

10 13 10 Excerpt of PZB Verbatim
Meeting Minutes

Exhibit C

<p>1 CITY OF CORAL GABLES 2 PLANNING AND ZONING BOARD MEETING 3 VERBATIM TRANSCRIPT 4 CORAL GABLES CITY COMMISSION CHAMBER 5 405 BILTMORE WAY, CORAL GABLES, FLORIDA 6 WEDNESDAY, OCTOBER 13, 2010, 6:02 P.M.</p> <p>7 Board Members Present: 8 Tom Korge, Chairman 9 Eibi Aizenstat, Vice-Chairman 10 Robert Behar 11 Jeffrey Flanagan 12 Javier Salman 13 City Staff: 14 Eric Riel, Jr., Planning Director 15 Elizabeth M. Hernandez, City Attorney 16 Walter Carlson, Assistant Planning Director 17 Scot Bolyard, Planner 18 Jill Menendez, Administrative Assistant 19 Eli Gutierrez, Code Enforcement Lead 20 Charles L. Siemon, Esq. 21 Siemon & Larsen 22 Special Counsel to the City. 23 24 25</p>	<p>Page 1 CITY OF CORAL GABLES PLANNING DEPARTMENT 2010 OCT 18 AM 11:33 1 MR. BEHAR: Yes. 2 MS. MENENDEZ: Eibi Aizenstat? 3 MR. AIZENSTAT: Yes. 4 MS. MENENDEZ: Jeff Flanagan? 5 MR. FLANAGAN: Yes. 6 MS. MENENDEZ: Tom Korge? 7 CHAIRMAN KORGE: Yes. 8 The second item on the agenda is 9 Application Number 09-10-119-P; Change of Land 10 Use from "Commercial Use, Mid-Rise Intensity," 11 to "Commercial Use, High-Rise Intensity," for a 12 .6 acre parcel described as Lots 1 through 10 13 of Block 7 of the Crafts Section, on Andalusia 14 Avenue. 15 MR. CARLSON: Good evening. 16 CHAIRMAN KORGE: Hello. 17 MR. CARLSON: For the record, Walter 18 Carlson, with the Planning Department, and as 19 you just noted, this first item before you this 20 evening is a change of land use request, and 21 this is similar -- a similar request to the one 22 which came before you last month, which was the 23 Mercedes Benz application. As an aside, for 24 your information, that application was approved 25 by the Commission at yesterday's Commission</p>
<p>1 THEREUPON: 2 The following proceedings were had: 3 CHAIRMAN KORGE: We have a quorum, so we'll 4 begin the meeting. 5 MS. MENENDEZ: Eibi Aizenstat? 6 MR. AIZENSTAT: Here. 7 MS. MENENDEZ: Robert Behar? 8 MR. BEHAR: Here. 9 MS. MENENDEZ: Jack Coe? 10 Jeffrey Flanagan? 11 MR. FLANAGAN: Here. 12 MS. MENENDEZ: Pat Keon? 13 Javier Salman? 14 Tom Korge? 15 CHAIRMAN KORGE: Here. 16 The first item on the agenda is the 17 approval of the minutes -- 18 MR. BEHAR: Motion to approve. 19 CHAIRMAN KORGE: -- of the meeting of 20 September 15th. There's a motion and -- 21 MR. AIZENSTAT: I'll second. 22 CHAIRMAN KORGE: And a second. Any 23 discussion, changes or corrections? 24 Hearing none, we'll call the roll. 25 MS. MENENDEZ: Robert Behar?</p>	<p>Page 2 Page 4</p> <p>1 meeting. 2 This property is also located in the CBD, 3 and is one block north of the Mercedes Benz 4 site, and is now occupied by a series of 5 one-story commercial buildings. The request is 6 a change of land use from "Commercial, Mid-Rise 7 Intensity," to "Commercial, High-Rise 8 Intensity." This change would only increase 9 the permitted height of the future development 10 of this property. It would not increase the 11 allowable FAR that could be constructed on the 12 site. 13 In Staff's report, which is before you, we 14 found that the proposal is consistent with the 15 Comprehensive Plan's goals, objectives and 16 policies. The proposed land use designation is 17 consistent with the property's existing 18 commercial designation. The infill development 19 of this property which would occur is in 20 character with the similar commercial projects 21 which are being constructed in the CBD. And 22 finally, the proposal would not adversely 23 affect the use of other properties in the area. 24 Staff is recommending approval of this 25 request. For your information, this property</p>

1 was posted, there was a notification published
 2 in the paper, and there were courtesy notices
 3 mailed to all the property owners within a
 4 thousand feet.

