

CITY OF CORAL GABLES  
LOCAL PLANNING AGENCY (LPA)/  
PLANNING AND ZONING BOARD MEETING  
VERBATIM TRANSCRIPT  
CORAL GABLES CITY HALL  
405 BILTMORE WAY, COMMISSION CHAMBERS  
CORAL GABLES, FLORIDA  
THURSDAY, APRIL 12, 2018, COMMENCING AT 6:03 P.M.

8 Board Members Present:

- 9 Eibi Aizenstat, Chairman
- 10 Robert Behar
- 11 Maria Menendez
- 12 Marshall Bellin
- 13 Maria C. Velez
- 14 Julio Grabiell

14 City Staff and Consultants:

- 15 Ramon Trias, Planning Director
- 16 Craig Collier, Special Counsel
- 17 Jennifer Garcia, City Planner
- 18 Arceli Redila, Principal Planner
- 19 Paula Roldos, Principal Planner
- 20 Jill Menendez, Administrative Assistant, Secretary

19 Also Participating:

- 20 Dennis Kerbel, Assistant County Attorney,  
on behalf of Item 6
- 21 Jorge Navarro, Esq., on behalf of Items 5 and 6
- 22 Doug Lerner
- 23 Mike Sardinias, Architect
- 24 Mike Marrero, Traffic Engineer
- 25 Vickie Busot
- 26 Maria Bermudez

I also ask that, any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance Number 2006-11 must register with the City Clerk prior to engaging in lobbying activities or presentations before City Staff, Boards, Committees and/or Commission. A copy of the Ordinance is available in the Office of the City Clerk. Failure to register and provide proof of registration shall prohibit your ability to present to the Board.

As Chair, I now officially call the City of Coral Gables Planning and Zoning Board of April 12, 2018 to order. The time is 6:03.

Jill, if you'd please call the roll.

THE SECRETARY: Jolie Balido-Hart?

Robert Behar?

MR. BEHAR: Here.

THE SECRETARY: Marshall Bellin?

MR. BELLIN: Here.

THE SECRETARY: Julio Grabiell?

MR. GRABIELL: Here.

THE SECRETARY: Maria Menendez?

Maria Velez?

MS. VELEZ: Here.

THE SECRETARY: Eibi Aizenstat?

1 THEREUPON:

(The following proceedings were held.)

CHAIRMAN AIZENSTAT: Let's go ahead and get started, please. We have a quorum. We're expecting one more Board Member, but this way we can just get a head start on this.

Good evening. I'd like to call the meeting to order. I'd like to ask that everybody please turn off their cell phones, electronic devices or put them on silent at this time.

The 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 Board Members 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 may request a continuance or allow the application to proceed to the City Commission without a recommendation.

CHAIRMAN AIZENSTAT: Here.

Please be advised that this Board is a quasi-judicial board and the items on the agenda are quasi-judicial in nature, which requires Board Members to disclose all ex parte communications and site visits. An ex parte communication is defined as any contact, communication or conversation, correspondence, memorandum or other written or verbal communication that takes place outside 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 must state on the record whether the ex parte communication and/or site visit will affect the Board Member's ability to impartially consider

1 the evidence to be presented regarding the  
2 matter. The Board Member should also state  
3 that his or her decision will be based on  
4 substantial competent evidence and testimony  
5 presented on the record today.

6 Does any Board Member have such  
7 communication or site visit to disclose?

8 MR. BEHAR: No.

9 MS. MENENDEZ: No.

10 CHAIRMAN AIZENSTAT: If we could please  
11 note that we were joined by Maria Menendez.  
12 Thank you.

13 MS. MENENDEZ: Hi, everybody.

14 CHAIRMAN AIZENSTAT: Everybody that would  
15 like to speak tonight, if you would please  
16 stand up to be sworn in.

17 (Thereupon, the participants were sworn.)

18 CHAIRMAN AIZENSTAT: Thank you. The first  
19 item --

20 MR. BELLIN: I'd like to get an opinion  
21 from Craig.

22 CHAIRMAN AIZENSTAT: Okay. Do you want to  
23 turn on your mike, just in case?

24 MR. BELLIN: Craig, I did a study --

25 MR. COLLER: I'm having trouble hearing

5

1 Call the roll, please.

2 THE SECRETARY: Robert Behar?

3 MR. BEHAR: Yes.

4 THE SECRETARY: Marshall Bellin?

5 MR. BELLIN: Yes.

6 THE SECRETARY: Julio Grabiell?

7 MR. GRABIEL: Yes.

8 THE SECRETARY: Maria Menendez?

9 MS. MENENDEZ: Yes.

10 THE SECRETARY: Maria Velez?

11 MS. VELEZ: Yes.

12 THE SECRETARY: Eibi Aizenstat?

13 CHAIRMAN AIZENSTAT: Yes.

14 If you would please read the first item  
15 into the record.

16 MR. COLLER: Item Number 5, a Resolution of  
17 the City Commission of Coral Gables, Florida  
18 granting conditional use approval pursuant to  
19 Zoning Code Article 3, "Development Review,"  
20 Division 4, "Conditional Uses," for medical use  
21 on property zoned Commercial Limited District  
22 legally described as the Lots 8 and 9, 1 thru  
23 5, 42 thru 50 & West 1/2 of Lot 41, Block 22,  
24 Coral Gables Flagler Street Section, Coral  
25 Gables, Florida; including required conditions;

7

1 you. Let's make sure your mike is on.

2 Okay. There we go.

3 MR. BELLIN: Can you hear me?

4 MR. COLLER: Yeah, I can hear you.

5 MR. BELLIN: I did a study for this site  
6 for the present owner of it. Would  
7 that affect --

8 MR. COLLER: You did a study of this site  
9 for a previous owner of the property?

10 MR. BELLIN: I don't know if he's still the  
11 owner or not.

12 MR. COLLER: Oh, but not related to this  
13 project?

14 MR. BELLIN: No.

15 MR. COLLER: That's perfectly fine. That  
16 would not be viewed as a conflict.

17 MR. BELLIN: Okay.

18 CHAIRMAN AIZENSTAT: Okay. Thank you.

19 MR. BEHAR: Mr. Chair, how about if we make  
20 a motion to approve the minutes?

21 CHAIRMAN AIZENSTAT: That would be great.

22 MR. BEHAR: I make a motion for approval.

23 MS. VELEZ: Second.

24 CHAIRMAN AIZENSTAT: Second? Any comments  
25 or questions? No?

6

1 providing for a repealer provision, providing  
2 for a severability clause, and providing for an  
3 effective date. Item Number 5, public hearing.

4 MR. TRIAS: May I have the PowerPoint,  
5 please?

6 Mr. Chairman, we have a request for a  
7 Conditional Use for a medical facility, and as  
8 you'll recall, recently -- I think, recently  
9 the Code was changed to require Conditional Use  
10 for medical uses in Commercial Limited  
11 regardless of the size. Prior to that, there  
12 was a minimum size that you had to do it, but  
13 the reason we're here is because of that Code  
14 change. Now, the parcel is located north of  
15 Eighth Street, and Galiano is the other street  
16 in the intersection, and currently it has a one  
17 story building, a Commercial building, and a  
18 parking lot.

19 The interesting thing about the Zoning and  
20 the Land Use is that the Commercial Zoning is  
21 in the front half of that parcel, and then the  
22 parking, the existing parking lot on Galiano,  
23 is actually zoned Single-Family. In addition,  
24 there's a small portion of the site, as  
25 proposed, which has a house right now --

8

1 currently has a house and is also zoned  
2 Single-Family. Now, you can see that in some  
3 detail.

4 So the request does not include any change  
5 to the Land Use or the Zoning. It will remain  
6 the same. And the idea is that given the fact  
7 that there's already parking taking place on  
8 that portion of the site, which is zoned  
9 Single-Family, that will be acceptable. And  
10 the actual building, the building that they are  
11 proposing, is fully located within the  
12 Commercial Limited portion of the site; so,  
13 therefore, the Conditional Use request.

14 The current conditions are fairly  
15 well-known and visible through the City, and,  
16 again, there's only one request, Conditional  
17 Use with Site Plan review.

18 The architect will go into -- or the  
19 applicant will go into some detail in the  
20 actual layout and design, but I would be  
21 summarizing it by saying that they have located  
22 the building in the corner and that it does  
23 address Eighth Street very nicely, with an  
24 arcade and the lobby, and then parking is  
25 mostly behind and on the side, and it's also

9

1 that is right next to residential. So that's  
2 one of the unique features of the project.

3 Now, the project or the request was  
4 noticed, according to Code, two times letters  
5 to property owners. The property was posted.  
6 There were two postings on the website and  
7 there was one newspaper advertisement for this  
8 meeting tonight.

