areas. I'm not talking about

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1 Andalusia or whatever. I mean, is that -- do  
 2 we really think people are going to start  
 3 riding bikes?  
 4 MS. GARCIA: So the City adopted a Bike  
 5 Master Plan some years ago, and this is part of  
 6 that implementation of that Bike Master Plan.  
 7 MR. WITHERS: So can those electric  
 8 scooters go on those bike paths, too? Is that  
 9 going to be allowed?  
 10 MS. GARCIA: I believe that they go similar  
 11 -- I think the --  
 12 MR. WITHERS: But is the City going to  
 13 allow that?  
 14 MS. GARCIA: -- the company ones, what's  
 15 the name -- Bird --  
 16 MS. KAWALERSKI: Bird.  
 17 MS. GARCIA: -- I think they're capped at a  
 18 certain speed that would probably be  
 19 comorable.  
 20 MR. WITHERS: So are they going to be  
 21 allowed to go in these bike lanes?  
 22 MS. GARCIA: Do you know the regulations of  
 23 this --  
 24 MS. KAWALERSKI: There is none. You know,  
 25 it's a work in progress for micromobility, so

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1 electric bicycles, electric scooters, no one  
 2 knows where to put them, but there's proposals  
 3 out there not to call these bike lanes anymore,  
 4 but to call them mobility lanes. So that  
 5 anything, at a certain speed, can use that  
 6 lane. So a bicycle could, in fact, be in the  
 7 same line as an electric scooter.

8 MR. WITHERS: Yeah, or a runner from  
 9 Nigeria, something like that.

10 MR. GARCIA-SERRA: Mr. Chair --

11 CHAIRMAN AIZENSTAT: Yes.

12 MS. GARCIA-SERRA: -- no, I was going to  
 13 say, on that topic, throw in an idea that might  
 14 help to figure out a solution, because I've  
 15 heard a lot on the bicycle lanes, right. We  
 16 would be amenable to a condition where you say,  
 17 a certain amount of monetary contribution, for  
 18 the sake of furthering the cause of bicycle  
 19 lanes, but not necessarily having us have the  
 20 obligation to figure this out and build it --

21 MS. KAWALERSKI: We'll never have enough  
 22 money to actually build the bike lanes just  
 23 with a contribution. That has to be part of  
 24 the design, in my opinion, and not only that,  
 25 in order to beautify a mobility lane, you paint

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1 it green, like you see on the Rickerbacker  
 2 Causeway, all of those are green lanes. It's a  
 3 visual signal -- an additional visual signal to  
 4 motorists, stay off the green, get out of the  
 5 green.

6 CHAIRMAN AIZENSTAT: How many accidents  
 7 have we had on the Rickerbacker?

8 MS. KAWALERSKI: No. No. No. Not many.  
 9 Not many, and let me tell you why we have  
 10 accidents on the Rickerbacker. We're open  
 11 twelve months out of the year, versus living in  
 12 Minnesota. We have a lot of tourists down  
 13 here, et cetera. This is a heaven for fitness  
 14 cyclists, okay. So when you're talking about  
 15 six cyclists that have gotten killed over  
 16 twelve years, it's pretty darn good considering  
 17 the volume of cyclists. That is the most  
 18 widely used cycling venue in South Florida.

19 MR. PORCHER: Hank Porcher, 804 Eyrie  
 20 Drive, Oviedo, Florida. I'm the fee developer  
 21 for Publix. And we would be willing --

22 MR. COLLIER: Have you been sworn in, sir?

23 MR. PORCHER: Yes, I have.

24 MR. COLLIER: Okay. Great.

25 MR. PORCHER: We'd be willing to contribute

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1 to the green painted drive for you, as long as  
2 it's on the north side, and I'm a cyclist,  
3 also. I cycle four to six days a week, so I  
4 know what you're talking about. I understand.  
5 But maybe to move this along, if that would  
6 help --

7 MS. KAWALERSKI: Well, the problem is, how  
8 does this intersect with the plans for the  
9 mobility hub, because that mobility hub had  
10 plans for rideshare on that north side? If  
11 that's the case, and that stands, you can't  
12 have a bike lane on the north side.

13 MR. PORCHER: But if you put it on the  
14 south side, were running into the bus stop that  
15 already exists.

16 MS. KAWALERSKI: Yeah, I understand.  
17 That's a bus, versus a lot of rideshares, okay.

18 MR. WITHERS: So I had one last question,  
19 when did the 1.5 million dollar utility thing  
20 pop up?

21 MR. GARCIA-SERRA: That was included on the  
22 copy of Staff's draft recommendation that came  
23 out last week.

24 MR. WITHERS: I mean, but did that just --  
25 that was just a quid pro quo type of deal

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1 that --

2 MR. GARCIA-SERRA: Well, yeah -- no, that  
3 was -- it was a surprise to us, let's say. You  
4 know, in other words --

5 MR. WITHERS: Yeah, I'm just curious to  
6 know, when did that -- when was that presented,  
7 last revision, or has that been talked about  
8 for a while?

9 MS. GARCIA: So the intent of that, again,  
10 is to connect that future Almeria Park, that  
11 will be part of The Regent residence project on  
12 Almeria, that park, and connect it to Miracle  
13 Mile. That's the intent of including --

14 MR. WITHERS: No, no. I understand.

15 MS. GARCIA: So since they're already  
16 improving that street between Miracle Mile and  
17 Almeria with the other -- two-way cycle track  
18 and some street trees and there's no on-street  
19 parking, the intent is you would also -- since  
20 you're already constructing the street anyway,  
21 you would just underground the utility lines  
22 instead of leaving them up there, to be able to  
23 have your trees around it or not --

24 MR. WITHERS: I thought the utility lines  
25 were going down Salzedo from Miracle Mile.

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1 MS. GARCIA: Yes.

2 MR. WITHERS: Is there a bike path going  
3 along Salzedo, as well?

4 MS. GARCIA: Yes, to connect down to  
5 University Drive.

6 MR. WITHERS: On both sides of Salzedo or  
7 on one side?

8 MS. GARCIA: No, just on the west side.

9 MR. PARDO: That thing is a huge failure.

10 MR. COLLER: Wait.

11 CHAIRMAN AIZENSTAT: Felix, we can't hear  
12 you.

13 MR. COLLER: Sorry.

14 MR. WITHERS: Yeah, that was when they had  
15 those little white --

16 MR. PARDO: Yeah, they put the big white  
17 concrete things throughout. It was a disaster.  
18 And now we're going to make it permanent,  
19 because it was a disaster?

