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1 or required for this project, and the
 2 proposal has been reviewed by City
 3 departments and there have been no
 4 objections to the project.

5 The Planning Department is
 6 recommending approval of this site plan.
 7 The applicant is here, if you should
 8 have some comments.

9 CHAIRMAN KORGE: Are there any
 10 conditions attached to your approval?

11 MR. CARLSON: There are no
 12 conditions attached to this.

13 MR. AIZENSTAT: And will the same
 14 ingress and egress be used?

15 MR. CARLSON: That is correct.
 16 There's no change in access to the site.

17 MR. SALMAN: Are there any
 18 improvements to the parking or any of
 19 the other issues surrounding the --

20 MR. CARLSON: No --

21 MR. SALMAN: It's just the building
 22 property?

23 MR. CARLSON: Building & Zoning has
 24 reviewed the parking situation. There's
 25 adequate parking available already on

14

1 the site to accommodate this.

2 CHAIRMAN KORGE: Is anybody from
 3 the audience here interested in this --
 4 talking on this particular -- or
 5 testifying on this particular proposal,
 6 application?

7 No? I don't know if we need the
 8 applicant to make a presentation.

9 MR. CARLSON: That's fine.

10 CHAIRMAN KORGE: If there's a
 11 motion -- I don't know, is there a
 12 motion?

13 MS. KEON: I'll move it.

14 CHAIRMAN KORGE: There's a motion
 15 to approve.

16 MR. SALMAN: I'll second.

17 CHAIRMAN KORGE: Seconded. Any
 18 discussion?

19 No discussion. Let's call the roll
 20 on that, please.

21 MS. MENENDEZ: Pat Keon?

22 MS. KEON: Yes.

23 MS. MENENDEZ: Javier Salman?

24 MR. SALMAN: Yes.

25 MS. MENENDEZ: Eibi Aizenstat?

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1 MR. AIZENSTAT: Yes.

2 MS. MENENDEZ: Jeff Flanagan?

3 MR. FLANAGAN: Yes.

4 MS. MENENDEZ: Tom Korge?

5 CHAIRMAN KORGE: Yes.

6 MR. CARLSON: Thank you very much.

7 CHAIRMAN KORGE: Thank you.

8 The next item on our agenda,
 9 Application Number 02-07-456-P, Change
 10 of Land Use, Rezoning and Site Plan
 11 Review for St. Thomas Church and School.

12 MR. RIEL: Thank you, Mr. Chair,
 13 Members of the Board. Just for the
 14 record, I want to indicate that you have
 15 updated comment sheets that are shown in
 16 blue in front of you.

17 Basically, we've received three
 18 comments to date on the subject
 19 applications.

20 Jill has PowerPoints and all the
 21 other information up there. I have a
 22 brief PowerPoint, and I'll be happy to
 23 answer any questions.

24 Scot, if you could get the lights.
 25 This is an application of

16

1 St. Thomas Church and School, proposed
 2 change in land use, rezoning and site
 3 plan approval. Basically, the request
 4 is to construct a student athletic field
 5 on a one-acre parcel located immediately
 6 east of the facility.

7 As the LPA, you're looking at a
 8 change in land use for that one-acre
 9 parcel. As the Planning and Zoning
 10 Board, you're looking at a change in
 11 zoning, and then site plan approval for
 12 the entire site.

13 To kind of orient you -- and again,
 14 it's probably better if you look at the
 15 PowerPoint, it might be a little bit
 16 tough for you to see this. This is the
 17 subject property, in entirety.

18 5690 and 5692, which is basically
 19 the existing school and church.

20 This is the one-acre parcel, which
 21 I'll refer to as 5450. Basically, a
 22 change in land use on this parcel,
 23 change the zoning on this parcel, and
 24 then, as I indicated, the site plan on
 25 the entire parcel.

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1 No changes are being proposed to
 2 the church or school, no new buildings,
 3 no building renovations, no demolition
 4 of buildings.

5 Constructing an athletic field,
 6 reconfiguring the existing parking lot,
 7 providing additional landscaping,
 8 maintaining the maximum 425 students, no
 9 increase, and it's pre-kindergarten
 10 through fifth grade.

11 The property at the time of
 12 annexation had 115 existing spaces.

13 It's determined to be legally non-
 14 conforming by the Building Department,
 15 Building & Zoning Department. They're
 16 proposing 123 spaces or adding eight
 17 additional spaces.

18 Since they do not exceed the
 19 minimum threshold, they're not required
 20 to provide the required parking if they
 21 were coming in as a new facility, and
 22 again, that was verified by the Building
 23 & Zoning.

24 The applicant's proposing 11
 25 changes to improving the existing

18

1 student pick-up and drop-off and the
 2 operations into the facility, and those
 3 are listed in your application,
 4 basically, a pick-up and drop-off
 5 evaluation.

6 They're proposing a buffer, 10-foot
 7 buffer, on 5450, which is that
 8 single-family lot, a six-foot-high
 9 masonry wall, a hedge, and canopy and
 10 shade trees, also including landscape
 11 materials along the north and south
 12 perimeter of the athletic field to
 13 provide further buffering.

14 They're also proposing various use
 15 and operational restrictions for the
 16 fields, as well as the entire facility.

17 It's a little difficult to read,
 18 but just basically, this is the Staff's
 19 analysis of the Comprehensive Plan.
 20 It's on Pages 13 -- 12 and 13 in your
 21 packet. We're required, as a part of
 22 the review of a land use change, to
 23 provide basis for consistency, basis for
 24 inconsistency, and then recommendations
 25 for consistency. Again, it's on Pages

19

1 13 and 14 in the Staff Report.

2 Basically, what I'm going to do is,
 3 I'm going to do an overview of the
 4 issues, and by doing that, I'm going to
 5 go through the Staff recommendations,
 6 because that really hits it to the
 7 point.

8 Staff's recommendations, based upon
 9 the Findings of Fact and the
 10 Comprehensive Plan Goals, Objectives and
 11 Policies, as well as the Zoning Code,
 12 we're recommending approval of the three
 13 applications.

14 Standard conditions of approval.
 15 Obviously, they have to construct it
 16 pursuant to the application before you.
 17 We're asking for a restrictive covenant
 18 within 30 days, a standard condition.
 19 We're asking for a unity of title, to
 20 adjoin all the properties, and then
 21 there's a limitation, a continued
 22 limitation, on the number of students.

23 What I'm going to do is go through
 24 each of the conditions as they relate to
 25 each specific parcel.

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1 5450, shown in yellow, only
 2 students can use this field -- students,
 3 faculty, obviously churchgoers,
 4 obviously anybody that is at the
 5 facility, the intention is for it to be
 6 utilized for them, not to be rented out.

7 Play equipment will be soccer nets
 8 or other field apparatus, no bleachers
 9 or elevated seats. Limitation on hours
 10 of operation, no vehicle access off of
 11 Kendall or Banyan, and no vehicle
 12 parking. And again, I want to point out
 13 this is for this entire parcel here,
 14 which is the parcel facing or adjoining
 15 the single-family residence and Banyan
 16 Drive single-family residence, as well.

17 Further conditions on use and
 18 operation. No lighting. We're asking
 19 for a 10-foot easement along this entire
 20 property line, and I'll get into the
 21 materials that we'd like in that.
 22 Basically, it's a perpetual easement
 23 that be used for the landscaping only,
 24 no structures. We've done similar
 25 things on applications. It's basically

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1 the landscape requirements you have
 2 between a commercial property and
 3 residential. The purpose is to provide
 4 a buffer.

5 The whole facility, 5690 and 5692.
 6 There's an athletic field right here.
 7 Again, only used by students, faculty,
 8 churchgoers, staff. No permanent soccer
 9 equipment, no bleachers, no elevated
 10 seating, the same conditions.

11 Hours of use limitations. Again,
 12 6:30 p.m. to 7:00 a.m. -- excuse me,
 13 7:00 a.m. to 6:30 p.m. No vehicle
 14 access from Banyan Drive. Vehicle
 15 parking is permitted, is permitted --
 16 not permitted (sic) -- is permitted, and
 17 lighting is prohibited.

18 Facility operations. We're asking
 19 that for the entire facility, that when
 20 they have special events over a certain
 21 threshold, they have to go to our
 22 Special Events Committee, and I can get
 23 into more detail if you have questions
 24 about that. We've done this on similar,
 25 other applications, churches and schools

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1 throughout the City. It basically
 2 allows for when they exceed a certain
 3 capacity, that they have to go to
 4 Special Events and it's reviewed by the
 5 City, to ensure the impacts occur on the
 6 property.

7 On-street parking. No vehicle
 8 parking, storage, temporary or
 9 permanent, on North Kendall Drive or
 10 Banyan Drive.

11 Within 180 days, we're asking that
 12 all eleven recommendations be put in
 13 place, and also that they have traffic
 14 management regarding school operations,
 15 on and off-site.

16 There's an existing caretaker
 17 residence. We're asking that no storage
 18 of vehicles behind the residence on
 19 Banyan Drive, and then also no lighting
 20 spillover from the entire property, not
 21 just the fields, the entire property.

22 Landscaping, more detail. We're
 23 asking again for that 10-foot buffer, a
 24 six-foot wall, three-foot hedge, and 12
 25 to 14-foot trees, from North Kendall all

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1 the way through to Banyan.

2 In terms of the front, we're asking
 3 for a three-foot hedge, shade trees
 4 along the front, as well, and then on
 5 the rear property, on Banyan Drive --
 6 and again, there's no access from this
 7 point except for the caretaker, no
 8 access to the site for students or
 9 anything.

10 We went out there and did an
 11 analysis. There's a couple holes that
 12 need to be filled in terms of
 13 landscaping to adequately buffer. We're
 14 asking that those be filled in.
 15 Obviously, we're asking for a landscape
 16 plan of the entire facility, subject to
 17 these conditions.

18 We're also asking for -- One thing
 19 we've done is asked for a point person
 20 at the school or church, that if persons
 21 have questions about this approval,
 22 future approvals, that that name be
 23 provided and sent out to the residents
 24 so there's an exchange between neighbors
 25 in terms of information, in terms of

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1 future events, and again, this approval.
 2 We've done a similar thing on other
 3 churches and schools.