9 The Staff recommends approval with  
10 conditions, and the conditions will have to be  
11 refined a little bit in this case, because  
12 given the fact that it is a County agency that  
13 is applying, this is not a developer, per se, I  
14 think that there will be more of a  
15 collaboration, in terms of the way that some  
16 things are implemented, particularly the  
17 improvements that we described on Galiano. I  
18 think it is likely that some of that will be  
19 done by the City.

20 We described it in the context of the  
21 project, as we typically do with a private  
22 developer, but in this case, I think the  
23 implementation will be a little bit different.  
24 And also the condition of the art in public  
25 places may be a little bit too specific. I

11

1 buffered with some very well-designed landscape  
2 e.

3 The architecture, as you can see, follows  
4 an appropriate style and proportions for the  
5 City of Coral Gables, and that is the view from  
6 the corner at Galiano and Eighth Street. That  
7 will be the frontage along Eighth Street, which  
8 has the arcade, and there's also a bus stop --  
9 there's a variety of related activities that  
10 take place on that street, and that's the full  
11 design for the Site Plan. As you can see, the  
12 building is at the corner, and then the rest of  
13 it is parking, that is buffered with landscape  
14 and walls and other design features.

15 Now, the Single-Family lot is the one  
16 that's shown in this Site Plan, as I go back  
17 and forth. That is the additional parking that  
18 they are building currently in a lot that has a  
19 house at this point. You may wonder why, and  
20 the issue is that in order to fulfill the  
21 parking requirements, they needed that number  
22 of extra parking spaces. So the applicant can  
23 explain that in some more detail, but that does  
24 have some consequences, in terms of the overall  
25 design of that block, as there's some parking

10

1 think that the only issue here is that art in  
2 public places is required, and we need to  
3 figure out the details, as far as the  
4 contribution, given the fact that the County  
5 and the City both have a program, and we need  
6 to finalize that language. We're not ready to  
7 finalize it tonight. We're still discussing  
8 it. So those are the only outstanding things.

9 I think that's the end of my presentation,  
10 and if you have any questions -- I believe that  
11 the applicant will make a presentation after  
12 me.

13 Thank you.

14 CHAIRMAN AIZENSTAT: Thank you. If the  
15 applicant could please step forward.

16 MR. KERBEL: Good evening, Mr. Chair and  
17 Members of the Commission. My name is Dennis  
18 Kerbel. I am an Assistant County Attorney,  
19 proud to represent Jackson Health Systems, and  
20 I'm also joined by co-counsel, Jorge Navarro.

21 I wanted to just explain briefly, this is a  
22 little bit different of a project than what  
23 you're used to seeing, because this is a  
24 governmental facility. This is going to be  
25 owned and operated by Jackson Health Systems as

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1 a public urgent center. And so the City  
2 Commission, in January, passed Resolution  
3 2018-17, which noted that when you have a  
4 governmental facility application, we're going  
5 through your entire review process, but it's  
6 not quasi-judicial, it's a balancing of  
7 interest issue, and so there's a little bit  
8 more flexibility that's afforded, because of  
9 the governmental relationships, and, more  
10 specifically, we are not held to the  
11 limitations on ex parte communications.  
12 Although, since that has been an issue thus  
13 far, I just wanted to present that this is kind  
14 of a unique setting legally.

15 And we are in full support of the Staff's  
16 recommendation and thank Mr. Trias and his  
17 Staff, the Director, for their hard work on  
18 this project. And the conditions that he  
19 mentioned a moment ago that need massaging,  
20 we'll be working those out between now and the  
21 City Commission.

22 And with that, I'm going to turn it over to  
23 Doug Lerner, who will talk to you a little bit  
24 about Jackson, Mike Sardinias, who is the  
25 architect, who can explain the layout of the

13

1 looking, under the direction of Carlos Migoya,  
2 our CEO at Jackson, for an opportunity in the  
3 City of Coral Gables. Our analysis, by those  
4 that undertake the strategic planning  
5 initiatives, have determined that the City of  
6 Coral Gables was a unique opportunity to offer  
7 not only urgent care services, but also the  
8 addition of medical office space.

9 As you will see tonight in the more  
10 detailed presentation from our architect, what  
11 we are proposing on this particular site is a  
12 two-story, approximately 9,400 square foot  
13 building. The first floor will house an urgent  
14 care center, that will be open from 8:00 a.m.  
15 to 8:00 p.m., seven days a week, and the second  
16 floor will house medical -- traditional medical  
17 office space, with a number of primary care and  
18 specialty doctors, that will work with us in  
19 conjunction with the University of Miami  
20 Medical School.

21 The property is currently under option to  
22 purchase, conditioned upon receiving the  
23 requisite approvals from the City. We have  
24 worked very hard with Ramon and his staff to  
25 get to a solution that we believe will

15

1 plan, and then Mr. Navarro will close it out  
2 with some other descriptions of the project and  
3 the community outreach that's been done so far,  
4 and I'm also available to answer any questions.

5 So thank you.

6 MR. LERNER: Good evening. My name is Doug  
7 Lerner. I'm a real estate consultant for  
8 Jackson Health System. And as you may or may  
9 not know, the last three to four years, Jackson  
10 has undertaken initiatives strategically to  
11 open up a number of urgent care centers  
12 throughout Miami-Dade County.

13 MR. COLLIER: Could you give your office  
14 address, for the record, please?

15 MR. LERNER: My office address?

16 MR. COLLIER: Yes.

17 MR. LERNER: 2077 S.E. Talbot Place,  
18 Stuart, Florida 34997.

19 MR. COLLIER: Thank you.

20 MR. LERNER: Sure.

21 Those initiatives have resulted in opening  
22 urgent care centers in Country Walk, Cutler  
23 Bay, North Miami and one under construction in  
24 the City of Doral.

25 For the past two years, we have been

14

1 accomplish our business goals and strategy, and  
2 also be something for the City of Coral Gables  
3 to be quite proud of.

4 We've met with the neighbors. We've heard  
5 some of their concerns, which Jorge will go  
6 into in a little bit, but we're excited about  
7 the opportunity and look forward to your  
8 comments, and moving forward. Thank you.

9 Mike. Jorge or Mike.

10 MR. SARDINAS: Good evening. My name is  
11 Mike Sardinias, partner at Gresham Smith and  
12 Partners. The address is 2 Alhambra Plaza,  
13 Suite 1200.

14 I'm going to go into a brief description.  
15 I think Ramon kind of described the basis of  
16 the project, but I'll just walk you through  
17 briefly, and if you have any questions, stop me  
18 at any point.

19 So the project basically is a corner  
20 infill. You can see, from the location, the  
21 idea is to fill in the corner and allow the  
22 interiors to develop with the parking,  
23 addressing on Eighth Street, which I think is  
24 in need of re-development, this whole district.  
25 So hopefully this will be a seed for that

16

1 process to begin.  
 2 There is a continuous loggia that wraps  
 3 into the facility, kind of serving as a  
 4 pedestrian gateway into the property, and also  
 5 an urban gesture to the street. The interior  
 6 has an interior plaza, which transitions from  
 7 the parking into the building. There are  
 8 entrances, both from the parking area from the  
 9 back, and also from the street, access through  
 10 the loggia.

11 As Douglas had mentioned earlier, the  
 12 ground floor is basically the urgent care  
 13 facility, and the second floor is a primary  
 14 care clinic, basically the same footprint on  
 15 both floors.

16 All right. I'm going to jump into -- these  
 17 are floor plans. If you have specific  
 18 questions, I'll be glad to answer them.

19 Basically, the corner image, again, this is  
 20 from the east side looking at the building from  
 21 Eighth Street, and on the interior sides, one  
 22 of the ideas was, since it is at a distance but  
 23 facing kind of the residential area, we've  
 24 tried to limit the fenestrations on the north  
 25 side of the building, in order to address that.

17

1 So you'll see that the building is a little  
 2 more solid on the back side and the north  
 3 street side and it's a little more transparent  
 4 towards the street side.

5 If you have any questions, I'll be glad to  
 6 answer them.

7 MR. BEHAR: Mr. Chair, can I ask the  
 8 architect a question?

9 CHAIRMAN AIZENSTAT: Yes. Please.

10 MR. BEHAR: Correct me if I'm wrong, the  
 11 site is about 41,000 square feet, and the  
 12 permitted FAR is 3.0, so it's about 120,000,  
 13 thereabout --

14 MR. SARDINAS: That's correct.

15 MR. BEHAR: And you guys are doing a total  
 16 of 9,400?

17 MR. SARDINAS: Yeah, it's 10,000 -- a  
 18 little bit over 10,000, including loggias,  
 19 gross square footage.

20 MR. BEHAR: Okay.

21 MR. SARDINAS: So, yes, we're way under the  
 22 FAR, correct.

23 MR. BEHAR: Okay. Thank you.

24 CHAIRMAN AIZENSTAT: Could you go -- you  
 25 have a Plan A and Plan B.

18

1 MR. SARDINAS: That's correct.  
 2 CHAIRMAN AIZENSTAT: Could you elaborate?  
 3 MR. SARDINAS: Absolutely.  
 4 So the Site Plan -- really, it's a Site  
 5 Plan option. The plan of the building  
 6 otherwise doesn't change, but -- so we have a  
 7 solution, which we've labeled it Site Plan A,  
 8 and this essentially -- which is one of the  
 9 things that Ramon mentioned earlier is, the  
 10 difference is the Single-Family lot. One,  
 11 which is this particular property, is using it  
 12 for parking for the staff of the facility, and  
 13 the Option B obviously does not have that lot  
 14 as part of the project.