20 MS. GARCIA: Yeah. So the intent is to  
21 connect down to University Drive  
22 (Unintelligible) -- from my understanding is  
23 implemented on their side of their property,  
24 abutting their project, to connect all of the  
25 way up the north.

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1 MR. PARDO: I'm sorry, I'm ready to make a  
2 motion, Mr. Chairman, whenever you --

3 CHAIRMAN AIZENSTAT: Sir, if you'd like to  
4 make a motion.

5 MR. PARDO: And I love bicycles and I think  
6 we have to have safe areas to --

7 MR. COLLER: We need to get you into the mike.

8 MR. PARDO: I'm sorry.

9 MR. WITHERS: You can borrow mine again.

10 MR. PARDO: So I'm going to make a motion,  
11 and the reason is, I think that these people  
12 are owed a decision by this Board, and the  
13 motion that I'm making is specifically  
14 approving the site plan as presented by the  
15 applicant, which includes all of the ingress  
16 and egress as shown by the applicant, including  
17 the loading and unloading of areas off of  
18 Valencia and Andalusia, including the retail  
19 spaces that's shown on Salzedo, providing a one  
20 lane bicycle track on the north side of  
21 Andalusia, and providing one, in the reverse,  
22 which is the south side of Valencia, in the  
23 direction of east on Andalusia and west on  
24 Valencia.

25 MR. SALMAN: Does that retain the park in

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1 its original configuration?  
 2 MR. PARDO: Yes.  
 3 MR. SALMAN: Okay.  
 4 CHAIRMAN AIZENSTAT: What about, how will  
 5 you deal with Staff's recommendation? Could  
 6 you talk about -- oh, I thought you were done.  
 7 MR. PARDO: I'm sorry, Mr. Chairman. What  
 8 I was doing is amending Staff's recommendation  
 9 in my motion. That's my intent.  
 10 CHAIRMAN AIZENSTAT: I just want to be  
 11 clear on that.  
 12 MR. PARDO: Would you like me to start  
 13 again?  
 14 CHAIRMAN AIZENSTAT: No, I would not.  
 15 Please, continue.  
 16 MR. PARDO: Yeah. The striking of the  
 17 term, completed park, because we're adapting  
 18 the site plan --  
 19 MR. COLLIER: I'm sorry, I didn't follow  
 20 that part.  
 21 MR. PARDO: Mr. Attorney, the Staff  
 22 conditions say conveyance of completed park.  
 23 This is their land. They're not conveying it  
 24 to the City. It's under Conditions of  
 25 Approval, Page 10.

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1 MR. COLLIER: So you're not requiring the  
 2 conveyance?  
 3 MR. PARDO: Right.  
 4 MR. COLLIER: But you're requiring them,  
 5 then, of course, to maintain the park -- for  
 6 them to maintain the park?  
 7 MR. PARDO: Right, they have to, because it  
 8 belongs to them.  
 9 MR. COLLIER: Right. But it's open to the  
 10 public, correct?  
 11 MR. PARDO: I'm sorry?  
 12 MR. COLLIER: But it's open to the public?  
 13 MR. PARDO: Yes, it's open to the public,  
 14 but the --  
 15 MR. COLLIER: But they're not conveying it?  
 16 MR. PARDO: Correct. In the legal term,  
 17 ownership.  
 18 MR. COLLIER: I get it.  
 19 MR. PARDO: The undergrounding utilities,  
 20 can Staff clarify exactly what that entails?  
 21 Are we talking about power, are we talking  
 22 about other types of overhead utilities,  
 23 undergrounding which utilities?  
 24 CHAIRMAN AIZENSTAT: And I apologize, but  
 25 there are two motions. So you're talking on

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1 E-2 first?  
 2 MR. COLLIER: Well, I think this goes more  
 3 to the site plan --  
 4 CHAIRMAN AIZENSTAT: Correct.  
 5 MR. COLLIER: I'm not sure. Maybe we'll  
 6 just add it to both, in an abundance of  
 7 caution. Let's do it to both items.  
 8 CHAIRMAN AIZENSTAT: I just want to be  
 9 clear --  
 10 MR. PARDO: If you don't mind --  
 11 MR. COLLIER: We'll vote on them separately,  
 12 but your motion -- you really have to make a  
 13 motion on one item. So what we'll do is, we'll  
 14 say this is your motion on E-2, and all of the  
 15 items that you mentioned, will repeat on E-3.  
 16 MR. PARDO: Okay.  
 17 MR. COLLIER: So we can avoid being  
 18 duplicative.  
 19 MR. PARDO: Okay. No problem.  
 20 MS. GARCIA: I believe most of those  
 21 utilities are power lines. There may be other  
 22 utilities involved, but the idea is that you  
 23 would bury all of them, underground all of  
 24 them, to be able to plant street trees. So  
 25 whatever would block a tree from being able to

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1 be planted there, would need to be  
 2 undergrounded.  
 3 MR. PARDO: Right. And just to understand,  
 4 because it throws me off, you're going from --  
 5 you're on Salzedo, from Miracle Mile, all of  
 6 the way to Almeria?  
 7 MS. GARCIA: Correct, to the extent of the  
 8 street improvements.  
 9 MR. GARCIA-SERRA: That's what we feel is  
 10 excessive.  
 11 MR. COLLIER: So their position is, they're  
 12 willing to underground, but they're only  
 13 willing to underground on what they believe is  
 14 their property. They're not willing to  
 15 underground one block north and one block  
 16 south; is that correct?  
 17 MR. GARCIA-SERRA: Correct.  
 18 MR. COLLIER: So if you don't want them to  
 19 have to do that, then your motion would be  
 20 limited to undergrounding on their site.  
 21 MR. PARDO: I mean, I think that would only  
 22 be fair --  
 23 MR. COLLIER: Okay.  
 24 MR. PARDO: -- and normal.  
 25 MR. GARCIA-SERRA: Consistent with what's

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1 been done in other projects.

2 MS. GARCIA: But just to clarify, the  
3 project that's down south, by Almeria, was a  
4 mixed-use building that had doors and windows  
5 facing the street. This park does not. So the  
6 intent of improving that street is to provide a  
7 public benefit from the lack of doors and  
8 windows and accessibility from the street,  
9 especially on Valencia.

10 MR. PARDO: You know, I can see, being on  
11 the north side of the street, on Almeria, on  
12 Andalusia, I could see going across the street,  
13 the intersection to the corner, on the south  
14 side of Valencia, but, I mean, not, you know,  
15 going down a block or two or whatever. And if  
16 they were bringing in water or sewer, that's  
17 one thing, but this is not it. I don't think  
18 that they should be burdened with that.