4 Findings of facts. It's consistent
 5 with the Comp Plan. It's consistent
 6 with the goals. We've identified those
 7 that are inconsistent and suggested or
 8 recommended recommendations to make it
 9 consistent. It satisfies the Zoning
 10 Code, providing for improvements,
 11 operational requirements, improvement of
 12 circulation, additional parking,
 13 prohibitions on use of the driveways,
 14 and then additional protection adjoining
 15 residential uses.

16 Basically, we're saying substantial
 17 competent evidence has been presented,
 18 this proposal is in compliance with the
 19 Comp Plan and the Zoning Code.

20 Basically, what we're saying is, this
 21 was annexed in '96. At that time, very
 22 limited regulations. By going through
 23 this review process, it provides an
 24 opportunity for us to manage and operate
 25 the property in concert with the City

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1 standards, as well as in concert with
 2 the adjoining properties.

3 Basically, right now, there's very
 4 limited provisions that regulate this
 5 property. There's no comprehensive
 6 regulations. There's been no
 7 comprehensive look. We feel that by
 8 going through this approval, it provides
 9 further protection to the adjoining
 10 residences and adjoining property owners
 11 and well manages the property, and as I
 12 indicated, there's safeguards, there's
 13 use operations for the school, as well
 14 as the use of the fields.

15 In terms of public notice, we did
 16 our standard notice, a thousand feet,
 17 web posting, and as I indicated, we
 18 received three comments.

19 That's basically my presentation.
 20 The applicant, obviously, is here to do
 21 a presentation. I'd be happy to answer
 22 questions. I'd suggest maybe let the
 23 applicant go through their presentation,
 24 and then I'd be happy to answer any
 25 questions.

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1 CHAIRMAN KORGE: Okay. Is the
 2 applicant ready to -- Laura, are you
 3 going to make the presentation?

4 MS. RUSSO: Good evening, Mr.
 5 Chairman, Members of the Board. For the
 6 record, Laura Russo, with offices at
 7 2655 -- excuse me -- 2655 LeJeune Road.

8 I'm here this evening representing
 9 St. Thomas Church and School, Episcopal
 10 Church and School, and I'd like to take
 11 a moment just to introduce a couple of
 12 the representatives of St. Thomas.

13 I'll start with Mr. -- Father
 14 Tobin, the head of the church, with Kris
 15 Charlton, who is the head of the school,
 16 with Kitty Finneran, who's associate
 17 head of the school, Tom Bales, who's
 18 chairman of the board, and with Chris
 19 Cobb and Bill Parker, who are on the
 20 master plan committee.

21 You have heard our application
 22 request from Mr. Riel. I'd like to give
 23 you a little background so that you
 24 understand a little bit about the
 25 application. This process started

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1 about -- I want to say a little over
 2 three years ago, and the proposal you
 3 have in front of you is a proposal that
 4 has been massaged. It was not our
 5 original proposal. We started out with
 6 a meeting with the neighbors. We had --
 7 we heard their issues and concerns. We
 8 went back. We revised our application.
 9 We turned it in. We heard comments, not
 10 only from the Planning Department but
 11 from Public Works, from Public Service,
 12 and so we made changes to our
 13 application, always trying to be
 14 considerate, and I'll give you one
 15 example.

16 Our initial proposal did not
 17 include a wall. One of the neighbors,
 18 in fact, the neighbor immediately east
 19 of the subject property, was very
 20 adamant. I met with her attorney, and
 21 we were happy to say, "Yes, we'll come
 22 back and give you a wall."

23 Neighbors were concerned with the
 24 lighting of the wall -- of the proposed
 25 field. We agreed that there would be no

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1 lighting of the field. There was an
 2 issue at the beginning; we had initially
 3 wanted to be able to park on the
 4 proposed field that is the subject of
 5 the change in land use and change in
 6 zoning. That request was withdrawn from
 7 the application.

8 So what you have before you here is
 9 what I would say is a work in progress.
 10 And what we're trying to accomplish
 11 here, and I think is what Mr. Riel has
 12 tried to accomplish with his list of
 13 conditions, is that in order for there
 14 to be a real neighborhood, you have to
 15 have certain institutions, like churches
 16 and schools and hospitals and parks that
 17 allow for the common weal. I mean, in
 18 essence, to have a neighborhood, you
 19 have to have these different elements to
 20 form a true society.

21 But what becomes important is the
 22 delicate balance of allowing the
 23 properties of the churches and the
 24 schools and the parks and the hospitals
 25 and the residential uses, and if you

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1 will notice, within our City limits, the
 2 majority, if not all, of the churches
 3 and schools and parks are located in
 4 residential neighborhoods. So the idea
 5 that the uses are, per se, incompatible,
 6 I think, is not true. I think that they
 7 can be made to be compatible and to work
 8 together with certain guidelines,
 9 criteria and conditions of approval, as
 10 you've seen here.

11 We have carefully reviewed the
 12 Planning Department's conditions for
 13 approval, and what I'd like to do,
 14 there's a couple where I think we need
 15 some modifications or clarifications,
 16 and then there is a couple where we take
 17 issue with, only because we think they
 18 may be too onerous or burdensome in the
 19 normal routine of the way the
 20 institution operates.

21 So, with your permission, I would
 22 like to -- On the first condition where
 23 we would like some clarification, and I
 24 believe it was made by Mr. Riel during
 25 his presentation, is that users of the

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1 existing field and the proposed field
 2 should be all the St. Thomas family, not
 3 just the school portion of the
 4 St. Thomas, but the church portion.

5 The second clarification that I
 6 would request, and it would become more
 7 apparent when the final landscaping
 8 plans are submitted, is, we have no
 9 problem with the 10-foot easement.
 10 We've proposed a wall, a six-foot wall.
 11 We've proposed some shade canopy trees
 12 and some shrubbery, but what we wanted
 13 to make sure is that, if we have the
 14 wall on the property line, and then we
 15 have trees and shrubs, or shrubs and
 16 trees, that whatever portion of the 10
 17 foot remains after that can be grass,
 18 can be green. And part of the reason
 19 is, you heard the reason for this field
 20 is to have a soccer playing field, and
 21 we want to have as much green as we can,
 22 because you need a certain width to have
 23 an appropriate soccer field, and so we
 24 are then providing another few feet
 25 surrounding the actual playing area of

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1 the soccer field.

2 CHAIRMAN KORGE: Excuse me, is that
 3 easement inside the wall or outside the
 4 wall?

5 MS. RUSSO: The easement is inside
 6 the wall. The wall would be, as Staff
 7 has recommended, on the property -- in
 8 other words, on the property line, from
 9 the property line in toward our
 10 property, and then the question would be
 11 whether we have the trees first, the
 12 canopy trees, and then the shrubs, or
 13 the shrubs and then the canopy trees,
 14 but it would be -- the 10 feet is
 15 measured from our property line in.

16 CHAIRMAN KORGE: But there's no --
 17 there's no landscaping on the outside of
 18 the wall?

19 MS. RUSSO: Well, the outside of
 20 the wall would be the neighbor's
 21 property, so if the neighbor wished, but
 22 it's not part of the --

23 MR. AIZENSTAT: The wall would be
 24 on the boundary line?

25 MS. RUSSO: The wall would be on

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1 the boundary line. We had initially
 2 proposed, and I believe what you may
 3 have is the wall three feet in from the
 4 property line, and then landscaping on
 5 the neighbor's side, but Staff felt it
 6 would be better to move it, and we've
 7 agreed with that condition.

8 The next condition is, the existing
 9 field use, we believe, should not be
 10 restricted. The existing field is the
 11 field that is on the south portion of
 12 the property.

13 MR. AIZENSTAT: When you say that,
 14 can you just -- Eric has gone ahead and
 15 labeled it by address or number. Are
 16 you talking now about the 5450?

17 MS. RUSSO: No, I am not talking
 18 about the 5450. I am talking about
 19 the --

20 MR. AIZENSTAT: What he calls 5690
 21 and 5692?

22 MS. RUSSO: Correct. Correct.

23 MR. RIEL: I think what Ms. Russo
 24 is talking about, if you look at Page 4
 25 in your Staff Report and go to -- I

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1 believe I'm correct -- and Ms. Russo can
 2 correct me. It's Condition 2 --

3 MR. AIZENSTAT: Play equipment?

4 MR. RIEL: 2, c.

5 MR. AIZENSTAT: Hours of use?

6 MR. RIEL: Yes.

7 MR. AIZENSTAT: Okay. What are you
 8 proposing, to change the hours?

9 MS. RUSSO: If you look on your --
 10 Just to let you know where it is, if you
 11 look at L-3 of these sheets that you
 12 have, it's the proposed landscape and
 13 buffer plan. The field that I'm talking
 14 about now, the existing field, is
 15 labeled as grass, open lawn area, and
 16 that is the current existing field for
 17 the school and it's also overflow
 18 parking, and as you can see, if you look
 19 at -- it's L-3 in your submittal, and it
 20 accommodates up to approximately 92
 21 parking spaces. It currently is not
 22 restricted and it's used for overflow
 23 parking. It's actually used for a
 24 couple of the special events, but it
 25 really has no sort of structured

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1 activities after hours, but, you know,
 2 sometimes when kids are leaving from a
 3 Cub Scout meeting or a youth group
 4 meeting, they may run around there for a
 5 couple of minutes.

6 So, right now, there's been no
 7 restriction on that lot. That lot does
 8 not abut, you know, single-family.
 9 There is swale and a right-of-way prior
 10 to the single-family to the south, on
 11 the other side of Banyan Street.

12 So what we're requesting is that
 13 the existing field be allowed to
 14 continue in its status quo use, the way
 15 it is currently used today.

16 MR. AIZENSTAT: Is it an athletic
 17 field today?

18 MS. RUSSO: It is an athletic
 19 field, but not wholly an athletic field.

20 Excuse me, there's no lip on this,
 21 so none of our papers can stay up here.
 22 I'm having problems controlling the
 23 paper.

24 It is currently an athletic field,
 25 but it is used for overflow parking,

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1 almost on a daily basis.