15 CHAIRMAN AIZENSTAT: Okay.

16 MR. NAVARRO: And through the Chair, if I  
 17 could elaborate on your question. I think it's  
 18 a very good question.

19 For the record, Jorge Navarro, with office  
 20 at 333 S.E. 2nd Avenue.

21 The first option, without the Single-Family  
 22 home being converted into parking, was our  
 23 original Site Plan. We've done some  
 24 neighborhood outreach, and spoken to some of  
 25 the neighbors in the area. The neighbors

19

1 directly west of Ponce unfortunately had to  
 2 deal with another medical office building that  
 3 was grandfathered, had little to no parking,  
 4 and was creating an impact for them.

5 And as part of our neighborhood meeting and  
 6 discussions with some of the neighbors in the  
 7 area, we became aware that parking was a big  
 8 issue for them, and we were sensitive to that,  
 9 so we went ahead and -- the northern part of  
 10 this block already has several surface parking  
 11 lots that exist. It's not a Single-Family  
 12 neighborhood on the north side of this block.  
 13 There's multi-family buildings and surface  
 14 parking.

15 So what we did is that we acquired that lot  
 16 and we are converting it to additional parking.  
 17 We've also provided extensive landscape  
 18 buffers. If you go through that street today,  
 19 you can pretty much hop over the existing hedge  
 20 that's there. So we're providing an eight-foot  
 21 hedge along the northern property line, and  
 22 we've set back the parking ten feet from our  
 23 property line. So we're setting the parking  
 24 back.

25 I think it's going to help to beautify the

20

1 area, and when you drive by, you won't even  
2 know the parking is tucked in there, but most  
3 importantly is that we wanted to be sensitive  
4 to the neighbors, and we heard their concerns  
5 regarding parking, and as a result of that,  
6 we're now providing surplus parking for our  
7 facility.

8 Something else that we're doing, and Mike  
9 could go into this is, the neighbors were also  
10 having issues with the medical office building  
11 having loading on the street. I guess they  
12 didn't have proper loading. We're not  
13 expecting any kind of bus traffic or anything,  
14 but we did have an internalized drop-off zone,  
15 just in case somebody -- it's an urgent  
16 situation, you know, when it comes to saving  
17 time matters, so if there is a situation where  
18 somebody needs to be dropped off by their  
19 driver, in a situation like that, we have a  
20 dedicated drop-off that's all internalized to  
21 our site.

22 MR. LERNER: Excuse me, if I can just add  
23 one more thing. We were sensitive enough to  
24 that issue. There is no access off the  
25 residential street into that parking.

21

1 expect to be just employee parking, since it's  
2 the one furthest from the urgent care center,  
3 that it would be -- it results in like about  
4 three or four surplus parking spaces, which I  
5 think the people in the neighborhood were very  
6 happy with -- I apologize, eight surplus  
7 parking spaces.

8 MR. SARDINAS: Just for clarification, this  
9 is actually providing eight additional spaces,  
10 but for the total parking count, we are  
11 above -- three parking spaces above the  
12 requirements.

13 MR. BEHAR: So your Option One, you meet  
14 all of your requirements?

15 MR. SARDINAS: This -- this --

16 MR. BEHAR: The other one.

17 MR. SARDINAS: This solution, we're short  
18 on parking.

19 MR. BEHAR: You're short?

20 MR. SARDINAS: Yes.

21 MR. BEHAR: How many are you short there?

22 MR. SARDINAS: They're short five spaces.

23 MR. BEHAR: Five spaces?

24 MR. SARDINAS: Yes, uh-huh.

25 MR. BEHAR: And you cannot re-configure

23

1 Everything comes in off of Galiano or Eighth  
2 Street, okay, and we strongly believe that  
3 additional parking is needed. Thank you.

4 MR. KERBEL: That concludes our  
5 presentation and we are available to answer any  
6 questions. I would like to reserve a couple of  
7 moments --

8 MR. COLLER: Mr. Kerbel, I think you failed  
9 to identify your address, and I apologize for  
10 not asking it earlier.

11 MR. KERBEL: I'm sorry, yes, 111 Northwest  
12 First Street, Suite 2810, Miami, Florida 33128.

13 CHAIRMAN AIZENSTAT: Thank you.

14 MR. GRABIEL: I have a question. Do you  
15 comply -- with the additional site, are you  
16 right at the requirement for parking for the  
17 building or are you above or beyond? Where are  
18 you?

19 MR. NAVARRO: So currently we understood,  
20 in working with Public Works through this  
21 process, that the site could be designed a  
22 little bit more efficiently to provide  
23 additional parking, but we do fall a little bit  
24 short. That's why that site is so important.  
25 But as a result of having that site, which we

22

1 that to be sufficient parking there? I mean, I  
2 like the idea of the surplus parking, but you  
3 cannot -- because I see a lot of landscaped  
4 area that perhaps could be, you know, re-worked  
5 so you could accommodate a few more spaces and  
6 you would not be short.

7 MR. NAVARRO: Yeah, and that's a great  
8 question. One of the things we did originally  
9 was, we had the right amount of spaces, but  
10 when we set back the parking to provide a real  
11 deep landscape buffer, we kind of ate into the  
12 space that we had, and it kind of generated  
13 that issue for us.

14 MR. TRIAS: Mr. Chairman --

15 MR. NAVARRO: I'm sure if we reduced the  
16 amount of landscape buffer, but we wanted to --

17 MR. BEHAR: Okay. All right. But that's  
18 something that could be done.

19 CHAIRMAN AIZENSTAT: Yes, Ramon.

20 MR. TRIAS: If I could address Mr. Behar's  
21 comment.

22 The drop-off area makes the parking lot a  
23 little bit less efficient, and can you point to  
24 the drop-off -- yeah.

25 MR. SARDINAS: So this is the drop-off area

24

1 here.

2 MR. TRIAS: So that is one of the reasons

3 why they have a less sufficient parking design,

4 because they want to have that drop-off zone.

5 MR. BEHAR: No, I think looking at the

6 building on Ponce de Leon north of Eighth

7 Street, it's a nightmare, because they drop off

8 in the middle of the street.

9 MR. TRIAS: Yeah.

10 MR. BEHAR: I think this is a great

11 solution, because you're going to take the cars

12 off the street and you're going to bring them

13 into the lot, you know.

14 MR. KERBEL Yes, we designed it, because we

15 knew you were sensitive to the parking

16 situation, and that's why --

17 MR. BEHAR: And by the way, the architect

18 did a great job placing the building the way he

19 did. I like the way it addresses the street,

20 both on Galiano and Eighth Street. Very good

21 job.

22 MR. GRABIEL: I have another question.

23 Just looking at the area, I see that there is a

24 parking lot next to this one here.

25 MR. SARDINAS: There is currently a lot

1 more green.

2 MR. TRIAS: A setback would be 25 feet for

3 a house.

4 MR. GRABIEL: Okay. To match at least the

5 25 feet, and I understand that, in the corner,

6 that's tough, because that's where the majority

7 of your parking is, but I wonder if in the

8 existing house Site Plan, we could have a

9 little bit more green to match the site next

10 door.

11 MR. TRIAS: In terms of Code compliance,

12 they do have three extra parking spaces and

13 they do have some flexibility, if you would

14 like to recommend more green space in that

15 area.

16 MR. GRABIEL: And, also, they're adding now

17 the parking on Galiano, right, the on-street

18 parking?

19 MR. SARDINAS: The on-street parking,

20 that's right.

21 MR. TRIAS: That is one of the

22 recommendations that we need to implement

23 together.

24 MR. NAVARRO: That's one of the issues that

25 we'll work out.

1 here.

2 MR. GRABIEL: Yeah. Now, they look to have

3 a very deep green space in front of it, between

4 it and the street. Are you matching it or --

5 theirs looks deeper than what you have. The

6 green space here, in front of that parking lot,

7 looks to be deeper than what you're proposing

8 in there.

9 MR. SARDINAS: This is the ten-foot buffer

10 that's required in residential areas. So this

11 is actually the ten-foot buffer. We have a

12 little bit more of an area here, because of the

13 way the parking is configured, so it actually

14 doubles --

15 MR. GRABIEL: So how much is the narrower

16 portion?

17 MR. SARDINAS: This is ten feet.

18 MS. VELEZ: Ten feet.

19 MR. GRABIEL: That's all that's required

20 for a residential front lawn setback? No?