19 So on these altered conditions, I would  
20 say, from the north side -- on Salzedo, from  
21 the north side of Andalusia, to the south side  
22 of Valencia, the undergrounding of the  
23 utilities.

24 And since I have you here right now, the  
25 crosswalk on Le Jeune, on the south side of

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1 permissible, but we're sort of leaving it up to  
2 FDOT.

3 MR. COLLIER: So you're in agreement if FDOT  
4 says it's okay?

5 MR. PARDO: If it's acceptable by DOT.

6 MS. GARCIA-SERRA: Right.

7 MR. PARDO: That condition would be, the  
8 crosswalk on Le Jeune Road, on the south side  
9 of Valencia, if accepted by FDOT.

10 MR. COLLIER: That's Staff's recommendation  
11 anyway.

12 MR. PARDO: Well, it didn't say if accepted  
13 by FDOT, but, yes.

14 CHAIRMAN AIZENSTAT: He's changing all of  
15 Staff's recommendations.

16 MR. COLLIER: Well, I don't know. I can't  
17 imagine Staff would make them do a sidewalk if  
18 FDOT, who has jurisdiction, is not going to  
19 allow him to do it.

20 MR. PARDO: Stranger things -- and, then,  
21 the signal adjustments that were not discussed  
22 in any detail, do you mind telling me what  
23 intersections? Are you talking about several  
24 blocks or are you talking about a specific  
25 signal? It says signal adjustments and repairs

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1 Valencia --

2 MS. GARCIA: So that came from the traffic  
3 study. They studied that intersection, as well  
4 as the intersections, I believe, in the area,  
5 preparing some --

6 MR. PARDO: Sorry, who studied it?

7 MS. GARCIA: The traffic study. The  
8 traffic study included looking at  
9 accessibility, from a pedestrian point of view,  
10 to access the site.

11 MS. KAWALERSKI: The City's traffic study  
12 or the consultant for the applicant?

13 MS. GARCIA: Yes. The applicant paid for  
14 the consultant for the City to conduct a  
15 traffic study.

16 MR. PARDO: So we would have them build  
17 another crosswalk across DOT Le Jeune Road?

18 MS. GARCIA: Correct.

19 MR. COLLIER: Do you have an objection to  
20 that?

21 MR. GARCIA-SERRA: Well, there's -- part of  
22 that condition says subject to FDOT approval,  
23 and so a lot of it is riding on that. You  
24 know, we have our traffic consultant here. He  
25 has his doubts as to whether that really is

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1 from the traffic impact study, which I don't  
2 think we were provided.

3 MS. GARCIA: I believe it's in that binder.  
4 I believe it's part of the applicant --

5 MR. PARDO: Oh, in this binder?

6 MS. GARCIA: Uh-huh.

7 MR. PARDO: I didn't get the binder, but  
8 that's fine. I mean, do you know off-hand what  
9 the signal adjustments and repairs are?

10 MR. RODRIGUEZ: I honestly thought it was  
11 the company address. I was like, what --

12 Okay. Yeah. So it's basically along Coral  
13 Way. So it's Le Jeune, westbound on Coral Way,  
14 just a few adjustments to the all red clearance  
15 intervals. We did a quick review, that we do  
16 as part of the traffic study, to add a few of  
17 like point one, point two seconds to that.

18 On the other side, along Salzedo, it's for  
19 the east and the west, same things, just a few  
20 clear adjustments. And, then, there was -- one  
21 thing we noticed in the field, I think it was  
22 in the southwest corner at Salzedo and Coral  
23 Way, that one of the signals wasn't working.  
24 So we noted that as a repair.

25 Also, in that intersection, for Le Jeune

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1 and Valencia, there's damage on like, you know,  
2 the pavers -- not the pavers. What are these  
3 called? The curb ramps for, you know, the  
4 handicap, the ADA, one of them is lifted off.  
5 So it's missing. We noted that in the study.

6 MR. PARDO: Let me see if I get this  
7 straight, okay. Your scope of work now is  
8 basically about a quarter of the CBD area. I  
9 mean, you're all over the place. I mean, look,  
10 you could ask for these things, but, I mean,  
11 are we talking about, you know, \$50,000 or, you  
12 know, five million dollars?

13 MR. GARCIA-SERRA: Juan, if you could come  
14 up here and just help out a little bit. Our  
15 traffic consultant, Juan Espinoza. I think  
16 this is manageable, but let's hear it from him.

17 MR. PARDO: Mr. Chairman, I'm very sorry  
18 that I'm taking this time, but, I mean, the  
19 conditions were very specific and I just want  
20 to make sure we're fair.

21 CHAIRMAN AIZENSTAT: I'm going to ask for a  
22 reduction in your salary.

23 MR. PARDO: You got it.

24 MR. ESPINOZA: Juan Espinoza, with David  
25 Plummer and Associates, 1750 Ponce de Leon

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1 going to make it -- all right. Thank you.

2 CHAIRMAN AIZENSTAT: Felix, do you want to  
3 continue on your --

4 MR. PARDO: Thank you.

5 So, adding the condition, the signal  
6 adjustments and repairs from the traffic impact  
7 study.

8 MR. COLLER: To make this easier, it's all  
9 of the conditions of Staff, other than the ones  
10 that you've modified?

11 MR. PARDO: Yes, sir.

12 MR. COLLER: So why don't we do it that  
13 way, rather than go through each one of the  
14 recommendations? You've indicated the ones  
15 that you want to have modified in your motion.

16 MR. PARDO: Yes.

17 MR. COLLER: And the balance of the  
18 conditions would be in accordance with Staff's  
19 recommendation.

20 MR. PARDO: In fact, let me ask the  
21 applicant's attorney, did I miss any?

22 MR. GARCIA-SERRA: You know, I just need a  
23 clarification on one. So bicycle lane, north  
24 side of Andalusia, one way.

25 MR. PARDO: One direction, one lane.

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1 Boulevard.

2 So the signal timings are minor  
3 improvements. They have to be conditioned that  
4 Miami-Dade County will approve -- the County  
5 has to approve those conditions.

6 The signal head, that's really maintenance  
7 from the County. It has nothing to do with  
8 Publix. And the ramp is a minor improvement.  
9 I don't think Publix will mind paying for the  
10 -- it's those yellow pads that they put on the  
11 ramps, that is broken. So I'm pretty sure  
12 Publix will pay for that.