2 MR. AIZENSTAT: With no hours, or
 3 any time is it okay?

4 MS. RUSSO: Correct.

5 The other condition which is also
 6 on the 55 -- what did you call it, 5590
 7 (sic), 5592 property?

8 MR. AIZENSTAT: Yes.

9 MS. RUSSO: Is the caretaker's
 10 residence. Our objection is, the gates
 11 are always closed. We would prefer to
 12 take out the word "locked." It's
 13 currently not used. We've agreed not to
 14 use it for storage.

15 CHAIRMAN KORGE: Where is that
 16 on our sheet?

17 MS. RUSSO: It is 3, a, 3, c.

18 CHAIRMAN KORGE: 3, a, and 3, c.

19 MS. RUSSO: 3, c.

20 CHAIRMAN KORGE: 3, c.

21 MR. RIEL: If you go on Page 5,
 22 just down Page 5 and look at c.

23 MR. AIZENSTAT: Existing old
 24 caretaker's residence.

25 MR. RIEL: Yes, the second line.

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1 CHAIRMAN KORGE: Okay.

2 So you want to change that to read
 3 what?

4 MR. AIZENSTAT: Take out "locked."

5 MS. RUSSO: To keep it closed and
 6 gated at all times, but to eliminate the
 7 word "locked."

8 CHAIRMAN KORGE: Okay.

9 MR. AIZENSTAT: But why, just out
 10 of curiosity?

11 MS. RUSSO: You know, an issue --
 12 Apparently it's always closed and it's
 13 maintained closed. There is concern
 14 there may be an emergency, and if it's
 15 locked, who's got the key, and --
 16 because you're talking about all church
 17 and school property.

18 CHAIRMAN KORGE: Right.

19 MS. RUSSO: But we do agree not to
 20 use the driveway for parking, storage,
 21 deliveries, et cetera.

22 MR. AIZENSTAT: Okay.

23 MS. RUSSO: It's a minor point.

24 The next one is with respect to the
 25 supplemental understory landscaping, and

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1 it's really clarification. The goal is
 2 to achieve a hundred percent opacity.
 3 We agree that is the goal. We just want
 4 that goal to be within the normal
 5 landscaping guidelines, so that it won't
 6 be a hundred percent opacity at time of
 7 planting. There's some holes in the
 8 landscaping on the southern portion of
 9 Banyan Drive, and we're going to be
 10 filling in --

11 CHAIRMAN KORGE: Where on this
 12 sheet -- Where on recommendations --

13 MR. RUSSO: 3, a, 4, c, 2.

14 MR. RIEL: Page 6, top of Page 6,
 15 c, 2.

16 MR. AIZENSTAT: You know, sometimes
 17 when trees are planted or have been
 18 planted for some time, trees tend to dry
 19 up and they tend to just get with less
 20 fullness. Things happen, also, with
 21 certain types of plants, like what's
 22 happening, I think, with the hibiscus or
 23 certain plants --

24 MS. RUSSO: With ficus, too.

25 MR. AIZENSTAT: With ficus.

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1 I wonder, Eric, if your -- when you
 2 went to physically take a look at it, is
 3 it because you saw certain shrubs or
 4 hedges were not full and they weren't
 5 blocking or --

6 MR. RIEL: Well, it was actually --
 7 it was Mr. Keys and I, because the
 8 Public Service Director is ultimately in
 9 charge of the City's landscaping. There
 10 were some materials that obviously had
 11 expired.

12 MR. AIZENSTAT: Okay.

13 MR. RIEL: You know, it's a
 14 maintenance issue regarding --

15 MR. AIZENSTAT: And you'd like for
 16 them to put back what has expired?

17 MR. RIEL: Basically, to provide
 18 opacity in terms of the vegetation, so
 19 you're not viewing through, obviously,
 20 and then you have the benefits, that
 21 noise --

22 CHAIRMAN KORGE: Would the word
 23 "reasonably" inserted there achieve the
 24 objective or address your concern?

25 MS. RUSSO: Well, and I think it

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1 should be within normal landscape
 2 guidelines. In other words, it won't be
 3 at planting, but maybe within -- and I
 4 don't know, I think Mr. Riel had said
 5 guidelines say three to five years. We
 6 could agree 18 months --

7 MR. AIZENSTAT: What are you
 8 concerned about?

9 MS. RUSSO: Well, at --

10 MR. AIZENSTAT: At the expense
 11 of --

12 MS. RUSSO: To be able to do it at
 13 the actual -- at the initial, depending
 14 on the size of the holes, to get the
 15 size of understory shrubbery.

16 CHAIRMAN KORGE: Oh, I see. Your
 17 concern is that you might have to buy
 18 really large shrubbery --

19 MR. RIEL: Yes, I believe so.

20 CHAIRMAN KORGE: -- that is over
 21 expensive, when it would grow in in a
 22 year?

23 MS. RUSSO: Correct.

24 MR. AIZENSTAT: Well, sometimes it
 25 could take much longer. Isn't the idea,

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1 also, to protect the neighbors that are
 2 there? Isn't that why maybe Mr. Keys
 3 asked for a full tree or full shrub to
 4 go in there?

5 Eric?

6 MR. RIEL: Yes. Well, there's
 7 obviously different types of materials.
 8 Typically, when materials are installed,
 9 when landscape plans are done, my
 10 experience has been that installation --
 11 the intent is to reach maturity in three
 12 to five years, in other words, where it
 13 will have an impact. So you don't have
 14 to, obviously, put in large material.
 15 You don't want to put something in that,
 16 you know, within a year, is going to be
 17 crowding one another. So it depends on
 18 the type of plant material, and that's
 19 where, you know, we want to work with
 20 the school and the church to determine
 21 what they have out there and at least
 22 have some flexibility.

23 I don't have a problem with
 24 putting, you know, a hundred percent
 25 opacity within three to five years.

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1 That's kind of the standard -- standard
2 language.

3 MS. RUSSO: Right, right.

4 MR. AIZENSTAT: I just want to be
5 clear on that.

6 MS. RUSSO: We just want it to be
7 clear -- and our goal is to provide it.
8 We just want it to be clear that it --

9 MR. AIZENSTAT: I just want to know
10 what the City's intention is.

11 CHAIRMAN KORGE: Okay.

12 MS. RUSSO: And we've agreed the
13 City will be approving that landscaping.

14 The last item that we have where we
15 take exception, and this is where we do
16 take exception, is with respect to the
17 special event permits. The City has put
18 as a condition that there be special
19 events for when there are over 123 cars.
20 We object, because this would really
21 interfere with the way the school and
22 church operate. That happens on a
23 routine basis, at different times during
24 the week, during school, during church.
25 They get that kind of membership that

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1 comes out for services on Sundays. At
2 different times during the school day,
3 you could have that. So it would be an
4 incredible burden if you have to then
5 say, almost every single day, you have
6 to get a special event permit.

7 A lot of the traffic and
8 circulation within has been dealt with
9 in the report that you saw there by
10 Mr. Tim Plummer, that he did with
11 respect to drop-off and pick-up, and so
12 that you know, all 11 recommendations
13 have already been instituted by
14 St. Thomas. But this special events
15 would put an incredible burden on the
16 way the church -- for example, funerals,
17 there's no way to predict. Sometimes a
18 funeral can bring a small number of
19 cars; sometimes, depending on the --

20 CHAIRMAN KORGE: Do you have any --
21 I get it. Is there any alternative you
22 would suggest, just eliminating it
23 completely or what are you asking for?

24 MR. AIZENSTAT: Well --

25 MS. RUSSO: Well, obviously, the

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1 first choice would be to eliminate it
2 completely, but --

3 MR. AIZENSAT: I wouldn't be in
4 favor of eliminating it, myself,
5 completely. I would look at it as
6 special events being carnivals or --

7 MS. RUSSO: Maybe perhaps raising
8 the threshold so that it really is a
9 special event, say -- we know we can
10 park almost 245 to 250 cars, so perhaps
11 it should be any event where it is
12 anticipated -- you know, anticipated
13 that over 250 cars would be there.

14 CHAIRMAN KORGE: Maybe you should
15 also exclude religious services,
16 because --

17 MS. RUSSO: Religious services and
18 maybe funerals, since you can't really,
19 you know --

20 MR. AIZENSTAT: I mean, that
21 would --

22 CHAIRMAN KORGE: I would consider
23 that a religious service.

24 MR. SALMAN: I would consider that
25 a religious service.

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1 MS. RUSSO: Okay, and exclude
2 religious services that are --

3 MR. AIZENSTAT: How do you keep
4 track of -- if you say 123 cars or 250
5 cars, does somebody go out there on any
6 given date and count how many cars you
7 have out there?

8 MS. RUSSO: I think, you know, that
9 certain events, like carnival, gala, and
10 if you said we exclude religious
11 services, then we can exclude Christmas
12 Day, but I think there is an anticipated
13 number of participants or attendees at,
14 for example, graduation or Grandparents'
15 Day, so my goal would be, then, to put
16 the threshold at such a number where the
17 school isn't having to go every single
18 day, but yet do it where perhaps the
19 number of attendees, you know, would be
20 far greater than the average.

21 MR. AIZENSTAT: Presently, you have
22 zero limit on it?

23 MR. SALMAN: Correct.

24 MS. RUSSO: Yes, currently. As Mr.
25 Riel explained, this property was

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1 annexed by the City of Coral Gables, in
 2 1996 or '97, at the end of '96, '97, so
 3 while St. Thomas did have two ordinances
 4 affecting it for some minor building
 5 plans that were done in the City of
 6 Coral Gables, I think, in '97 and '98,
 7 there has been no other application
 8 before the City of Coral Gables, so in
 9 our -- you know, and that's one of the
 10 reasons why we're also doing, in
 11 addition to the change in land use and
 12 the change in zoning, the site plan
 13 approval, because what we are now
 14 putting on at least the City's
 15 records -- because remember, a lot of
 16 the County's records came over, but we
 17 had difficulties finding a lot of
 18 background documentation. We are
 19 basically putting and creating a record
 20 for sort of operations of the school and
 21 church that now become part of the
 22 City's record and will be part of the
 23 declaration of restrictive covenants
 24 that will be -- you know, that will be
 25 drafted.

