

1 CITY OF CORAL GABLES
 2 PLANNING AND ZONING BOARD MEETING
 3 LOCAL PLANNING AGENCY MEETING
 4 VERBATIM TRANSCRIPT
 5 CORAL GABLES CITY HALL
 6 405 BILTMORE WAY, COMMISSION CHAMBERS
 7 CORAL GABLES, FLORIDA
 8 WEDNESDAY, AUGUST 13, 2008, 6:00 P.M.

9 Board Members Present:

10 Tom Korge, Chairman
 11 Eibi Aizenstat, Vice-Chairman
 12 Robert Behar
 13 Jack Coe
 14 Pat Keon
 15 Cristina Moreno
 16 Javier Salman

17 City Staff:

18 Eric Riel, Jr., Planning Director
 19 Walter Carlson, Assistant Planning Director
 20 Lourdes Alfonsin Ruiz, Assistant City Attorney
 21 Scot Bolyard, Planner
 22 Jill Menendez, Administrative Assistant
 23 Fred Couceyro, Parks & Recreation Director

24 Also Participating: Page

25 Laura L. Russo, Esq., 76
 Russo & Baker, P.A.,
 On behalf of the Applicant.
 Patrick Valent 77
 Talbot W. Trammell 102
 Stanley Davidson 112
 Henry Pino 118
 Nita Yeung 119
 Henry Paper 120
 George Prendes 123

1 THEREUPON:

2 The following proceedings were had:

3 CHAIRMAN KORGE: We have a quorum.

4 MR. COE: It's six o'clock.

5 MR. AIZENSTAT: Eric, is that clock
6 right?

7 MR. COE: His clock is five minutes
8 slow.

9 MR. CARLSON: It's five minutes of.

10 MR. COE: It is six o'clock.

11 CHAIRMAN KORGE: Well, we have a
12 quorum. We need to get going because --
13 Jack, you have to be out of here at
14 7:30; is that correct?

15 MR. AIZENSTAT: I thought you said
16 6:30.

17 MR. COE: 7:30.

18 MR. AIZENSTAT: Oh.

19 MR. COE: It's bad enough.

20 CHAIRMAN KORGE: I see we have a
21 quorum, so let's call the roll, please.

22 MS. MENENDEZ: Eibi Aizenstat?

23 MR. AIZENSTAT: Here.

24 MS. MENENDEZ: Robert Behar?

25 MR. BEHAR: Here.

1 MS. MENENDEZ: Jack Coe?

2 MR. COE: Here.

3 MS. MENENDEZ: Pat Keon?

4 Cristina Moreno?

5 Javier Salman?

6 MR. SALMAN: Here.

7 MS. MENENDEZ: Tom Korge?

8 CHAIRMAN KORGE: Here.

9 The first item on our agenda is
10 election; is that right?

11 MR. RIEL: Yes.

12 MR. COE: What?

13 MS. ALFONSO RUIZ: Election.

14 (Thereupon, Ms. Moreno arrived.)

15 CHAIRMAN KORGE: Oh, Cristina has
16 just arrived. Please note that for the
17 record.

18 MR. COE: Can we defer this till
19 next month, Mr. Chairman?

20 CHAIRMAN KORGE: There's a motion
21 to defer. Can we -- are we allowed --

22 MR. BEHAR: I second the motion.

23 MR. RIEL: I mean, if you have a
24 full Board tonight, later on this
25 evening, I mean, before 7:30, I suggest

1 you vote on it, because it might not --
2 next month, we might not have a quorum.

3 CHAIRMAN KORGE: Okay. All right,
4 well --

5 MR. RIEL: The Board --

6 MR. COE: Then defer it to the end.

7 CHAIRMAN KORGE: We'll defer that
8 till later.

9 The next item on the agenda is
10 approval of the minutes for the
11 meeting of --

12 MR. COE: So moved, Mr. Chairman.

13 CHAIRMAN KORGE: -- May 28th. It's
14 moved.

15 MR. BEHAR: Second.

16 CHAIRMAN KORGE: Seconded. Is
17 there any discussion?

18 No discussion. Let's call the
19 roll, please.

20 MS. MENENDEZ: Robert Behar?

21 MR. BEHAR: Yes.

22 MS. MENENDEZ: Jack Coe?

23 MR. COE: Yes.

24 MS. MENENDEZ: Cristina Moreno?

25 MS. MORENO: Yes.

1 MS. MENENDEZ: Javier Salman?

2 MR. SALMAN: Abstain. I wasn't
3 here.

4 MS. MENENDEZ: Eibi Aizenstat?

5 MR. AIZENSTAT: Yes.

6 MS. MENENDEZ: Tom Korge?

7 CHAIRMAN KORGE: Yes.

8 We're going to change the order of
9 the agenda a little bit, at the request
10 of Mr. Behar, and take --

11 MR. AIZENSTAT: Wait. Can I just
12 interject a second?

13 CHAIRMAN KORGE: Yes.

14 MR. AIZENSTAT: Javier, you said
15 you were not here for the May meeting?

16 MR. SALMAN: Was there a meeting in
17 between?

18 MR. AIZENSTAT: It has you here, as
19 in present.

20 MR. SALMAN: I thought there was a
21 meeting in between that I may have
22 missed.

23 MR. AIZENSTAT: So I just want to
24 correct that, if that's the case.

25 MR. SALMAN: It was my

1 understanding that there was a meeting
2 held between the 28th and today.

3 MR. COE: It shows you present.

4 MR. AIZENSTAT: Yeah, that's why I
5 brought it up.

6 MR. BEHAR: He might have been here
7 but --

8 MR. SALMAN: I rarely miss. Maybe
9 they just, out of habit, put a P.

10 MR. COE: Oh, I see. It doesn't
11 show May 28th. Oh, I got it.

12 MS. MORENO: You were here, because
13 you're quoted in the minutes.

14 MR. SALMAN: Am I?

15 MS. MORENO: Yes.

16 MR. SALMAN: Okay. Well, then, I
17 guess I was here. I thought -- I'm
18 sorry, I didn't look at the date. I
19 thought it was a meeting between --

20 CHAIRMAN KORGE: Would you like to
21 change your vote?

22 MR. SALMAN: I'll change my vote to
23 here, yes.

24 CHAIRMAN KORGE: Thank you. Thank
25 you very much.

1 So we're going to move to -- The
2 items to the front will be the zoning
3 text amendment for parking lifts, and
4 there was a change of Land Use Plan map
5 for certain parks or recreational
6 facilities.

7 MR. RIEL: Mr. Chair, the only
8 thing I would say on the zoning text
9 amendment, the Parking Director is not
10 here, and he's the one that's going to
11 be presenting that one.

12 CHAIRMAN KORGE: Okay. So let's
13 start with the other.

14 MR. COE: We're going to 073-P?

15 CHAIRMAN KORGE: This is Item
16 Number -- Is this Item Number 7?

17 MR. RIEL: Seven.

18 MR. COE: Yeah, 073-P.

19 CHAIRMAN KORGE: Application Number
20 07-08-073-P.

21 MR. BOLYARD: Could you please
22 start the PowerPoint?

23 Good evening, Mr. Chair, Members of
24 the Board. Before you tonight, we have
25 some map amendments for City public

1 parks. The request includes a change to
2 the Comprehensive Land Use Plan map
3 designations and a change in zoning
4 district map classifications, to correct
5 existing inconsistent map designations
6 for the following parks: Rotary
7 Centennial Park, San Sebastian Park and
8 Maggiore Park.

9 These include a change of land use
10 from Residential Use, Single-Family, Low
11 Density, to Parks and Recreational Use,
12 and a change of zoning district from
13 Single-Family Residential to the
14 Special -- to S, Special Use, which is
15 appropriate for our park use.

16 Here's the location of the Rotary
17 Centennial Park. You can see, it's off
18 of Ponce de Leon Boulevard, between
19 Southwest 8th Street and Flagler, and
20 there's a picture of the aerial.

21 MR. RIEL: Scot, you're going to
22 need to speak up a little bit more --

23 MR. BOLYARD: Okay.

24 MR. RIEL: -- because it's very
25 difficult to hear you.

1 MR. BOLYARD: All right.

2 This involves a change of land use,
3 again, from Single-Family to Parks and
4 Recreational Use. Actually, the change
5 of land use only occurs on the southern
6 half of the property, as the northern
7 half already has the Parks and
8 Recreational Use designation.

9 For the zoning change, it involves
10 the entire property. All of it must be
11 changed to S, Special Use.

12 Here is San Sebastian Park. It is
13 located just south of Ponce Circle Park,
14 off of San Sebastian and Ponce. There's
15 an aerial there of the property. And
16 this change is two lots, and again, it's
17 the entire property that has to be
18 changed from Single-Family, Low Density,
19 to Parks and Recreational Use, for land
20 use, and for zoning, again, from SFR to
21 S, Special Use.

22 Next is Maggiore Park. This is
23 just south of U.S. 1, off of Riviera
24 Drive. It's just north of the Chinese
25 Village. This requires -- again, it's a

1 change of land use, Single-Family to
2 Parks and Recreational Use. This is the
3 entire block. It's three lots. And
4 there's the zoning change, Single-Family
5 to S, Special Use.

6 The findings of fact include that
7 the proposal is consistent with specific
8 Comprehensive Plan Goals, Objectives and
9 Policies. The proposals would correct
10 existing nonconforming land use and
11 zoning designations. It furthers
12 objectives of the Coral Gables
13 Partnership Committee, and as a
14 condition of approval, we're
15 recommending requiring review and
16 comments by surrounding property owners
17 on any improvements proposed on these
18 public City parks.

19 Staff's recommendation: Staff
20 recommends approval of the proposed
21 changes which will bring the land use
22 and zoning designations of these
23 properties into conformance with their
24 current and future intended uses as City
25 parks.

1 And the future public hearing
2 schedule: It will go to the City
3 Commission for first reading on
4 September 9th, and then again is
5 scheduled tentatively for the second
6 reading on October 14th.

7 I'd be happy to answer any
8 questions, and the Director of Parks &
9 Recreation, Mr. Couceyro, is here, as
10 well.

11 CHAIRMAN KORGE: Are there any
12 questions from the Board?

13 MR. AIZENSTAT: Yeah, there's a
14 couple questions I have, if you don't
15 mind.

16 I know that, for example, the
17 Maggiore Park was recently acquired.
18 Are the other parks recently acquired,
19 also? Is that why we're going through
20 the land use change right now or --

21 MR. COUCEYRO: No. From what I
22 understand, the Rotary --

23 MR. RIEL: Fred, give us your name.

24 MR. COUCEYRO: Sorry. For the
25 record, Fred Couceyro, Parks &

1 Recreation Director for the City of
2 Coral Gables.

3 MR. AIZENSTAT: Thank you.

4 MR. COUCEYRO: Just as I know the
5 facts, the first property of Rotary
6 Centennial, which is the northern half
7 of the property, was purchased some time
8 ago, before I was with the City. The
9 second half was purchased approximately
10 six or seven years ago, to make that one
11 whole park.

12 San Sebastian was also about five
13 or six years ago.

14 Now, with Maggiore, it was a new
15 purchase, so we had to go about this
16 zoning plan.

17 Rotary Centennial, we had started
18 on talks for improvements to the
19 northern half, to develop a small
20 playground, and this is where we were
21 aware of the inconsistency in the
22 zoning.

23 MR. AIZENSTAT: What are the -- Can
24 you describe each of the parks, what use
25 they're going to have within the Parks &

1 Recreation Department?

2 MR. COUCEYRO: Sure. Absolutely.

3 The Rotary Centennial Park, it's a
4 slightly bigger piece of land, because
5 it was two residential lots. We are
6 going to have a small playground. It
7 will be a two to five type of small
8 jungle gym, with a walkway and some
9 benches. It's been discussed with the
10 neighbors. That's what they want in
11 that area.

12 San Sebastian is a very small lot.
13 It will still operate as a passive park
14 only.

15 Maggiore, when we purchased it, one
16 of the requirements that the City
17 Commission placed on us is to make sure
18 that we talked with the neighborhood, to
19 make sure we had a development plan all
20 ready for that park. We presented that
21 to the neighbors. That was part of
22 getting the Commission to approve it.
23 So that will have a playground with a
24 walkway around the perimeter of the
25 triangle and a gated-in area and an open

1 field for play.

2 MR. AIZENSTAT: On the park which
3 would be the Rotary Centennial Park, are
4 you also going to have a gated area,
5 since it's abutting Ponce de Leon, for
6 the children?

7 MR. COUCEYRO: Yes. Yes, we're
8 going to gate the play area. The
9 actual -- it will be a circular area
10 with the playground in the middle.
11 There will be a fencing around that
12 circular area, not around the entire
13 park.

14 MR. AIZENSTAT: Eric, when we went
15 ahead and did the land use for the
16 properties that were non-consistent,
17 when we were doing the Zoning Code, is
18 there a reason we didn't look at these
19 properties at that time?

20 MR. RIEL: I don't -- I don't
21 recall. I --

22 MR. BOLYARD: Well, some of them,
23 like -- except for San Sebastian, the
24 other two, you know, they actually are
25 consistent with the land use and zoning.

1 We just did not realize that they were
2 actually being used as parks.

3 MR. AIZENSTAT: Okay, because I
4 remember we went through a whole list of
5 parks.

6 MR. BOLYARD: Yeah.

7 MR. AIZENSTAT: Okay. I have no
8 problem with it. Thank you.

9 CHAIRMAN KORGE: Any other
10 questions?

11 MR. SALMAN: Through the Chair --
12 Have you presented to the
13 communities of each, around these
14 proposed parks, as to your intended
15 development plan, then?

16 MR. COUCEYRO: Yes, we -- All three
17 of the parks, when they became -- when
18 the City purchased them, there was
19 meetings with the community. The
20 development with Rotary, we've had, I
21 think, three meetings in the past year
22 about this development.

23 Maggiore, we've had three meetings,
24 as well, and on the last meeting, I
25 presented the developed concept, and it

1 was a drawing. It was a conceptual
2 plan. It wasn't set plans, because we
3 don't have funding for that at this
4 moment, and I'm not sure when that's
5 going to come.

6 (Thereupon, Ms. Keon arrived.)

7 MR. SALMAN: Okay, and was that
8 made clear to the residents?

9 MR. COUCEYRO: Yes. They
10 understood, and it was also made clear
11 to the Commission that that park, in
12 order for it to be purchased by the
13 City, it was going to be a developed
14 park. That's Maggiore.

15 MR. SALMAN: That answers all my
16 questions. Thank you.

17 MR. COUCEYRO: Okay.

18 CHAIRMAN KORGE: Just note for the
19 record that Pat Keon has arrived.

20 Are there any more questions?

21 MR. RIEL: Mr. Chair, I just want
22 to enter in the record, we did receive
23 updated comments since the packet went
24 out. There's 10 comments received; all
25 of those, no objection.

1 CHAIRMAN KORGE: Thank you.

2 Any further questions from the
3 Board?

4 MR. SALMAN: Do you want to
5 entertain a motion?

6 CHAIRMAN KORGE: Pardon me?

7 MR. SALMAN: Do you want to
8 entertain a motion?

9 MR. COE: The public.

10 CHAIRMAN KORGE: Well, I'd like to
11 hear the public.

12 If there's anybody from the public
13 who wishes to speak on this, please come
14 forward.

15 Has anybody signed in to speak?
16 No?

17 MS. MENENDEZ: On a different
18 matter, on a different item.

19 MR. RIEL: Not on this matter.

20 CHAIRMAN KORGE: No, okay.

21 MR. COE: Move Staff's
22 recommendation, Mr. Chairman.

23 MR. SALMAN: Second.

24 MR. BEHAR: Second.

25 CHAIRMAN KORGE: There's a motion

1 and a second. Is there any discussion?

2 No discussion? Then we'll call the
3 roll, please.

4 MS. MENENDEZ: Jack Coe?

5 MR. COE: Yes.

6 MS. MENENDEZ: Pat Keon?

7 Cristina Moreno?

8 MS. MORENO: Yes.

9 MS. MENENDEZ: Javier Salman?

10 MR. SALMAN: Yes.

11 MS. MENENDEZ: Eibi Aizenstat?

12 MR. AIZENSTAT: Yes.

13 MS. MENENDEZ: Robert Behar?

14 MR. BEHAR: Yes.

15 MS. MENENDEZ: Tom Korge?

16 CHAIRMAN KORGE: Yes.

17 The next item is the Zoning text,
18 Zoning Code text amendment, Article 5,
19 Development Standards for parking lifts.

20 MR. RIEL: The Parking Director is
21 still not here.

22 CHAIRMAN KORGE: Still not here?

23 MR. RIEL: No.

24 MR. AIZENSTAT: Is he going to be
25 coming?

1 MR. COE: Oh, one second,
2 Mr. Chairman. It just occurred to me --

3 MS. ALFONSO RUIZ: Make two
4 motions.

5 MR. COE: -- that we need to make
6 two motions for the 073-P item, since
7 it's also an LPA, besides the P & Z
8 Board review.

9 So I will move approval for both
10 the LPA and for the Planning and Zoning
11 Board. I think we need two separate
12 votes.

13 CHAIRMAN KORGE: Well, the first
14 vote, then, would have been for the
15 Local Planning Agency; is that correct?

16 MR. COE: Right.

17 CHAIRMAN KORGE: And so are you
18 moving now --

19 MR. COE: So we need one now for
20 the P & Z.

21 CHAIRMAN KORGE: So now you're
22 moving for the Planning and Zoning
23 Board.

24 Is there a second for the other
25 motion?

1 MR. SALMAN: I so move.

2 CHAIRMAN KORGE: Any discussion?

3 No discussion? Let's call the roll
4 on the second motion.

5 Thank you, Jack, for picking that
6 up.

7 MS. MENENDEZ: Eibi Aizenstat?

8 MR. AIZENSTAT: Yes.

9 MS. MENENDEZ: Robert Behar?

10 MR. BEHAR: Yes.

11 MS. MENENDEZ: Jack Coe?

12 MR. COE: Yes.

13 MS. MENENDEZ: Pat Keon?

14 Cristina Moreno?

15 MS. MORENO: Yes.

16 MS. MENENDEZ: Javier Salman?

17 MR. SALMAN: Yes.

18 MS. MENENDEZ: Tom Korge?

19 CHAIRMAN KORGE: Yes.

20 So we're not ready for the parking?

21 MR. AIZENSTAT: Do we have a way to
22 get in touch with the Parking Director,
23 just to make sure everything's okay?

24 MR. RIEL: Yes, we'll do that.

25 MR. COE: Is he coming?

1 MR. RIEL: Yes, he's coming.

2 MR. AIZENSTAT: Jack, do you want
3 to go ahead and move into the elections,
4 or do you want to still leave that to
5 the end, since we don't have the Parking
6 Director?