13 MR. SALMAN: A quick question, on these  
14 intersections, what is the service rating?

15 MR. RODRIGUEZ: The LOS?

16 MR. SALMAN: What are their service rating?  
17 Are they A or F?

18 MR. RODRIGUEZ: Yeah, the LOS. Okay. So,  
19 for along Le Jeune Road, if I can recall  
20 correctly, I think currently it's an F along Le  
21 Jeune.

22 MR. SALMAN: I would think it's an F.  
23 Okay. So what we're doing is, we're gilding  
24 the lily of -- you know, we're trying to bail  
25 out the Titanic with a bucket. It's just not

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1 MR. GARCIA-SERRA: Then the one on  
2 Valencia, did you say north or south side of  
3 Valencia?

4 MR. PARDO: I said, south side and one  
5 direction --

6 MR. GARCIA-SERRA: Okay. Okay. Okay.

7 MR. PARDO: -- going westbound.

8 MR. GARCIA-SERRA: Okay. So we covered --  
9 the big three for us was park, bicycle lanes  
10 and underground utility and we've covered them.

11 CHAIRMAN AIZENSTAT: And the size of --

12 MR. SALMAN: And the reduction of the  
13 retail.

14 MR. COLLER: Are you in agreement with the  
15 concept of the alternate bicycle lane?

16 MR. GARCIA-SERRA: They're on the sides of  
17 the streets which work for us, so, yes.

18 MR. COLLER: Okay.

19 CHAIRMAN AIZENSTAT: And if I may, the  
20 other thing is ownership of the park --

21 MR. PARDO: Right.

22 CHAIRMAN AIZENSTAT: -- which is presented  
23 as the City having ownership. Mr. Pardo is  
24 saying that the applicant retain ownership.

25 MR. SALMAN: I think that's a mistake. I

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1 think it's to Publix's advantage, actually, to  
2 transfer and convey the land, so that they  
3 don't have to have it as part of their  
4 liability areas, because that's a City area and  
5 that's a different issue.

6 CHAIRMAN AIZENSTAT: Let's see where the  
7 motion goes.

8 So we have that motion by Mr. Pardo.

9 MR. PARDO: Right. I think we want to make  
10 sure that they keep the land, because the City  
11 gets the taxes from it.

12 CHAIRMAN AIZENSTAT: So that's the motion  
13 of Mr. Pardo. Is there a second?

14 MR. WITHERS: I'll second it.

15 CHAIRMAN AIZENSTAT: We have a second.

16 MR. SALMAN: Second for discussion or  
17 second?

18 CHAIRMAN AIZENSTAT: We have a second on  
19 the motion. Is there any --

20 MR. COLLER: Okay. So just so we're clear,  
21 right now we're doing E-2, but we're going to  
22 adopt, by reference, when we get to E-3, all of  
23 those conditions.

24 CHAIRMAN AIZENSTAT: Correct. That's the  
25 motion.

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1 the case of trees being -- as opposed to palms,  
2 you know, we want to have a palm tree with at  
3 least, you know, fourteen feet of great trunk,  
4 because that's a good size palm, and if you  
5 want a tree, you want a tree that's going to be  
6 something at a fourteen-inch canopy or greater.  
7 I think those are two things that I think would  
8 be reasonable, given the size of the park and  
9 the scope that you're looking to do and the  
10 second thing is that the light stands that you  
11 have, since this is going to be an open area,  
12 and it's going to be part of the public area of  
13 the City and it's going to be Publix's  
14 showcase, and it's going to be the City's  
15 showcase for a wonderful location and project,  
16 can we change the light standards to match the  
17 original City's light standards, which are  
18 those unfortunately named Great White Way light  
19 fixtures? And they are reproducing them, and  
20 you can have them reproduced, for the number  
21 that we have.

22 I mean, given the photometrics, I  
23 understand you can probably make it work. It's  
24 fine. It's just that if you go up and down the  
25 parks here, you'll see along the way --

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1 MR. WITHERS: The only thing I feel is  
2 that, even though I think it's a little  
3 overreach on the City to have all of the  
4 utilities paid, I know the City is trying to  
5 get infrastructure done Downtown, improve it.  
6 I don't know what else is going on that street,  
7 but, I mean, I do think it's a little bit of an  
8 overreach on the City to go so far, but I don't  
9 know, maybe they can negotiate that a little  
10 more. Felix, that's the only --

11 MR. SALMAN: Felix, would you accept two  
12 friendly amendments?

13 MR. PARDO: Sure.

14 MR. SALMAN: And, then --

15 MR. WITHERS: No, go ahead. Help me out on  
16 this.

17 MR. SALMAN: My first is, you know, that  
18 the applicant specify the size of the trees,  
19 because you have the location, you have the  
20 species, you have their frequency, but you  
21 don't have like their trunk height, their  
22 canopy. I just didn't see it. If I missed it,  
23 then it's okay, but I saw, from the schedule  
24 that it was a line item missing. It just needs  
25 to get filled out, and that they be of -- in

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1 MR. COLLER: Wait. Wait. You can't -- I  
2 can do this off the record. One person at a  
3 time. She can't take it in stereo.

4 CHAIRMAN AIZENSTAT: So right now we are  
5 off the record.

6 MR. COLLER: We are off the record, because  
7 we're waiting for her to plug in.

8 (Discussion off the record.)

9 MR. COLLER: Are you ready? Okay.

10 CHAIRMAN AIZENSTAT: Okay.

11 MR. SALMAN: Those are my two items, for  
12 the friendly amendment.

13 MR. PARDO: I accept it.

14 MR. WITHERS: I accept it, too.

15 MR. SALMAN: All right.

16 MS. KAWALERSKI: I've got another friendly  
17 amendment.

18 MR. COLLER: Did we get an indication from  
19 the applicant if they are okay with the light  
20 standards and the calipers? I just want to  
21 know what they agree with and what they don't  
22 agree with.

23 MR. FISHER: As long as it's something we  
24 can find and has the photometrics we need, and  
25 the City --

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1 MR. SALMAN: Double head standard --  
2 MR. FISHER: We attempted, with the lights  
3 we have there. There are some decorative light  
4 fixtures on the street right now, that we tried  
5 to tie to --

6 MR. SALMAN: And admirably they're very  
7 similar to what I'm proposing. It's just that  
8 if they were the same, they would be the same,  
9 as opposed to similar.

10 MR. FISHER: If we can get the same, yeah.  
11 We're open to that.

12 MR. COLLER: So, if available.

13 MR. SALMAN: If available.

14 MR. GARCIA-SERRA: And the tree condition,  
15 also. We pretty much have what's close to a  
16 standard condition these days on trees, which  
17 requires a certain width at planting. So I  
18 think we can use that one, that's been used  
19 before.