5 That concludes my presentation. If you
 6 have any questions, I'd be glad to answer them.

7 CHAIRMAN KORGE: Are there any questions at
 8 this time?

9 MR. AIZENSTAT: Did this come about -- I
 10 remember at that meeting, we had a comment
 11 about other properties that were -- that would
 12 lie between this that would not be zoned. Is
 13 that why this is coming before us?

14 (Thereupon, Mr. Salman arrived.)

15 CHAIRMAN KORGE: Excuse me. For the
 16 record, Javier Salman has arrived.

17 MR. RIEL: I mean --

18 MR. AIZENSTAT: We were talking about
 19 spot --

20 MR. RIEL: -- from Staff's -- You know, as
 21 I indicated previously, we don't go out and
 22 pursue property owners.

23 MR. AIZENSTAT: Correct.

24 MR. RIEL: But, you know, I can't comment
 25 on that. I mean, perhaps the applicant can.

1 building, and the one -- on the following
 2 block, next to SunBank, you have also a high
 3 intensity, and as was mentioned, south,
 4 Mercedes Benz just got approval.

5 So, in my opinion -- it's my opinion that
 6 this would be very, very good for the City of
 7 Coral Gables, and also for the citizens,
 8 because it increases the financial -- the tax
 9 bases, and we all know we need this
 10 desperately. So I'm hoping for your blessing
 11 and your approval, and I'm ready for all the
 12 questions.

13 CHAIRMAN KORGE: Any questions?

14 MR. AIZENSTAT: My question was actually,
 15 at our last meeting, when we approved this, we
 16 were looking, for example, at your property,
 17 that was zoned differently than what we had
 18 approved, and we were wondering why certain
 19 owners hadn't come before us at the same time
 20 in order to change their zoning. So, for me,
 21 I'm glad that you're coming before us now.

22 DR. RAKOFSKY: Thank you. Yeah, I'm coming
 23 here before you because I think that -- First
 24 of all, I love the City of Coral Gables, and
 25 you guys, too, otherwise you wouldn't be on the

1 MR. AIZENSTAT: Is the applicant here?

2 MR. RIEL: Yes.

3 MR. CARLSON: Yes, the applicant is here.

4 MR. AIZENSTAT: Would you come up, please?

5 CHAIRMAN KORGE: Hi. Would you like to
 6 make your presentation before we question you?

7 DR. RAKOFSKY: Yes, please question me.

8 Good evening, gentlemen. I'm Dr. Rakofsky.
 9 I've lived in Coral Gables for the past 38
 10 years, and the past 25 at 37 Arvida Parkway. I
 11 practice medicine in Coral Gables, right across
 12 the street, the 401 Building, the round
 13 building. I've been in there for 38 years,
 14 practicing ophthalmology.

15 As you know, I also own property in Coral
 16 Gables, the Andalusia property, and I'm happy
 17 to say that Staff suggested that I come here,
 18 for my request to change the zoning from mid
 19 intensity to high intensity, because, as you
 20 know, all of the garages on the north side of
 21 Andalusia have been changed to high intensity,
 22 and to the west of me, we've got Publix, which
 23 the entire building is high intensity. To the
 24 east, we have the Ponce de Leon, then we have,
 25 across the street, the First Union and Wachovia

1 Board. And I have a vision, like we all do. I
 2 think Coral Gables is a great city, and it's
 3 going to be greater. And knowing that there
 4 are plans to do something on the 200 garage, I
 5 would like to join in with the City on
 6 something like that, in a -- now, I'm being
 7 very visionary, now. I really think in terms
 8 of George Merrick with the Venetian concept,
 9 all the Mediterranean buildings, and having two
 10 of them together, being built together, and
 11 maybe an archway, like the Ponte Vecchio they
 12 have in Florence, something like that. So I
 13 know I'm just pipe dreaming, but I would like
 14 to get involved with the City, and I think now
 15 is the time, since you're making the changes, I
 16 saw all that, I got copies of it, and I
 17 figured, well, let me go, also, and see if I
 18 can do the same thing.