7 MR. COE: Well, we can have it
8 right here. We can do the elections.

9 CHAIRMAN KORGE: Let's do elections.

10 MR. AIZENSTAT: We have a full
11 quorum, so it's not a bad idea.

12 MR. COE: Yeah.

13 CHAIRMAN KORGE: So we need to
14 elect Chairman and Vice-Chairman.

15 MR. COE: I nominate Tom Korge as
16 Chairman.

17 MR. AIZENSTAT: I second.

18 CHAIRMAN KORGE: A motion and
19 second. Any other motions?

20 MR. COE: Move to close the
21 nominations and call the roll,
22 Mr. Chairman.

23 CHAIRMAN KORGE: Any discussion?

24 No discussion. Call the roll,
25 please.

1 MS. MENENDEZ: Robert Behar?

2 MR. BEHAR: Yes.

3 MS. MENENDEZ: Tom Korge?

4 CHAIRMAN KORGE: Yes.

5 MS. MENENDEZ: Jack Coe?

6 MR. COE: Yes.

7 MS. MENENDEZ: Pat Keon?

8 MS. KEON: Yes.

9 MS. MENENDEZ: Cristina Moreno?

10 MS. MORENO: Yes.

11 MS. MENENDEZ: Javier Salman?

12 MR. SALMAN: Yes, but only because
13 he has a nice tie.

14 MS. MENENDEZ: Eibi Aizenstat?

15 MR. AIZENSTAT: Yes.

16 CHAIRMAN KORGE: And a motion for
17 Vice-Chairman. Shall I move that one,
18 Eibi Aizenstat?

19 MR. BEHAR: Yes.

20 MR. COE: I would nominate him if
21 he wants to be Vice-Chairman.

22 MR. AIZENSTAT: Yes.

23 MR. BEHAR: And I'll second that.

24 CHAIRMAN KORGE: Any further
25 nominations? Any discussion? None?

1 Let's call the roll, please.

2 MS. MENENDEZ: Robert Behar?

3 MR. BEHAR: Yes.

4 MS. MENENDEZ: Jack Coe?

5 MR. COE: Yes.

6 MS. MENENDEZ: Pat Keon?

7 MS. KEON: Yes.

8 MS. MENENDEZ: Cristina Moreno?

9 MS. MORENO: Yes.

10 MS. MENENDEZ: Javier Salman?

11 MR. SALMAN: Yes.

12 MS. MENENDEZ: Tom Korge?

13 CHAIRMAN KORGE: Yes.

14 Appointment of the Planning and

15 Zoning Board member. That's Pat's

16 position, right, Pat? Are you --

17 MS. KEON: Yes. How often do you

18 do that, though?

19 MR. AIZENSTAT: Once a year.

20 MR. RIEL: Yes.

21 MS. KEON: Oh, really? No, I think

22 it's a two-year thing.

23 MR. AIZENSTAT: You know, I think I

24 nominated Pat last year, and I think

25 she's been great for the Board, and if

1 she would like to remain with us, I'd
2 love to do it again.

3 MS. KEON: Thank you.

4 CHAIRMAN KORGE: Is there a second
5 for that?

6 MS. MORENO: I'll second.

7 CHAIRMAN KORGE: Second. Is there
8 any other name for nomination?

9 MR. COE: Call the question,
10 Mr. Chairman.

11 CHAIRMAN KORGE: Any discussion?

12 No discussion. Let's call the vote
13 on that, please.

14 MS. MENENDEZ: Cristina Moreno?

15 MS. MORENO: Yes.

16 MS. MENENDEZ: Javier Salman?

17 MR. SALMAN: Yes.

18 MS. MENENDEZ: Eibi Aizenstat?

19 MR. AIZENSTAT: Yes.

20 MS. MENENDEZ: Robert Behar?

21 MR. BEHAR: Yes.

22 MS. MENENDEZ: Jack Coe?

23 MR. COE: Yes.

24 MS. MENENDEZ: Tom Korge?

25 CHAIRMAN KORGE: Yes.

1 MR. AIZENSTAT: Is the Parking
2 Director --

3 MR. RIEL: We're calling him right
4 now.

5 MR. AIZENSTAT: Okay. Should we
6 then leave that for the end?

7 MR. COE: Well, I think we need to
8 move on.

9 MR. BEHAR: Move on. At this time,
10 Mr. Chairman, I will recuse myself --

11 CHAIRMAN KORGE: Okay.

12 MR. BEHAR: -- because I have a
13 conflict with the next item.

14 CHAIRMAN KORGE: All right.

15 MR. BEHAR: Thank you.

16 (Thereupon, Mr. Behar left.)

17 CHAIRMAN KORGE: Our next item on
18 the agenda is Application Number
19 02-07-455-P, Change of Land Use,
20 Rezoning and Site Plan and Review, for
21 the project known as 2600 LeJeune Office
22 Building.

23 MR. COE: So we're clear,
24 Mr. Chairman, we're sitting both as an
25 LPA, as well as a P & Z Board; is that

1 correct?

2 CHAIRMAN KORGE: Yes, thank you.

3 MR. CARLSON: That's correct.

4 MR. RIEL: Mr. Chair, we just
5 talked to the Parking Director.
6 Unfortunately, he's not going to make
7 it, so if you'd like, I can give you a
8 brief presentation.

9 CHAIRMAN KORGE: That would be
10 fine.

11 MR. AIZENSTAT: If that's -- Should
12 we get Robert back in here, then, or if
13 he hasn't left the building yet or --

14 MR. COE: He's left the building.

15 MR. RIEL: Sorry for the confusion.

16 MR. AIZENSTAT: No, that's okay.

17 MR. COE: He probably went home.
18 He probably went to have dinner.

19 MR. AIZENSTAT: I don't think
20 Robert's going to like that, though.

21 (Thereupon, Mr. Behar returned.)

22 MR. AIZENSTAT: Eric is going to
23 do the presentation.

24 MR. RIEL: So this is Agenda Item
25 Number 8 on the agenda. It's a Zoning

1 Code text amendment regarding parking
2 lifts.

3 Basically, what this is, is the
4 City Commission asked the Planning and
5 the Parking Department to look at
6 further restrictions and requirements
7 for parking lifts within developments.
8 I don't know if you recall, a couple
9 months ago, a development came through
10 and had -- I would say probably a
11 substantial number of parking lifts as a
12 part of the required parking.

13 That identified an issue for City
14 Commission, so what they asked is that
15 Staff go back and look at creating
16 maximum percentages for parking lifts.

17 The Parking Director went to the
18 Parking Advisory Board, and the
19 recommendation that you see there from
20 Staff is the recommendation that the
21 Parking Advisory Board recommended.
22 Staff does recommend approval of it.
23 Basically, it limits a maximum of 20
24 percent to the first 50 parking spaces
25 and 10 percent thereafter, and they're

1 limited to the two-level parking lifts,
2 and each lift has to be exclusively
3 controlled by one unit, and that can be
4 a tenant unit or a residential unit.

5 That's basically the changes. The
6 other changes on here are just kind of
7 cleaning up the language, but the
8 Commission asked us to come forward, and
9 this is scheduled for August 26th at the
10 City Commission.

11 MR. AIZENSTAT: Did they mention
12 anything with sight of the lifts, as far
13 as -- or do we already have that in the
14 Code so it's --

15 MR. RIEL: The Code requires that
16 it be inside the building, if you look
17 at five, entirely in the confines of the
18 building and is not visible from the
19 outside of any portion of the structure.

20 CHAIRMAN KORGE: I noticed that
21 there's a deletion of Subparagraph 6.

22 MR. RIEL: Six. We deleted that
23 because that is included in the
24 Mediterranean Ordinance, regarding
25 fenestration of parking garages.

1 CHAIRMAN KORGE: But would that --
2 would this be usable outside of the
3 Mediterranean Ordinance, this
4 development standard?

5 MR. RIEL: It's actually not -- I
6 misspoke. It's not the Mediterranean
7 Ordinance. It's the architectural
8 requirements for the City, not the
9 Mediterranean.

10 CHAIRMAN KORGE: Got you.

11 MR. RIEL: That's why we removed
12 it.

13 CHAIRMAN KORGE: Okay.

14 MR. RIEL: It was repetitive.

15 CHAIRMAN KORGE: Thank you.

16 MR. AIZENSTAT: Eric, if I may, if
17 you take these numbers, 20 percent of
18 the first 50 and 10 percent after, if
19 you go through -- I don't know if you've
20 done the exercise, but if you go through
21 the projects that have come before us,
22 where does it stand?

23 MR. RIEL: I didn't run the
24 numbers. It's the Parking Director who
25 ran the numbers, unfortunately.

1 I can tell you, when this was
2 discussed at the Commission, they did
3 get into some detail in terms of
4 percentages, 20 and 10, and that's kind
5 of where we landed with this, and I know
6 the Parking Director did work out the
7 numbers.

8 In terms of the projects that have
9 come through, I couldn't tell you,
10 because those don't come through my
11 department for review. They typically
12 only go through the Zoning Department
13 and go to the Board of Architects, but
14 there was just a concern on the
15 Commission's part that we could
16 potentially have a development that
17 could have a hundred percent parking
18 lifts, although it might not be
19 feasible, but that could potentially
20 happen.

21 MS. MORENO: Is your concern that
22 we're rendering something nonconforming
23 by this change?

24 MR. AIZENSTAT: Correct.

25 MS. MORENO: And what would be the

1 effect, Eric?

2 MR. RIEL: I'm sorry, I didn't hear
3 your question.

4 CHAIRMAN KORGE: The question is
5 whether this might inadvertently be
6 rendering -- or intentionally, rendering
7 certain structures nonconforming.

8 MR. BEHAR: Well, this would apply
9 to any projects after this --

10 MR. RIEL: This is new projects.

11 MR. BEHAR: -- if approved.

12 MS. MORENO: Right.

13 MR. RIEL: Once it's approved, it
14 only applies to projects that are
15 then --

16 MS. MORENO: That's correct, but it
17 renders old projects nonconforming.

18 MR. RIEL: Yes. Yes.

19 MR. AIZENSTAT: How do you -- What
20 do you do with that?

21 MR. RIEL: Well, I don't know how
22 many there are, but my guess is, there's
23 probably not more than 10. That's just
24 my guess.

25 MR. AIZENSTAT: Didn't we, at one

1 time, have a discussion when we were
2 going through the Zoning Code on sizes,
3 that, God forbid, if there was ever a
4 problem, some natural disaster, and we
5 had to redo some kind of buildings or
6 apartment buildings, that they might or
7 they may not be able to put those
8 structures back as is?

9 MR. RIEL: That's in the
10 nonconforming section, and I don't
11 recall what --

12 MS. MORENO: I believe we addressed
13 that.

14 MR. RIEL: But that language is in
15 there. That language is in there
16 regarding nonconformities.

17 MR. AIZENSTAT: Okay.

18 CHAIRMAN KORGE: Yeah, I would
19 suggest that before it goes the
20 Commission that somebody double-check
21 that, so that --

22 MR. RIEL: Okay.

23 CHAIRMAN KORGE: -- they know.

24 MR. RIEL: We'll do that.

25 CHAIRMAN KORGE: But I guess what

1 you're telling us is, this has been
2 already reviewed by the departments that
3 are, you know, responsible for it, and
4 that's what they're recommending.

5 MR. RIEL: Yes.

6 MR. BEHAR: If you do some numbers,
7 on a project that would require 300
8 spaces, it would total approximately 35
9 spaces, about 11 and a half, 12 percent,
10 which is, in my opinion, you know,
11 adequate, not too much either. That
12 project that came about, you know, a
13 couple months ago, I think, had like 40
14 percent lifts.

15 MR. SALMAN: My concern is not one
16 for large projects. It's actually one
17 for small projects. I'm thinking of the
18 small office buildings, at one or two
19 stories, towards the north end of the
20 Business District, that will have 10 or
21 12 parking spaces, and a lot of times
22 they want to put in these -- these
23 lifts, to be able to accommodate easier
24 the amount of people they have inside
25 the building, and I would allow them to

1 have more if they want, but they can't
2 count more.

3 MR. BEHAR: Well --

4 MR. SALMAN: I'm thinking of like
5 an attorney's office, up in the -- north
6 of Alhambra, where they have 12 parking
7 spaces and it's about, I don't know,
8 1,200 square feet of office above a
9 parking area on a single, you know,
10 50-foot lot by a hundred, and they're
11 contemplating putting in extra lifts to
12 be able to accommodate their staff
13 there.

14 MR. BEHAR: But as long as they
15 don't add square footage, you can have
16 additional parking spaces.

17 MR. SALMAN: I understand that,
18 but --

19 MR. BEHAR: And that's why you have
20 to go back, to make sure -- you cannot
21 add square footage to an existing
22 building, and if you're looking at it
23 from a new development and you're going
24 to do, you know, 5,000 square feet,
25 you're going to be required, you know,

1 15 spaces, whatever that is. You're
2 going to do 20 percent of that, three
3 parking spaces equivalent. If you
4 provide an additional lift that is
5 concealed, I don't have a problem,
6 within the structure, if you have over
7 and above the required, okay?

8 MR. SALMAN: My concern is that it
9 makes certain projects unfeasible
10 because of the size of the lots, because
11 the number of lift spaces that you would
12 need to make the building work from a
13 square footage point of view -- let's
14 say you wanted to do 3,500 square feet
15 and build the whole lot, front to back,
16 with offices. The number of parking
17 spaces would then be so high that it
18 would be difficult to accommodate on
19 that lot, and you would need probably
20 more than 20 percent.

21 MR. BEHAR: I think the problem
22 probably came about on that project on
23 Ponce de Leon that, you know, the small
24 site being incorporated -- I don't
25 remember how many, you know, lifts -- to

1 get --

2 MR. RIEL: Seventy-four.

3 MR. BEHAR: Seventy-four. In order
4 to get more square footage, okay?
5 That's where the problem will happen,
6 because then you're going to have an
7 excess of lifts, which is -- you know,
8 40 percent would be, in my estimation, a
9 lot.

10 MR. SALMAN: I'm just trying to
11 allow people who own single lots the
12 ability to develop them to their maximum
13 potential, and right now, currently,
14 they are really severely limited by the
15 number of parking, and so they may need
16 to have more than the 20 percent for
17 these small lots. I mean, on a 50-foot
18 lot, you can get a driveway and a
19 parking row, in a dead-end parking
20 situation.

21 MS. MORENO: Don't we have an
22 exception for small lots, or is it just
23 that in the CBD?

24 MR. SALMAN: Just in the CBD.

25 MS. MORENO: Okay. As I understand

1 it, there are two possibilities. One is
2 whether or not you count those lifts for
3 required parking, and what Robert is
4 suggesting is that if you don't count
5 them for required parking, you can still
6 allow them, so that people can do what
7 Javier is saying and park their staff
8 without increasing the square footage.

9 MR. RIEL: So you're saying
10 anything above their required parking
11 can be put in lifts? Is that what
12 you're saying?

13 MS. MORENO: Well, I think that's
14 the way that it reads now.

15 MR. RIEL: No, the way this is
16 written is all parking.

17 CHAIRMAN KORGE: Right.

18 MS. MORENO: No --

19 MR. RIEL: We -- it says --

20 MS. MORENO: No, it says --

21 MR. RIEL: -- 20 percent parking.

22 MS. MORENO: -- parking spaces in
23 automated parking systems can be counted
24 as required parking spaces provided that
25 all of the following are satisfied, and

1 I think you want some of these to apply
2 to all lifts and some of it to apply
3 only with respect to those that are to
4 be counted --

5 MR. SALMAN: That are counted.

6 MS. MORENO: -- so I think your
7 drafting in that introductory section
8 needs to be revised, because Number 2
9 again talks about required parking.

10 MR. RIEL: The intention was that
11 no matter the amount of parking above
12 and beyond the Code, there was a
13 limitation of 20 percent for the first
14 50 and 10 percent thereafter. That was
15 the intent.

16 MS. MORENO: I don't think that --

17 MR. RIEL: If that's not what it
18 says --

19 MS. MORENO: That's not what it
20 says.

21 MR. RIEL: -- we can clarify that,
22 and however the Board --

23 CHAIRMAN KORGE: Sorry, say that --
24 Repeat that one more time, please.

25 MR. RIEL: If you have a

1 development that is required 35
2 spaces -- okay, let's take 20 percent of
3 that amount, so that's --

4 CHAIRMAN KORGE: Seven.

5 MR. RIEL: -- seven spaces -- the
6 next 15, up to 50, I guess, if they
7 decide to put 15 more in, could be in
8 lifts. That's what you're talking
9 about. That's not what this would
10 allow. It's 10 percent of the parking
11 provided.

12 MR. BEHAR: But I'm not sure that
13 was the intent.

14 MR. RIEL: That was the intent. It
15 was clearly the intent, absolutely.

16 MS. MORENO: That's not what it
17 says.

18 MR. RIEL: If that's not what it
19 says -- but that was the intent of it.

20 MS. MORENO: Okay, so you're saying
21 that if 35 parking spaces are required,
22 I cannot put in 50 with additional
23 lifts?

24 MR. RIEL: Correct. Correct.

25 MS. MORENO: Okay. If that's what

1 you want, then that's not what it says.