21 MR. TRIAS: Not the setback. It says, for

22 the buffer, for the parking.

23 MS. VELEZ: The buffer.

24 MR. GRABIEL: Yeah, a buffer. No, but I'm

25 just saying that I would have preferred to see

1 MR. KERBEL: I just want to point out --

2 I'm sorry, Mr. Grabiel -- it appears from the

3 aerial that the parking lot next door has the

4 same width buffer that we're proposing. In

5 fact, we're proposing a little bit more. We're

6 proposing double on that corner. So I think we

7 match -- I think the original question was, do

8 we match the parking lot, which we do?

9 MR. GRABIEL: To me it looks like it's

10 narrower, but I don't have a measuring -- I

11 would love to see at least the same amount of

12 green that the parking lot next door has, to

13 continue that edge of green, even if you lose

14 one parking space. It will make a difference.

15 MR. KERBEL: We'll certainly explore that.

16 CHAIRMAN AIZENSTAT: If I may, before we

17 continue with the questions, I don't know if

18 there's anybody here from the public that would

19 like to speak on this item.

20 THE SECRETARY: Yes. We have one speaker.

21 CHAIRMAN AIZENSTAT: One speaker?

22 THE SECRETARY: Yes. She needs to be sworn in.

23 CHAIRMAN AIZENSTAT: Okay. Would you call

24 that speaker, please?

25 THE SECRETARY: Vickie Busot.

1 CHAIRMAN AIZENSTAT: Were you sworn in.,  
 2 ma'am?  
 3 MS. BUSOT: I wasn't.  
 4 (Thereupon, the participant was sworn.)  
 5 MS. BUSOT: I do.  
 6 CHAIRMAN AIZENSTAT: Thank you. If you  
 7 could state your name and address, please.  
 8 MS. BUSOT: My name is Vickie Busot, and  
 9 our house is at 117 Boabadilla.  
 10 We moved here from Chicago in 2014, and the  
 11 first thing we noticed was -- I mean, it's a  
 12 beautiful neighborhood. We love our  
 13 neighborhood. It's quaint. It's different.  
 14 It's typically old Coral Gables. It's a gem of  
 15 a neighborhood. We absolutely love it.  
 16 But that nightmare on the corner of  
 17 Northwest Eighth -- or Southwest Eighth Street  
 18 and Ponce de Leon, that place is an absolute  
 19 nightmare. They use our neighborhood for a  
 20 parking lot. I'm sorry -- they were using our  
 21 neighborhood for a parking lot. There are  
 22 clinic vans parked in our neighborhood. They  
 23 throw garbage everywhere. We had to petition  
 24 for residents only parking, and people still  
 25 parked in our neighborhood. It's just, they

1 neighborhood, and the reason we like it is that  
 2 you can take the trolley to Downtown Coral  
 3 Gables. We really weren't looking for like a  
 4 Pinecrest or anything like that. We realize  
 5 it's kind of urban, and we like that.  
 6 So we're happy that they're following the  
 7 rules, that they're not going to be renting it  
 8 to third parties, that they're going to have  
 9 adequate parking, that they're not going to be  
 10 dropping off on Eighth Street or on Galiano.  
 11 So we really -- I don't have any  
 12 complaints. I don't have any objections. I  
 13 can't say that I represent anyone from the  
 14 neighborhood. They are -- I did send them an  
 15 e-mail. They are aware that I'm here and no  
 16 one has really voiced any other objections, but  
 17 I don't represent the neighborhood or anything  
 18 like that, and that's all I have to say.  
 19 CHAIRMAN AIZENSTAT: Thank you for coming.  
 20 Thank you.  
 21 Do we have anybody else? No? At this  
 22 time, we'll close it to the floor. Any  
 23 questions?  
 24 MS. MENENDEZ: I have questions. I have a  
 25 question to the City Attorney. The Ordinance

1 don't have enough parking.  
 2 So we were very heartened when they called  
 3 us in and they showed us the plans. We realize  
 4 that they could have made a bigger building.  
 5 We're happy that they're going to have enough  
 6 parking. One of the issues that we were having  
 7 on the existing -- the businesses on Southwest  
 8 Eighth Street and Ponce, is that all kinds of  
 9 people park in that parking lot. It's actually  
 10 being used as a commercial parking lot, and  
 11 it's leased to third parties, and they've  
 12 assured us that they would not be leasing their  
 13 parking lot to third parties, that they would  
 14 only be using it for their function and what  
 15 they need to be doing. So we were very happy  
 16 about that.  
 17 And we're also happy about the buffering  
 18 zones, and we're happy about the greenery, the  
 19 buffer zones I guess you would call them. We  
 20 realize that they can have a parking lot in  
 21 that area and no one wants to live with a  
 22 parking lot in their midst, but we figured, if  
 23 it's pretty, if it's landscaped, if it's  
 24 buffered, there really is no problem.  
 25 That's kind of an urban little

1 that was provided as part of the package, which  
 2 made reference to the surface lot, basically  
 3 says that it was in connection with the office  
 4 building. I imagine that the Zoning changed  
 5 for Lots 1 and 5. I'm not sure if it was the  
 6 actual parking area, because, from what I see  
 7 from the Zoning Code, the Zoning Map still  
 8 shows the parking area to the north as being  
 9 Single-Family residence, yet the Ordinance that  
 10 was passed back in '69 makes reference to the  
 11 parking, but being connected with the office  
 12 building.  
 13 So my question to you is, given that the  
 14 office building then changed to a gym and now  
 15 we have a project in front of us that wants to  
 16 also take advantage of that Zoning -- you know,  
 17 Single-Family Zoning for parking, does the  
 18 approval that was done back in '69 still stand  
 19 or does it revert back to the other original  
 20 Zoning, which is Single-Family?  
 21 MR. COLLIER: Ramon, what is the Zoning for  
 22 that, because I understand that that parking  
 23 lot has always been utilized to support the  
 24 Business Zoning, has it not? It's not like  
 25 there's been a change in the years.



1 MR. TRIAS: In this case, yes. I think the  
2 best way to look at it is as an existing  
3 non-conforming use and through the Conditional  
4 Use process and through the balancing of  
5 interest process that we have, the Commission  
6 has the authority to approve it.

7 I think it would be a worse solution to  
8 Re-zone it, given the fact that once it's  
9 Re-zoned, it could be become something else in  
10 the future.

11 MS. MENENDEZ: I'm not advocating it be  
12 Re-Zoned.

13 MR. COLLER: Yeah.

14 MS. MENENDEZ: I'm asking a legal question  
15 as it relates to the rights to claim that they  
16 can continue using it as a parking lot, if, in  
17 fact, the Zoning is Single-Family and this  
18 Ordinance ties it to the Commercial Use that  
19 was enacted back in 1969.

20 MR. COLLER: Let me try to address this  
21 part. This application is a little bit  
22 different than your standard application,  
23 because what you have in this is a governmental  
24 entity coming before you.

25 MS. MENENDEZ: It can be sold. It can be

1 sold.

2 MR. COLLER: No, let me -- just wait.

3 The Florida Courts say that when you have a  
4 governmental entity, you don't apply the  
5 traditional Zoning that you might have for your  
6 City. You balance the interest of the City and  
7 its needs versus the interest of the  
8 governmental entity that's seeking the  
9 particular request.

10 So the traditional rules about a private  
11 person coming forward with a Zoning are a  
12 little bit different. So, in the balancing of  
13 interest test, I believe that the City -- that  
14 you would have the jurisdiction to recommend to  
15 the City Commission that they could approve the  
16 use and be supported by that -- using that  
17 parking lot.

18 I don't know if the Assistant County  
19 attorney wants to weigh in on that, as well.

20 MR. TRIAS: The basic issue, though, is  
21 that the Ordinance that you're talking about is  
22 a historical document, but that is not part of  
23 the approval process today, simply a reference.

24 MS. MENENDEZ: No, I'm making reference to  
25 our Zoning Code Map that illustrates it as

1 Single-Family.

2 MR. TRIAS: Yes.

3 MS. MENENDEZ: It hasn't changed. And what  
4 allowed the parking lot to exist is an  
5 Ordinance that was enacted in 1969. So my  
6 question to the attorney is whether that  
7 Ordinance -- I mean, whether there's still a  
8 right to use as a parking lot, in particular  
9 the lots -- we're talking about the lots north.  
10 We're not talking about the one that's adjacent  
11 to the property that's zoned Commercial.

12 MR. COLLER: Right. Well, I have my own  
13 idea, but let me ask the Assistant County  
14 Attorney if he wants to weigh in on this.

15 MR. KERBEL: Thank you, if I may.

16 Just two brief points. The first is, as  
17 Mr. Coller pointed out, this is a governmental  
18 facility, and so, through this approval, if for  
19 some reason Jackson ultimately were to sell it  
20 to somebody else, they wouldn't be available --  
21 they wouldn't be able to avail themselves of  
22 the same Conditional Use, because it is tied to  
23 the fact that it's a Jackson public hospital.