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1 MR. AIZENSTAT: Eric, do you see
 2 something that --

3 MR. RIEL: Yeah. My preference
 4 would be, Mr. Chair, is that we allow
 5 the applicant to complete their
 6 presentation. I'd be happy to go
 7 through each of the issues.

8 MR. AIZENSTAT: Okay. I'm sorry.

9 MR. RIEL: I think we should maybe
 10 hear from the public, and then I'll be
 11 able to respond accordingly to each one.

12 CHAIRMAN KORGE: Yes.

13 MS. RUSSO: In conclusion, what I'd
 14 just like to say is that what we have
 15 here is an institution that's been
 16 around since the early 1950s, that
 17 provides -- it's a resource for the
 18 community, not just in its providing
 19 education, its providing, you know,
 20 spiritual guidance, but it also has
 21 activities that are part of the
 22 community, Cub Scouts, it has recitals
 23 and concerts, that all are what make
 24 living in Coral Gables a very special
 25 place, and what we are attempting to do

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1 here is allow the school to be able to
 2 compete with other schools in the area
 3 in terms of providing improved
 4 facilities, and at the same time try to
 5 provide safeguards for the surrounding
 6 residential community and to minimize
 7 the impact of our request as much as
 8 possible so that both the residential
 9 people can benefit from the presence of
 10 St. Thomas and vice-versa.

11 We respectfully request your
 12 approval of our three applications, and
 13 we are happy to answer any questions
 14 that may come up, and as I explained to
 15 you before, I have different
 16 representatives from the school and the
 17 church here. So, depending on the
 18 question, I will have the appropriate
 19 representative answer.

20 CHAIRMAN KORGE: Okay. Does
 21 anybody want to ask any questions at
 22 this time, or do you want to wait?

23 MR. AIZENSTAT: I'll wait, as Eric
 24 suggested.

25 MR. FLANAGAN: I'll wait.

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1 CHAIRMAN KORGE: Wait? Very well.

2 MS. RUSSO: And I also at this time
 3 would like to present -- we have
 4 petitions that were signed by either
 5 church members or parents of the school
 6 that are in favor of these applications,
 7 so I'd like to present these to the
 8 Secretary of the Board.

9 CHAIRMAN KORGE: Okay. We'll
 10 accept them in the record.

11 MR. RIEL: Yes, we stamp them for
 12 the record.

13 Mr. Chair, we have --
 14 Are you finished, Ms. Russo?

15 MS. RUSSO: Yes.

16 MR. RIEL: Also, Ms. Russo, my
 17 assumption is that you agree with all
 18 the other conditions? Could you state
 19 that on the record?

20 MS. RUSSO: Yes, I will. I'm
 21 sorry, I did not state that on the
 22 record. With the exception of the
 23 clarifications and/or modifications that
 24 were requested, we accept the other
 25 conditions of Staff's Report, and if you

1 do not accept the waiver of the special
 2 events permit, we request that the
 3 threshold be 250 cars.

4 Thank you.

5 MR. RIEL: Mr. Chair, we have 23
 6 speakers that have signed up to speak.

7 CHAIRMAN KORGE: How many?

8 MR. RIEL: 23.

9 CHAIRMAN KORGE: Is this -- I see
 10 Mr. Gibbs here. Are you representing
 11 the neighbors generally?

12 MR. GIBBS: Yes.

13 CHAIRMAN KORGE: Well, why don't
 14 you come first?

15 MR. RIEL: We need to swear
 16 everybody in, Mr. Chair. We need to
 17 swear all of the -- everybody in.

18 CHAIRMAN KORGE: Do you want to
 19 swear them all in at the same time?

20 MR. RIEL: It would probably be
 21 easier than going through 23 --

22 MS. HERNANDEZ: Let's definitely do
 23 it.

24 CHAIRMAN KORGE: Okay, everybody,
 25 stand up and get sworn in.

1 MR. AIZENSTAT: That's going to be
 2 speaking.

3 CHAIRMAN KORGE: Anybody who's
 4 going to be speaking, or expects to
 5 speak.

6 (Thereupon, all who were to speak
 7 were duly sworn by the court reporter.)

8 CHAIRMAN KORGE: Tucker, you have
 9 the floor.

10 MR. GIBBS: I think I'm going to
 11 have the same problem that Laura had
 12 with the lip on this thing. Everything
 13 is going to go flying in a second, I'm
 14 sure.

15 Good evening, ladies and gentlemen.
 16 My name is Tucker Gibbs, and I represent
 17 the Banyan Drive Preservation
 18 Association, and also Ofe and Guillermo
 19 Fernandez, who are the actual neighbors
 20 of this project. They're all neighbors
 21 of the St. Thomas Church and School.

22 Before I start, I'd like to, just
 23 for the record, object to the placement
 24 in the record of the petitions. This,
 25 at least in part, is a quasi-judicial

1 proceeding. The law is very clear that
 2 petitions and such are not to be
 3 considered in your decision-making. So,
 4 as a matter of form, I'd like to object
 5 to that.

6 But going forward, I wanted to let
 7 you all know that, as you can imagine,
 8 as neighbors of St. Thomas, my clients
 9 have had consistent concerns with the
 10 school and its physical expansion.
 11 Specifically, my clients object to the
 12 application that takes a single-family
 13 property, which is the 5450 property,
 14 which, until about six months ago or
 15 maybe even a year ago, had a house on
 16 it, a single-family house on it, and
 17 seeks to utilize that property for an
 18 athletic field for school use.

19 You've heard a lot about the
 20 athletic field, a lot of conditions
 21 relating to the athletic field, but the
 22 fact is, you're making three decisions
 23 tonight. You're making a decision to
 24 change the land use of the property,
 25 which will allow a school -- which will

1 allow a school to come in and ask you to
 2 do a rezoning to allow a physical
 3 building on that site, because the land
 4 use, as you all know as the Local
 5 Planning Agency, it allows that broad
 6 authority in the Comprehensive Plan.

7 So what St. Thomas has done is to
 8 buy this single-family house to expand
 9 its school into a stable single-family
 10 neighborhood. If you -- and the picture
 11 doesn't go all -- well, it does. If you
 12 look that the picture, you see 5450, and
 13 immediately to the east, you'll see my
 14 clients' property. Immediately to the
 15 east of that is a church-owned property,
 16 where I think Father Tobin lives, and
 17 immediately to the east of that is the
 18 last house on the block, which means
 19 there are only two non-church-owned
 20 properties on that block. That's a
 21 concern of my clients, because what my
 22 clients are seeing is the church, which
 23 has limited itself to, I think, 424
 24 students -- I may be --

25 MS. RUSSO: 425.

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1 MR. GIBBS: 425 students, and they
 2 limited themselves to that number way
 3 back in the 1990s. The point is, when
 4 the County approved the expansion of the
 5 school, the County -- they had a plan,
 6 it was 425 students. They had a field.
 7 Everything was fine. The question we
 8 have is, why do they need a field now,
 9 with the same number of students?
 10 That's the concern.

11 My clients don't know what's going
 12 to happen in five, 10, 15 or 20 years,
 13 but the fear, the literal fear, in this
 14 neighborhood is that the church is going
 15 to continue to seek and pressure to
 16 buy -- continue to buy property on that
 17 block to eventually expand the school.
 18 That may not be your issue tonight, but
 19 that is the concern of my clients, and
 20 at least I need you to understand that
 21 as you review this application.

22 Finally, this application does not
 23 preserve and improve the character of
 24 the neighborhood. The reason why I use
 25 that term, preserve and improve the

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1 character, that is one of the
 2 requirements in your Comprehensive Plan.
 3 That is Objective 1-1.14, which is cited
 4 by your Planning Department; I think
 5 it's also cited by the school.

6 Remember, they have to show you
 7 that the application is going to
 8 preserve and improve the character of
 9 the neighborhood. And the character of
 10 the neighborhood is a single-family
 11 neighborhood. Why? Because your Comp
 12 Plan defines the character of the
 13 neighborhood. Your Comprehensive Plan
 14 has a map, a Future Land Use Map, that
 15 shows that property at 5450 as a single-
 16 family, as low-density residential
 17 single-family. The character of the
 18 neighborhood has already been set, and
 19 that character is single-family. What
 20 this project -- what this proposal is
 21 doing is seeking to change the character
 22 and make it more institutional, by
 23 allowing the institutional use to
 24 expand. Even though it's, quote, just,
 25 unquote, an athletic field, it is still

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1 part of that institutional use.
 2 My clients' position is basic. The
 3 proposed change in the land use is
 4 contrary to specific goals, objectives
 5 and policies in the Comprehensive Plan
 6 and is inconsistent with that plan, and
 7 we'll get into that in a second.

8 Two, the proposed change, the
 9 proposed zoning change, is inconsistent
 10 with the Comprehensive Plan and fails to
 11 meet the standards that are set forth in
 12 Section 3-1404, A, for a rezoning.
 13 That's in your Land Development Code.
 14 It's also in the Staff's recommendation.

15 And finally, the proposed site plan
 16 is incompatible with the single-family
 17 residential character of the
 18 neighborhood.

19 So I wanted to look, first, at the
 20 Comprehensive Plan, and I can go through
 21 every single one of these. I am not
 22 going to do that, because I see
 23 Mr. Salman is already bored with my
 24 presentation, and I don't blame him, but
 25 I do need to get the record -- I do need

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1 to get the record -- get this material
 2 on the record.

3 The applicant has said in their
 4 presentation -- in their presentation
 5 and in the report that they presented
 6 that's in your record, they specifically
 7 said that the Comprehensive Plan Map
 8 Amendment, the zoning change and the
 9 site plan is consistent and in
 10 furtherance with three Comprehensive
 11 Plan provisions, three or four, and they
 12 talk about Goal Number 1, which is to
 13 enhance the future land use, consistent
 14 with the needs of the community.

15 This is an expansion into a
 16 single-family residential neighborhood.
 17 It is not consistent with that
 18 single-family neighborhood. They say
 19 that it will enhance -- the school says
 20 it will enhance the social, cultural and
 21 economic conditions for Coral Gables
 22 residents. They say that, but the
 23 expansion of the school into a
 24 residential neighborhood does not
 25 enhance the social, cultural and

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1 economic conditions of Coral Gables
 2 residents. This is a stable
 3 neighborhood.