2 CHAIRMAN KORGE: It definitely
3 doesn't say that, that's right.

4 MR. COE: It needs to be redrafted.

5 MR. RIEL: We'll clarify that.
6 We'll think about it.

7 MS. MORENO: Well, let's decide
8 whether -- because Robert and Javier
9 seem to think that you should be able to
10 allow additional parking on a lift
11 basis --

12 MR. RIEL: So basically,
13 anything --

14 MS. MORENO: -- as long as it
15 doesn't --

16 MR. RIEL: -- above the required
17 parking of the Zoning Code, you should
18 be able to put in lifts?

19 MS. MORENO: As long as the other
20 requirements of, you know, three, four
21 and five are met.

22 CHAIRMAN KORGE: Well, we can
23 include that in the motion, so --

24 MR. RIEL: So, if you have a
25 development, just as a scenario, that

1 has a hundred required parking spaces
2 and they decide to put in a hundred
3 additional spaces, they could put those
4 additional hundred spaces in lifts?

5 MR. AIZENSTAT: They could put
6 200 -- they could add 200 spaces? I
7 don't know if I like that.

8 MR. RIEL: They could put -- a
9 hundred of those could be in lifts.

10 MR. AIZENSTAT: A hundred --

11 MR. RIEL: Of above the required.

12 MR. AIZENSTAT: Right, but that
13 would mean that that hundred spaces --
14 if a place has 200 spaces and a hundred
15 are required, so they've got an
16 additional hundred, that hundred can be
17 doubled up so they'll have 200 more, if
18 they want to do the whole thing past
19 that?

20 CHAIRMAN KORGE: He's saying -- he
21 was saying that if, for example, the
22 requirement is a hundred spaces to meet
23 the requirements, and for whatever
24 reason, the developer wants to put in a
25 total of 200 spaces --

1 MR. AIZENSTAT: Right.

2 CHAIRMAN KORGE: -- the additional
3 one hundred can be put in, in the form
4 of parking lifts --

5 MR. AIZENSTAT: Okay.

6 MS. MORENO: Uh-huh. Yes.

7 CHAIRMAN KORGE: -- which would
8 mean less square footage to achieve that
9 hundred additional --

10 MR. BEHAR: As long as you don't
11 increase the square footage --

12 MR. AIZENSTAT: Right.

13 MR. BEHAR: -- you can provide
14 additional spaces.

15 CHAIRMAN KORGE: But it would be
16 less square footage that's taken away
17 from the other uses of the building, for
18 the additional hundred spaces.

19 MR. BEHAR: But you're not
20 taking -- you're not taking square
21 footage away.

22 MR. AIZENSTAT: No, no, I
23 understand that, but let's back up on
24 that. What if he decides to still do
25 the hundred extra, but instead of

1 reducing the parking square footage, he
2 decides to double up on those whole
3 hundred? The way you guys are talking
4 about it, it's kind of telling me that
5 he could do that, and I don't know if I
6 would like that. Am I understanding
7 you?

8 CHAIRMAN KORGE: What would
9 be the --

10 MR. AIZENSTAT: Am I
11 understanding you?

12 CHAIRMAN KORGE: What would be
13 the --

14 MS. KEON: Yeah, why would it make
15 a difference?

16 CHAIRMAN KORGE: Why would that be
17 a problem?

18 MR. AIZENSTAT: Because I think you
19 would end up -- I think you would end up
20 having tons of these type of lifts, and
21 create a lot of situations and problems.

22 MS. KEON: Like what?

23 MR. AIZENSTAT: I just -- I
24 always -- I feel that -- I feel that
25 parking should be the old standard

1 parking and you should allow certain
2 percentages, and the way it would look
3 and the aesthetics and so forth, even
4 though within its building. But it
5 makes sense to me when you talk about
6 reducing your square footage of parking,
7 as long as it doesn't increase your
8 square footage of -- square footage of
9 space, but I would be kind of concerned
10 if somebody has those hundred spaces and
11 now creates all hundred spaces into
12 double parkings.

13 CHAIRMAN KORGE: Okay, well, let me
14 ask you a question. If you have a
15 property that requires a hundred parking
16 spaces --

17 MR. AIZENSTAT: Uh-huh.

18 CHAIRMAN KORGE: -- and then the
19 developer's options are one of two, put
20 in 150 spaces with no lifts or 200
21 spaces with a lift for a hundred of the
22 200. Would you have --

23 MR. BEHAR: Without increasing the
24 square footage.

25 CHAIRMAN KORGE: Without changing

1 the square footage of the building
2 itself.

3 MR. AIZENSTAT: That would make
4 sense, but what about if he takes his
5 entire extra parking and doubles it up?

6 CHAIRMAN KORGE: Well, that's not
7 what is contemplated here.

8 MR. AIZENSTAT: That's what I kind
9 of understood from what you were saying,
10 that he could take --

11 MS. MORENO: Yes, he could take --

12 MR. AIZENSTAT: -- his extra --

13 MS. MORENO: He could take a
14 hundred --

15 CHAIRMAN KORGE: Yes.

16 MR. AIZENSTAT: He could take his
17 extra parking spaces --

18 MS. MORENO: Your example is
19 exactly right.

20 MR. AIZENSTAT: -- no matter how
21 many it is --

22 MS. MORENO: If you have a
23 hundred --

24 MR. AIZENSTAT: -- and double all
25 of it, if he doesn't want to reduce the

1 square footage for parking.

2 MS. MORENO: And why would we care?

3 I mean, the more parking we have, the

4 better off we are --

5 CHAIRMAN KORGE: Well, but he's

6 not --

7 MR. AIZENSTAT: Yes and no,

8 because --

9 MS. MORENO: -- because it's

10 enclosed.

11 MR. BEHAR: It's enclosed in the

12 structure. You don't see it.

13 CHAIRMAN KORGE: The only negative

14 of that is that the more spaces that are

15 in this lift system, the slower it is to

16 deliver --

17 MR. RIEL: It's an operational

18 issue in terms of delivery.

19 MR. BEHAR: Well, maybe if you've

20 got a hundred percent.

21 MR. AIZENSTAT: I mean, you'd have

22 to have operational issues, you'd have

23 the amount of traffic that it might

24 create, because more people will try to

25 back up within the lines from the street

1 to get in, by the time you lower a lift,
2 raise a lift. You know, I think it will
3 create other problems.

4 MS. KEON: Well, I have a question
5 on operational, too, because in here,
6 you state, too, that the lifts -- that
7 each lift shall be controlled
8 exclusively by one unit, so you -- I
9 don't know, if you have a hundred extra,
10 I'm not sure whose unit that is that
11 you're going to apply those to. I mean,
12 how do you --

13 MS. MORENO: It could be like a law
14 firm office with 60 employees, and
15 that's one unit.

16 MS. KEON: Is that right? So it
17 could be if you -- as opposed to one
18 residential unit, it could be --

19 MR. RIEL: It could be a
20 residential or a commercial tenant.

21 MS. KEON: It can be a commercial
22 tenant. So if you had a whole floor, if
23 somebody took a floor and they had 50
24 spaces, then that's what you're saying.

25 Did you -- I have some concerns

1 about them being -- not being -- their
2 not being attended. I've only seen
3 these attended. Are there --

4 MR. RIEL: That's why we limit it
5 to the two-level lifts --

6 MS. KEON: Well, I don't --

7 MR. RIEL: -- and that's why we
8 limit it to 20 percent. To be honest
9 with you, the initial recommendation was
10 10 percent of the first 50, and the
11 Parking Department bumped it up to 20
12 percent, because we were trying to
13 encourage smaller developments with the
14 ability --

15 MS. KEON: Right. You know what,
16 unless you can provide me with an
17 example of an automated -- you know,
18 this non-attended at any -- you know,
19 with multiple lifts, I would be hard
20 pressed to support that. I -- I mean,
21 if it's automated -- I mean, if it's
22 attended, I would see where it would
23 function and it could function
24 with numbers and --

25 MR. BEHAR: And these -- Pat, these

1 function very well, if it's the double,
2 you know, stack. They function very
3 well. But let me ask you --

4 MS. KEON: They're not attended?

5 MR. BEHAR: They're not attended.

6 MR. RIEL: Yeah, they're not
7 attended.

8 MR. BEHAR: They're not attended.

9 MS. KEON: I've only seen them
10 attended.

11 MR. BEHAR: Right.

12 MS. KEON: Have you seen them not
13 attended?

14 MR. BEHAR: Yes, yes, and they work
15 very well.

16 MS. KEON: In large -- a lot of
17 them?

18 MR. BEHAR: Not a lot of them. I'm
19 not --

20 MS. KEON: But that's why I just --
21 Yeah, I tried to look for places where
22 there were more than 10 and I couldn't
23 find them.

24 MR. BEHAR: We just installed -- we
25 have just installed in a project -- not

1 very many. I mean, I forget the
2 number --

3 MS. KEON: Right.

4 MR. BEHAR: -- the precise number,
5 but it went very well, because it
6 worked -- one user and two people are
7 using that, and it happened to be where
8 the secretary is going to use one space,
9 she comes first, and then the other
10 person --

11 MS. KEON: Right.

12 MR. BEHAR: -- and it works very
13 well. But I believe that what -- the
14 way it was written here, what was
15 intended to be is that this is almost
16 like a reduction of surface area
17 necessary for parking, okay? What I'm
18 trying to say is that without affecting
19 that, you keep your percentage, however
20 you want. If, in addition to these, if
21 you want to provide additional lifts
22 without increasing your square footage,
23 then you should be allowed to do it, up
24 to a point. Maybe it's, you know, an
25 additional 50 percent or whatever,

1 because what Cristina is saying is
2 correct. If we are getting more parking
3 spaces, the less problems we're going to
4 have on the off-street parking.

5 MS. MORENO: Yeah, but Pat raised a
6 point that does concern me. Are we
7 slowing down traffic inside the
8 building?

9 MR. AIZENSTAT: Well, that's why,
10 people going in and --

11 MS. KEON: I think it depends on
12 the number of --

13 MR. BEHAR: And it depends on the
14 use, where it's located --

15 MS. KEON: That's right. I think
16 there's lots of issues, particularly
17 with it being not attended. That
18 concerns me.

19 MR. BEHAR: I believe we did it --
20 we located it -- in our project, it was
21 at basement level, and we located it in
22 the basement so it's segregated from the
23 rest of the garage, and that worked out
24 very well. It really did.

25 MS. KEON: And I would see where

1 that would work, but I would see -- you
2 know, if, in the example that Cristina
3 cited, that you had, you know, a
4 hundred, and you met your requirement by
5 your hundred spaces, and so what she's
6 saying is that if you wanted to double
7 that up --

8 MR. AIZENSTAT: The balance.

9 MS. KEON: -- and you put in an
10 additional -- you could put in another
11 hundred, over and above that, and you
12 made them all this way, and get that 200
13 spaces or whatever, and they were in the
14 mechanical lifts, even if they were just
15 double, and they're not attended, and
16 you have all these people using them, I
17 think what's going to happen is, it
18 won't get used and you overflow -- I
19 mean, I suppose if you've already met
20 your requirement, maybe that isn't our
21 issue, but I have a tendency -- I
22 believe that it will back up and it
23 won't be used and it will just spill --
24 you know, you'll say you have additional
25 parking that will end up spilling to the

1 street or it will spill elsewhere. I
2 don't know.

3 MR. BEHAR: But you already --
4 Remember, the way it works, you come in
5 with the first car, you get out, you
6 press the button, the car goes up, the
7 space is available for the second car to
8 come in.

9 MS. KEON: Right.

10 MR. BEHAR: If you only use one,
11 you're still going to be meeting your
12 requirements, no matter what. It's not
13 like you're not going to be able to
14 utilize those spaces.

15 MS. KEON: No, I see what you're --
16 I understand what you're saying, if you
17 have met your required parking.

18 MR. BEHAR: And let's not
19 contemplate a hundred percent, because,
20 you know, that may be an excessive
21 amount.

22 MS. KEON: Well, whatever it is.
23 You know, my concern would be with the
24 issue of valet and the lease of these
25 spaces to valet and all those sorts of

1 things. I think they should never be
2 leased to valet. I think there's more
3 that needs to be looked at because of
4 the operational issues involved in
5 having these lifts, and there should be
6 things that should not be allowed.

7 MS. MORENO: Let me make a
8 suggestion.

9 MR. RIEL: From Staff's
10 viewpoint --

11 MS. MORENO: Why don't we adopt
12 this and say for all parking lifts this
13 is the standard, and we come back and
14 look at it for additional spaces?

15 MR. RIEL: You took the words right
16 out of my mouth.

17 MR. AIZENSTAT: I agree with
18 that --

19 MR. RIEL: So we'll do a study
20 of --

21 MR. AIZENSTAT: -- as long as we
22 clarify the language --

23 MS. MORENO: Right.

24 MR. AIZENSTAT: -- that's here now.

25 MR. RIEL: And we need to -- and

1 obviously, I need to -- the Parking
2 Department are the experts in this, and
3 the Parking Advisory Board, so I think
4 it's appropriate to have their input on
5 it, so if I understand correctly,
6 anything above the required parking
7 requirements, this Board is looking to
8 allow the ability of lifts at some
9 percentage.

10 MS. KEON: But it needs to be
11 studied.

12 MS. MORENO: It needs to be
13 studied.

14 MR. RIEL: Subject to a study.

15 MS. MORENO: To me -- to me, as I
16 said before, the more parking you
17 provide within your building, the less
18 parking there is on the street.
19 However, I think Pat's comment is
20 correct. I mean, are we creating a
21 parking nightmare for the tenants of
22 these buildings? And I'm not as
23 concerned with residential as I am with
24 commercial. If, on a commercial
25 building, where already you have backup

1 when people are backing in and out and
2 trying to park in their spaces, if now
3 they have to wait for people to go and
4 press the button and then the next
5 person to go in, you may have some
6 issues.

7 MR. SALMAN: You said a key word,
8 "into their spaces." I'm contemplating
9 these are secure parking lots, with
10 limited access, where they're assigned
11 spaces and everybody knows where they
12 have to park. The idea is to help get
13 them off the street and make it more
14 convenient for them to use the building.

15 MS. MORENO: I'd like to find a way
16 to do it. I'd like to get more input on
17 it. So, for now, let's just adopt it
18 for -- this way, with the understanding
19 that we are going to come back and
20 review the additional parking spaces,
21 with more input from the people who are
22 experts.

23 MR. SALMAN: I would agree with
24 that.

25 MS. MORENO: Because I think the

1 two members of the Board who have some
2 expertise are both in favor of it, so
3 that makes me think that that's
4 something I really want to look at.

5 CHAIRMAN KORGE: That's a good
6 suggestion, but before we move any
7 further, is there anybody from the
8 public who signed up to speak on this?

9 MS. MENENDEZ: No.

10 CHAIRMAN KORGE: No. Okay.

11 MR. RIEL: So, just so we're clear,
12 the intention, the way we intended to
13 write this, was that all parking spaces,
14 the maximum percentage was based upon
15 here -- above, required, and additional.
16 I just want to make sure that -- that's
17 what the intent was of these
18 regulations.

19 CHAIRMAN KORGE: Say that again?

20 MR. SALMAN: Read it to me in
21 English.

22 MR. RIEL: All parking spaces, no
23 matter what an applicant or developer
24 provides on the property, shall be
25 subject to these percentages.

1 CHAIRMAN KORGE: Whether it's
2 required or excess.

3 MR. RIEL: Exactly.

4 MS. MORENO: Yeah. I think all you
5 need to say is, "can be installed," and
6 take out the words, "counted as required
7 parking spaces."

8 MR. RIEL: Okay.

9 MS. MORENO: In B, "provided that
10 all of the following are satisfied."

11 MR. RIEL: And it's subject to
12 coming back with additional information
13 regarding those spaces above and beyond
14 the Code, in terms of percentages.

15 CHAIRMAN KORGE: Okay.

16 MR. RIEL: We're clear.

17 CHAIRMAN KORGE: Okay. Is there a
18 motion, then?

19 MR. SALMAN: So moved.

20 CHAIRMAN KORGE: So moved. Is
21 there a second?

22 MS. MORENO: Seconded.

23 CHAIRMAN KORGE: There's a second.
24 Is there any more discussion on this?
25 We've been moved and seconded.

1 No discussion. Let's call the
2 roll, please.

3 MS. MENENDEZ: Javier Salman?
4 Javier Salman?

5 MR. SALMAN: Yes.

6 MS. MENENDEZ: Eibi Aizenstat?

7 MR. AIZENSTAT: Yes.

8 MS. MENENDEZ: Robert Behar?

9 MR. BEHAR: Yes.

10 MS. MENENDEZ: Jack Coe?

11 MR. COE: Yes.

12 MS. MENENDEZ: Pat Keon?

13 MS. KEON: Yes.

14 MS. MENENDEZ: Tom Korge?

15 CHAIRMAN KORGE: Yes.

16 MS. MENENDEZ: Cristina Moreno?

17 MS. MORENO: Yes.

18 (Thereupon, Mr. Behar left.)

19 CHAIRMAN KORGE: Okay. The last
20 item is Application Number 02-07-455-P,
21 Change of Land Use, Rezoning and Site
22 Plan Review for the project known as
23 2600 LeJeune Office Building.

24 MR. CARLSON: Good evening. Yes,
25 the last item before you this evening is

1 the 2600 LeJeune Office Building.

2 Before I begin my brief PowerPoint
3 presentation, I'd like to point out that
4 you do have updated written comments
5 before you. They are the blue sheets
6 which are at your stations. They
7 include the most current, up-to-date
8 written comments which have been
9 submitted to the City.

10 I do have a --

11 CHAIRMAN KORGE: Before we begin,
12 let me just reflect, in the record,
13 again, that Mr. Behar has recused
14 himself and has left the meeting.

15 Go ahead.

16 MR. CARLSON: Okay, the -- if the
17 people upstairs could put on my
18 PowerPoint presentation, I'd appreciate
19 it.

20 Thank you very much.

21 The applicant is making three
22 requests, which are required to allow
23 this project to proceed forward. The
24 first request they're making is a change
25 of land use from Commercial Use, Low-

1 Rise Intensity, to Commercial Use, High-
2 Rise Intensity. The second is a change
3 of zoning from MFSA, which is
4 Multi-Family Special area to C,
5 Commercial, and the third and final
6 request they're making is site plan
7 review of a proposed ten-story-high
8 commercial office project.