24 MS. MENENDEZ: But that's not written in  
25 the recommendation that we're asking to approve

1 today. That's not written. We have a  
2 recommendation before us that basically says,  
3 they approve it, and so it doesn't put a  
4 condition as far as it being a government  
5 entity, that it's tied to the government  
6 entity, et cetera, et cetera.

7 MR. COLLER: Well, there is a provision in  
8 recommendation that recognizes that there's a  
9 balancing of interest test between the City and  
10 the County. These are actually part of the  
11 recommendation, and you would be approving it  
12 in accordance with the recommendation of the  
13 Department. So, in fact, that balancing of  
14 interest test is in the recommendation.

15 MR. BEHAR: But it's not a condition for  
16 approval.

17 MR. KERBEL: And we'd be okay with that.

18 MR. COLLER: Oh --

19 MS. MENENDEZ: So we're basically saying  
20 that as long as it's an urgent care in the  
21 hands of Jackson, that it's tied to the  
22 allowable use of a parking lot? Is that what  
23 I'm hearing?

24 MR. KERBEL: Well, the second point that I  
25 wanted to make was that our view had been, when

1 we surveyed this, that the Ordinance approving  
2 the parking sits on top of the Zoning District,  
3 and so it remains allowable. We don't need to  
4 push that issue, because of the Governmental  
5 Facilities Overlay, but we think that the  
6 grandfathering covers the continued use of Lots  
7 1 thru 5 as parking for the Commercial lot.  
8 That had already been --

9 MS. MENENDEZ: But that area has never been  
10 Re-zoned, so -- I'm not an attorney, but I  
11 differ with your opinion.

12 MR. KERBEL: Because you have two  
13 Ordinances, and Ordinances are of equal  
14 dignity. So you have one action that has it  
15 Zoned Single-Family, and that hasn't gone way,  
16 and then you have another Ordinance, so an  
17 action of the same character, that also allows  
18 it to be parking, to serve the other use.

19 And so our view had been that they co-exist  
20 and we can take advantage of that, but  
21 regardless of that, if somebody else comes  
22 along, that's not Jackson, that wants to use  
23 this Site Plan, we're comfortable with a  
24 condition that restricts it only to a public  
25 hospital use.

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1 MR. LERNER: It is not rented out in any  
2 way, shape or form. The building is being  
3 built to house the two functions that I  
4 described.

5 MS. MENENDEZ: But is it tied to the urgent  
6 care --

7 MR. LERNER: No.

8 MS. MENENDEZ: -- or is it -- it's not tied  
9 to the urgent care?

10 MR. LERNER: The urgent care runs from 8:00  
11 a.m. to 8:00 p.m., seven days a week. The  
12 physicians' offices, primary and specialty  
13 doctors, will have normal business hours of  
14 8:30 a.m. to 5:00 p.m.

15 MS. MENENDEZ: Who do they view, just  
16 anyone from the public?

17 MR. LERNER: Absolutely. Absolutely.

18 MS. MENENDEZ: Okay. So it's not just an  
19 urgent care facility. It also has the  
20 component of, you know --

21 MR. LERNER: Second -- of medical offices.

22 MS. MENENDEZ: -- medical offices.

23 MR. KERBEL: But it is still a public  
24 medical facility. That's the one thing that I  
25 wanted -- based on the questions that you're

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1 MS. MENENDEZ: Let me ask you, as far as --  
2 you know, there's a one story building there.  
3 You're coming in with a two-story. The urgent  
4 care is on the first floor. The second level  
5 seems to be more of a private use.

6 MR. LERNER: No.

7 MR. KERBEL: It's not, actually, and I  
8 could have Mr. Lerner --

9 MS. MENENDEZ: Okay. So tell me a little  
10 bit more about the second floor use, because  
11 that's what's driving the number of parking  
12 spaces that you need.

13 MR. KERBEL: Let me have Mr. Lerner, but it  
14 is part of the public hospital use.

15 MR. LERNER: It is medical office space  
16 that will house Jackson physicians and the  
17 University of Miami, our medical school  
18 partner, physicians. It is not to be  
19 considered Dr. Smith taking space in there,  
20 although Dr. Smith may take space, if you  
21 follow what I'm trying to say. So it's Jackson  
22 employee physicians and is --

23 CHAIRMAN AIZENSTAT: It's not rented out.

24 MS. MENENDEZ: But is it tied to the urgent  
25 care use?

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1 asking --

2 MS. MENENDEZ: Anybody can walk in and use  
3 the facility on the second floor?

4 MR. LERNER: Yes, absolutely.

5 MR. KERBEL: I mean, you'd have to make  
6 appointments with the doctors, just like you  
7 would at Jackson, but it's the same  
8 accessibility as the Jackson doctors.

9 MS. MENENDEZ: Okay.

10 MR. LERNER: And there will be a rotation  
11 of primary and specialty doctors,  
12 cardiologists, what have you, orthopedic  
13 surgeons, that will rotate through certain days  
14 of the week. Certain blocks of time, those  
15 physicians will be available to see anybody in  
16 the community.

17 MR. COLLIER: But just so I'm clear, it's  
18 under the auspices of the Public Health Trust?

19 MR. LERNER: Yes, sir.

20 MR. BEHAR: And you don't plan or intend to  
21 lease it out to any --

22 MR. LERNER: None.

23 MS. MENENDEZ: Okay. And how do we control  
24 that, you know, because --

25 MR. KERBEL: If you put a condition --

40

1 because I see -- I understand your concerns,  
2 and, again, since we are pursuing this as a  
3 public hospital, if there were a condition that  
4 says that it remain a public facility, operated  
5 by a governmental entity, I think that would  
6 probably solve our issue.

7 MS. MENENDEZ: Our concern in Coral Gables  
8 is mostly the -- how we treat the  
9 neighboring -- the neighbors that are going to  
10 be impacted by this facility. I didn't see any  
11 traffic study in the report.

12 MR. KERBEL: We have our traffic engineer here.

13 MS. MENENDEZ: We have a narrative -- we  
14 have a narrative, but it's not a traffic study,  
15 and the narrative basically kind of like goes  
16 into comparing what it used to be to what it's  
17 going to be. But, in reality, when you look at  
18 a facility like this, you have to demonstrate  
19 the traffic impact for the area, and I'm not --  
20 I don't think that you should be excluded from  
21 basically demonstrating what the impact is, and  
22 perhaps having to mitigate some of those  
23 impacts.

24 MR. KERBEL: We have not been excluded from  
25 that. We have done that analysis.

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1 very large number of FAR, you would submit a  
2 traffic study, but I think, in this case, we've  
3 done the analysis. I mean, we're going from  
4 29,000 to 9,000 square feet and we're limiting  
5 it to medical office, which is a good  
6 neighborhood use.

7 I live on 87th and Sunset. I have a  
8 medical office building right next to me. I  
9 can tell you, when I'm off to work, there's no  
10 traffic being generated from that building.  
11 When I come home, all of the traffic has  
12 already gone. So I believe --

13 MS. MENENDEZ: Okay. Most of the gym has  
14 equipment, you know, so when you compare the  
15 square footage of a gym to the square footage  
16 of a medical facility, that's not a fair  
17 comparison.

18 MR. NAVARRO: Well, remember, everybody at  
19 the gym comes at 5:00 p.m., when you're back at  
20 home.

21 MS. MENENDEZ: I understand, but what I'm  
22 trying to get at is, you have an existing  
23 problem with the medical facility on Ponce.  
24 You're bringing in another medical facility.  
25 Wouldn't it be prudent to try to do some

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1 MS. MENENDEZ: It's a narrative and it's  
2 based on the existing use versus what's  
3 proposed, but I think we need to look at what's  
4 proposed and the impact to the area, and I  
5 didn't see that in the report.

6 MR. NAVARRO: So we're going to have our  
7 traffic engineer address it, but I think what  
8 we did was this, so we have a property that had  
9 a gym and an office building with 29,000 --  
10 hear me out -- 29,000 square feet of office,  
11 correct.

12 MS. MENENDEZ: I read it all. That's fine.

13 MR. NAVARRO: And now we're basically  
14 putting that building -- we're cutting it in  
15 half, and one of the good things about medical  
16 office uses is that they're 9:00 to 5:00  
17 typically, 8:30 to 5:00. So when all of the  
18 residents have gone to work, that's when the  
19 traffic picks up and it gets scattered  
20 throughout the day.

21 By the time they get home, that traffic is  
22 already gone, and you're talking about a very  
23 small building. I mean, normally you would  
24 submit -- if this building was to be developed  
25 as of right, which as Robert said, with some

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1 traffic analysis of the impact that this  
2 additional medical facility is going to bring  
3 to the area?

4 Very Reasonable. If it turns out that we  
5 have to put in, you know, a traffic light, a  
6 circle, a something, you know -- but not doing  
7 it doesn't help.