4 No evidence has been presented. We
 5 don't know how many Coral Gables
 6 residents send their children to
 7 St. Thomas. We don't know how many
 8 residents of Coral Gables from within,
 9 let's say, two to five miles send their
 10 kids to this school. We don't know how
 11 many Coral Gables residents will
 12 actually use the facility. I know
 13 they're talking about the church being
 14 able to use the athletic field.

15 The bottom line, this is a private
 16 school that seeks to expand its use for
 17 its clients, its students. It's the
 18 people who use its facility, not for the
 19 improvement of the City of Coral Gables.

20 Their major issue, their major
 21 thing they talked about, was
 22 neighborhood character and Objective
 23 1-1.14, which I just cited, and it
 24 requires the City to adopt land
 25 development regulations which preserve

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1 and improve the character of
 2 neighborhoods by January 1st, 2001.
 3 Technically, it doesn't even apply,
 4 because it's telling the City they need
 5 to create new laws that protect
 6 neighborhoods.

7 But, you know, if you all want to
 8 take it to mean that every development
 9 order, which is what this site plan
 10 would be, and which a small scale
 11 rezoning could be considered, then let's
 12 look at that.

13 The Comprehensive Plan, as I said,
 14 has already established what the
 15 neighborhood is, by its map. The school
 16 says the applications aren't going to
 17 alter the neighborhood because
 18 St. Thomas has been there since the
 19 mid-1950s, and this statement -- yeah,
 20 they have been there since 1950 -- the
 21 statement seems to make sense on its
 22 face, but if you look at what it really
 23 means is, is St. Thomas as it exists
 24 today the same St. Thomas that existed
 25 in 1955? Obviously not -- or '57. It

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1 is clearly not. The 2009 St. Thomas is
 2 a school that's limited to 425 students
 3 but still seeking to physically expand
 4 into the residential neighborhood.
 5 That's the problem.

6 The real question is, how will the
 7 application preserve and improve the
 8 neighborhood, as is required in that
 9 section? All it's trying to do is
 10 redefine the neighborhood. This
 11 neighborhood will be redefined with this
 12 expansion, because I guarantee you, if
 13 you allow this church and school to
 14 expand into this piece of property,
 15 where does it end? They'll buy -- maybe
 16 they buy my clients' property, the
 17 Fernandes' property, and they have all
 18 the way to Father Tobin's house. What
 19 happens then?

20 The idea of the Comprehensive Plan
 21 is that it's a plan. It's a plan for
 22 your future growth. When you adopted
 23 this plan, you did not include this
 24 piece of property for the future growth
 25 of an institution. That institution

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1 said, back in the mid-'90s, they didn't
 2 need that property, because they had a
 3 plan, they had a number of students, the
 4 County approved it, and when the City
 5 annexed the property, the City approved
 6 it. Now they're saying, "Well, you
 7 know, our plan, 10 years old or 15 years
 8 old, we want to grow again," and that's
 9 the problem, and that's my clients'
 10 problem.

11 The City claims that it's
 12 consistent with the Comprehensive Plan,
 13 and I want you to think about and when
 14 you read where the City -- the City's
 15 list of all the Comprehensive Plan
 16 provisions the City says this proposal
 17 meets, every single one of them doesn't
 18 say, "Comprehensive Plan met." It says,
 19 "We're going to buffer the property and
 20 all the conditions we've put on there
 21 make this okay."

22 What does that mean? It means
 23 that, in reality, even your Planning
 24 Department acknowledges that this
 25 proposal is inconsistent with the

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1 Comprehensive Plan, but your Planning
2 Department has said, "But the problems
3 can be ameliorated. It can be
4 mitigated. It can be mitigated by the
5 10-foot buffer. It can be mitigated by
6 the six-foot wall. It can be mitigated
7 by locking or closing a gate." That's
8 what's being said here, but the reality
9 is, even your professional Planning
10 Department is saying they don't meet the
11 plan.

12 And for that, I'm not going to bore
13 you by going through every single one of
14 these proposals, but I will go through
15 one of the ones that they do talk about.
16 They talk about Housing Policy 3-1.2.6,
17 which talks about compatibility of new
18 development with adjacent established
19 residential areas, and as I said before,
20 the City admits the application is
21 incompatible with the surrounding
22 neighborhood because of the conditions,
23 the conditions can mitigate this
24 incompatibility, and they cite -- and
25 this is important, and I need to say

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1 this for the record -- they cite Policy
2 1-3 -- 1-1.3.1, which is talking about
3 avoiding encroachment into neighborhoods
4 by incompatible uses. And by the way,
5 that's the future land use element
6 policy, 1-1.3.1, and it talks about
7 residential neighborhoods should be
8 protected from intrusion by incompatible
9 uses that disrupt or degrade with noise
10 and glare and light, and the next
11 policy, 1-1.3.2, talks about application
12 of buffering techniques, and it says
13 those uses in the plan that cause all of
14 this can be ameliorated -- or they say
15 that you shall provide buffering when
16 located adjacent to a single-family
17 residence or any residential use, and
18 you all see that in your Staff Report.
19 That specifically applies to the land --
20 the land use element.

21 So, when you go to the housing
22 element, which is cited here -- and the
23 housing element talks about
24 compatibility of new development with
25 adjacent residential housing, and the

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1 City says, "No problem. Yes, it's
2 incompatible, but we put conditions,"
3 and the conditions they cite are in that
4 policy that talks about buffering, which
5 deals with the future land use. It does
6 not deal with housing. That housing
7 provision -- that housing provision
8 talks about compatibility of new
9 development, Policy 3 dash -- housing
10 policy -- housing element policy,
11 3-1.2.6, that talks about compatibility
12 of new development. "New development
13 shall be compatible with adjacent
14 established residential areas." You
15 couldn't be clearer.

16 City Staff is saying, "Well, it
17 really isn't compatible, but it is
18 ameliorated based on these other issues
19 that we talked about in the future land
20 use element." Those don't deal with
21 neighborhood compatibility issues. They
22 deal with physical impacts of glare,
23 noise, light and the like. They don't
24 deal with general incompatibility of
25 use, and this is what they're talking

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1 about in this element, is the
2 incompatibility of uses.

3 Therefore, the proposal is
4 inconsistent -- We believe that the City
5 Staff has not established that it is
6 consistent with the Comprehensive Plan.
7 But furthermore, and this is sort of
8 toward the end of what we're trying to
9 say, the proposal is -- we believe the
10 proposal is inconsistent with specific
11 provisions of the Comprehensive Plan, as
12 it permits an encroachment into a
13 neighborhood by an incompatible use, and
14 the City admits that that is an
15 incompatible use. The buffering is
16 inadequate. You cannot say that an
17 athletic field, that a land use change
18 that could in the future allow them to
19 put a school here, is ameliorated by a
20 10-foot buffer and a six-foot wall, on
21 one house. We're not talking about the
22 people across Kendall. We're not
23 talking about the people across Banyan
24 Drive, and how this will impact, because
25 the school has bought the property, and

1 that property, under your Land Use Code,
 2 they can come in tomorrow with a
 3 rezoning -- maybe not tomorrow. They
 4 can come in with a rezoning to allow for
 5 a building to be put there. Yes, you
 6 may not be here. There may be a Board
 7 here that says, "Build, baby, build."
 8 And they will. And that's the concern
 9 this neighborhood has.

10 If you say no to the land use
 11 change, no to the rezoning, no to the
 12 site plan, if you say no, that will not
 13 happen. That property can be used as a
 14 rectory. That property can be used as a
 15 single-family house where the minister
 16 will live. They can build a house on it
 17 right now, sell the other one, and
 18 everybody in this neighborhood will be
 19 happy.

20 Objective 1-1.11, which talks about
 21 the residential development pattern --
 22 and that specifically says that the City
 23 will "maintain a pattern of overall low
 24 density residential use with limited
 25 medium and high density residential uses

1 in selected areas to preserve the low
 2 intensity character of residential
 3 neighborhoods."

4 And that's a concern, because
 5 you're taking away single-family
 6 property. You're allowing an
 7 institutional use, by Comprehensive
 8 Plan, to be on this property. Yes, it's
 9 only an athletic field now. But what
 10 will it be in five, 10 or 15 years?

11 Policy 1-1.14.2, which deals with
 12 neighborhood preservation and
 13 improvement: Land development
 14 regulations establish the location and
 15 extent to residential land use
 16 consistent with the Future Land Use Map.

17 You already have this property.
 18 It's zoned residential single-family.
 19 It's land use for low-density
 20 residential. It should remain that.
 21 That's the neighborhood character. Your
 22 Comprehensive Plan has already
 23 established that.

24 And finally, as I said before,
 25 Housing Policy 3-1.2.6, new development

1 should be -- shall be compatible with
 2 adjacent residential areas, and are not.

3 Let me explain to you -- let me
 4 talk to you a little bit about the
 5 Zoning Code. The Zoning Code provision,
 6 to rezone a property, you have specific
 7 standards in your Comprehensive -- in
 8 your Zoning Code, and I'm going to refer
 9 you to the pages where -- or the page
 10 where it's actually discussed in your
 11 Staff Report, and you can follow along,
 12 because I think it's important -- if I
 13 can find it. I think it's important for
 14 you all to see it, as well as hear it.
 15 Well, I hope I can find it.

16 Ah, here it is. It's on Page --
 17 beginning on Page 10 and then finishing
 18 on Page 11. It says that the applicant
 19 must satisfy -- "An applicant-initiated
 20 district boundary change shall be
 21 approved if it is demonstrated that the
 22 application satisfies all of the
 23 following." There are three things "all
 24 of the following" encompasses.

25 Number 1, it must be -- I'm going

1 to give you what the three are, and then
 2 I'll go through. Number 1, it has to be
 3 consistent with the Comprehensive Plan.
 4 I think we've established it is not
 5 consistent with the Comprehensive Plan.
 6 And it says specifically in these
 7 findings that you must find it does
 8 not -- it must not conflict with any --
 9 any -- objective or policy within the
 10 Comprehensive Plan.

11 Number 2, it will provide -- and
 12 Number 2 is on Page 11, the top of Page
 13 11. Number 2, "It will provide a
 14 benefit to the City in that it will
 15 achieve two or more of the following
 16 objectives," and you see four
 17 objectives.