9 The change of land use is required
10 to allow the construction of the
11 proposed project.

12 The change of zoning is necessary
13 to correct the existing inconsistent
14 residential zoning to be in compliance
15 with the property's commercial land use
16 designation.

17 And finally, the site plan must be
18 submitted with every zoning application
19 that's submitted to the City.

20 The recommendation. The Planning
21 Department is recommending denial of
22 both the change of land use and site
23 plan for the proposed ten-story
24 commercial office project. However, the
25 Planning Department recommends approval

1 of the change of zoning, which would
2 correct the existing inconsistent
3 residential zoning to be in compliance
4 with the commercial land use
5 designation.

6 A little bit of background. The
7 property is located adjacent to the
8 Church of Christian Science complex,
9 which has been identified as a candidate
10 for historic designation. The property
11 is located within the MFSA District
12 boundaries. That district was created
13 with the intent of lowering development
14 within that district. Two-story
15 apartment buildings and a surface
16 parking lot are currently located on the
17 property -- currently occupy the
18 property, and as I previously mentioned,
19 the existing residential zoning is
20 inconsistent.

21 As described in the Staff Report
22 which is provided in your package, there
23 are inconsistencies and
24 incompatibilities with specific
25 Comprehensive Plan objectives and

1 policies, which prompts Staff not to
2 support the requested change in land use
3 and site plan.

4 Those concerns include:

5 An incompatible land use with the
6 existing residential property.

7 There lacks a transition between
8 the proposed high-rise commercial
9 project and the existing low-rise
10 residential uses.

11 It establishes a precedent.

12 This would introduce high-rise
13 development within the MFSA District.

14 It is inconsistent with the City
15 Hall setting, which is a low-rise scale
16 and of historic character.

17 Required traffic improvements which
18 have been identified by the Public Works
19 Department, more specifically, at the
20 intersection of Hernando Street and
21 Biltmore Way, have not been addressed.

22 Insufficient landscape
23 improvements -- there exist insufficient
24 landscape improvements, specifically
25 along the north side of Valencia Avenue.

1 And finally, historic preservation.
2 This project abuts -- is directly
3 adjacent to the church building and
4 complex.

5 Staff found that the request for
6 change of zoning satisfies the Zoning
7 Code standards for review. It would
8 correct an inconsistent -- existing
9 inconsistent zoning designation. It
10 would provide for the redevelopment of
11 an underdeveloped property, and it would
12 promote and is consistent with some
13 Comprehensive Plan objectives and
14 policies.

15 Staff also found that the request
16 for change of land use does not satisfy
17 Zoning Code standards for review. It is
18 inconsistent, as I specifically said,
19 with specific Comprehensive Plan
20 objectives and policies. It is
21 incompatible with the adjacent
22 residential properties. Insufficient
23 streetscape and traffic improvements are
24 provided, and it would impact the
25 adjoining church complex and historic

1 City Hall setting.

2 It is Staff's recommendation that
3 the property be developed according to
4 the existing Commercial Use, Low-Rise
5 Intensity land use, which would allow
6 for a maximum of 77 foot high building
7 height, which would be more compatible
8 with the surrounding properties and
9 uses.

10 In summary, the findings of facts
11 are that the proposed project is not
12 consistent with specific goals,
13 objectives and policies of the City's
14 Comprehensive Plan.

15 The proposed project does not
16 satisfy all Zoning Code standards for
17 Comprehensive Plan map amendments.

18 Proposed height and massing of the
19 project would have an adverse effect on
20 adjacent residential properties and
21 surrounding historic structures and
22 their settings.

23 Requested development bonuses could
24 not be awarded for this project if
25 developed according to the property's

1 current MFSA zoning designation.

2 Required traffic improvements are
3 identified that have not been addressed.

4 But, however, the proposed change
5 of zoning would correct an existing
6 inconsistent zoning designation, again
7 to be compatible with the property's
8 current commercial land use designation.

9 In summary, the Planning Department
10 recommends denial of the request for a
11 change of land use and proposed site
12 plan. However, if the Board should
13 choose to support it, an alternative
14 recommendation and conditions of
15 approval are included in the Staff's
16 report for your consideration.

17 Thank you.

18 MS. MORENO: I have some questions.

19 MR. CARLSON: Yes.

20 MR. COE: I have a lot of questions.

21 MR. RIEL: Before you answer the
22 questions, let me just go through the
23 3-D model we typically do.

24 MR. AIZENSTAT: Yeah, that's good.

25 MR. RIEL: As Staff always does,

1 we've prepared a 3-D model, just to kind
2 of orient folks.

3 This is Biltmore Way, City Hall,
4 427, Merrick Park. This is the subject
5 property, right here. This is where the
6 Publix is located, and then this is
7 Miracle Mile.

8 I'm just going to kind of reiterate
9 some of Walter's -- some of the points
10 that he pointed out in Staff's
11 recommendation.

12 Staff is of the opinion that
13 this -- the project scale as proposed
14 right here, I believe, is 117 feet in
15 height. In terms of massing and height,
16 it does not provide a transition between
17 land uses. What I mean by that is the
18 transition of land uses, where you have
19 the single-family, which is noted in the
20 yellow color here, and you have the
21 multi-family development.

22 You see there's really -- although
23 we didn't put these -- development to
24 the north of Biltmore Way, all of these
25 properties are about 35 to 45 feet in

1 height. Nowhere on LeJeune Road until
2 you get to Bird, with only one
3 exception, in front of the Youth
4 Center -- I can't think of the building
5 right there -- that's five or six
6 stories in height, but nowhere along
7 LeJeune Road do you see that jump in
8 height, across LeJeune Road as well as
9 down here.

10 Let me just kind of go ahead and
11 pan around. This is the proposed
12 Bacardi -- previous Burger King
13 building.

14 Staff is basically of the opinion
15 that this sets a precedent for high-rise
16 properties jumping across LeJeune Road,
17 in addition to the fact that you have
18 the adjoining church, which you'll see
19 as I pan around here -- it has kind of a
20 pinkish color -- that has low-rise
21 zoning, as well, which allows four to
22 six.

23 This is obviously the Merrick Park,
24 which nothing will be constructed on,
25 then you have kind of the City Hall

1 complex.

2 We're of the opinion that the
3 low-rise commercial is the appropriate
4 use for the property, four to six
5 stories in height with Mediterranean
6 bonuses, and therefore, that's why we're
7 supporting the recommendation for the
8 change in zoning, to make the land use
9 and zoning consistent, and if the Board
10 goes in that direction, obviously, and
11 we suggest you go in that direction,
12 they would only need to come back as a
13 by-right review and go to the Board of
14 Architects if they construct the
15 building within the parameters of the
16 Code.

17 Obviously, if they do a mixed-use
18 building or some other type of use that
19 requires a conditional use, it will come
20 back to this Board.

21 CHAIRMAN KORGE: How would that
22 affect the residential -- the current
23 residential use and any redevelopment of
24 this residential use?

25 MR. RIEL: Well, the MFSA District,

1 which is this district right here,
2 allows 60 to 70 feet in height. That's
3 what the zoning allows. 77 feet is
4 allowed on this parcel with the
5 commercial low-rise land use and the
6 commercial zoning. Staff recommended
7 the commercial zoning instead of the
8 commercial limited, because the
9 commercial limited has very limited in
10 terms of the height restrictions
11 adjoining residential.

12 MS. MORENO: Why is that commercial
13 and not multi-family?

14 MR. RIEL: I don't know the answer
15 to that.

16 MS. MORENO: Is there any other
17 property except on Miracle Mile and
18 Biltmore Way -- on Coral Way and on
19 Biltmore Way that is commercial, west of
20 LeJeune?

21 MR. RIEL: There's this building
22 right across the street here, this one
23 right here, the four-story --

24 MS. MORENO: Right.

25 MR. RIEL: -- curved one, that

1 one is actually -- that's commercial
2 limited, and the reason being -- it's
3 right here. The reason it's commercial
4 limited is because it has single-family
5 adjacent to it.

6 MS. MORENO: That's the 401 Miracle
7 Mile building?

8 MR. RIEL: Yes.

9 MS. MORENO: Right, but other than
10 on Miracle Mile, other than on Coral Way
11 and Biltmore Way, is there any other
12 commercial building on LeJeune?

13 MR. RIEL: No, not -- I mean, and
14 I'm trying to get down there.

15 MS. MORENO: There's that Jaycee
16 Building.

17 MR. RIEL: JCI building, yes.

18 MS. MORENO: Right.

19 MR. RIEL: JCI, which is right
20 here.

21 MS. MORENO: Everything else is
22 either the church or residential, et
23 cetera.

24 MR. RIEL: It's duplex. The only
25 properties that are commercial, with the

1 exception of JCI, is this parcel, as
2 well as the church parcel, on LeJeune
3 Road, west of LeJeune Road.

4 CHAIRMAN KORGE: All the others, I
5 guess that would be --

6 MS. MORENO: Everything else is
7 residential.

8 CHAIRMAN KORGE: Everything else
9 south is zoned residential on --

10 MR RIEL: Yes.

11 CHAIRMAN KORGE: -- the west side
12 of LeJeune?

13 MR. RIEL: Yes.

14 MS. MORENO: And everything north.

15 MR. RIEL: Well, you have Biltmore
16 Way, which has high-rise.

17 MS. MORENO: Right. Other than
18 Biltmore Way and Coral Way.

19 MR. RIEL: Right, and the 401
20 Building.

21 MS. MORENO: Which is on Coral Way.

22 MR. RIEL: Yeah. Well, no, it's
23 right here.

24 MS. MORENO: Well, it's --

25 MR. RIEL: Yeah, it's on Coral Way,

1 I'm sorry.

2 MS. MORENO: That's on Coral Way.

3 MR. RIEL: Yes.

4 MS. MORENO: I frankly am not
5 prepared to support changing it from
6 residential to commercial. Everything
7 west of LeJeune is residential. Why am
8 I putting commercial on those poor
9 people who live just west of that
10 building?

11 MR. RIEL: And Staff, obviously,
12 when we do recommendations to the Board,
13 we do a lot of analysis. You know, I
14 can tell you, I personally went out to
15 the property a number of times. Given
16 the fact that you have high-rise across
17 LeJeune, you know, and it allows 70 feet
18 in multi-family, anyway, I felt that 77
19 feet, you know, in terms of --

20 MS. MORENO: I'm happy for them to
21 have the feet in multi-family, but --

22 MR. AIZENSTAT: But it's on
23 LeJeune.

24 MS. MORENO: LeJeune has been a
25 bright line separating the commercial

1 from the residential, and you're
2 allowing commercial now to encroach on
3 the residential aspects of LeJeune.
4 That is our most sacred part of our
5 community, making that -- keeping that
6 residential aspect west of LeJeune.

7 And as I said, there's nothing
8 commercial except those, you know, few
9 buildings on Coral Way and on Biltmore
10 Way, and then that Jaycee building,
11 which is an anomaly, because of a
12 specific desire to bring the Jaycees
13 International there. Everything else
14 has remained residential, historically.
15 I really am concerned about changing
16 that. It's -- that street has been like
17 a barrier between our commercial and our
18 residential.

19 MR. AIZENSTAT: Which street are
20 you talking about?

21 MS. MORENO: LeJeune.

22 MR. RIEL: LeJeune. You know,
23 Staff, when we've gone through -- we did
24 the incompatible land use changes for
25 the public properties. Pretty much,

1 Staff has used the Comp Plan as a
2 guiding in terms of the appropriate land
3 use on the property. Although I might
4 agree that, you know, it should be
5 multi-family and might have less impact,
6 I just feel commercial is appropriate,
7 given the land use in this location.

8 MR. AIZENSTAT: I would suggest --

9 MS. MORENO: Well, but we can
10 change the Comprehensive Land Use Plan.

11 MR. RIEL: You can absolutely do
12 that. Absolutely, you can. Absolutely.

13 MR. AIZENSTAT: See, for me, I
14 mean, I'd rather Eric finish his
15 presentation and --

16 MR. RIEL: I'm finished. I'm
17 finished.

18 MR. AIZENSTAT: Oh, you're
19 finished. Okay.

20 MR. RIEL: Yes.

21 MR. AIZENSTAT: Then let the next
22 side also do their presentation and
23 see --

24 CHAIRMAN KORGE: Would the
25 applicant like to make a presentation at

1 this time?

2 MS. RUSSO: Good evening,
3 Mr. Chairman, Members of the Board. For
4 the record, Laura Russo, with offices at
5 2655 LeJeune Road. I am here this
6 evening representing Valencia Investors,
7 LLC, the owner of the subject property,
8 and here this evening on behalf of
9 Valencia Investors is Otto Boudet
10 Murias, and I am here with the
11 architects, Javier Font and Patrick
12 Valent, of Behar Font, and what I'd like
13 to do before I address Staff's
14 recommendation, you know, Staff's
15 report -- needless to say, we
16 respectfully disagree with some of
17 Staff's recommendations and conditions,
18 and what we'd like to do is, I'd like to
19 have the architects take you through the
20 project quickly, just to give you an
21 idea of what we're talking about and
22 what the project is about, and then
23 address the six issues that Staff has
24 placed with respect to the three
25 applications, the change in land use,

1 the change in zoning and the site plan
2 approval.

3 Patrick?

4 MR. VALENT: Can you all see this,
5 the site plan?

6 MR. AIZENSTAT: Yes.

7 MR. VALENT: Can you hear me okay
8 without a mike? Perfect. I'm going to
9 take a few minutes. I'm Patrick Valent,
10 with Behar, Font & Partners, and --

11 MS. RUSSO: Hold on, we need the mike.

12 MR. VALENT: I could speak loudly,
13 if you want.

14 MR. RIEL: No, you're going to
15 need the -- to get on the record --

16 CHAIRMAN KORGE: For the TV.

17 MR. RIEL: -- you're going to need
18 to speak through that mike.

19 MR. VALENT: Patrick Valent, with
20 Behar, Font & Partners.

21 I just want to take a few minutes
22 to walk you through some of the key
23 elements of the architecture here,
24 starting with the site plan here.

25 As you can see from the site plan

1 here, we're basically wrapping the
2 LeJeune and Valencia side with arcades,
3 and we've taken the Valencia side down
4 from two curb cuts to one curb cut, and
5 basically, we've been focusing a lot of
6 our efforts on the pedestrian side here.
7 So, basically, we have the main focal
8 point on the Valencia/LeJeune side,
9 that's where the main entrance point is,
10 and we have arcades.

11 As you can see here, we have the
12 arcade --

13 MR. RIEL: I think you're going to
14 have to move the stuff, because I'm not
15 sure folks at home watching this, it's
16 being picked up.

17 MR. VALENT: How's that? Is that
18 better?

19 MR. RIEL: Here we go.

20 MR. AIZENSTAT: Oh, they found it. They
21 found it.

22 MR. VALENT: Patrick Valent, with
23 Behar, Font & Partners.

24 MR. AIZENSTAT: Is it off?

25 MR. COE: You need to turn the mike

1 on.

2 MS. ALFONSO RUIZ: The bottom.

3 MR. AIZENSTAT: Just tap it. It's
4 on.

5 MR. COE: Laura's a high-priced
6 technician.

7 MR. VALENT: Better now? Okay.

8 Let me just walk you through some
9 of the key points here when we designed
10 the project. We have arcades that wrap
11 along Valencia and LeJeune, and we've
12 taken those arcades and wrapped them all
13 the way around towards the church site.
14 We've had several meetings with the
15 church group, and this was a result of
16 those meetings, and the plans you have
17 in front of you are the final result of
18 those meetings.

19 Also, it is important to note that
20 we have Board of Architects' approval,
21 Mediterranean approval, DRC. We've gone
22 through several rounds with the City
23 Staff.

24 So, basically, this is the end
25 result here, and as I mentioned, we've

1 reduced the project on Valencia from two
2 curb cuts to one curb cut, and we've
3 wrapped the arcade on all three sides.

4 Put the elevation up here, Javier.

5 Another key element that we want to
6 point out here is -- as there was a lot
7 of talk about, you know, how the
8 transition is being made between the
9 residential and the various sides, all
10 four facades have a transition and have
11 a step-back. So we didn't just do the
12 step-back on the Valencia or LeJeune
13 side; we also did a step-back on the
14 church side and on the alley side. So,
15 if you look at the various elevations,
16 all four elevations, you'll see that
17 step-back.

18 So we transitioned from the arcade
19 and the pedestrian pedestal level, which
20 is about 45 to 50 feet, and then we
21 stepped back approximately 10 to 15
22 feet, depending on which facade, and
23 that creates an even better transition.
24 So, basically, you know, that's how
25 we're transitioning from the residential

1 to the commercial development.

2 Aside from that, there was some
3 comments that we noticed on the
4 streetscape plan. We have met with the
5 Planning -- I'm sorry, with the Public
6 Service departments. We have addressed
7 the streetscape along Valencia, and
8 there was a quite a bit of discussion
9 about whether that streetscape should go
10 along -- across the street or should it
11 go to the west, so --

12 MR. AIZENSTAT: That was actually
13 my -- Isn't that a public parking garage
14 or something? What's in back of the
15 building?

16 MR. VALENT: Right here?

17 MR. AIZENSTAT: Yeah.

18 MR. VALENT: That's a public
19 parking lot.

20 MS. RUSSO: It's the City's surface
21 parking lot. It's a --

22 MR. AIZENSTAT: Why did you not
23 extend the off-street to that?

24 MR. VALENT: It was basically -- we
25 know that we had to have further

1 discussion on whether -- it was asked to
2 go to the south, and we weren't sure
3 that was the right thing to do, because
4 right now there's quite a few curb cuts
5 on the existing properties.

6 MS. RUSSO: We're willing to do
7 either.

8 MR. VALENT: Right.

9 MS. RUSSO: And I think part of it
10 was, did it make more sense to go west
11 and continue or --

12 MR. AIZENSTAT: I mean, one thing
13 for me would be to go -- I'm sorry to
14 interrupt you.

15 MS. RUSSO: Uh-huh.

16 MR. VALENT: No, that's okay.

17 MR. AIZENSTAT: -- would be
18 actually to go back into the surface
19 parking lot.

20 MS. RUSSO: To go west, on the
21 north side, versus just south on that
22 side.

23 MR. VALENT: We actually suggested
24 that to Staff, and they were agreeable.
25 We met with Alberto Delgado, Public

1 Works, and the Public Services, and they
2 said another meeting would be necessary
3 to finalize that. We're willing to go
4 either way, to the south or to the west,
5 so either way works for us.