20 MR. PARDO: Okay.

21 MS. KAWALERSKI: Okay. I have a friendly  
22 amendment, and it's regarding the bike lanes,  
23 but I need clarification from Staff about  
24 Valencia Avenue, because I can't tell by the  
25 diagram here what's on Valencia. What's on the

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1 lane, on Andalusia, one way directional, with  
2 the flow of traffic, painted green, with a  
3 curbed landscaped buffer. The bike lane has to  
4 be five feet in width, one direction, and it  
5 has to be on the south side. And the reason,  
6 again, if the mobility hub will ever happen,  
7 you can never have a bike lane on the north  
8 side, not with the current design. You cannot  
9 have a bike lane on the north side, impossible,  
10 okay. So that's thing Number One, regarding  
11 the bike lanes.

12 On Valencia, again, I'll concede to a one  
13 way directional, with traffic, bike lane, five  
14 feet in width, green paint, landscape buffer  
15 curbed -- curbed landscape buffer, okay. And  
16 on Salzedo, the same thing. Get rid of the  
17 bi-directional, one bike lane only, and, again,  
18 just repeat what we talked about on Valencia --  
19 excuse me, what we talked about on Andalusia.  
20 So it wraps around Publix, basically.

21 CHAIRMAN AIZENSTAT: Is everybody on the  
22 same page?

23 MR. COLLER: I'm not clear on it, but I  
24 want to make sure Staff understands what the  
25 motion is.

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1 south side of Valencia? I don't know if  
2 they're bump outs or -- I don't know what that  
3 is?

4 MR. PARDO: There are bump outs.

5 MR. SALMAN: There are bump outs.

6 MS. KAWALERSKI: On the south side?

7 MS. GARCIA: There's some bump outs with  
8 streets, there's on-street parking, and there  
9 are some access to the garage to the south, as  
10 well, I think, a drop-off area.

11 MS. KAWALERSKI: On the south side of  
12 Valencia?

13 MS. GARCIA: Yes. Valencia, yes.

14 MS. KAWALERSKI: There's a parking garage?

15 MS. GARCIA: Part of that office building,  
16 yes.

17 MS. KAWALERSKI: Oh, part of the office  
18 building. Right, okay.

19 So my friendly amendment would be this,  
20 with consideration like that, and I'm making a  
21 big concession here for a yes vote, a big  
22 concession for a yes vote.

23 MR. WITHERS: Let's hear it. Let's hear it.

24 MS. KAWALERSKI: Okay. One way directional  
25 bike lane, okay, so no more bi-directional bike

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1 MS. KAWALERSKI: You know what I'm talking  
2 about, right, Staff? So reduced from -- and I  
3 know that was your concern, Mario, that the  
4 bi-directional would take up too much space,  
5 right. That's what you said at the beginning  
6 of your spiel. We're reducing it to one lane.

7 MR. GARCIA-SERRA: But the motion right now  
8 has it on the north side, which is --

9 MS. KAWALERSKI: I understand that. This  
10 is my friendly amendment.

11 MR. GARCIA-SERRA: To move it to the south  
12 side?

13 MS. KAWALERSKI: Absolutely. To move it to  
14 the south side, saving you space for a wider  
15 sidewalk, because now it's only  
16 uni-directional, with a buffered -- landscape  
17 buffer -- curbed landscape buffer, green paint.

18 MR. PARDO: Let me ask you something about  
19 the curbed landscape buffer. I mean, don't you  
20 think that it's a traffic hazard and a tripping  
21 hazard for people?

22 MS. KAWALERSKI: No. It's like an island.  
23 It's like an island in the middle of the  
24 street, right. It's never a tripping hazard.

25 MR. PARDO: So then you permanently lose

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1 all parallel parking on both of those streets.

2 MS. KAWALERSKI: Well, the parking was  
3 being taken away anyway, right? On the south  
4 side of Andalusia, the parking was being taken  
5 away, right, Jennifer?

6 MS. GARCIA: Right. So I believe the  
7 on-street parking would be on the north side,  
8 and the south side would be the bicycle  
9 infrastructure.

10 MS. KAWALERSKI: Right, exactly, because  
11 they're taking away -- this is an old drawing.  
12 They're taking away the buffered -- they're  
13 taking away the bump outs and the parking on  
14 the south side. And naturally speaking, as a  
15 cyclist, you're always on the passenger side of  
16 a car. When you're on the driver side of a  
17 car, it is disconcerting to both, cyclist and  
18 to drivers. When you're on the passenger side,  
19 it's the natural flow.

20 MR. PORCHER: And it's a one way street.

21 MS. KAWALERSKI: And it's a one way street,  
22 correct.

23 MR. PORCHER: But the landscape buffer --  
24 and I don't know how you irrigate that, I don't  
25 know how you do any of that. I don't want to

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1 tell you we can do something we can't do.

2 MS. KAWALERSKI: Well, what would your  
3 suggestion be for a buffer?

4 CHAIRMAN AIZENSTAT: Don't do a two-way.

5 MR. PORCHER: Yeah.

6 MS. KAWALERSKI: Pardon me?

7 CHAIRMAN AIZENSTAT: Don't do a two-way.

8 MS. KAWALERSKI: No, I eliminated the  
9 two-way. That's the concession. I'm  
10 eliminating the two-way. It's a one lane, five  
11 foot bike lane.

12 MR. PORCHER: But having it on the south  
13 side interferes with the current bus,  
14 interferes with the current parking that's  
15 there. If we're doing away with it, we're  
16 doing away with it. It also is -- their only  
17 ingress and egress is on that side for  
18 customers of Publix. As they come in and come  
19 out, they'll have to cross that bike lane.  
20 Bikers will have to contend with that. Every  
21 egress truck, every truck that leaves there,  
22 the bikes will have to contend with that.

23 MS. KAWALERSKI: I understand, but --

24 MR. PORCHER: If we moved it to the north  
25 side, we wouldn't have that conflict.

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1 MS. KAWALERSKI: Sure you would, because  
2 pedestrians would be going to the mobility hub,  
3 crossing the entire street, and, therefore,  
4 crossing a bike lane on the north side.

5 CHAIRMAN AIZENSTAT: Sue, if I may a  
6 second. We're just about getting to ten  
7 o'clock. You know, I'm willing to go ten more  
8 minutes past that, but I think rehashing and  
9 doing this, to me, does not make any sense.