8 MR. KERBEL: We'll have the traffic  
9 engineer address that.

10 MR. MARRERO: Good evening, ladies and  
11 gentlemen of the Board. My name is Mike  
12 Marrero. I'm with Kimley Horn & Associates. I  
13 represent the civil engineer and the traffic  
14 group for Jackson.

15 CHAIRMAN AIZENSTAT: Would you state your  
16 address, please?

17 MR. MARRERO: Sure. My address is 355  
18 Alhambra Avenue, Suite 1400, Coral Gables,  
19 Florida 33134.

20 And, basically, we've coordinated with  
21 both, your Public Works traffic engineer, as  
22 well as FDOT, since Southwest Eighth Street is  
23 an FDOT right-of-way and we've provided the  
24 analysis that they've requested for this  
25 magnitude -- or for the building that's been

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1 proposed.

2 As you know, the reduction in the building

3 square footage is pretty significant. It goes

4 from 29,000 square feet down to just a little

5 bit over 10,000. So I'm not sure if you've

6 looked at the trip generation report that's

7 been done, which is the analysis that both, the

8 City and Florida Department of Transportation,

9 has asked us to provide, but it shows a

10 reduction of trips of 300 -- over 300 daily

11 trips, with a reduction of about 46 a.m. peak

12 trips and about 70 p.m. peak trips.

13 So with that significant reduction in

14 trips, an additional analysis for, you know,

15 signalization, you know, downstream is not

16 warranted by the proposed use. So that's why

17 we haven't been asked to, you know, continue

18 doing a further traffic analysis.

19 MS. MENENDEZ: The proposed use is a

20 Conditional Use and a Conditional Use is

21 subject to whatever, I think, this Board would

22 recommend to our Commission. I think that

23 comparing a gym's square footage, which is

24 mostly equipment, to a facility of this sort,

25 is not a fair comparison, but nevertheless, I

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1 mean, those are my opinions.

2 MR. MARRERO: And I do want to make a note

3 that there is a second story office use that is

4 part of the existing building. I don't know if

5 it's highlighted in any of these, but there is

6 a second story portion of it.

7 CHAIRMAN AIZENSTAT: If I may ask just one

8 question.

9 MR. MARRERO: Sure.

10 CHAIRMAN AIZENSTAT: Who are your clients

11 that are going to come to this facility? Is it

12 local neighbors or is it people driving in from

13 other areas of town?

14 MR. LERNER: It's strictly for the

15 community. Will there be somebody that happens

16 to be in the area from other parts of the

17 County or City? Possibly, but this is a

18 community-based service for both, the urgent

19 care and the medical office space.

20 CHAIRMAN AIZENSTAT: Okay. Thank you.

21 MS. BUSOT: Can I be heard again?

22 CHAIRMAN AIZENSTAT: If it's brief, yes,

23 because we have closed it to the floor.

24 MS. BUSOT: It's very brief. I wanted to

25 address the issue of the fact that a couple of

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1 lots are zoned Residential. The residents are

2 hoping that it stay Residential, to prevent

3 something like that happening later on, where

4 they build a huge building.

5 CHAIRMAN AIZENSTAT: Thank you.

6 MR. BUSOT: Thank you.

7 CHAIRMAN AIZENSTAT: Julio.

8 MR. GRABIEL: Yeah. I lived in that corner

9 for years. I worked at Douglas Entrance for

10 more years than I want to confess in public,

11 and I used to walk every day to have a cafecito

12 en la Casita. So I know that site. I had

13 clients, actually, who worked -- because before

14 it was a gym, it used to be an office building.

15 They had broken up -- I think it was a bowling

16 alley, and then they broke it into small

17 offices.

18 I like the building very much. I think the

19 architect has addressed it correctly. It's the

20 right character for the City of Coral Gables,

21 and it changes that corner, which is terrible,

22 and actually turns the corner, with a building

23 and the green space.

24 I would feel more comfortable giving a

25 little bit more green to the north, so that the

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1 residential on that north side has at least

2 more green than it's shown in there, at least

3 in the smaller site, the site that has the

4 Single-Family home now.

5 Actually, when I saw it the first time, I

6 was opposed to that, but then I hadn't realized

7 that next to it there is a parking lot. So,

8 you know, those people who live there already

9 are facing a parking lot. But I see the

10 landscaping is done very thick, to try to

11 create a good screening, so -- and I think the

12 City will benefit tremendously from having that

13 kind of facility within the City, and I think

14 we need it.

15 CHAIRMAN AIZENSTAT: Marshall, do you

16 have --

17 MR. BELLIN: Yeah, I have a question, and

18 also a comment as to how to pick up some more

19 parking.

20 First is the -- there's a restriction as to

21 cars being able to park on that lot at certain

22 hours, and I don't remember if it was 'til 6:00

23 at night or 8:00 at night.

24 MR. SARDINAS: I believe the Code reads,

25 its actually that you can't have anybody coming

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1 in and out of the building itself, and I want  
2 to say that it's between 6:00 a.m. and 10:00  
3 p.m.

4 MR. BELLIN: At night?

5 MR. SARDINAS: Yeah, at night, from 6:00  
6 p.m. -- I'm sorry, from 6:00 a.m. to 10:00 p.m.  
7 at night. So basically they don't want anybody  
8 coming in and out of that facility during those  
9 times. It's part of the Code.

10 CHAIRMAN AIZENSTAT: So 10:00 p.m. to 6:00  
11 a.m.

12 MR. SARDINAS: Sorry. Yeah. Yeah.

13 CHAIRMAN AIZENSTAT: Okay.

14 MR. BEHAR: He's an architect.

15 CHAIRMAN AIZENSTAT: All right.

16 MR. BELLIN: The other thing I'd like to  
17 see is, the trash seems to be as far away as  
18 possible from the building, and I think it  
19 ought to be closer to the building.

20 And, also, I took a look at this and did a  
21 little fooling around with it, if you move the  
22 entry off of Eighth Street just a little bit to  
23 the east, then you can take advantage of the  
24 ability to get some tandem parking, and then  
25 the tandem parking would have to be assigned to

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1 you know, we do it, as well, because I'm  
2 thinking, if those spaces in the street gets,  
3 you know, re-configured and you add landscaping  
4 back there, the bump-outs -- I personally would  
5 rather have more spaces within the lot, to make  
6 sure there's no cars in the street, and --

7 MR. BELLIN: It's metered parking there.  
8 They're parking meters, because I've parked  
9 there.

10 MR. BEHAR: Yeah, but if you add -- I know,  
11 the bump-outs, even in residential, you're  
12 required to do it.

13 MR. TRIAS: Certainly that can be  
14 accomplished as a condition of approval if you  
15 think that's the best solution.

16 MR. BEHAR: I mean, we've got other issues  
17 that, you know, Maria brought up, which I want  
18 to go back to, but I'd rather have more spaces  
19 that is accessible to the users and than try,  
20 you know -- and add the landscaping up out in  
21 the street, that way you preserve, you know,  
22 the three additional spaces that we may want to  
23 delete, you know, otherwise.

24 MR. TRIAS: We could incorporate into the  
25 design the right-of-way -- whatever landscape

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1 specific suites or employees. And I think you  
2 can end up with tandem parking on that whole  
3 east property line, which means you could  
4 increase the depth of the landscaped area that  
5 faces the Single-Family residences.

6 MR. SARDINAS: Okay.

7 MR. TRIAS: Mr. Chairman --

8 CHAIRMAN AIZENSTAT: Yes.

9 MR. TRIAS: -- they could also just reduce  
10 the number of parking spaces. We do have three  
11 more parking spaces than required.

12 MR. SARDINAS: Right.

13 MR. TRIAS: And if they were to reduce one,  
14 you get an extra ten feet of landscape, for  
15 example. I mean, that may be easier to do.

16 MR. BELLIN: It seems to be that the more  
17 parking for this kind of use, the better.

18 MR. BEHAR: Let me ask you a question. On  
19 the back street, are they going to be required  
20 to provide the bump out for landscaping, which  
21 every two spaces, whatever, right?

22 MR. TRIAS: That's a residential street, so  
23 I don't think that's a requirement of the Code,  
24 yes.

25 MR. BEHAR: But in a residential street,

50

1 could be done within the right-of-way, beyond  
2 the property line, and see how that works. I  
3 mean, that's one option.

4 MS. VELEZ: There is no swale there. It  
5 goes from sidewalk directly to asphalt and  
6 parallel parking. There's already street  
7 parking there. Definitely more green would be  
8 welcomed.

9 I like the fact, and probably I believe  
10 this has to do with the residences, that there  
11 is no ingress or egress on the residential  
12 side. That was well done.