6 And as I mentioned, we did have
7 quite a few meetings with the group from
8 the church. There was quite a bit of
9 discussion on that transitional area,
10 the alley to the rear, so much so that
11 one of the previous submittals actually
12 had a courtyard that was located within
13 this little alley place; it was improved
14 with fountains and water features and
15 whatnot. At the very end, it was taken
16 out. There was discussions on whether
17 that would be the right place for a
18 courtyard, with loitering or whatever,
19 so the final result of those meetings is
20 in your package. That went back to the
21 Board of Architects and received
22 approval. So this site plan and floor
23 plan you have is a result of quite a few
24 meetings with the church group.

25 And that's basically it, to wrap

1 up. We're going to talk a little bit
2 more about the transitional, the
3 comments on setting precedents and on
4 the transition, and we have some other
5 boards we're going to present on that,
6 as well.

7 MS. RUSSO: And what I'd like to do
8 is take the comments in reverse order
9 and start with the historic
10 preservation.

11 As Patrick told you, we did meet
12 with the church members. We met with
13 church representatives. But we also met
14 with the City's Historic Preservation
15 Department, as we were in the midst of
16 coming up with the design of this
17 building, to see what were some of the
18 issues that the Historic Preservation
19 officer and Department had, because the
20 historic or the actual -- originally,
21 the only building on the church that is
22 targeted for designation is the building
23 immediately to the north, which is a
24 rectangular building. It seems now that
25 perhaps the other buildings that are on

1 there now, the church reading room, and
2 what I would call the Neoclassical
3 building on Biltmore, too, may also be
4 eligible for historic preservation.

5 So we met with Kara Kautz and with
6 Simone Chin, listened to some of their
7 concerns and issues, implemented that
8 into the design, but at no point were we
9 ever asked to come back to the
10 Department, nor were we asked to go back
11 to the Historic Preservation Board, so I
12 find that comment a little disingenuous.
13 It's almost like saying you didn't do
14 something, but we weren't asked to do
15 it, and we met with the property owners
16 to the north, but we would be more than
17 happy to, you know, take these plans and
18 present them.

19 With respect to Number 5, the
20 insufficient streetscape improvements,
21 as Patrick indicated to you before, from
22 Day One, I advised the client and Staff
23 advised the client that there's always
24 additional streetscape, whether it's
25 done across the street or whether it's

1 done to the west. When you're coming in
2 for a change in land use, change in
3 zoning, you're going to have to do more
4 than just your side of the property.

5 The big issue here was not that we
6 didn't want to do it, but what made more
7 sense, to extend it across the City
8 surface parking lot up to the Laroc, you
9 know, or to do it across the street, or
10 to do some combination -- excuse me,
11 some combination of both.

12 On the south side, as you know, on
13 the corner immediately south, is a
14 condominium building, with certain curb
15 cuts already established. It is a
16 condominium building. It probably won't
17 be redeveloped for decades.

18 To the west of that are a couple of
19 older, lower rise -- two-story older
20 apartment buildings that also have curb
21 cuts. So we thought, if the City wanted
22 us to do the south side, we would, but
23 we know we're going to do the south or
24 the west, so it's not that we don't want
25 to do it; we just don't know which ones.

1 So, with respect to Number 5, we're more
2 than happy to do any additional
3 streetscape improvement.

4 With respect to Number 4, required
5 traffic improvements, as part of the
6 submittal to this project, we submitted
7 a traffic report. After that report was
8 reviewed by Public Works, there were
9 three issues that were raised. Our
10 traffic engineer, who is here,
11 Mr. Richard Garcia, addressed them in a
12 technical memo to Alberto Delgado, who
13 was fine with all but one of the issues.
14 We went and did even more research, and
15 it has to do with the intersection at
16 Biltmore and Hernando, and it turns out
17 that the actual traffic impact of the
18 additional square footage is minor. I
19 think it's nine seconds and .3 seconds
20 at your peak periods.

21 What you have currently is
22 apparently not the best designed street,
23 on Hernando and Biltmore, in the
24 intersection, but the impact of our
25 request is minimal to that intersection.

1 With respect to Number 3,
2 inconsistency with the City Hall
3 setting, I respectfully disagree with
4 Staff, and I disagree because when you
5 look at the land use -- and I'm going to
6 ask Patrick to put a land use map up --
7 which is what we're talking about here,
8 the City Hall has high-rise land use
9 immediately to the west of it, and if
10 you look in your packets, you have the
11 land use map, and it's the map with all
12 the colors. What we call the brown
13 building and blue building, if you
14 recall, the City bought the blue
15 building. The blue sits on high-rise
16 and the brown building sits on high-rise
17 land use now. Right now, the City owns
18 it, but if the City found itself in a
19 need to sell the blue building, and the
20 person who owned the brown building
21 bought it, or somebody else in the
22 future came, until that land use is
23 changed, the City is sitting surrounded
24 by high-rise.

25 What the City also didn't put in

1 their Staff Report is that on our block,
2 the block that has the church on the
3 northeast corner, our property is on
4 the -- I'm sorry -- yes -- well, the
5 intersection, the north corner -- we're
6 on the south. We have the Laroc, which
7 is a high-rise, 13-story condominium,
8 residential condominium building, on the
9 corner of Valencia and Hernando, and to
10 the north of that, which most of you --
11 I think it's a strip of stores, the
12 Design Store, and there's a Roche
13 Bobois, et cetera, that's all high-rise
14 land use, and then if you continue to
15 the west, you have high-rise land use.

16 And so, you know, with all due
17 respect to Staff, I argue that we're not
18 setting the precedent. The precedent
19 was set with the Laroc, in terms of the
20 height, and at that time, when it was
21 done, in the '80s, the entire strip,
22 Valencia to the north, was all
23 site-specific high-rise, 150 feet, all
24 the way past the David William, and so
25 on our block, that pattern of

1 development has already been set with
2 the 13-story high-rise. So we're not
3 adding a high-rise to our block; that
4 high-rise already sits there.

5 So whether this building is there
6 or not, the Laroc is a condominium, it's
7 not a single-owned building, so it's not
8 going to go anywhere for the longest
9 time, and it's actually in -- further
10 in, toward the west, where you would
11 think you would want less development,
12 less height and less intensity.

13 I argue that our location on
14 LeJeune, where you have approximately
15 42,000 cars trafficking on a daily
16 basis -- about 22,000 go northbound,
17 about 20,000 go southbound on a given
18 day -- that that particular corner,
19 which to the east has the Publix, and
20 for those of you -- you see that Publix
21 is a high-rise land use site, but it has
22 as-of-right development for 16 stories.

23 The property immediately to the
24 south of that is developed as a
25 high-rise for 13 stories, and the

1 property to the south of us is currently
2 nonconforming. It does not meet the
3 MFSA, and it is a condominium, so it's
4 not going anywhere, and it is a
5 condominium building at four stories,
6 which I believe serves as the buffer.
7 You have -- Valencia is actually the
8 true buffer, and then from Valencia
9 south, you have your higher intensity or
10 your higher density, and you have an
11 alley, and then to the south of the
12 alley you have your single-family.

13 So it's actually serving as -- the
14 buffer is Valencia, the south side of
15 Valencia, and then your single-family,
16 which is south of the alley, that
17 bifurcates on an east-west basis.

18 MR. AIZENSTAT: Is it single -- I'm
19 sorry to interrupt you. Is it
20 single-family or is it duplex zoned?

21 MR. COE: Multi.

22 MR. AIZENSTAT: I thought that
23 was --

24 MS. RUSSO: On that -- Well, what
25 becomes on the north side of -- if you

1 were looking -- I don't know if you
2 have it in front of you, if you have --

3 MR. VALENT: We have a board here.

4 MR. AIZENSTAT: No, I'm talking
5 about --

6 MR. VALENT: North?

7 MS. RUSSO: Look at Valencia. On
8 the south side of Valencia, you have
9 MFSa zoning and it's residential, low
10 density.

11 MR. AIZENSTAT: Right.

12 MS. RUSSO: Then you have an alley
13 that runs perpendicular to LeJeune that
14 bifurcates the block, and to the south
15 of the alley, facing -- which I believe
16 is what, Sevilla? On the north side of
17 Sevilla are single-family.

18 MR. AIZENSTAT: Those yellow --
19 That looks like low density to me. Am I
20 wrong? I'm looking at this.

21 MR. COE: That's low density.

22 MS. RUSSO: Yes, but I'm saying to
23 you -- This is our property.

24 MR. AIZENSTAT: Right.

25 MS. RUSSO: I'm saying, this is the

1 actual transition.

2 MR. AIZENSTAT: Understood.

3 MS. RUSSO: These properties are
4 low-density. They form -- and this one
5 here on the corner is nonconforming and
6 won't change any time soon.

7 You then have -- these properties
8 are allowed to go 35 feet --

9 MR. AIZENSTAT: Right.

10 MS. RUSSO: -- because they're
11 adjacent to the single-family. They're
12 Separated by an alley.

13 MR. AIZENSTAT: Right, but --

14 MS. RUSSO: So the transition --
15 and these are single-family, the yellow
16 is.

17 MR. AIZENSTAT: Is it single-family
18 or is the yellow low-density?

19 MS. RUSSO: The yellow is single-
20 family.

21 MR. CARLSON: It's low-density,
22 multi-family.

23 MR. AIZENSTAT: Right.

24 MS. RUSSO: The yellow?

25 MR. AIZENSTAT: Yes.

1 MR. CARLSON: Well, the yellow, the
2 light yellow, which is on the south side
3 of Valencia, is low-density
4 multi-family.

5 MR. AIZENSTAT: Right. That --

6 MS. RUSSO: Okay.

7 MR. AIZENSTAT: That's what I'm
8 saying. So you're actually going
9 through even a further --

10 MS. RUSSO: So it's the light
11 yellow versus the yellow yellow for
12 single-family.

13 MR. VALENT: That's your first
14 buffer, is the multi-family, then it
15 gets into single-family.

16 MR. AIZENSTAT: That's what I'm
17 saying, I mean, so your building up here
18 buffers as you go along.

19 MR. VALENT: Exactly. That's what
20 this exhibit is meant to show you. We
21 basically were showing this east-west
22 corridor here, showing the precedence or
23 the line is already created, and then we
24 put the blocks in. You can see we
25 inserted in the maximum height you could

1 go with multi-family.

2 MR. AIZENSTAT: I mean, as far as
3 the buffer, I mean, I do agree that
4 Valencia should be it, not the alley
5 that is between the church and --
6 between the church and the property. In
7 other words, there's an alley that runs
8 between the church and the property.

9 MS. RUSSO: And that alley was
10 vacated in the '60s.

11 MR. AIZENSTAT: Right, but --

12 MS. RUSSO: Right. There used to
13 be an alley that ran --

14 MR. AIZENSTAT: That's not a good
15 buffer --

16 MR. VALENT: You're talking about
17 this alley here.

18 MR. AIZENSTAT: -- to use that.
19 Right. That's not a good buffer.

20 MR. CARLSON: There's no alley now.

21 MS. KEON: There's no alley anymore.

22 MR. AIZENSTAT: It's been vacated.

23 MS. RUSSO: It's been vacated up
24 to -- Show them to where.

25 Basically, the alley --

1 MR. VALENT: To this point, right
2 here.

3 MS. RUSSO: And then it runs south.

4 MR. VALENT: It turns right here
5 and goes like that.

6 MS. RUSSO: So that --

7 MR. AIZENSTAT: It's still an open
8 space.

9 MS. RUSSO: What used to be and
10 what visually --

11 MR. VALENT: It is. It's not
12 developed.

13 MS. RUSSO: -- looks like an alley,
14 is actually church property.

15 MR. AIZENSTAT: Okay, because it's
16 an open space to me, and to me, that
17 should not be used as a buffer line
18 between, let's say, your property and
19 the church. If you're going to use a
20 buffer line, it should be more Valencia,
21 that runs -- as opposed to that alley.

22 MR. VALENT: Well, basically, we --
23 That was one of the reasons why, as I
24 mentioned, we stepped back the building
25 there. We really didn't want to have a

1 wall there, and that's what we did. It
2 just wasn't appropriate to do a solid
3 wall. We see some -- the Laroc, for
4 instance. We really wanted to bring
5 this in. You can see the buffer here.
6 It's even greater on that side than it
7 is on the Valencia side.

8 MR. AIZENSTAT: Right. I see that
9 you stepped it up, too.

10 MR. VALENT: Well, you can see that
11 it's quite -- quite extensive on the
12 north side there, and we felt that it
13 was appropriate to do it on the north
14 and on the west side, because that
15 abuts, you know, that residential side.

16 MR. AIZENSTAT: It -- I don't know,
17 is the City-owned parking lot -- what's
18 that zoned? Is that --

19 MR. CARLSON: That has MFSA zoning,
20 as well, and the land use designation is
21 multi-family, medium-density.

22 MR. AIZENSTAT: Okay. I'm sorry to
23 interrupt.

24 MS. RUSSO: So, currently,
25 incompatible use and land use

1 designation, because it's being used
2 for, you know, City purposes and it's
3 being used for commercial parking for
4 both City Hall and for the -- you know,
5 the areas -- for the commerces, you
6 know, the businesses in the area.

7 MR. VALENT: If I could just finish
8 that point one more time. I think your
9 point was very well made, that we feel
10 that the precedence is already set
11 there. You have the David William, you
12 have Laroc. You have -- as you can see
13 from this aerial, which we didn't
14 create; that's existing. That line of
15 tall buildings is already created there.
16 Then beyond that, you have multi-family
17 to the south and then you have
18 single-family. So we feel that we
19 transition, and it's important to note
20 that we're not going high-rise in the
21 sense of 190 feet. We're not asking for
22 190 feet. We've come down significantly
23 from 190. 117 is mentioned. So it
24 transitions from the high-rise, 190, to
25 our 117, to 45.

1 MR. AIZENSTAT: Laroc is how tall?

2 MR. VALENT: We believe
3 approximately 140 to 150 feet.

4 MS. RUSSO: It was built with 13
5 stories prior to the days of
6 Mediterranean, when the height of a
7 high-rise building was 150 feet.

8 MR. VALENT: But more importantly,
9 it goes straight up, too. I think it's
10 important to note the shape of the
11 Laroc. It really -- it just goes
12 straight up. There are no vertical
13 breaks.

14 So we have a lower height and quite
15 a few -- actually two levels of vertical
16 breaks in these facades.

17 MS. RUSSO: And in the concurrency
18 review, what you have here is property
19 with an existing land use designation of
20 commercial, so the request to go to
21 high-rise is to add extra square footage
22 to the property, and in the concurrency
23 review, which is your level of services,
24 whether your water, your sewer, your
25 traffic -- there are -- you know,

1 basically, all levels of services are
2 okay with the additional building, the
3 additional stories, you know, the
4 ten-story request that we're making.

5 You know, traffic, which everyone
6 perceives, but the traffic that is being
7 generated and the difference between the
8 low-rise and what we're requesting as a
9 ten-story, 117 building, is minimal.
10 And so we -- excuse me.

11 (Inaudible comments)

12 MS. RUSSO: Show -- Another point
13 is that this basically is sort of the
14 terminus of Miracle Mile. There was a
15 comment, you have the 401, which is at
16 the end of Miracle Mile, across the
17 street. You have this property.

18 MR. VALENT: Right in here. See,
19 coming right here. That's the
20 commercial district, at the end there.
21 We definitely think that it will really
22 help Miracle Mile, help the businesses.
23 This type of element is appropriate.

24 MS. RUSSO: Right, and while the
25 church property is currently being used

1 as a church, it does have also the
2 commercial land use designation, and at
3 some time in the -- you know, in the
4 future, which is the whole purpose of
5 the land use designation, is for future
6 development, it will at some point be a
7 commercial developed property.

8 So, based on the foregoing, we
9 respectfully request the change in land
10 use, which would allow the ten-story
11 building that we're requesting, the
12 change in zoning, which would correct
13 the incompatibility, which would match
14 the zoning to the land use, and site
15 plan approval, which would keep the
16 project at the requested 10 stories and
17 117 feet. So, although it would be
18 under a high-rise category, it would
19 actually be limited to the 117 feet and
20 ten-story building that Mr. Valent
21 showed you.

22 MR. AIZENSTAT: Are the people from
23 the church here?

24 MS. RUSSO: Yes, they are here.

25 MR. AIZENSTAT: Okay. I just

1 wanted to know.

2 MR. RUSSO: Their legal
3 representative is here, in case you want
4 to ask him questions.

5 MR. AIZENSTAT: Yeah, but I'm
6 sorry, I've interrupted you a couple of
7 times --

8 MS. RUSSO: That's okay. No, no,
9 no, that's fine. That's all right.
10 I've concluded my presentation. Our
11 traffic engineer is here and the
12 architects, and needless to say, we're
13 prepared to answer any questions or
14 concerns that you may have.

15 CHAIRMAN KORGE: Well, let's take
16 questions from the Board.

17 MR. SALMAN: I think we should
18 listen to the public first and then we
19 can --

20 CHAIRMAN KORGE: You want to listen
21 to the public first?

22 MR. SALMAN: Yeah.

23 MR. AIZENSTAT: Yeah, I would.

24 CHAIRMAN KORGE: Okay. Good
25 enough. We'll reserve questions for

1 later.

2 MS. RUSSO: Okay.

3 CHAIRMAN KORGE: Will you --

4 MR. RIEL: They need to be sworn
5 in.

6 CHAIRMAN KORGE: I'm sorry?

7 MR. RIEL: They need to be sworn
8 in. We have eight people that are --
9 seven or eight people that signed up.

10 CHAIRMAN KORGE: Whoever is here to
11 testify, would you stand up to be sworn
12 in, please?

13 (Thereupon all who were to speak
14 were duly sworn by the court reporter.)