18 The first objective, to "Improve
 19 mobility by reducing vehicle miles
 20 traveled by residents within a half-mile
 21 radius." Nothing in this proposal has
 22 talked about reducing vehicle miles of
 23 anybody traveling within a half a mile.
 24 That doesn't apply.

25 And it also talks, within that

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1 "a" -- it says it will reduce vehicle
 2 miles traveled by residents within a
 3 half-mile radius by balancing land uses
 4 to reduce trips. Well, it's one land
 5 use. It's one use. It's a school.
 6 That's what it is. That doesn't apply.
 7 It will create a mix of uses? It's not
 8 talking -- We're not talking about a mix
 9 of uses.

10 Number 3, it will increase the
 11 share of trips that use alternative
 12 modes of transportation. That has not
 13 been discussed here tonight and is not
 14 part of the presentation. Therefore,
 15 "a" does not apply.

16 "b," promote high-quality
 17 development in a declining area. I
 18 don't think anybody is claiming this
 19 area is a declining area.

20 "c," create affordable housing
 21 opportunities. This isn't about
 22 affordable housing.

23 And "d," implement specific
 24 objectives and policies of the
 25 Comprehensive Plan. Let's say I grant

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1 them that it implements certain specific
 2 objectives and policies in the plan.
 3 I'm not conceding that, but let's say I
 4 do. That's only one of the -- one, two,
 5 three, four conditions under Number 2.
 6 It must meet two of those conditions.
 7 Therefore, Number 2 is not met.

8 So then we go to Number 3. It will
 9 not cause substantial diminution of
 10 property values of adjacent properties.
 11 We're not here and we're not presenting
 12 to you valuation issues. Maybe we
 13 could, but we're not doing that. It
 14 also says, "or materially diminishes the
 15 suitability of adjoining property for
 16 its existing or approved uses." My
 17 client hasn't tried to sell their
 18 property, but I've got a funny feeling,
 19 if they try to sell their property next
 20 door to a school, as opposed to, when
 21 they bought their property, which was
 22 next door to a single-family house, I
 23 don't think they're going to get the
 24 price that they wanted to get, because
 25 they're next door to a school.

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1 But even if they get that, the fact
 2 is, the applicant must meet all three of
 3 those standards. It must be consistent
 4 with the plan, it must provide benefit
 5 to the City, and achieve two or more of
 6 the objectives, which it doesn't do, and
 7 Number 3, it has to not show a
 8 diminution in property value or diminish
 9 the suitability, the suitability of the
 10 property for its intended use.

11 Staff says the conditions are met
 12 because there's no increased density,
 13 there's no decline in level of service,
 14 because there's no building on that
 15 property, and because it's consistent
 16 with the Comprehensive Plan. Mobility
 17 is improved, but they don't go through
 18 the standards that are specific to this,
 19 and there's no proof that the proposal
 20 will diminish the market value of
 21 adjoining property. Of course, they
 22 don't discuss the suitability of the
 23 adjacent property for its existing or
 24 approved use.

25 The fact is, these standards for a

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1 rezoning have not been met. This is a
 2 quasi -- this issue is a quasi-judicial
 3 proceeding. You need to have evidence
 4 in the record. There's no evidence in
 5 the record -- there's a lot of opinion
 6 out there -- but that each of these
 7 standards has been met.

8 Rezoning should be rejected,
 9 because there's no fact that any of
 10 these standards have been met.

11 The site plan should not be
 12 approved, quite simply, because it's
 13 inconsistent with the Comprehensive
 14 Plan. It's incompatible with the
 15 appropriate single-family use.

16 And in conclusion, I want to remind
 17 you that in the 1990s, the school asked
 18 for and received approvals that have
 19 been ratified by the City for its master
 20 plan, which included 425 students and
 21 the existing school property, without
 22 this single-family property. The number
 23 of students has not changed.

24 The number of students has not
 25 changed, therefore, there's no pressing

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1 need, unless they're telling you that
 2 what they said back in the 1990s, that
 3 425 students in the 1990s needed less
 4 property to play in, to be in school in,
 5 than they do in 2009.

6 And I also want to leave you with
 7 this. Look at this neighborhood. Look
 8 at this area. I'd like you to think
 9 about a mile, maybe two miles from
 10 St. Thomas Church and School, and I want
 11 you to count in your head the number of
 12 institutional uses and schools that are
 13 there. You have Gulliver School, what
 14 they call in South Miami the Mandelstam
 15 property, up on Red Road. You have
 16 Epiphany Church, Cathedral, however you
 17 want to describe it, and school. You
 18 have Lourdes School, 840 students just
 19 in Lourdes School alone. You have
 20 St. Thomas, with 425 students. You have
 21 Beth Am. I don't know how big Beth Am
 22 is, but I know it ain't small. And you
 23 can go down Red Road, probably -- maybe
 24 two miles, and you have the public
 25 elementary school.

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1 I drive this area -- I used to, not
 2 starting in September, but for the past
 3 two years I have driven this area twice
 4 a day during school rush hour, and
 5 anybody who knows, knows this is a
 6 particular form -- I won't say -- it's
 7 Purgatory. It's never-ending. You
 8 can't get out of it. And that's the way
 9 it is in the afternoon and that's the
 10 way it is in the morning. That's the
 11 problem.

12 Expanding the school, yes, it
 13 doesn't expand the numbers, but what it
 14 does is, you are laying the foundation,
 15 and do not kid yourselves, for an
 16 expansion of this school down the road.
 17 There is no need for it, and the fact is
 18 that by doing this, not only are you
 19 making a problem, a future problem,
 20 creating a future problem or putting out
 21 the welcome mat for a future problem;
 22 you are creating a situation that is
 23 hurting a stable single-family
 24 neighborhood.

25 And I urge you, on behalf of my

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1 clients, to please deny the land use
 2 change, deny the rezoning, and deny --
 3 recommend denying the land use change,
 4 recommend denying the rezoning, and
 5 recommend the denial of the site plan.

6 Thank you very much.

7 MR. AIZENSTAT: Mr. Gibbs, can you
 8 just point out to me which is your
 9 clients' home?

10 MR. GIBBS: Yes. Well, I represent
 11 the homeowners' association, but I also
 12 represent the Fernandeses, who have a
 13 letter to you.

14 MR. AIZENSTAT: Right. That's what
 15 I want. Okay. Thank you.

16 CHAIRMAN KORGE: Call the next
 17 witness, please.

18 MS. MENENDEZ: Joel Arnold.

19 MR. ARNOLD: Hello. My name is
 20 Joel Arnold. I live at 5520 Banyan
 21 Drive. If you look at that thing, my
 22 house is right here, right across the
 23 street, south of the boundary, right on
 24 Lot Number 33.

25 I was prepared to go into my

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1 objections to the three applications,
 2 but Mr. Gibbs has done such a wonderful
 3 job that I'm not going to address that
 4 issue, I'm going to address another, but
 5 I want to call your attention to Zoning
 6 Code Section 3.1404, which Mr. Gibbs has
 7 gone through in great detail.

8 CHAIRMAN KORGE: I'm sorry, would
 9 you repeat that number?

10 MR. ARNOLD: 3-1404. And it
 11 requires that, "An applicant-initiated
 12 boundary change shall be approved if it
 13 is demonstrated that the application
 14 satisfies all of the following," and
 15 there are three items, 1, 2 and 3.
 16 Mr. Gibbs has gone through them, one by
 17 one. This application does not satisfy
 18 all of those requirements. And I want
 19 to reiterate everything that Mr. Gibbs
 20 was saying, but I want to go on to the
 21 second portion of what I would like to
 22 address the Board with.

23 In reading the conditions which the
 24 Planning and Zoning Department has put
 25 on this thing, I wanted to applaud them.

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1 I thought they did a great job, and at
 2 least, if they were approving this other
 3 stuff, which I don't like, they're
 4 putting down restrictions which benefit
 5 the neighborhood and benefit the
 6 adjoining property owners, and
 7 particularly, their use of the word
 8 opacity -- which I think is a great
 9 word, I hadn't seen it in a long, long
 10 time -- describes exactly what we need
 11 here. So, on the eastern edge, they're
 12 putting up a six-foot wall. That
 13 creates opacity. But they're doing
 14 nothing along the southern edge, and
 15 that's where the big problem is.

16 And they come here and the
 17 applicant, despite everything that she
 18 said, the one thing that she objected
 19 to, she objected to some of the
 20 conditions which the Planning Board has
 21 attempted to put on this property, and I
 22 say no, the objection -- if you are
 23 going to approve these zoning changes,
 24 which I believe you should not, the
 25 conditions which the Planning Board had

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1 put on here almost satisfy the aesthetic
 2 needs of the community. I mean, there
 3 are not holes in those boundaries, there
 4 are just no landscaping there. And if
 5 they're going to do opacity, they
 6 shouldn't wait three to five years.
 7 They have to do it now. Every morning,
 8 at 8:30 in the morning, the temporary
 9 parking lot fills up completely. It
 10 didn't used to do that. Now it does.
 11 There's got to be a reason for it. But
 12 there's no opacity. All you see is a
 13 field full of cars. And so that has to
 14 be addressed right away.

15 And the second thing that I want to
 16 point out is that they talk about a
 17 soccer field. That's what they want to
 18 build here, a soccer field. The only
 19 time a soccer field is used -- because
 20 the athletic field is used all the other
 21 times -- is when they have a visiting
 22 team coming in to play a game. Right
 23 now, they're doing it on the existing
 24 field. What is the importance of a
 25 soccer field when they have a large

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1 athletic field?

2 MS. MENENDEZ: Roger Walker.
 3 MR. WALKER: My name is Roger
 4 Walker. I live at 5420 Banyan Drive,
 5 and unlike the previous speakers, I am
 6 not an attorney. I live right here,
 7 across from the subject property. Over
 8 the 26 years I've lived there, the
 9 school and the church complex has
 10 increased by an enormous amount. When I
 11 moved there, it was a parish church with
 12 a parish school. Now it's a regional
 13 school with a parish church attached to
 14 it.