13 MR. BELLIN: Mike, if you could take a look  
14 at that, utilizing the tandem parking that's  
15 allowed in the Gables. You may be able to pick  
16 up --

17 MR. SARDINAS: We'll take a look at that,  
18 sure. Thank you.

19 MR. BEHAR: And, Mike, absolutely, he's  
20 right. I mean, we look at the whole  
21 configuration of the parking. You may be able  
22 to pick up a few extra spaces, which is just  
23 going to be beneficial for you guys.

24 MR. SARDINAS: Agreed.

25 CHAIRMAN AIZENSTAT: Any other comments?

52

1 Maria?  
 2 MS. MENENDEZ: No.  
 3 CHAIRMAN AIZENSTAT: Is there --  
 4 MR. BEHAR: I'll make a motion for approval  
 5 with the additional conditions, you know, to  
 6 address Maria's concern, that if this facility  
 7 ever changes from Jackson's, you know,  
 8 ownership, any and all approvals get reverted  
 9 to --  
 10 MR. COLLER: Wait. I think we need to be a  
 11 little bit more narrow about how we do that.  
 12 So I don't think it was -- I think your point  
 13 is, you don't want there to be the parking on  
 14 the residential lot, if it's no longer used by  
 15 Jackson. Is that what --  
 16 MS. MENENDEZ: That was a question I had to  
 17 you, as far as if the use of the parking lot on  
 18 the north, which is Zoned Residential, was  
 19 still, in fact -- if they were still able to  
 20 use it as parking, given that the use is  
 21 changing. So that was my question. I'm not  
 22 saying whether it should or it shouldn't. I'm  
 23 asking a legal question.  
 24 MR. COLLER: Right, and I answered by  
 25 saying, yes, they could still use it for

1 parking. So the only question was, I thought  
 2 there was a concern that you didn't want it to  
 3 be used for parking if the use is no longer a  
 4 Jackson Urgent Care. I thought that was what  
 5 your concern --  
 6 MS. MENENDEZ: Well --  
 7 MR. BEHAR: And that's what I understood.  
 8 MR. COLLER: So what we could do as a  
 9 condition, and I'll let Ramon help us with  
 10 that, to identify that lot, that that lot  
 11 cannot be used for parking should the use  
 12 change. I thought you were okay with that.  
 13 MR. KERBEL: Well, I wanted to frame it a  
 14 little bit differently.  
 15 MR. COLLER: Okay.  
 16 MR. KERBEL: Rather than it be a  
 17 prohibition on some future user, just that this  
 18 plan is conditioned on -- because this is a  
 19 Conditional Use Permit, just that the  
 20 Conditional Use Permit is conditioned on this  
 21 being a public hospital or a public medical  
 22 facility.  
 23 Then, if somebody else comes in with  
 24 another plan, they would just have to get  
 25 perhaps a different Conditional Use Permit.

1 CHAIRMAN AIZENSTAT: Before you stated that  
 2 there would be no way that would be anything  
 3 else than what you're coming before us as a  
 4 public facility. Are you changing your mind  
 5 now? Could it be something else in the future?  
 6 MR. KERBEL: No. No. No.  
 7 MR. LERNER: No, not at all, but I want to  
 8 be careful, I heard somebody say it has to be  
 9 an urgent care. If we decide fifteen years  
 10 from now that the reimbursement from urgent  
 11 care services no longer makes sense, and we  
 12 want to put physician offices on the first  
 13 floor and renovate the whole thing, I don't  
 14 suggest that we have our hands behind our  
 15 backs.  
 16 MS. MENENDEZ: But, you know, that's where  
 17 the public use changes.  
 18 MR. LERNER: It's still public use, because  
 19 it's still physicians from Jackson and  
 20 University of Miami. So --  
 21 MR. COLLER: Well, I'm going to correct  
 22 myself. What I meant was that the parking can  
 23 be done as long as it's utilized by the Public  
 24 Health Trust, which operates -- is an agency,  
 25 an instrumentality, of Miami-Dade County,

1 operating, doing business as, Jackson Hospital.  
 2 MR. LERNER: Jackson Health Systems.  
 3 MR. COLLER: Jackson Health Systems.  
 4 MR. KERBEL: And perhaps you want to leave  
 5 it open for, if the City were, for some reason  
 6 -- you know, if Jackson wanted to turn it over  
 7 to the City, I don't think you want to limit it  
 8 just to Jackson, but that's up to you. We're  
 9 certainly happy with it being -- we're here  
 10 before you on a specific application and we can  
 11 only build this and operate this in accordance  
 12 with these conditions.  
 13 If somebody wants to do something else in  
 14 the future, it will have to come back for  
 15 something else. So I'm not trying to back away  
 16 from anything. I just wanted to be careful  
 17 about the way the condition was crafted, so it  
 18 wasn't construed in the future --  
 19 MS. MENENDEZ: And the question that was  
 20 posed, just so that I'm clear, is that the  
 21 Zoning for those lots north of the building is  
 22 Single-Family Residence.  
 23 MR. KERBEL: That's correct, and we're not  
 24 changing that in any way.  
 25 MS. MENENDEZ: And it has never changed.

1 So the question is, do you have the right to  
2 continue using it as a parking lot, given that  
3 it's not Zoned for a parking lot? I mean,  
4 that's the question I was posing to our City  
5 Attorney. If we feel comfortable, as a Board,  
6 recommending that you continue using it,  
7 because of your use, then that's fine, but I  
8 just needed to ask the question.

9 MR. KERBEL: And he can correct me, if he  
10 disagrees, but I think, because of the nature  
11 of those prior approvals, it retains its  
12 Single-Family Zone, and that never changed, but  
13 there's another Ordinance that sits side by  
14 side with it that authorizes the parking use  
15 for the Commercial building in the south.

16 MR. TRIAS: Mr. Chairman, we did include  
17 Number 4 as a condition, which I think  
18 addresses the issue. If you want to read it  
19 and maybe make it better. It talks about the  
20 existing surface parking lot shall only be used  
21 for car storage of proposed Urgent Care.  
22 Zoning will remain Single-Family Residential,  
23 and any Change of Use will require Commission  
24 approval.

25 MR. COLLIER: That covers it. That does

1 for the record? Your second floor offices, can  
2 you tell us the hours of operation?

3 MR. LERNER: 8:30 a.m. to 5:00 p.m., normal  
4 business hours, Monday through Friday.

5 MS. MENENDEZ: Okay. Can we condition the  
6 approval with the hours of the different  
7 operations or is that like going to like tie  
8 your hands?

9 MR. LERNER: I don't want you coming in as  
10 the last patient at 4:45 and having to leave --

11 MS. MENENDEZ: No, but I think it addresses  
12 the overnight, if in case one of your, you  
13 know, doctors implement a asleep center, where  
14 they're testing sleep, you know,  
15 abnormalities --

16 MR. LERNER: We're fine with that, ma'am.

17 CHAIRMAN AIZENSTAT: We've had issues with  
18 that.

19 MS. MENENDEZ: -- and then we've had issues  
20 where they all of a sudden become a 24-hour  
21 facility.

22 MR. LERNER: We're more than comfortable in  
23 doing that.

24 MR. KERBEL: How about, on that second  
25 floor, limit it to normal business hours and no

1 cover it.

2 MR. TRIAS: That, in my view, addresses  
3 most of the issues raised.

4 CHAIRMAN AIZENSTAT: And just one other  
5 question --

6 MS. MENENDEZ: Well, it's not just Urgent  
7 Care. I like more what you said, as far as the  
8 Public Health --

9 MR. COLLIER: They might like it better,  
10 too.

11 MR. KERBEL: We're fine with Mr. Collier's  
12 revision.

13 CHAIRMAN AIZENSTAT: And there is no  
14 overnight stays in this facility?

15 MR. KERBEL: No. None.

16 MS. VELEZ: No sleep center or anything of  
17 that sort?

18 CHAIRMAN AIZENSTAT: We've had issues  
19 with --

20 MS. VELEZ: No sleep center?

21 MR. LERNER: No, ma'am. Not at all.

22 CHAIRMAN AIZENSTAT: Okay.

23 MR. TRIAS: So if that covers it, if we can  
24 make --

25 MS. MENENDEZ: Can I ask just a question,

1 overnight stays.

2 MS. MENENDEZ: Okay.

3 MR. BEHAR: So I'll make a --

4 MR. GRABIEL: Before you do that, I just  
5 realized there's an item here, Number 3, and I  
6 just want a clarification. The County has a  
7 very strong art in public places program. I  
8 suspect that they will be involved in this  
9 facility, because it is a County-owned  
10 facility, and I don't want to limit that  
11 program to the particular Number 3.

12 MR. KERBEL: Thank you for noticing. Yeah,  
13 Mr. Trias had referenced that before.

14 MR. TRIAS: Mr. Chairman, I addressed that  
15 issue in my presentation. That is one of the  
16 conditions that we need to modify and give it  
17 more flexibility, and I Definitely agree.

18 MR. GRABIEL: That's what I want to do. I  
19 want to allow the program, which is excellent,  
20 to have the flexibility that it requires.