15 CHAIRMAN KORGE: Okay, would you
16 call the first name?

17 MS. MENENDEZ: Talbot Trammell.

18 MR. TRAMMELL: Mr. Chairman and
19 Members of the Board, I'm Talbot
20 Trammell. I represent the church, and
21 you mentioned a few minutes ago about
22 the alley.

23 MR. AIZENSTAT: Right.

24 MR. TRAMMELL: The alley is a fee
25 simple interest owned by the church.

1 They refer to it as an alley at times,
2 but it's not alley legally at all, and
3 hasn't been for 48 years, not used by
4 the public, it's blocked off, and
5 concerning the setback, there's a zero
6 setback from our property to theirs, as
7 I understand it.

8 And I heard that they had the
9 right, if it's a Mediterranean bonus
10 situation, to have a zero setback,
11 and -- but we've had no discussions with
12 them concerning the setback. The only
13 reason I mention that is, in here in the
14 Staff Report, it appears that we had
15 discussed -- it implies that we had
16 discussed, perhaps, that. We've had
17 many discussions with them and they've
18 been very nice, and Mr. Behar and Ms.
19 Russo and their representatives have
20 agreed to make the plans of our 18
21 spaces like we want them, and the
22 entrance specifically, and we sure
23 appreciate that, and they put that in
24 the last plan and that's the one that's
25 been filed and we're happy with that

1 aspect of it, so that's where we stand.

2 We filed a report that we have no
3 objection to the application. We don't,
4 but obviously, we hadn't gotten into the
5 setback/buffer thing, and we'd like to
6 have as much as we could in the way of a
7 setback, if that's possible, but that's
8 our position.

9 Our church hasn't discussed
10 anything except the features of the
11 parking garage that we would have, and
12 we're happy with those and that was our
13 main concern.

14 Do you have any questions?

15 MS. MORENO: I'm sorry, but you
16 have an objection here in the blue
17 paper. Can you explain to me what that
18 is?

19 MR. TRAMMELL: An objection? No, I
20 don't.

21 MS. MORENO: It says, "The Church
22 objects to the site plan because it
23 illegally puts the Church's entrance to
24 its parking area on the alley and not on
25 Valencia Avenue to be used jointly with

1 Valencia Investors' users."

2 MR. TRAMMELL: Thank you so much.

3 That was a good question. When we sold
4 them the property, as a condition of the
5 sale, they agreed to give us an
6 easement, which was recorded, giving us
7 18 spaces, and in the easement, they
8 were supposed to give us a joint
9 entrance to the parking garage. We
10 didn't know where the garage was going
11 to be built, we didn't know where the
12 entrance would be, but if it was a joint
13 drive to the garage, we knew that our
14 drive would be just as good as theirs,
15 it would be just as pretty and just as
16 safe and have as big a turn radius and
17 everything, and so that was in there.

18 When the plans came out, they had
19 two separate entrances. They had theirs
20 on Valencia and they had ours on the
21 alley. The plans aren't too well marked
22 about the entrance and exit on the
23 alley, and after thinking about it, we
24 were willing to do that if it could be
25 made safe and wide, because the turning

1 radius, when you're coming down the
2 alley and you're about three -- there's
3 a zero foot setback, or not much
4 setback, and you have to make a turn
5 around, the entrance is too narrow, but
6 they've corrected that. Mr. Behar and
7 them said they would do it, and they
8 did, and we thank them for doing that,
9 and they've made -- we're happy with the
10 entrance now.

11 But then I said that if you or
12 someone doesn't approve the site plan
13 and we don't get what we've agreed, we
14 want to reserve our objection to not
15 being on Valencia, where it's just as
16 good as theirs, and so -- yes, sir.

17 MR. AIZENSTAT: So the way the site
18 plan is now, you'll remove your
19 objection if that's the case?

20 MR. TRAMMELL: Yes, sir, that's
21 correct.

22 MS. MORENO: Did I understand you
23 to say that you sold this property to
24 them, the church did?

25 MR. TRAMMELL: Yes, we did.

1 MS. MORENO: Thank you.

2 MR. SALMAN: And that's the only
3 condition of sale?

4 MR. TRAMMELL: Sir?

5 MR. SALMAN: That was the only
6 condition of the sale, was that access
7 agreement that you have?

8 MR. TRAMMELL: No, it was -- They
9 paid -- There were many conditions of
10 the sale. We got paid cash --

11 MR. SALMAN: Good for you.

12 MR. TRAMMELL: And there was a
13 regular real estate contract.

14 CHAIRMAN KORGE: I think what Mr.
15 Salman is asking --

16 MR. TRAMMELL: The price was six
17 million dollars or something.

18 MR. SALMAN: But what I'm saying,
19 there's no contingent -- there's no
20 contingent issue?

21 CHAIRMAN KORGE: It's not
22 contingent on rezoning.

23 MR. RIEL: No, I believe that's --

24 MR. TRAMMELL: No. No, sir, it
25 wasn't. They bought it as is. It

1 wasn't conditional.

2 MR. RIEL: That restriction, I
3 think, is dated back 10 or 15 years, has
4 that been, for the 18 spaces?

5 MR. TRAMMELL: No, it's --

6 MR. CARLSON: No, that -- that
7 was agreed --

8 MR. RIEL: It was part of the sale?
9 Okay.

10 MR. CARLSON: -- in order to buy it.

11 MR. TRAMMELL: In 2005, when we
12 sold them the property, that's when they
13 gave us the easement. It was part of
14 the sale. At the closing, they gave us
15 this grant of easement, which is in the
16 court file.

17 MR. RIEL: Time flies.

18 MR. TRAMMELL: And, you know, said
19 they'd give us --

20 MR. AIZENSTAT: Yeah.

21 MR. RIEL: Time flies.

22 MR. AIZENSTAT: So the way -- so,
23 according to the site plan that you
24 have, you're okay with your 18 parking
25 spaces, where they sit and so forth?

1 MR. TRAMMELL: Yes, sir. Is

2 this --

3 MS. RUSSO: Show him the site plan.

4 MR. VALENT: I'm sorry, what was

5 the question?

6 MR. AIZENSTAT: According to the

7 site plan, if the gentleman was

8 satisfied --

9 MR. TRAMMELL: Yes, sir. Where is

10 the first --

11 MR. AIZENSTAT: -- with the parking

12 spaces and the site plan itself.

13 MS. RUSSO: He wants to see the

14 site plan.

15 MR. VALENT: Right in here. This

16 is the alley.

17 MR. TRAMMELL: This is the alley.

18 MR. VALENT: This is it.

19 MR. TRAMMELL: Yes, sir. We've

20 approved this site plan, and they filed

21 it at the last minute, but --

22 MR. AIZENSTAT: Okay. I just

23 wanted --

24 MR. TRAMMELL: -- it's in there

25 now, and thank you. That was our main

1 concern about the thing.

2 MR. VALENT: And we did go to
3 Public Works with this.

4 MR. AIZENSTAT: Okay. That's what
5 I wanted to make sure.

6 MR. TRAMMELL: And the Board of
7 Architects, too.

8 MR. VALENT: Everyone.

9 MR. TRAMMELL: Okay. Thank you.

10 MR. AIZENSTAT: I'm just going to
11 ask you a different question, it might
12 not pertain to this, but how do you feel
13 about your property having a historic
14 designation?

15 MR. TRAMMELL: Well, I'm not
16 authorized to speak to that, because the
17 membership would be the one that would
18 give that thought, and I can't tell you.
19 I really can't answer that.

20 MR. AIZENSTAT: Because that would
21 limit you to what you can do with your
22 property down the road.

23 MR. TRAMMELL: Yes, sir.

24 MR. AIZENSTAT: That's why I ask
25 that.

1 MR. TRAMMELL: Yes, sir, it would.

2 MR. AIZENSTAT: You're pretty
3 content with the sale of the other land.

4 MR. TRAMMELL: Yes, sir. No,
5 that's a big thing, and it's an issue in
6 our church and some people feel strong
7 in one way --

8 MR. AIZENSTAT: Okay.

9 MR. TRAMMELL: -- or another way,
10 but I just can't speak to that. We
11 haven't discussed that in --

12 MS. MORENO: No official position
13 yet.

14 MR. TRAMMELL: If you want to ask
15 me -- but I'm not here to tell you what
16 I think.

17 MR. AIZENSTAT: Thank you.

18 CHAIRMAN KORGE: Thank you very
19 much. Call the next speaker, please.

20 MR. TRAMMELL: Thank you guys.

21 MR. AIZENSTAT: Thank you for your
22 time.

23 MR. TRAMMELL: Thank you.

24 MS. MENENDEZ: Stanley Davidson.

25 CHAIRMAN KORGE: Please state your

1 name and address for the record.

2 MR. DAVIDSON: My name is Stanley
3 Davidson.

4 CHAIRMAN KORGE: Your address,
5 Mr. Davidson?

6 MR. DAVIDSON: My office number is
7 2655 LeJeune Road.

8 About two and a half years ago, I
9 was approached by a real estate man who
10 was trying to sell me this property,
11 with the understanding they were going
12 to be converted to a commercial zoning.
13 I met with my architect, we drove
14 through the property, looked at it, and
15 we decided this property is ideal for it
16 to stay the way it is, as a residential
17 property, and we declined to consider
18 the purchase of it, on the basis of
19 converting it.

20 MR. RIEL: Mr. Davidson, you're
21 going to need to speak up a little bit.

22 MR. DAVIDSON: All right. We
23 declined to consider buying it with the
24 idea of converting it to a commercial
25 zoning.

1 The property -- the people that
2 bought it paid a tremendous amount of
3 money for it, with the idea to convert
4 it to a high-rise, and it will change
5 the neighborhood completely. It would
6 be a precedent for many other requests
7 for a zoning change for commercial, and
8 I'm all against it. I would much rather
9 that it remain residential, the way it
10 is. Even a high-rise residential
11 condominium is not as objectionable as a
12 commercial building in this area, as
13 residential as it is.

14 Certainly, for the owners, they
15 couldn't possibly claim any hardship,
16 because they knew exactly what the
17 zoning was when they bought it. I would
18 much rather that it remain residential,
19 the way it is, but however, if it would
20 be changed to commercial, it certainly
21 shouldn't go over six stories, including
22 the bonus for Mediterranean, and it
23 certainly should have at least 15 feet,
24 as the Planning Board recommended, 15
25 feet setback from LeJeune, 10 feet

1 setback from the alley, and 10 feet
2 setback from Valencia.

3 We certainly agree with the
4 Planning Board to deny their request.

5 Thank you.

6 MR. AIZENSTAT: Can I ask you
7 something? First, when you talk about
8 the setbacks, for example, the setback
9 from LeJeune --

10 MR. DAVIDSON: The setback on
11 LeJeune is recommended at 15 feet.

12 MR. AIZENSTAT: It's 15 feet.
13 Isn't it today that we would like to do
14 a zero setback, with spaces and stores,
15 or am I wrong?

16 MR. CARLSON: Currently, the
17 required -- the required setbacks for
18 the property without Mediterranean
19 bonuses would be 10 feet on the north,
20 which would be adjacent to the church
21 property, and 15 feet from LeJeune,
22 which has been designated as the front
23 of the property.

24 MR. AIZENSTAT: Okay.

25 MR. CARLSON: And then along

1 Valencia and along the alleyway, they
2 can go to zero, but at a certain height
3 there's a step-back.

4 MR. AIZENSTAT: And how do they
5 have it?

6 MR. CARLSON: Well, they have --
7 They're requesting a zero setback on the
8 north, adjacent to the church property.
9 They're going from 10 feet to zero.
10 They're requesting going from 15 to 10
11 along LeJeune, and I believe they're
12 meeting the setbacks on Valencia and on
13 the alleyway.

14 MR. AIZENSTAT: The other buildings
15 that are on LeJeune, that are recently
16 constructed, for example, where the
17 Burger King was going to go in or where
18 City National -- what setbacks do those
19 buildings have?

20 MR. CARLSON: I can't -- I would
21 not --

22 MR. SALMAN: Zero.

23 MR. RIEL: Those are zero.

24 MR. AIZENSTAT: Those have zero
25 setbacks.

1 MR. RIEL: Most definitely zero.

2 MR. AIZENSTAT: Right. So I don't
3 see why this one --

4 MS. KEON: The church -- but the
5 church is set back.

6 MR. AIZENSTAT: No, no, I'm not
7 talking about the church setback. I'm
8 just talking about the LeJeune setback.

9 MR. SALMAN: What is the setback of
10 that church?

11 MR. DAVIDSON: The LeJeune setback
12 is recommended 15 feet, but the height
13 is also a problem.

14 MR. AIZENSTAT: And another
15 question, if I may ask you. I was a
16 little confused at the beginning. You
17 currently -- your office is currently on
18 LeJeune or you currently live there?

19 MR. DAVIDSON: Yes, on the east
20 side of LeJeune, not on the west side.

21 MR. AIZENSTAT: On the other side
22 of LeJeune --

23 MR. DAVIDSON: Right.

24 MR. AIZENSTAT: -- which is where
25 the City National Bank building is?

1 MR. DAVIDSON: Right.

2 MR. AIZENSTAT: And then you were
3 talking about something that you looked
4 into buying this property?

5 MR. DAVIDSON: It was offered to me
6 and I declined to buy it --

7 MR. AIZENSTAT: Okay.

8 MR. DAVIDSON: -- because I didn't
9 want to have it converted. The idea
10 was, it was offered to me with the idea
11 to convert it to a commercial zoning,
12 and my architect thought it would be
13 incompatible with the neighborhood and I
14 agreed with him and we declined to buy
15 it.

16 MR. AIZENSTAT: Thank you.

17 CHAIRMAN KORGE: Let's call the
18 next witness, please.

19 MS. MENENDEZ: Maggie Manrara.

20 Henry Pino.

21 CHAIRMAN KORGE: Please state your
22 name and address for the record.

23 MR. PINO: Yes. Good evening.

24 Henry Pino, 232 Andalusia Avenue, Unit
25 370. I own my office there, and have

1 been there for like five years.

2 I've looked at the project, and I
3 think the project really does a lot for
4 the area. I think that there's a
5 precedent set there, especially since
6 there's a commercial parking space area
7 that's been there for years now, and I
8 really don't have a problem with the
9 project. I think it does -- it does
10 revitalize the area quite a bit from
11 what's there right now.

12 MR. AIZENSTAT: And your office is
13 how close?

14 MR. PINO: About two blocks away.
15 We're right next to the Chocolate
16 Fashion Bakery that's on Andalusia
17 Avenue. Yeah, right there.

18 MR. AIZENSTAT: Thank you.

19 MR. PINO: Thank you.

20 MS. MENENDEZ: Nita Yeung.

21 CHAIRMAN KORGE: State your name
22 and address for the record.

23 MS. YEUNG: Nita Yeung.

24 CHAIRMAN KORGE: Address?

25 MS. YEUNG: My office address is at

1 4104 Aurora Street, in Coral Gables. My
2 family owns duplexes on the 2900 block
3 of LeJeune, and we support this project.

4 MR. AIZENSTAT: And you -- I'm
5 sorry, the telephone rang. Can you say
6 that again?

7 MS. YEUNG: My family? My family
8 owns duplexes on the 2900 block of
9 LeJeune.

10 MR. AIZENSTAT: Okay.

11 MS. YEUNG: And we support this
12 project.

13 MR. AIZENSTAT: You support it?

14 MS. YEUNG: Yes.

15 MR. AIZENSTAT: Okay, thank you.

16 MS. YEUNG: Thank you.

17 MS. MENENDEZ: Henry Paper.

18 MR. PAPER: Good evening,
19 Mr. Chairman, Members of the Board. My
20 name is Henry Paper. I live at 600
21 Biltmore Way. That's two blocks to the
22 west of this property.

23 By way of just a little background
24 on myself, I'm an attorney. I've
25 practiced for many years, appeared

1 before many boards, State and Federal
2 agencies. Along with my partners, we
3 own a significant amount of land in this
4 City, including almost the whole north
5 side of the 700 block of Valencia
6 Avenue.

7 I'm very familiar with this
8 property -- with this project, and for
9 all the reasons that have been expressed
10 earlier tonight by counsel for the
11 applicant and architect for the
12 applicant, we echo our support for this
13 project. I don't want to belabor the
14 point, take a lot of your time, but I
15 think everyone on the Board is very
16 familiar with this site. I know I am.
17 I go past it multiple times every day.
18 It's clearly not a residential site.
19 The zoning has not kept pace with the
20 character of the surrounding properties,
21 pretty much all high-rise.

22 I don't have a particular dog in
23 this fight. I just care about this City
24 and love the City and like to see the
25 City prosper. You know Coral Gables has

1 become a very prominent and well-known,
2 prestigious corporate address around the
3 country. We have a lot of multi-
4 national corporate residents in this
5 town, and to continue to attract them,
6 you need new office product.

7 Our properties are not commercial.
8 I would support it even if they were
9 commercial. I think that the request
10 only does good things for the City, and
11 I think that the proposed office use is
12 not too intense for the site. It
13 provides a very well-reasoned and
14 balanced transition between the very
15 intense commercial activity in the
16 Central Business District and the less
17 intense activity to the south in the
18 residential district.

19 I think the office use -- if you're
20 looking at a commercial use for this
21 site, office is an excellent selection.
22 You know, it's quite benign and clean.
23 Pretty much in the evenings after six or
24 seven o'clock, there's no activity going
25 on in office space. Weekends, there's

1 no activity in the office space, as
2 opposed to what you have at a commercial
3 use over here. Parking requirements for
4 the office are less intense than retail.

5 So I think, for those reasons, and
6 for the reasons previously expressed, we
7 support the application and we hope you
8 do, too.

9 Questions? Thank you very much.

10 CHAIRMAN KORGE: Thank you.

11 MR. AIZENSTAT: Thank you.

12 MS. MENENDEZ: George Prendes.

13 CHAIRMAN KORGE: Please state your
14 name and address for the record.

15 MR. PRENDES: My name is George
16 Prendes. I hold offices at 7600 Red
17 Road. I'm a property owner of various
18 residential property in the Valencia
19 block. I have familiarized myself with
20 the project, and rather than standing
21 here and talking about all the positive
22 things that everyone else has spoke
23 about, I'm all in agreeance (sic) for
24 the project. I think it's not only good
25 for the City but it's good for the area.