10 MS. KAWALERSKI: Well, this is very  
11 important.

12 CHAIRMAN AIZENSTAT: Is there a motion to  
13 extend this past ten o'clock?

14 MR. SALMAN: I'll make a motion to extend  
15 until 10:15.

16 MR. GRABIEL: I'll second it.

17 CHAIRMAN AIZENSTAT: Motion to 10:15. We  
18 have a second.

19 MS. KAWALERSKI: All in favor.

20 CHAIRMAN AIZENSTAT: All in favor.

(All Board Members voted aye.)

21 CHAIRMAN AIZENSTAT: Would you like to run  
22 the meeting?

23 All in favor say aye.

(All Board Members voted aye.)

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1 CHAIRMAN AIZENSTAT: Anybody against?

2 Okay. Go ahead.

3 MS. KAWALERSKI: So that's my proposal, and  
4 you would get a yes vote out of that.

5 MR. COLLER: All right. So who made the  
6 motion?

7 CHAIRMAN AIZENSTAT: We have Felix who made  
8 the motion.

9 MR. COLLER: Have we had a second?

10 CHAIRMAN AIZENSTAT: We have a second --

11 MR. COLLER: Who was the second?

12 CHAIRMAN AIZENSTAT: -- by Chip.

13 So the question is, does the movant and the  
14 person seconding it accept this friendly  
15 amendment?

16 MR. PARDO: I'm telling you right now, I  
17 feel very uncomfortable with --

18 MR. COLLER: You need to speak, please --  
19 Chip, give him your mike, please.

20 MR. PARDO: So I'm very uncomfortable with  
21 this, because I don't think that it's been  
22 thought out very well past -- you know, past  
23 Valencia and Andalusia. There are no bike,  
24 paths on either one of these two streets, going  
25 all of the way down to Douglas from Le Jeune

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1 Road. We're forcing these people to put in a  
2 bike lane, with a landscape buffer, and a  
3 bumper, and I would feel more comfortable if  
4 there were no landscaping and no curb, because  
5 I think that if you paint the areas, like in  
6 most of the County, you don't need to have that  
7 curb, when it's just one lane. That's my  
8 observation.

9 CHAIRMAN AIZENSTAT: So, Felix, so what  
10 you're saying is that you don't agree to her  
11 amendment?

12 MR. PARDO: Not the way it's stated now. I  
13 do agree with the bike lane and painted, et  
14 cetera, but I think that the curb and the  
15 landscaping make it a logistic nightmare, which  
16 will never, in my opinion, be reproduced  
17 anywhere else in the City. So, for me, it's  
18 like a waste. But you do see the green  
19 painted, you know, areas, demarking the safety  
20 area for the person that is on the bicycle,  
21 that has to cross every single one of these  
22 intersections down the road.

23 I think, providing it and improving it and  
24 doing it this way, compared to the logistic  
25 nightmare of a landscaped area to be

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1 side. It's a matter -- in my opinion, a matter  
2 of safety. I think it would be better on the  
3 north side.

4 MS. KAWALERSKI: And I wish I could agree  
5 with you, but I'm telling you, if that mobility  
6 hub goes in, there will be a lot more cars in  
7 and out of that mobility hub than in Publix.

8 MR. PARDO: I've got a feeling that Publix  
9 will be built before the mobility hub.

10 MS. KAWALERSKI: Well, I know, but then we  
11 can't reverse what we've already done.

12 CHAIRMAN AIZENSTAT: To move this along,  
13 Felix, do you want to accept the way she's  
14 proposing it, because it doesn't look like  
15 either one of you wants to change that?

16 MS. KAWALERSKI: I've already changed a  
17 lot.

18 CHAIRMAN AIZENSTAT: I understand that.  
19 It's just Felix's motion.

20 MR. COLLER: So if the movant doesn't  
21 accept it, then it's not amended as that, it  
22 goes where it is and then the vote is whatever  
23 the vote is.

24 CHAIRMAN AIZENSTAT: Correct.

25 MR. COLLER: So you have the opportunity,

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1 determined, to be maintained somehow, I think  
2 it's not going to look good, and I don't think  
3 that there's any advantage. I wish you would  
4 take that portion of it out.

5 MS. KAWALERSKI: Okay. So let me revise,  
6 and my friendly amendment would be, a five-foot  
7 green painted one way bike lane, all around,  
8 south side, on Andalusia, and a diagonal  
9 striped buffer with rumble striping. And I'm  
10 looking to Staff, because they're the pros on  
11 this, regarding -- you know, we have our  
12 transportation people here. So instead of a  
13 landscaped buffer, a diagonally striped buffer,  
14 green paint, rumble striping on the exterior  
15 line. Do you understand what I'm saying?  
16 Jennifer is nodding her head.

17 So that solves your issue with any kind of  
18 curbing and landscaping, which requires  
19 maintenance, but it does adds that second layer  
20 of visibility for drivers, in addition to the  
21 green.

22 MR. PARDO: I agree, but, you know, also,  
23 the only thing I'm saying is, on Andalusia, you  
24 have 300 cars that are going to park and come  
25 in and out on that ramp, right on that south

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1 if you don't like the amendments, to vote no on  
2 the -- and if it doesn't pass, we'll have  
3 another motion.

4 MS. KAWALERSKI: Well, I would hope I could  
5 persuade my colleagues here. I'm the cyclist  
6 in the group. I do bike safety for Miami-Dade  
7 County.

8 MR. COLLER: Right. I'm not arguing for or  
9 against what you want to do. I'm just saying,  
10 procedurally, it's up to the movant to either  
11 accept a friendly amendment. If they don't  
12 accept it, then it doesn't get amended, and  
13 then we have a motion, as stated. I'm just not  
14 clear exactly where the bicycle paths are now.

15 MR. PARDO: Right. Well, in the original  
16 motion, they were on the north side on  
17 Andalusia and on the south side on Valencia.

18 MR. COLLER: Okay. That's your motion.  
19 Does the seconder agreed --

20 CHAIRMAN AIZENSTAT: The seconder agreed  
21 with it. So we have a motion. We have a  
22 second. It's the opportunity now --

23 MS. KAWALERSKI: Is that including the  
24 friendly amendment? Are we voting on that?

25 MR. COLLER: Well, he said your friendly

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1 amendment is unfriendly.

2 MR. WITHERS: That's a very nice way of  
3 saying it.

4 MS. KAWALERSKI: That's not what I heard.

5 I'm just saying, look, I'm looking at this  
6 from a truly safety perspective, Felix. I'm  
7 not just wildly saying, let's do this for no  
8 reason. This is a safety issue.