15 Also, for those of you who think
 16 green, there's been an enormous erosion
 17 of the green footprint here. It's been
 18 covered with asphalt. And you're going
 19 to be asked to, I think, permit more
 20 asphalt to be poured on this site. Now,
 21 then, what happens when the asphalt
 22 is -- first of all, it's a sink for
 23 heat, so that it makes the neighborhood
 24 hotter. And the other thing it does, it
 25 prevents the percolation of rain through

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1 it.

2 And Mr. Riel's beautiful
 3 demonstration with the PowerPoint,
 4 unfortunately, was only two dimensions,
 5 not three dimensions, so you can't see
 6 the fall-off and the run from this.

7 Now, the runoff in this area is
 8 into the southeast corner of this here.
 9 A huge puddle forms there. In fact, the
 10 vicar, only on Monday -- we met on the
 11 street early in the morning. It had
 12 been raining, and the vicar, after we'd
 13 exchanged -- I won't say pleasantries,
 14 but we acknowledged one another's
 15 humanity, and he said, "Look, it's
 16 flooded again." So here is a flooding
 17 area, and nowhere, nowhere in this
 18 presentation, has the word "drain" been
 19 mentioned. And so I don't know.

20 The other thing I don't know -- and
 21 I'll finish now -- is what the meaning
 22 of landscaping is. Is there some Coral
 23 Gables meaning for landscaping or do we
 24 take the dictionary or what do we do
 25 about landscaping?

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1 Thank you very much.
 2 CHAIRMAN KORGE: Thank you.
 3 MS. MENENDEZ: Gary Tarbe.
 4 MR. TARBE: Gary Tarbe. I reside
 5 in Pinecrest. I'm the Junior Warden at
 6 the St. Thomas Vestry, which is the
 7 board of the church. I just --
 8 Obviously, I just want to reiterate that
 9 we, over the last three years, as Laura
 10 indicated, have worked diligently to
 11 work this plan into conformance with the
 12 City's and the neighborhood's
 13 requirements and desires, and it has
 14 been a long and arduous process and
 15 we've made many, many revisions. We
 16 hope that this is the best that -- as
 17 recommended by Staff.

18 I just -- two issues that I'd like
 19 to address, essentially. The question
 20 has been asked why we're requesting a
 21 field. We're requesting a field because
 22 the existing field that we're using now,
 23 in order to get the cars off the street,
 24 off the side of the street, provide
 25 safely for the residents, improve

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1 traffic and safety for our own students
 2 and parishioners, we are using the field
 3 for parking. That tears up the field,
 4 which then causes problems for our
 5 students to play on that field, with
 6 ruts and things of that nature, and it
 7 also causes us to -- we, every year,
 8 every summer for many, many years, have
 9 had to completely redo that field in
 10 order to keep it green and to keep it
 11 useful, as useful as a play field, and
 12 again the next term, school term, we
 13 again use it as off-site parking, and
 14 the process starts all over again.

15 This one, in conjunction with
 16 planning with the board, we're allowing
 17 the use of overflow parking. We can
 18 still use the field for lesser events,
 19 smaller exercise things, and we still
 20 have a good, proper field for the proper
 21 use of games, soccer and other field
 22 games that are used in a normal
 23 elementary school uses.

24 That's all. Thank you.
 25 MS. MENENDEZ: Chris Cobb.

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1 MS. COBB: Good afternoon. My name
 2 is Chris Cobb. I live at 5575 Kerwood
 3 Oaks Drive, which is down Banyan Drive
 4 and south a few blocks.

5 I have three children currently at
 6 St. Thomas, the fourth has already
 7 graduated, and I go to church there. So
 8 I am both a neighbor and a church user.
 9 I've been on the master planning
 10 committee -- I'm an architect and a
 11 contractor by profession -- for the
 12 entire five years that we've been
 13 working through the process with the
 14 City Staff and the neighbors.

15 I want to try to address a few of
 16 the issues that we've discussed. We've
 17 heard -- I think that most of the issues
 18 are all well on the table now, there's
 19 nothing new, but I'd like to address
 20 some of the ones that we've talked
 21 about.

22 First of all, the attorney for the
 23 neighbors had talked about the
 24 compatibility of existing uses, and he's
 25 implied -- he's going to have a great

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1 career in the marketing business if he
 2 doesn't succeed at law, because he's got
 3 a good spin with the way that he tells
 4 his stories -- that many of his -- his
 5 explanations result in conclusions, that
 6 the Planning Department didn't think
 7 that we met the land use regulations,
 8 and I don't think they said that. I
 9 think they recommended approval because
 10 they think we do.

11 So that issue of compatibility of
 12 existing uses, the use of the
 13 neighborhood has been, for 50 years,
 14 residential homes and a church and
 15 school. So it is true that we are
 16 making the footprint of the church and
 17 school site larger, but that's
 18 compatible with the existing uses. It's
 19 always been a single-family neighborhood
 20 with a church and school.

21 And in fact, our family moved to
 22 the neighborhood to be close to the
 23 school, and I know that there are others
 24 who have done the same, so -- The second
 25 thing he talked about was to preserve

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1 and improve. I think this does improve
 2 the neighborhood. The home that was
 3 torn down was not a particularly
 4 beautiful home, but the use of the field
 5 by our kids will do a lot to improve the
 6 school for all of the people that use
 7 the school, many of whom are obviously
 8 Coral Gables residents.

9 One of the gentlemen that just
 10 spoke talked about paving and asphalt.
 11 We are adding three parking spaces, but
 12 we're also taking out, I think, six. So
 13 we might be net even on asphalt
 14 coverage. I'm not sure of that, but for
 15 sure, we removed the house and are
 16 replacing it with green, so I think
 17 we're going to be more pervious surface
 18 than impervious surface, and obviously
 19 the field, we would like to be as green
 20 as possible. There will be nice grass,
 21 and so we think we're adding green space
 22 to the neighborhood, not subtracting.

23 I'd like to speak, also, to the
 24 issue of landscape. We want to
 25 landscape the property, both for our use

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1 and for the benefit of our neighbors,
 2 because landscaping is an important part
 3 of our environment and aesthetically
 4 pleasing. So we don't -- we're not
 5 opposed to landscaping. We're fine with
 6 landscaping. I think the only problem
 7 we had with the word, a hundred percent
 8 opacity, was -- to my reading, that
 9 means -- I agree, a wall is a hundred
 10 percent in terms of opacity; you cannot
 11 see through it. But any time you drive
 12 down a road, like Banyan Drive, you can
 13 see through the hedge and you can see
 14 stuff, even if it's fully grown in, in a
 15 lot of cases. You'd need -- you know,
 16 you'd need a forest to block the light
 17 that can shine through. So I was the
 18 one that suggested we use the word, a
 19 goal of a hundred percent opacity, and I
 20 don't think we need to wait five years
 21 to get there. I mean, I think that --
 22 speaking for myself, that -- I think
 23 that our church team would be willing to
 24 put in, you know, hardy, healthy
 25 landscaping to achieve the goal of

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1 opacity sooner, and, you know, we don't
 2 want to try to reach it immediately,
 3 because that's going to result in a
 4 problem of when those plant materials
 5 grow, they're going to -- it's just
 6 going to be overgrown.

7 So, you know, I think that what I'm
 8 saying is, on the landscaping, we'd be
 9 willing to put in more landscape
 10 material to reach opacity, the goal of a
 11 hundred percent opacity, but a high
 12 block rate sooner, if that's what the
 13 neighbors would like.

14 The only other thing I wanted to
 15 address, and I think that Gary just
 16 spoke to it well, but I want to clarify
 17 one issue I haven't heard said yet was,
 18 it's my understanding that in the 10
 19 years that preceded my involvement -- in
 20 the last couple years, my involvement,
 21 there was a parking problem on Kendall
 22 Drive. A lot of our parents would come,
 23 park on Kendall, because there was no
 24 --there's not parking -- there's not
 25 enough parking space, and we were trying

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1 to keep the cars off of our playing
 2 field because it was the only playing
 3 field we had. In this process, we came
 4 to understand why that was a problem,
 5 the traffic and everything, so we began
 6 to make a concerted effort to make sure
 7 all the parents did not park on the
 8 swale on Kendall Drive, which meant we
 9 had to park on our playing field, and
 10 the playing field is -- you know,
 11 literally, every weekday, a bunch of
 12 cars drive in there. I don't know if
 13 it's 20, 30, 40. They pack down the
 14 dirt. They -- you know, it's rainy, it
 15 makes a mess, and so -- and then a lot
 16 of times some of the parents, some of
 17 the -- you know, more moms and dads,
 18 they'll be staying at something in
 19 school and it's time for PE to start, so
 20 then they had to start kind of keeping
 21 the cars to the side, because the kids
 22 are starting to do their PE and there's
 23 still a few cars and they've got to stop
 24 the kids so that one car can get out,
 25 and so our goal with the new field, part

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1 of the reason we need more space, is
 2 that we want to have this new field to
 3 have good cushy grass and then we're
 4 going to use this other field for PE and
 5 other things, but also for parking. It
 6 is not just for soccer games. It would
 7 be for PE, it would be for flag
 8 football, it would be -- It's only
 9 sports, but we would get a lot of use
 10 out of that second field. We would
 11 continue to use our existing field, but
 12 be able to park on it and not have --
 13 not have it interrupt PE and other
 14 things.

15 And I think I addressed all my
 16 points, so I guess I'd just leave you
 17 with the fact that we don't -- we think
 18 that by taking a single-family home and
 19 removing it and increasing the size of
 20 our playing field area has a very slight
 21 impact on the neighborhood. We're
 22 willing to ameliorate those impacts with
 23 buffers and landscape material, and we
 24 think this totally in keeping and
 25 compatible with our neighborhood, where

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1 I live, and we hope you recommend
 2 approval to the Commission.

3 Thank you very much.

4 MS. MENENDEZ: Thomas Bales.

5 MR. BALES: My name is Tom Bales.
 6 I live at 9151 Arvida Lane, in Coral
 7 Gables, and I'm on the School Board at
 8 St. Thomas.