21 MR. TRIAS: Yes, I fully support that.

22 MR. KERBEL: If I may make a  
23 recommendation, then, just for the record, to  
24 modify Condition Number 3 to say, coordinate  
25 with the Historical Resources and Cultural Arts

1 Departments to address art in public places,  
2 period, and we'll figure it out between the  
3 City and the County.

4 MR. COLLER: And Number 4, we could simply  
5 substitute proposed Public Health Trust  
6 facility, rather than just identifying it as an  
7 urgent care, change that from urgent care to  
8 Public Health Trust facility.

9 MR. BEHAR: So I'll amend my motion for  
10 approval with that specific --

11 MS. MENENDEZ: Could I also request a  
12 friendly amendment also? As it relates to the  
13 traffic impact, if they were to conduct a  
14 traffic impact study of the area from Ponce to  
15 Douglas, from 8 to whatever street north of it.

16 MR. KERBEL: Respectfully, if I may, Mr.  
17 Chair, address that. We think that's an  
18 unnecessary expense, because we did what was  
19 asked of us by your Public Works Department,  
20 and they were comfortable with this -- by FDOT  
21 and by your Public Works Department, and they  
22 were comfortable with the analysis.

23 MS. MENENDEZ: It's just not looking at the  
24 entire area and the impact of your facility in  
25 that area. I'm just one vote, but that's how I

1 conditioned upon certain approvals. Had we  
2 known that anybody was going to request a  
3 further indepth analysis of traffic, we would  
4 have undertaken that in the past three to four  
5 months that we've been working with the City on  
6 that.

7 So it's not so much the expense -- I mean,  
8 we've spent a lot of money to date, and we're  
9 cognizant of that, but it's the time that I'm  
10 concerned about.

11 MR. BEHAR: June is your deadline for --

12 MR. LERNER: I've got to make the decision  
13 to exercise the option on or before June 1st.

14 CHAIRMAN AIZENSTAT: On the purchase.

15 MR. LERNER: On the purchase.

16 MR. BEHAR: How about -- maybe this could  
17 address, that if within a year there's a  
18 problem and we get complaints from the  
19 neighbors, maybe at that time something must be  
20 done --

21 MR. LERNER: Well, I think what we're  
22 willing to do is have our traffic engineer work  
23 with the folks that did the traffic study, full  
24 blown study nearby, and see where the overlap  
25 and/or analysis can give us the further

1 feel. I think it's important for the residents  
2 that are just north of you. I think it's  
3 important for that whole area that has gone  
4 through a lot with the other medical  
5 facilities.

6 MR. TRIAS: Mr. Chair, if I could assist.  
7 The City did do a very extensive traffic study  
8 of the other facility that created problems  
9 with the neighborhood. Maybe we can use that  
10 information and talk to your expert and see if  
11 we can incorporate that. I think that probably  
12 would be a good solution.

13 CHAIRMAN AIZENSTAT: How long ago was that  
14 done?

15 MR. TRIAS: That was done in the past six  
16 months or less. Yeah, very recently.

17 MR. KERBEL: We can do that. We're  
18 concerned about the expense of going through a  
19 full blown traffic study when we don't think  
20 it's warranted.

21 MR. LERNER: Excuse me, we're not only  
22 concerned about the expense of the full blown  
23 traffic study. I've got a business decision  
24 that Jackson needs to make in June, whether or  
25 not to exercise the option, and the option was

1 daylight that you're looking for on its impact.

2 MS. MENENDEZ: I have no problem with that,  
3 as long as we all agree that if there's some  
4 tweaking that can be done to the right-of-way  
5 to improve whatever impact your facility may  
6 have to the area, that it can be done, that you  
7 all agree to do it.

8 MR. MARRERO: And I would like to add that,  
9 you know, besides meeting with the residents  
10 and meeting with FDOT and with the City Public  
11 Works Department and discussing several traffic  
12 and parking issues that, you know, obviously  
13 the community has, we have taken one of the  
14 accesses that currently exists off of Galiano,  
15 we've taken it and moved it to Eighth Street,  
16 to funnel traffic more through Eighth Street  
17 than through the residential neighborhood.

18 MS. MENENDEZ: Do you have a curb cut  
19 presently along Eighth Street?

20 MR. MARRERO: No, we do not right now.

21 MS. MENENDEZ: Have you checked with DOT if  
22 they're going to allow you a curb cut?

23 MR. MARRERO: Yes.

24 MS. MENENDEZ: Okay. Great.

25 MR. MARRERO: We've done all of our --



1 MS. MENENDEZ: Because that's a challenge,  
2 as you know.

3 MR. MARRERO: Yeah. Yeah. No, we've done  
4 all our due diligence with FDOT. We've had  
5 several pre-application meetings with them. We  
6 meet all of their requirements for curb cut  
7 distances from the street and from abutting  
8 neighbors, and we felt like taking one of the  
9 driveway entrances off of Galiano and moving it  
10 to Eighth Street would promote traffic on  
11 Eighth Street rather than on the residential  
12 neighborhood.

13 MS. MENENDEZ: Sure. Good idea. That  
14 helps.

15 MR. TRIAS: Mr. Chairman, what I mentioned  
16 is, we have the ability to coordinate further  
17 and analyze things. If we discover an issue,  
18 we can bring it back to you, if we need to, but  
19 I think we have enough information to make some  
20 progress.

21 MR. BEHAR: Okay. So the motion will be  
22 for you to allow -- instruct you to coordinate  
23 further with the traffic study done for the  
24 other property, and if it's an issue, you bring  
25 it back. If not, it continues forward.

1 MR. BEHAR: I'm okay with that.

2 MR. GRABIEL: I'd like to second.

3 CHAIRMAN AIZENSTAT: We have a second.

4 Any comments? Questions? No?

5 Call the roll, please.

6 THE SECRETARY: Marshall Bellin?

7 MR. BELLIN: Yes.

8 THE SECRETARY: Julio Grabiell?

9 MR. GRABIEL: Yes.

10 THE SECRETARY: Maria Menendez?

11 MS. MENENDEZ: Yes.

12 THE SECRETARY: Maria Velez?

13 MS. VELEZ: Yes.

14 THE SECRETARY: Robert Behar?

15 MR. BEHAR: Yes.

16 THE SECRETARY: Eibi Aizenstat?

17 CHAIRMAN AIZENSTAT: Yes.

18 Thank you. Thank you very much.

19 MR. BEHAR: Good luck.

20 CHAIRMAN AIZENSTAT: Let's give them a  
21 minute to go out, before we do the next item.

22 MR. COLLER: Yeah, we can take a minute.

23 CHAIRMAN AIZENSTAT: We have a second item  
24 on the agenda that we'd like to go ahead and  
25 read into the record, please.

1 MS. MENENDEZ: Or just address it, really.  
2 We're not traffic engineers.

3 MR. KERBEL: Bringing it back to you before  
4 the City Commission would be problematic, from  
5 a timing issue.

6 MR. BEHAR: The motion --

7 MR. COLLER: To address any issues that may  
8 result from that.

9 MS. MENENDEZ: Anything that could improve  
10 the area.

11 MR. KERBEL: Mr. Chairman, the only other  
12 thing, since we're going through line by line  
13 on the conditions, I just wanted to make a  
14 tweak to Condition Number 2. Based on what Mr.  
15 Trias had said at the beginning about allowing  
16 more flexibility in deciding how to handle the  
17 on-street parking bulb-outs and the  
18 landscaping, right now it says, "Coordinate  
19 with Public Works to reallocate;" if it instead  
20 said, "To address whether space for additional  
21 on-street parking," et cetera, et cetera, "can  
22 be provided."

23 MR. TRIAS: That is acceptable.

24 CHAIRMAN AIZENSTAT: Robert, you're okay  
25 with that?

1 MR. COLLER: I apparently have buried my  
2 agenda.

3 MR. BEHAR: Here you go.

4 MR. COLLER: Sorry.

5 Item Number 6, a Resolution of the City  
6 Commission of Coral Gables, Florida approving  
7 the Final Plat entitled "Almeria Square"  
8 pursuant to Zoning Code Article 3, Division 9,  
9 "Platting/Subdivision," being a re-plat of an  
10 approximately 0.2754 acre (12,000 square foot)  
11 property into four platted lots for four  
12 residential townhouses on property assigned  
13 Multi-Family Special Area District zoning, on  
14 the property legally described as Lots 29 and  
15 30, Block 13, Coral Gables Biltmore Section,  
16 according to the plat thereof as recorded in  
17 Plat Book 20, Page 28, of public records of  
18 Miami-Dade County, Florida, providing for an  
19 effective date.

20 Item Number 6, public hearing.

21 MR. TRIAS: May I get the PowerPoint,  
22 please?

23 CHAIRMAN AIZENSTAT: Mr. Trias.

24 MR. TRIAS: Yes. Thank you, Mr. Chairman.  
25 Almeria Square is a four-unit townhouse