9 CHAIRMAN AIZENSTAT: Sue, if this does not  
10 pass, then you can make your motion.

11 MS. KAWALERSKI: I understand, but I'd like  
12 to persuade my colleagues.

13 CHAIRMAN AIZENSTAT: Well, we've been  
14 trying for about twenty minutes.

15 MS. KAWALERSKI: So say yes, then.

16 CHAIRMAN AIZENSTAT: It doesn't work that  
17 way.

18 Felix, we have a motion.

19 MR. PARDO: I'll say, yes. What about you?

20 MR. WITHERS: No. I think it should be on  
21 the north side. I just think, all of those  
22 people turning into Publix is a lot more of an  
23 -- you know, and let the City deal with the  
24 safety -- with the utility hub issue when it  
25 comes up. That's just how I feel.

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1 MR. WITHERS: If I would have seconded it,  
2 I would have probably been voting for it, but  
3 since I didn't second it, there's probably a  
4 pretty good chance that I won't be voting for  
5 it. That's how I would look at the situation.

6 CHAIRMAN AIZENSTAT: Guys, let's do this --

7 MS. KAWALERSKI: Your only issue is on the  
8 north side --

9 MR. WITHERS: No, I just think of what this  
10 gentleman said, and I'm sorry I forgot your  
11 name, but there's a ton of people turning into  
12 Publix. I don't know how many trips you said,  
13 but someone said three or four hundred cars --  
14 three hundred cars a day. I think the chance  
15 of -- you know, because we're worried about the  
16 utility hub five years from now --

17 MS. KAWALERSKI: Mobility hub.

18 MR. WITHERS: Mobility hub, I'm sorry.  
19 I've got utilities on my mind. I just think  
20 it's practical to put the thing on the north  
21 side, so you're running into -- and I like the  
22 idea that, as you're driving, you know it's a  
23 little more -- you're looking out of your left  
24 shoulder and you see a cyclist and you're not  
25 worrying about the other side of your car. So

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1 CHAIRMAN AIZENSTAT: So you're not  
2 seconding the motion?

3 MR. COLLER: No, he's seconding the motion.  
4 He's not accepting the amendment.

5 MR. WITHERS: It doesn't matter whether I  
6 accept it or not. He didn't accept it.

7 CHAIRMAN AIZENSTAT: Hold on a second.  
8 Felix accepted the motion. The person that  
9 made the second did not. So we have a motion.  
10 Does anybody else want to second? Is that  
11 procedural --

12 MR. COLLER: Right, he doesn't wish to  
13 second it, so somebody else would have to  
14 second. So are you accepting her amendment or  
15 you're accepting --

16 MR. PARDO: I accepted her amendment.

17 MR. WITHERS: And I denied. So now he  
18 needs a second.

19 MR. COLLER: So you need a second.

20 CHAIRMAN AIZENSTAT: Sue, you can second  
21 it.

22 MS. KAWALERSKI: Let me think about this.

23 CHAIRMAN AIZENSTAT: It's your motion.

24 MS. KAWALERSKI: I understand, but we need  
25 a yes from four people, right?

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1 those are the two safety reasons I would be  
2 voting for the north side. If you want to  
3 paint it green, if you want to put green peas  
4 all along the way for Publix, however you want  
5 to do it, I'm good with that --

6 MR. COLLER: Mr. Chair, I would suggest, if  
7 you don't get a second, then the motion fails  
8 and you get another motion.

9 MS. KAWALERSKI: Okay. So I will amend my  
10 friendly motion to the north side, against my  
11 will, because I'll tell you, we're going to  
12 have to change it when the mobility hub is  
13 built, but for the time being, I will change it  
14 to the north side. So green paint, five foot  
15 wide, one direction, right, and it wraps around  
16 Publix, except for the Le Jeune side.

17 MR. WITHERS: We're wrapping it around  
18 Publix, where?

19 MS. KAWALERSKI: North side of Andalusia,  
20 the west side of Salzedo and then the -- I'm  
21 still not sure about --

22 MR. WITHERS: There's no other bike path  
23 from Miracle Mile to Andalusia or from Valencia  
24 down to Salzedo. There's nothing there. So  
25 what are people --

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1 MS. KAWALERSKI: Chip, the whole purpose  
2 is, there's no bike lanes in Coral Gables,  
3 period.

4 MR. WITHERS: I know, but do you think --  
5 okay, so I ride down Salzedo, okay. I'm on the  
6 sidewalk. Now I get on the bike -- I mean,  
7 it's --

8 MS. KAWALERSKI: So the next project that  
9 comes in, they have to continue what's being  
10 built currently.

11 MR. WITHERS: Well, then why doesn't the  
12 City do that?

13 MS. KAWALERSKI: Well, ask the City.

14 CHAIRMAN AIZENSTAT: All right. We have a  
15 motion. She amended.

16 Chip, are you okay?

17 MR. WITHERS: No. I just don't think it's  
18 practical to require the Salzedo wrap around.  
19 I mean, I'd like the idea, if it went all of  
20 the way, but for a one block area, I think it's  
21 just going to be kind of --

22 MR. SALMAN: Could we split the baby and  
23 just come up with a cost that they can bond,  
24 and the -- if the mobility hub gets built, then  
25 they can use the funds to build it -- the City

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1 can use the funds to build it? It's the way to  
2 split the baby.

3 MS. KAWALERSKI: How are we splitting it?

4 MR. GARCIA-SERRA: Determine a cost --

5 MR. SALMAN: Come out with a cost and bond  
6 it out, and when the City -- give it to the  
7 City --

8 MR. WITHERS: I think we like the idea of  
9 the bike lane on Andalusia and on Valencia.

10 MR. GARCIA-SERRA: And on Valencia, on the  
11 south side?

12 MR. WITHERS: You know, Valencia, you've  
13 got all of the bump outs on the south side.  
14 The north side seems more practical for  
15 Valencia, to me, but I don't know if we want to  
16 wait until eleven o'clock to decide that.  
17 Because you've got all -- you've got parking  
18 spots. You've got bump outs. You've got  
19 parking garages. But on the other side, you've  
20 got people exiting from Publix, as well, so I  
21 don't know.

22 (Unintelligible.)

23 MS. KAWALERSKI: You know what --

24 MR. PARDO: You don't have anyone exiting.  
25 You only have the cars coming in for --

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1 MS. KAWALERSKI: You're talking about the  
2 north side, on Valencia?