1 Being the use that it's presently
2 having, I think that this is a very good
3 project, and I think that you should all
4 consider approving the application.

5 Thank you.

6 CHAIRMAN KORGE: Any more?

7 MS. MENENDEZ: No more speakers.

8 CHAIRMAN KORGE: No more? Okay.

9 We'll close the public hearing portion
10 and go to questions for the applicant.

11 MR. AIZENSTAT: Can I ask a
12 question?

13 CHAIRMAN KORGE: And for the City,
14 too, but why don't we start with the
15 applicant?

16 MR. AIZENSTAT: On the bottom
17 floor, what do you propose to do on the
18 first floor of the property?

19 MR. VALENT: The ground floor is --
20 The ground floor will also be office.
21 The offices are split on two sides, on
22 both sides of the lobby, so it will be
23 office use.

24 MR. AIZENSTAT: So it will all be
25 office?

1 MS. RUSSO: And there's no retail
2 use.

3 MR. AIZENSTAT: So there's no
4 retail, there's not going to be any
5 restaurants, loud noise?

6 MS. RUSSO: No restaurant, no
7 retail use.

8 MR. VALENT: No.

9 MS. RUSSO: Strictly office.

10 MR. AIZENSTAT: For the neighbors
11 or anything like that?

12 MR. VALENT: Not at all.

13 CHAIRMAN KORGE: Somebody needs to
14 explain to me, because I'm still
15 confused about the height limits
16 surrounding the property. Looking at --
17 I see, from your presentation, the paper
18 presentation, I see it's on Block Number
19 6, I guess, and I'm having trouble
20 figuring out, what are the -- Putting
21 aside this particular project, all
22 around it there are height limitations.
23 What are they?

24 MR. CARLSON: Can I walk you
25 through them?

1 CHAIRMAN KORGE: I would appreciate
2 that very much.

3 MR. CARLSON: All right.

4 Currently, the subject property, as
5 a low-rise commercial site, would be
6 allowed four to six stories, up to 77
7 feet.

8 CHAIRMAN KORGE: Do this for me.

9 MR. CARLSON: Okay.

10 CHAIRMAN KORGE: Just --

11 MR. CARLSON: I just started --

12 CHAIRMAN KORGE: Biltmore Way, you
13 know -- Start from Biltmore Way and work
14 your way south --

15 MR. CARLSON: Okay.

16 CHAIRMAN KORGE: -- so I understand
17 what all these colors mean.

18 MR. CARLSON: Okay. On Biltmore
19 Way to the north, which is the church
20 property, that also has a commercial
21 low-rise intensity land use designation.
22 That allows four to six stories, six
23 stories with Mediterranean bonuses, up
24 to 77 feet. As I said, the subject
25 property is the same. You go to the

1 west of the property, that is
2 residential use, multi-family,
3 medium-density. Okay, that's a medium
4 density. It's an MFSA zoning
5 designation, and because it's adjacent
6 to low-rise -- or excuse me, low-
7 density, which is across the street to
8 the south, that's limited to 60 feet in
9 height.

10 So the brown properties all along
11 the north side of Valencia, from the
12 subject property all the way to Hernando
13 Street, that's allowed to go to 60 feet.

14 MS. RUSSO: But for the fact that
15 it's already developed with the Laroc,
16 and you have --

17 MR. AIZENSTAT: Yes, what's there?

18 MS. RUSSO: In other words, that's
19 at 150, so -- and the Laroc being a
20 condominium, not a single-owned
21 apartment building, in order for a
22 condominium to be terminated, you would
23 need every single owner in there to
24 agree, and then that building could be
25 taken down.

1 So the fact that the height
2 limitation is 60, it --

3 CHAIRMAN KORGE: I know where the
4 Laroc is, but where exactly is the Laroc
5 in relation --

6 MS. RUSSO: The Laroc is -- the
7 only thing separating our project from
8 the Laroc is the City's surface parking
9 lot.

10 (Thereupon, Mr. Coe left.)

11 MR. CARLSON: And so if the City's
12 surface parking lot were to be
13 developed, it would have to -- it would
14 be limited to 60 feet. If anything else
15 on the north side of Valencia Avenue was
16 to be developed, it could only go to 60
17 feet.

18 Across the street -- again, heading
19 south, across the street on the south
20 side of Valencia, that's low-density
21 multi-family.

22 MR. AIZENSTAT: That's the light
23 beige?

24 MR. CARLSON: That's the light
25 beige, and because it's adjacent to

1 single-family, it's limited to 35 feet
2 in height.

3 MR. AIZENSTAT: Well --

4 MR. CARLSON: So on the south side
5 of Valencia -- In the MFSA district,
6 when an MFSA district abuts a
7 single-family or duplex-zoned property,
8 it's limited in height to 35 feet, and
9 this all along here abuts those zoning
10 districts, so on the south side of
11 Valencia, the highest you can go is 35
12 feet.

13 On the north side of Valencia, the
14 highest you can go is 60 feet, and then
15 when you go south of -- actually, onto
16 Almeria Street, which is south of the
17 low-density, that's single-family and
18 that's subject to the single-family
19 development provisions.

20 So what you have is the existing
21 church at 77 --

22 MS. RUSSO: But now go west,
23 because west of the existing church you
24 have high-rise at 150, with bonuses to
25 190.

1 MR. CARLSON: But we're going
2 around the southern side.

3 MS. RUSSO: Take the existing
4 church site and go west.

5 MR. CARLSON: But as you asked,
6 going south from Biltmore, it's 77 for
7 the church site, it's 77 for the subject
8 site, it's 60 for the north side of
9 Valencia, it's 35 on the south side of
10 Valencia, and then it's the
11 single-family south of there --

12 MS. RUSSO: Which is 29.

13 MR. CARLSON: -- which is 29.

14 CHAIRMAN KORGE: So why is -- If
15 everything surrounding it to the north
16 and west is 60 feet or higher, why would
17 we impose a 35-foot requirement right on
18 LeJeune, across the street from the
19 35-foot -- or what size -- what height
20 requirement are we setting there? You
21 want to set what height requirement --
22 the City, the Staff, wants to set it at
23 what height?

24 MR. AIZENSTAT: 77.

25 MR. CARLSON: We want -- our

1 recommendation is the same height as
2 what the church is, which has the same
3 land use designation. The church can go
4 four to six, 77 feet. That's the same
5 land use designation which the subject
6 property has, and we're recommending the
7 same height.

8 CHAIRMAN KORGE: So, Ms. Russo, why
9 should that be higher than everything
10 else around it?

11 MS. RUSSO: Because even though
12 Mr. Carlson keeps telling you that to
13 the west of the subject property is 60
14 feet, I'm telling you, that's on a map
15 without looking -- if you go right
16 outside and you look --

17 CHAIRMAN KORGE: I understand.

18 MS. RUSSO: -- the reality is that
19 that development pattern is -- is --

20 MR. AIZENSTAT: There.

21 MS. RUSSO: -- is there. The
22 precedent has been set. When the Laroc
23 was built in the '80s, it was determined
24 that this whole corridor on the north
25 side of Valencia was high-rise.

1 So whether we even discuss it going
2 to the west of Hernando, I'm taking --
3 my position is that our block is a
4 unique block. If you just look at Block
5 6, you start out with the fact that you
6 have the church property at 77. You go
7 west and you have high-rise, potentially
8 up to 190, and you have the proper
9 frontage there. You go south and you
10 already have 130 -- I mean, a 150-foot
11 high-rise and then you have a surface
12 commercial parking lot, and so we're
13 saying 10 stories is a transition, and
14 what makes it particularly different
15 from the south is the fact that we're on
16 LeJeune and we're commercial, and
17 LeJeune is not that wide. LeJeune is
18 only a 60-foot right-of-way, and then
19 immediately east of us we have the
20 potential, which is already under
21 consideration, of Publix going 16
22 stories as-of-right on their site, and
23 to the south, Mr. Davidson's building,
24 which is a 13-story, 150 -- a
25 150-foot-high building.

1 MR. RIEL: Mr. Chair --

2 MS. RUSSO: So, you know, even
3 though our category that we're asking
4 for is a hundred -- I mean, is
5 high-rise, our site plan request
6 specifically is limiting us to 10
7 stories, which is -- you know, the
8 problem here is, the City has a mid
9 range that is only six to eight, so
10 anything above eight to 16 automatically
11 is considered high-rise. So our request
12 is for 10 stories and 117 feet.

13 MR. AIZENSTAT: Your 10 stories
14 includes your bonuses?

15 MS. RUSSO: 10 stories, using all
16 bonuses. I mean, you know, it's 10
17 stories, 117 feet.

18 MR. AIZENSTAT: Tops?

19 MS. RUSSO: Tops.

20 MR. SALMAN: Six, period, end of
21 story.

22 MR. VALENT: Top, maximum.

23 MS. RUSSO: Maximum.

24 MR. SALMAN: Six, period, end of
25 story. Never again, no more than 117.

1 MR. VALENT: No more.

2 MS. RUSSO: Excuse me?

3 MR. SALMAN: No more than 117?

4 MS. RUSSO: No more than 117.

5 MR. SALMAN: Except for your
6 parapets and other stuff.

7 MR. VALENT: Yes. That is our
8 finished roof slab height.

9 MR. RIEL: Mr. Chair, I just want
10 to remind the Board, if you recall, we
11 did an MFSA study, which included Bird,
12 Biltmore Way, Segovia. That area was
13 designated as a transitional zone. When
14 we went back and redid the Zoning
15 Code -- that was in advance of the
16 Zoning Code. The intent was to
17 transition off of Biltmore Way, as you
18 go back off of Biltmore Way, to
19 transition down to single-family.

20 Staff is of the opinion that
21 LeJeune Road is the dividing line.
22 Although, you know, the applicant
23 indicates that Laroc is down the street,
24 that's kind of an anomaly. That was
25 developed under the site-specific

1 standards --

2 MR. AIZENSTAT: But it's there.

3 MR. RIEL: -- in the early '80s.

4 MS. RUSSO: And to the west.

5 MR. RIEL: I understand that, but
6 it was developed in the early '80s,
7 under site-specific, which allowed 13
8 stories. But also note, the Laroc is
9 also set back. It's not, you know, 10
10 foot from the road, as well, so -- I
11 mean, when we did the MFSA and the
12 transition zone, we realized the Laroc
13 was there. It's been there 25 years.
14 It's not going to go anywhere. We
15 understand that. And that was taken
16 into consideration when we looked at the
17 MFSA zoning district.

18 MS. RUSSO: But that whole
19 corridor -- I mean, just to -- you know,
20 again, respectfully, we disagree, but if
21 I take the corridor, he says Laroc, and
22 then I continue, my father lived in the
23 600 Biltmore Way, and that was the whole
24 block. I mean, 600 Biltmore Way is 13
25 stories before Mediterranean, but it

1 also was the whole block north of
2 Valencia. It wasn't just, you know, the
3 south half on the Biltmore side. It was
4 the whole block, and if you continue
5 going west, that pattern goes on. Then
6 you have the David William.

7 So what I'm saying is, I think the
8 development pattern is already
9 established. The precedent is there,
10 and on this block, more than anything,
11 it's more evident. It's right there
12 next to us. And it's on a calmer part
13 of the block. I mean, if anything, you
14 would think the more intense use and the
15 intense height should be on LeJeune,
16 where you have 40,000 cars going by
17 daily, not on Hernando, where you have,
18 you know, much less traffic.

19 CHAIRMAN KORGE: Well, that implies
20 that where the church property is
21 located, putting aside historical
22 considerations, that would end up at a
23 similar height at some point.

24 MR. AIZENSTAT: It could.

25 MS. RUSSO: It could.

1 MR. AIZENSTAT: Yeah.

2 MS. RUSSO: I mean, the request
3 would have to come before you. It
4 wouldn't be an automatic thing. The
5 request would have to come before you.

6 MR. AIZENSTAT: The way I look --

7 MS. RUSSO: And I think that
8 depends on what, you know, are the
9 ultimate plans -- what the ultimate
10 plans are for the church. Whether or
11 not there's historic designation, I
12 mean, I think, you know, like all
13 things, you have to take it, you know,
14 on its own merits, when and if that
15 comes before you. It may never come
16 before you, because, you know, the
17 church may embrace the historic
18 designation. The church may not.

19 MS. MORENO: Ms. Russo, I was on
20 this Board when this area came before
21 us, on an emergency basis, because of
22 the concern of the neighborhood of
23 overdevelopment, and the MFSA was
24 adopted as a response to the fact that
25 the buildings that were there were

1 high-rises, the David William and the
2 600 and the Laroc and all of those.

3 The intent at that point was to
4 provide incentives by creating the
5 townhouse area and all of that, to avoid
6 further development of this area, and
7 this project goes against all of that,
8 in addition to which it's not
9 residential. It's commercial.

10 MS. RUSSO: But I think --

11 MR. AIZENSTAT: But --

12 MS. MORENO: Everything west of
13 LeJeune is residential.

14 MS. RUSSO: Yeah, but this was
15 already -- in other words, the
16 request -- this property already has a
17 commercial land use designation that
18 some Board, you know, one of your
19 predecessors, made a determination that
20 that was the appropriate land use for
21 the site. We did not make that request.

22 So, already having the land use
23 designation of commercial, which makes
24 this an unusual block and I think very
25 different -- I understand exactly what

1 you're saying, as you proceed further
2 west. I think it's an entirely, you
3 know, different situation when you're on
4 LeJeune Road and you already have a
5 commercial --

6 MS. MORENO: There's not a single
7 commercial building on LeJeune Road
8 except for the Jaycee building at the
9 corner of University and the 401 Miracle
10 Mile building. That's it. Everything
11 else -- that little strip of Biltmore
12 Way that has some stores. Everything
13 else is residential, either duplex or
14 small apartment buildings. There's
15 nothing commercial west of LeJeune Road.
16 You would be creating --

17 MS. RUSSO: Until you go south.
18 South of Bird Road, there is.

19 MS. MORENO: South of Bird Road is
20 different. This has been, historically,
21 the Coral Gables residential district.
22 I love your project. I can't support it
23 where it is.

24 MR. AIZENSTAT: See, I feel the
25 opposite. I feel that as a commercial,

1 as what it is, I think it would be
2 better twofold, and one is, we wouldn't
3 have the traffic that the residential
4 would bring. If you look at today's
5 environment and what's going on, I don't
6 know if I would support another
7 residential project there. There's so
8 many residential projects. By one
9 token, they're not doing -- One of my
10 concerns would have been actually if
11 they're doing commercial, if they're
12 doing restaurants or bars or anything
13 down below that might impact --

14 MR. RIEL: But understand, if the
15 applicant gets approval of the site plan
16 and has commercial zoning and they
17 decide to put a restaurant in and they
18 meet the parking requirements, they will
19 be approved for a restaurant.

20 MR. AIZENSTAT: That might be
21 something --

22 MR. RIEL: And there are a whole
23 host of other commercial uses that are
24 intense.

25 MS. RUSSO: I can proffer no

1 restaurant, no retail, and that could be
2 a condition that we would put in the
3 declaration of restrictive covenant.

4 MR. AIZENSTAT: And to me, with
5 traffic, if they've done -- I don't know
6 the traffic. If they have done their
7 traffic and the City is satisfied with
8 their traffic -- unfortunately, we don't
9 have the City Staff here from Traffic to
10 talk about it, but if they have done
11 their traffic to where the City is
12 satisfied, and I've got a commercial
13 area to where I don't have traffic at
14 night there, I don't have traffic on the
15 weekends, meaning it brings in more
16 traffic, I'm okay with the City's
17 recommendation to make it commercial.
18 It makes sense to me.

19 As far as the building itself, I
20 think what you physically see there is
21 totally different than what I'm looking
22 at on paper, and if I look at it that
23 way, it makes sense to me. It's stepped
24 back. I see the buffers. I see the
25 buffer zone as Valencia and not, quote,

1 unquote, what would have been that alley
2 between the properties. I mean, that --
3 I'm sorry, you know, that's the way I
4 feel.

5 MR. SALMAN: The Biltmore Way
6 corridor -- correct me if I'm wrong --
7 was always intended to be a high-rise
8 corridor.

9 MR. RIEL: Yes.

10 MR. SALMAN: I mean, from Day One.

11 MR. RIEL: Yes.

12 MR. SALMAN: From the day Merrick
13 laid it out.

14 MR. RIEL: It dates back to 1929,
15 yes.

16 MR. SALMAN: Exactly.

17 MR. RIEL: Because we did the
18 analysis as part of the MFSA.

19 CHAIRMAN KORGE: I'm sorry, which
20 corridor are you saying?

21 MR. RIEL: The Biltmore Way.

22 MR. SALMAN: The whole Biltmore Way
23 corridor. It was always --

24 MR. RIEL: It was changed. It was
25 residential, though, at one time --

1 MR. SALMAN: Yeah.

2 MR. RIEL: -- but it still had the
3 height of 190 feet. It switched to
4 commercial.

5 MR. SALMAN: That's correct, and I
6 just want to state that for the record.

7 Also, the MFSA issue was a reaction
8 to the growth of housing on the north
9 side of Valencia --

10 MR. RIEL: Correct.

11 MR. AIZENSTAT: Right.

12 MR. SALMAN: -- where we were going
13 to be blocking a lot of people's views,
14 and it was -- but they were building
15 pretty much as-of-right in many
16 respects, and what they had -- what they
17 suffered was pretty much a downzoning of
18 their situation because of this new --
19 and I wasn't necessarily in agreement
20 with the whole process, by the way.

21 You have a very unique property. I
22 think you're abutting a much taller
23 building already across the street,
24 because the way the whole zoning is set
25 up, instead of zoning across streets,

1 we're zoning back to back, and there's a
2 whole series of issues that we can't fix
3 because they're all underlying, but the
4 reality is that this becomes the last
5 possible place you're going to be able
6 to build a high-rise, on that end of
7 that corridor, from -- going south. I'm
8 looking at going south. And you have
9 two that would bracket the whole area
10 around the City Hall, the one on the
11 800 -- or, excuse me, the 401 --

12 MS. RUSSO: The 401.

13 MR. SALMAN: -- Building, which
14 eventually will probably be redeveloped
15 as it reaches its life cycle, and this
16 site, and they are far enough away from
17 the City Hall not to be a visual
18 nuisance to them.