19 CHAIRMAN KORGE: Any other questions of the
 20 applicant?

21 MR. BEHAR: No.

22 CHAIRMAN KORGE: Hearing none, I'll take a
 23 motion or open it for discussion.

24 MR. BEHAR: Yeah, I'm opening it for
 25 discussion. I -- This is again -- I mean, I'm

1 glad you're coming forward, but this is again,
 2 we look -- we're looking at this whole sector
 3 in pieces. I think that, if we had all the old
 4 property owners like you come forward, I think
 5 we would make a much better --

6 DR. RAKOFSKY: I agree.

7 MR. BEHAR: -- you know, decision, in
 8 order -- I'm in favor of doing it. I just --
 9 Again, there's no method of being able to --

10 You know, Eric, any --

11 MR. RIEL: And that was actually an issue
 12 that was brought up by the Commission at
 13 yesterday's meeting, when the other property
 14 came through. They actually asked the Manager
 15 to schedule an upcoming meeting or workshop to
 16 talk about the area in general, the CBD, in
 17 terms of, you know, development of a Master
 18 Plan, or to look at, you know, from a holistic
 19 basis, the area from Almeria north. So that's
 20 in motion.

21 MR. BEHAR: Okay.

22 CHAIRMAN KORGE: Any other discussion or
 23 questions?

24 MR. BEHAR: If there's none, I make a
 25 motion to approve.

1 application. At last month's -- Last month,
 2 the Board approved a change of zoning for
 3 University-owned properties, from UMCAD to
 4 University Campus District, or UCD.

5 At that meeting, Staff informed the Board
 6 that a change of zoning for private properties
 7 which are located within the campus, being the
 8 fraternity properties and the religious
 9 institutional properties, would be made at this
 10 month's Board meeting.

11 This change would bring these private
 12 properties into compliance with their existing
 13 University Campus land use designation. With
 14 this change, there are seven fraternities and
 15 five religious institutions included in this
 16 change of zoning. Currently, the fraternities
 17 are zoned single-family residential, and the
 18 religious institutional -- institutions are
 19 zoned UMCAD, which remains from the previous
 20 UMCAD zoning designation.

21 All 12 of these properties would be rezoned
 22 to the University Campus District designation,
 23 or the UCD designation, similar to the
 24 University-owned properties which surround
 25 them.

1 CHAIRMAN KORGE: There's a motion to
 2 approve.

3 MR. SALMAN: I'll second it.

4 CHAIRMAN KORGE: Seconded. No further
 5 discussion? Let's call the roll, please.

6 MS. MENENDEZ: Jeff Flanagan?

7 MR. FLANAGAN: Yes.

8 MS. MENENDEZ: Javier Salman?

9 MR. SALMAN: Yes.

10 MS. MENENDEZ: Eibi Aizenstat?

11 MR. AIZENSTAT: Yes.

12 MS. MENENDEZ: Robert Behar?

13 MR. BEHAR: Yes.

14 MS. MENENDEZ: Tom Korge?

15 CHAIRMAN KORGE: Yes.

16 DR. RAKOFSKY: Thank you very much.

17 CHAIRMAN KORGE: Our next item is a change
 18 of zoning in the University of Miami Campus
 19 boundaries. This a City-initiated change of
 20 zoning for certain privately-owned properties
 21 within the boundaries, bounded -- in the area
 22 generally bounded by Levante Avenue, Red Road,
 23 Mataro Avenue, and San Amaro Drive.

24 MR. CARLSON: The second item which is
 25 before you this evening is a change of zoning

1 This change of zoning is City-initiated,
 2 and the Planning Department is recommending
 3 approval of this application. Each of these 12
 4 properties were sent a certified letter,
 5 notifying them of this, of this proposal, and
 6 for the record, I would like to submit the
 7 receipts, the certified letter receipts.

8 CHAIRMAN KORGE: Thank you.

9 MR. CARLSON: I would also like to note
 10 that each one of these properties was posted
 11 and that there were courtesy notices mailed to
 12 all property owners within a thousand feet of
 13 these properties, and at the back of your
 14 report, you can note -- I hope you can note
 15 that there was only one returned, and that was
 16 no objection.

17 That concludes Staff's presentation.

18 CHAIRMAN KORGE: Thank you.

19 Is anybody here representing the
 20 University? Would you like to speak to this?

21 UNIDENTIFIED WOMAN: We're not the
 22 applicant.

23 CHAIRMAN KORGE: I know you're not the
 24 applicant. I didn't know if you wanted to say
 25 anything before we -- No?