3 MR. PARDO: That's right.

4 MS. KAWALERSKI: And there's no parking on  
5 Valencia, right, on the north side?

6 MR. SALMAN: There is.

7 MR. PARDO: On the north side, there is  
8 parking but there are no bump outs.

9 MS. KAWALERSKI: No bump out.

10 MR. PARDO: Right. And, remember, the main  
11 entrance to the huge office building is on the  
12 south side.

13 MS. KAWALERSKI: Okay. So let's make it  
14 the north side of Andalusia, let's keep it in  
15 Salzedo, because there will be connectivity,  
16 okay, and let's keep it the north side of  
17 Valencia.

18 MR. WITHERS: Let me ask you a question,  
19 for the safety of bikers. If you're coming off  
20 of Miracle Mile down Salzedo and all of a  
21 sudden you've gone one block and there's no  
22 bike lane, and all of a sudden you have a bike  
23 lane there, or you're turning right off of  
24 Andalusia onto Salzedo, is that not a safety  
25 hazard?

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1 MS. KAWALERSKI: You merge into traffic,  
2 and it happens all over Miami-Dade County.  
3 Miami-Dade County builds little twigs, the twig  
4 system. We have no actual network at this  
5 point, but you have to start somewhere. So  
6 Miami-Dade County builds small sections and one  
7 day it will all be connected. That's the way  
8 it operates in Miami-Dade County.

9 CHAIRMAN AIZENSTAT: Sue, if you feel  
10 strongly about it, second it.

11 MS. KAWALERSKI: Oh, I'm seconding what I  
12 just said.

13 CHAIRMAN AIZENSTAT: So he agreed to the  
14 friendly amendment. Chip said no. You are the  
15 second, Sue?

16 MS. KAWALERSKI: Yes.

17 MR. COLLIER: Are we clear, because I'm not --

18 CHAIRMAN AIZENSTAT: Honestly, I'm not.

19 MR. PARDO: North side of Andalusia, west  
20 side of Salzedo, west side of Valencia --

21 MR. COLLIER: Wait. Could you speak into  
22 the mike, because I want -- Staff is going to  
23 have to figure this out and I want them to  
24 hear.

25 MR. PARDO: The bike lane would be, no

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1 curb, no landscaping. It would be on the north  
2 side of Andalusia, on the west side of Salzedo,  
3 on the north side of Valencia.

4 MS. KAWALERSKI: And green paint, buffered  
5 diagonal striping, rumble striping.

6 MR. COLLER: That's paint.

7 MS. KAWALERSKI: Yeah. That's called  
8 buffer. It's a buffer. It's a diagonal  
9 buffer. Diagonal striping is a buffer.

10 MR. COLLER: Oh, that's considered a  
11 buffer, okay.

12 MR. GARCIA-SERRA: It's already in the  
13 recommendation. We want to make sure everybody  
14 knows, we don't have to pay for the loss of  
15 on-street parking because of these  
16 improvements.

17 MR. SALMAN: The loss of on-street parking.

18 MR. PARDO: We're taking the parking away.  
19 They're not taking it.

20 MS. KAWALERSKI: Okay.

21 MR. GARCIA-SERRA: That's already there,  
22 but I just wanted to make sure, especially  
23 since we're changing configuration.

24 MR. COLLER: And for the record, our City  
25 Planner is nodding her head that you don't have

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1 think that the park should be owned by the  
2 City.

3 MR. GARCIA-SERRA: Should be, what?

4 CHAIRMAN AIZENSTAT: Should be owned by the  
5 City, and because it is not, I'm going to vote  
6 no.

7 MR. COLLER: Okay. So now we need a movant  
8 for E-3, which is approval with the conditions  
9 except for it -- we're adopting the same  
10 conditions that were done on E-2.

11 MR. SALMAN: I'll make a motion that we  
12 adopt the Staff recommendation for approval,  
13 with the changes and the specific conditions as  
14 outlined in E-2.

15 MR. PARDO: Second.

16 CHAIRMAN AIZENSTAT: We have a motion and a  
17 second. Any discussion? No?

18 Call the roll, please.

19 THE SECRETARY: Felix Pardo?

20 MR. PARDO: Yes.

21 THE SECRETARY: Javier Salman?

22 MR. SALMAN: Yes.

23 THE SECRETARY: Chip Withers?

24 MR. WITHERS: Yes.

25 THE SECRETARY: Julio Grabiell?

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1 to pay for the off-street parking, when you're  
2 required to do this.

3 CHAIRMAN AIZENSTAT: All right. We have a  
4 motion. We have a second.

5 MR. COLLER: This is on E-2.

6 CHAIRMAN AIZENSTAT: And we're going to  
7 parallel it on E-3.

8 MR. COLLER: Okay, but let's first do E-2  
9 and then we need a motion and a second.

10 CHAIRMAN AIZENSTAT: So on E-2. Any other  
11 discussion? No?

12 Call the roll, please.

13 THE SECRETARY: Sue Kawalerski?

14 MS. KAWALERSKI: Yes.

15 THE SECRETARY: Felix Pardo?

16 MR. PARDO: Yes.

17 THE SECRETARY: Javier Salman?

18 MR. SALMAN: Si.

19 THE SECRETARY: Chip Withers?

20 MR. WITHERS: Yes.

21 THE SECRETARY: Julio Grabiell?

22 MR. GRABIEL: Yes.

23 THE SECRETARY: Eibi Aizenstat?

24 CHAIRMAN AIZENSTAT: I'm going to say no --  
25 it doesn't make a difference -- only because I

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1 MR. GRABIEL: Yes.

2 THE SECRETARY: Sue Kawalerski?

3 MS. KAWALERSKI: Yes.

4 THE SECRETARY: Eibi Aizenstat?

5 CHAIRMAN AIZENSTAT: No, for the same  
6 reason, the ownership of the park.

7 MR. GARCIA-SERRA: Understood. I  
8 appreciate it. Thank you very much. Have a  
9 good night.

10 MR. COLLER: We need a motion to adjourn.

11 MR. WITHERS: Are we adjourned, Mr. Chair?

12 CHAIRMAN AIZENSTAT: Is there a motion to  
13 adjourn?

14 MR. SALMAN: I make a motion to adjourn.

15 MR. WITHERS: Yes.

16 CHAIRMAN AIZENSTAT: Everybody in favor say  
17 aye.

18 (Board Members voted aye.)

19 (Thereupon, the meeting was concluded at 10:10

20 p.m.)

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C E R T I F I C A T E1  
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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 28th day of November, 2023.



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NIEVES SANCHEZ  
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