19 Likewise, I like the fact that
20 you're not going to be putting any kind
21 of intense retail use on the ground
22 floor, so that it would be a quiet
23 neighbor to the residents along
24 Valencia.

25 The duplexes that are there, you

1 know, ladies and gentlemen, those were
2 all built as pretty much land banks, I
3 mean, a way to be able to pay for the
4 taxes and eventually be developed for
5 their intended use. Now their intended
6 use has changed, because of the new
7 MFSA, so they're sort of stuck there,
8 into their relative density, but
9 initially that was designed to be and
10 intended to be of a higher density than
11 what is currently allowed, and that's
12 why you have the alleyway separating
13 that from the single-family residential,
14 and that was -- that was not a mistake.
15 If you go to the next block, they're
16 back to back.

17 MS. RUSSO: They're back to back.

18 MR. SALMAN: Okay. Again, that's
19 not a mistake. There's underlying logic
20 to the plan.

21 And you're right, this is a unique
22 site, and I think that the request to
23 repair the zoning to the higher -- to
24 the high-rise intensity for the
25 commercial is logical and one that I

1 would support.

2 So I don't see any reason why -- I
3 don't think you're asking for anything
4 that's not illogical (sic).

5 CHAIRMAN KORGE: Pat, would you --

6 MS. KEON: I would have to agree
7 with Cristina. I think that LeJeune
8 Road, in this community, for -- I've
9 lived here for 35 years. I'm going to
10 tell you, for those 35 years and for a
11 very long time, LeJeune Road is the
12 bright line between the commercial
13 development and the residential
14 community, and despite that you may have
15 that development along Biltmore Way and
16 you have that -- but it's limited to
17 Biltmore Way. It doesn't -- most of it
18 is a half of a block. This is not
19 Biltmore Way. This is Andalusia and
20 Valencia. It's not Biltmore Way.

21 I think that you have some
22 protection for this residential area by
23 having that whole corner done as
24 low-rise, and it does step back, so you
25 don't have canyons, and you don't have

1 that sense going down LeJeune, you don't
2 have that sense coming up Biltmore Way.
3 It does gradually go up high and then it
4 comes back down again, which is an
5 entirely different look than if you sat
6 at that height all along.

7 So I would have to strongly agree
8 with the argument that Cristina has
9 proffered and could not support this --
10 that height at this place, although it's
11 a beautiful building. It's a beautiful
12 building, and you deserve all the credit
13 in the world for your design capability,
14 because it's beautiful. I really think
15 we have a very ominous obligation to
16 ensure that we protect the residential
17 community that exists here west of
18 LeJeune Road.

19 CHAIRMAN KORGE: Are you saying
20 that you're opposed to even the Land Use
21 Plan change proposed by the Staff?

22 MS. MORENO: I am. I would propose
23 changing the Comprehensive Land Use Plan
24 to residential.

25 MS. KEON: I mean, I would even --

1 MS. MORENO: The MFSA.

2 MS. KEON: Right. I mean, I --
3 that would be my preference, but to
4 leave it as low density, so then I know
5 it's no more than four stories or
6 whatever. I could live with that and I
7 could support that, which is --

8 CHAIRMAN KORGE: Is it four
9 stories?

10 MS. RUSSO: It's four stories and
11 up to 77 feet with bonuses.

12 MS. KEON: I mean, I could live
13 with what's there, knowing that that is
14 also the designation of the church, so
15 if the church ever sells, that will
16 remain that, also, so you have that
17 gradual tapering from that four or five
18 stories, whatever, back into where then
19 it does go up, it undulates and it comes
20 back down as it goes into the
21 residential neighborhoods, and the fact
22 that Laroc is there, you know, one
23 mistake does not make for another.

24 MR. SALMAN: If this project were
25 to be casting shadows on single-family

1 residences, I would suggest that you
2 might have a stronger point, but
3 honestly, your concern with regards to
4 canyons is not going to happen here.

5 MS. MORENO: You start with this
6 one, and the next thing, we're going to
7 get --

8 MS. KEON: The church will go next,
9 and it will keep going.

10 MS. MORENO: And it will keep on
11 going, all down LeJeune. "We're across
12 the street from commercial, there's
13 already precedents." You know, it will
14 be commercial buildings from Coral Way
15 to Bird Road, all along LeJeune.

16 MR. AIZENSTAT: Well, I see -- I'm
17 sorry.

18 CHAIRMAN KORGE: I'm a little
19 concerned. I mean, we -- I have a
20 strong recollection of that whole
21 moratorium area --

22 MS. MORENO: Uh-huh.

23 CHAIRMAN KORGE: -- and we went
24 through this in excruciating detail.
25 There were compromises --

1 MS. MORENO: Yeah, people crying
2 and people fighting here.

3 CHAIRMAN KORGE: It was pretty
4 contentious, but compromises were made,
5 and I don't know, I mean, just undoing
6 that, even if it seems logical -- I
7 mean, it doesn't sound like it's, you
8 know, out in left field somewhere, and
9 the design is superb, I mean, there's no
10 question about that. I don't know. I
11 mean, just undoing that political
12 compromise, I don't know that's a wise
13 thing to do, I mean, and I don't think
14 that the owner should be surprised. You
15 know, this wasn't something that
16 happened 30 years ago. It was highly
17 contentious. It slowed down the Zoning
18 Code rewrite, because we had to address
19 that before we could finish up the
20 rewrite. I mean, I -- you know, in a
21 perfect world, maybe it should have been
22 designated for a higher rise commercial
23 use, but that wasn't the compromise. I
24 don't --

25 MR. SALMAN: This is a boundary

1 property for that area, for that
2 designated area.

3 CHAIRMAN KORGE: Well, the whole
4 issue was that boundary area in there.

5 MS. MORENO: Yeah, right, that was
6 the issue.

7 CHAIRMAN KORGE: I mean, those were
8 the issues.

9 MS. MORENO: And the result was
10 that MFSA area. That was the result of
11 all that brouhaha that we had here.

12 MR. SALMAN: It was a brouhaha. It
13 was silly.

14 .

15 MR. AIZENSTAT: You see, to me,
16 everything which I read from the
17 objections is noise and traffic. By
18 going commercial, I think you're helping
19 that out, with this specific property.

20 CHAIRMAN KORGE: Well, I don't
21 think changing to conform to the
22 Comprehensive Land Use Plan as
23 low-intensity or low-density
24 commercial does any violence to the --
25 what we did in the moratorium area,

1 because that was there in the moratorium
2 area when we made all those other
3 changes to the MFSA. So conforming to
4 the Comprehensive Land Use Plan doesn't
5 concern me, but changing the
6 Comprehensive Land Use Plan now to a
7 higher intensity of use, I mean, I don't
8 know that I'm prepared to do that at
9 this time, myself.

10 MR. AIZENSTAT: Let me ask you a
11 question, Eric. One of the Board
12 members had to leave, and we're also
13 missing, obviously, Robert, who had to
14 recuse himself. How does that affect
15 the vote or --

16 MR. RIEL: Well, it depends on how
17 you vote.

18 MR. AIZENSTAT: No, no, no, I don't
19 mean by that. What I'm saying is --

20 MR. SALMAN: But they would have a
21 right to appeal, won't they?

22 MR. RIEL: Well, if you go -- if
23 you go for -- you need to have four
24 votes for a recommendation, whatever
25 that motion may be. So, for instance,

1 if you have two-three or three-two, it
2 goes forward with a no recommendation,
3 with the indication that three
4 parties --

5 CHAIRMAN KORGE: However I vote,
6 it's going to be no recommendation.
7 That's clear already, right? I mean --

8 MR. AIZENSTAT: Right. That's why
9 I'm saying -- because from what I'm
10 hearing, I mean, you're already
11 missing --

12 MS. KEON: Two.

13 CHAIRMAN KORGE: So, I mean,
14 getting to the point that you're driving
15 to --

16 MS. RUSSO: But it could be
17 three-three. It could be a three-three,
18 which would still go --

19 MR. RIEL: That option goes to the
20 applicant. If they want to postpone
21 their request until the next meeting,
22 they can certainly do that. That's up
23 to them.

24 CHAIRMAN KORGE: And I'm not sure
25 that how we vote really is going to

1 make it --

2 MS. RUSSO: We'll move forward,
3 only because, you know, with the next --
4 with the missing Board member, you could
5 still end up with the three-three or
6 four-two, but, you know, either way, we
7 prefer to move forward.

8 CHAIRMAN KORGE: Move forward?

9 MS. RUSSO: Please.

10 CHAIRMAN KORGE: So, if there's no
11 further discussion, what we should do, I
12 guess, is first take the proposal of the
13 Comprehensive Land Use Plan change, and
14 take a motion one way or another on
15 that, which would be, I guess, the
16 applicant --

17 MR. SALMAN: Well, actually, we
18 need four votes --

19 MS. KEON: Yeah.

20 MR. SALMAN: -- because there's two
21 issues for two different bodies.

22 MR. AIZENSTAT: You need two votes.

23 MR. SALMAN: No, it's four votes.

24 MS. RUSSO: I think you need to
25 vote on three different things.

1 MS. KEON: Three different.

2 MR. SALMAN: Correct, three.

3 MR. RIEL: You need three motions.

4 MR. SALMAN: But we are acting --

5 CHAIRMAN KORGE: Well, first, we're
6 a Local Planning Agency --

7 MR. SALMAN: Local Planning Agency.

8 MS. RUSSO: Right.

9 MR. SALMAN: And then also Planning
10 and Zoning.

11 CHAIRMAN KORGE: For a change of
12 land use from Commercial Use, Low-Rise
13 Intensity, to Commercial Use, High-Rise
14 Intensity. That's the request of the
15 applicant.

16 MS. MORENO: I move that we deny
17 that request.

18 CHAIRMAN KORGE: Is there a second
19 for that motion?

20 MS. KEON: I'll second.

21 CHAIRMAN KORGE: Any discussion on
22 that motion?

23 Let's call the roll on that,
24 please.

25 MS. MENENDEZ: Eibi Aizenstat?

1 MR. AIZENSTAT: Okay, just to be
2 clear, she voted to deny?

3 MS. MORENO: Deny.

4 CHAIRMAN KORGE: A motion to deny.

5 MR. AIZENSTAT: So I like it, so I
6 would vote --

7 CHAIRMAN KORGE: No.

8 MR. SALMAN: No.

9 MR. AIZENSTAT: Right. Okay, I
10 just wanted to be clear. Thank you.
11 No.

12 MS. MENENDEZ: Pat Keon?

13 MS. KEON: Yes.

14 MS. MENENDEZ: Cristina Moreno?

15 MS. MORENO: Yes.

16 MS. MENENDEZ: Javier Salman?

17 MR. SALMAN: No.

18 MS. MENENDEZ: Tom Korge?

19 CHAIRMAN KORGE: Yes.

20 Now we're convening as the Planning
21 and Zoning Board for review of a change
22 of zoning from MFSA to --

23 MR. RIEL: Commercial.

24 MS. RUSSO: Commercial.

25 CHAIRMAN KORGE: -- Commercial.

1 Can we even do that with a denial
2 of a --

3 MR. RIEL: Yes.

4 MS. RUSSO: Yes.

5 MS. MORENO: Yes.

6 MR. RIEL: Yes, you can. Staff is
7 recommending you change the zoning to be
8 consistent with the land use.

9 MS. RUSSO: Staff is recommending
10 approval of Number 2.

11 MS. KEON: Yes.

12 CHAIRMAN KORGE: Okay. Well,
13 before we go down that road, how do you
14 feel about that, changing it, now that
15 it's just low-rise? Would you still
16 prefer that?

17 MR. SALMAN: You'd still want the
18 commercial.

19 MS. RUSSO: Well, yes, I would
20 still like the inconsistency corrected.

21 CHAIRMAN KORGE: You would like it
22 to be consistent.

23 MS. RUSSO: Absolutely.

24 CHAIRMAN KORGE: Okay.

25 MR. AIZENSTAT: I'd like to make a

1 motion that we move toward the Staff
2 recommendation on that.

3 MR. SALMAN: I'll second it.

4 CHAIRMAN KORGE: Second. Any
5 discussion on that?

6 MS. KEON: Let me make sure. Will
7 you clarify for me what this commercial
8 is? This is low-rise?

9 CHAIRMAN KORGE: It's low-rise.

10 MS. KEON: Four-story, as is shown
11 currently on the land use map that's in
12 this?

13 MS. MORENO: Yes.

14 MR. RIEL: The height is regulated
15 by the Commercial Low-Rise Intensity,
16 which allows four floors --

17 MS. KEON: Okay.

18 MR. RIEL: -- up to six with
19 Mediterranean bonuses, and the permitted
20 height would be 77 feet, is a Commercial
21 zoning.

22 MS. MORENO: Eric, can't we request
23 a change in land use to this
24 Multi-Family Special area?

25 MR. RIEL: You could certainly do

1 that.

2 MS. MORENO: Okay. Now, should I
3 have done that as the Local Planning
4 Board before this?

5 CHAIRMAN KORGE: Yes.

6 MR. RIEL: Well, what's unique
7 here, you have a change in land use.
8 You had a motion for denial. It's
9 three-two, so that's a no recommendation
10 to go forward.

11 If the Board wants to go in that
12 direction of changing the land use from
13 Commercial Low-Rise to another, I would
14 suggest that motion be made now --

15 MS. MORENO: Okay.

16 MR. RIEL: -- before you act upon
17 the zoning.

18 MR. AIZENSTAT: Well, we have a
19 motion and a second, so how do you --

20 MR. RIEL: Right. You obviously
21 need a motion and second, if that's the
22 intent of the Board.

23 CHAIRMAN KORGE: Well, I'm not
24 going to change my vote on the first
25 one, so if you still want to -- if you

1 want me to reopen the Local Planning
2 Agency as a courtesy to you, I'll do
3 that, if nobody objects, and we'll go
4 vote, the way you want, but I'm not
5 going to change my vote. I'm not going
6 to --

7 MR. AIZENSTAT: What?

8 CHAIRMAN KORGE: Do you want to
9 reopen the Local Planning Agency?

10 MS. MORENO: I just want it to be
11 clear that we're not forced to change it
12 to commercial because the Land Use Plan
13 says it's commercial. You also have the
14 option of changing the Land Use Plan to
15 Multi-Family Special Area.

16 CHAIRMAN KORGE: I certainly
17 understood that.

18 MS. MORENO: Okay.

19 CHAIRMAN KORGE: I presume
20 everybody else did. So we have a motion
21 for Item Number 2, the change of zoning
22 from MFSA, Multi-Family Special Area, to
23 C, Commercial, to correct the
24 inconsistency, and there's a second for
25 that motion. Is there any discussion on

1 that motion?

2 No discussion? We'll call the roll
3 on that, please.

4 MS. MENENDEZ: Cristina Moreno?

5 MS. MORENO: No. As I indicated, I
6 would prefer to change the Land Use
7 Plan.

8 MS. MENENDEZ: Javier Salman?

9 MR. SALMAN: Yes.

10 MS. MENENDEZ: Eibi Aizenstat?

11 MR. AIZENSTAT: Yes.

12 MS. MENENDEZ: Pat Keon?

13 MS. KEON: Yes.

14 MS. MENENDEZ: Tom Korge?

15 CHAIRMAN KORGE: Yes.

16 MR. RIEL: That goes forward as an
17 approval, four-one. So we need a motion
18 on the site plan.

19 CHAIRMAN KORGE: Pardon me?

20 MR. RIEL: We need a motion on the
21 site plan.

22 CHAIRMAN KORGE: Yes, on the site
23 plan review, which --

24 MS. MORENO: I make a motion to
25 deny the site plan review, consistent

1 with our refusal to change the
2 intensity, which I believe is a
3 prerequisite.

4 MR. AIZENSTAT: Right.

5 MR. RIEL: Yes, it is.

6 MS. KEON: I'll second it.

7 CHAIRMAN KORGE: There's a motion
8 and a second. Is there any discussion
9 on that?

10 No discussion? We'll call the
11 roll.

12 MS. MENENDEZ: Javier Salman?

13 MR. SALMAN: No.

14 MS. MENENDEZ: Eibi Aizenstat?

15 MR. AIZENSTAT: No.

16 MS. MENENDEZ: Pat Keon?

17 MS. KEON: Yes.

18 MS. MENENDEZ: Cristina Moreno?

19 MS. MORENO: Yes.

20 MS. MENENDEZ: Tom Korge?

21 CHAIRMAN KORGE: Yes.

22 MR. RIEL: That motion goes forward
23 with no recommendation, as well.

24 CHAIRMAN KORGE: Yes.

25 MS. RUSSO: Thank you.

1 MR. AIZENSTAT: Thank you.

2 CHAIRMAN KORGE: Are we done?

3 MR. RIEL: Just one quick -- I just
4 want to -- We prepared an attainable
5 housing summary. The Commission asked
6 us to try to get the word out. I just
7 gave you a copy. It's in front of you.
8 We have nothing else.

9 CHAIRMAN KORGE: The meeting is
10 adjourned.

11 (Thereupon, the meeting was
12 adjourned at 8:10 p.m.)

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1 C E R T I F I C A T E

2

3 STATE OF FLORIDA:

4 SS.

5 COUNTY OF MIAMI-DADE:

6

7 I, JOAN L. BAILEY, Registered Diplomat
8 Reporter, Florida Professional Reporter, and a
9 Notary Public for the State of Florida at Large,
10 do hereby certify that I was authorized to and
11 did stenographically report the foregoing
12 proceedings and that the transcript is a true and
13 complete record of my stenographic notes.

14

15 I further certify that all witnesses
16 were duly sworn by me.

17

18 DATED this 20th day of August, 2008.

19

20

21

JOAN L. BAILEY, RDR, FPR

22

23 Notary Commission Number DD 64037
24 Expiration June 14, 2011.

25

25