9 When I moved to Coral Gables, I
 10 just wanted a nice house. I wanted a
 11 place where I could go inside and watch
 12 TV, do my hobbies, drive to work, come
 13 back home, and a place that's beautiful
 14 and peaceful. I didn't have any kids
 15 then. I've come to realize that it
 16 takes more than that to make a
 17 community. Maybe George Merrick saw
 18 that a long time ago, and I guess that's
 19 why Coral Gables isn't just houses.
 20 It's houses, it's business districts,
 21 it's churches and schools within the
 22 residential neighborhood.

23 I'm about a half-mile from
 24 St. Thomas and that's about the distance
 25 I have to drive to take my three

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1 children, who have all gone to
 2 St. Thomas. By St. Thomas being there,
 3 Coral Gables has become a community for
 4 me. It would have just been a place I
 5 parked my car. But I'm part of a school
 6 community there. I'm part of a parish
 7 of people engaging in all sorts of
 8 missions to improve Coral Gables and our
 9 community.

10 I became a scoutmaster, and I'm
 11 there, chasing around that field in the
 12 evenings, at least one evening a week,
 13 helping to train young boys to be
 14 leaders and to learn about our
 15 community. One of our scouts is here
 16 tonight, working on his citizenship in
 17 the community badge, where you have to
 18 participate and see a community meeting.

19 So that's what Coral Gables has
 20 come to mean to me. I don't know about
 21 regulation one, stroke 6, 9B. I do know
 22 that St. Thomas being there makes Coral
 23 Gables better. It makes my life more
 24 complete. I'm glad it's there, and I'm
 25 trying to make it better.

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1 Thank you.

2 MS. MENENDEZ: Linda Johnson?

3 Vivian Cortinas?

4 MS. CORTINAS: My name is Vivian
 5 More Cortinas. I live at 1109 Hardee
 6 Road, in Coral Gables. I have a
 7 seven-year-old son that goes to
 8 St. Thomas, and St. Thomas is my church,
 9 St. Thomas is the school where my
 10 children go, and St. Thomas is also my
 11 community.

12 I think the only issue that I would
 13 like to address is, as the president of
 14 the parents' association at St. Thomas,
 15 we welcome our parents to come to
 16 St. Thomas. We like to engage the
 17 parents. We like to put them to
 18 participate in all the committees that
 19 we have in the school, for them to
 20 volunteer for all the activities that we
 21 have, because that makes us a true
 22 community, and that is why we need to
 23 park in that additional field. That is
 24 why the parents come in the morning, and
 25 they don't just drop off and keep going.

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1 It's because they love being there.
 2 They love being part of our community
 3 and participating in their children's
 4 lives, because by being involved in
 5 their children's lives, they're helping
 6 St. Thomas and they're helping their
 7 children, as well.

8 Thank you.

9 MS. MENENDEZ: Tim Birrittella?

10 JoAnn Titley?

11 Enia Rivero?

12 MS. RIVERO: Hello. My name is
 13 Enia Rivero.

14 CHAIRMAN KORGE: Would you use the
 15 microphone?

16 MS. RIVERO: I live at 5450 Banyan
 17 Drive, which is Property Number 35 on
 18 your map.

19 When I purchased and I moved in, in
 20 1992 -- I am very strongly opposed to
 21 this rezoning. St. Thomas just keeps
 22 creeping further and further east.

23 Since I moved in, St. Thomas has
 24 purchased two residential properties on
 25 this block, sandwiching in the Fernandez

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1 property, and while the zoning may be
 2 beneficial to St. Thomas, it would be
 3 very detrimental to the neighborhood, in
 4 particular the Fernandeses. I mean,
 5 there is no doubt that their property
 6 value would most certainly decline if
 7 this change takes place.

8 I believe this zoning change would
 9 be carried out at the expense of all of
 10 the adjacent homeowners and, you know, I
 11 ask you, is an athletic field
 12 appropriate next to a residential
 13 property?

14 Thank you.

15 MS. MENENDEZ: Marisa?

16 Maxwell Bales?

17 Gregory Bales?

18 Constance Ryan?

19 MS. RYAN: Good evening. My name
 20 is Constance Ryan. My address is 9151
 21 Arvida Lane, in Coral Gables.

22 I am the mother of two St. Thomas
 23 graduates. I currently have Gregory,
 24 who is not speaking tonight, but he's
 25 just finished fourth grade at

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1 St. Thomas. And I have to say that I
 2 think that St. Thomas is a wonderful
 3 place. It provides a sense of wonderful
 4 community, not just to the children, to
 5 all the families. It strives to teach
 6 the children appreciation of the
 7 outdoors, of nature, of physical
 8 fitness, and I've seen, now that I've
 9 been there for 13 continuous years, that
 10 there was a huge need for a field there.
 11 The field we currently have is not
 12 adequate. We try to have the children
 13 play soccer and different sports. I'm
 14 also a Cub Scout leader and a Boy Scout
 15 leader, and we need the field.

16 I think that we try very hard to be
 17 good neighbors. I'm sure there's
 18 tensions at times, but I think that the
 19 school tries very hard to impress upon
 20 the families to be good neighbors, to
 21 not park in the swale, and I hope that
 22 you will consider the variances that we
 23 need to allow the field. Thank you.

24 MS. MENENDEZ: Kitty Finneran?

25 Roger Tobin?

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1 MR. TOBIN: Good evening. My name
 2 is Roger Tobin. I live at -- Where do I
 3 live? What's the official address?

4 On Banyan Drive, right here, the
 5 property in between the Fernandeses and
 6 the end property on Banyan Drive. I'm
 7 the rector at St. Thomas, and I just,
 8 obviously, stand to speak to all of you
 9 this evening in favor of this proposal,
 10 and I'll be very brief.

11 First of all, let me just share
 12 with you that when I became the rector
 13 at St. Thomas, in 1986, we were in
 14 Unincorporated Dade County, and you all
 15 annexed us, and I've got to tell you,
 16 that was one of the best days in the
 17 history of St. Thomas. We love being
 18 part of Coral Gables. We love the
 19 services that are provided. We also
 20 love being a member of this really
 21 illustrious City and this community, and
 22 we think we're really good neighbors.
 23 We work hard at being good neighbors,
 24 and since I live in this neighborhood, I
 25 myself, personally, as a resident in

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1 this community and on Banyan Drive, seek
 2 in my behavior, publicly as well as a
 3 member of the community, as well as the
 4 rector of the parish, to be a good
 5 quality member of our community.

6 That being said, a couple of things
 7 I would like to share, just in terms of
 8 information for your benefit this
 9 evening. Someone asked, how many
 10 members of St. Thomas are residents of
 11 Coral Gables? I can't give you the
 12 exact number -- those numbers obviously
 13 go up and down, depending on who joins
 14 the church, who joins the school, and it
 15 can go up by five or 10 percent on any
 16 given year.

17 Currently, we represent somewhere
 18 between five and six hundred families,
 19 between the church and school. I would
 20 wager a guess right now -- I can get you
 21 accurate numbers -- that the number is
 22 somewhere between 50 and 60 percent of
 23 those people are actual residents of the
 24 City of Coral Gables. I don't want to
 25 be held to that, and again, I will give

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1 you accurate numbers, but I think that's
 2 a fairly accurate number. Those numbers
 3 can go up and down, as I said, each
 4 year, depending on how many people
 5 actually join the church and school.
 6 Those four or five hundred families, on
 7 any given year, represent about 1800
 8 people or 1900 people, and again, those
 9 numbers can go up or down. Depending on
 10 how many people are in a family unit,
 11 that kind of thing can change
 12 dramatically, but right now, I think
 13 those numbers are fairly close to
 14 accurate.

15 Secondly, just as a point of
 16 information, and I do this with some
 17 humility because I'm just a simple
 18 country priest, I'm not a big
 19 intelligent lawyer and I haven't gone to
 20 law school and I don't understand a lot
 21 of the legalese in this room right now,
 22 but you need to understand that legally,
 23 we are not a school. This is not a
 24 school request. This is a church
 25 request. The school is part of the

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1 church, not the other way around, and so
 2 it is the church that's making this
 3 request. The Diocese of Southeast
 4 Florida, St. Thomas Episcopal Church, is
 5 making this request, just so you
 6 understand that dynamic, because
 7 technically speaking, the school doesn't
 8 exist. It's part and parcel of the
 9 church itself. And we, as a church,
 10 exist only at the privilege and the
 11 benefit of the Diocese of Southeast
 12 Florida. Our property technically, if
 13 I'm correct on this, Chancellor, is
 14 owned by the diocese itself.

15 Is it not?

16 UNIDENTIFIED MAN: Controlled by
 17 the diocese.

18 MR. TOBIN: Controlled by the
 19 diocese itself. So this is a diocesan
 20 request and church request. It's not a
 21 request of the school, specifically, and
 22 I want you to be aware of that fact.

23 MS. MENENDEZ: Kris Charlton?

24 Charles Johnson?

25 Lana Stricker?

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1 Derek McDowell?

2 MR. McDOWELL: Good evening. I'm
 3 Derek McDowell. I live at 7333
 4 Vistalmar, in Coral Gables. I am a
 5 parent of three either current or recent
 6 St. Thomas graduates.

7 I will try and be brief. First, I
 8 appreciate the efforts of the
 9 Commission. As a former Eagle Scout,
 10 it's given me a bit of a refresher on my
 11 citizenship badge, and I appreciate what
 12 you guys are doing and the efforts that
 13 you guys go through in doing this.

14 I just had a couple comments and
 15 then I'll move along, because I know
 16 it's a long evening for you. Mr. Gibbs
 17 enlightened me of a couple things, and
 18 just for clarification, I may be looking
 19 for a new church, because I didn't
 20 realize we were in Purgatory.

21 I thought you were doing a little
 22 better job than that, but --

23 Our church is, you know, hopefully
 24 a little better participant in the
 25 community and the area than that, but --

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1 CHAIRMAN KORGE: I think he meant
2 the drive during rush hour.

3 MR. SALMAN: Is Purgatory.

4 MR. McDOWELL: It's now a drive in
5 Purgatory.

6 The comments I have is, one, that
7 it seems that the task put before the
8 Commission is, they're asking and
9 they're challenging us on a couple of
10 areas, the fear of what future needs and
11 plans might be relative to the idea of
12 putting in a simple play field today.

13 Ideally, I think if we went through
14 the part and the planning of the folks
15 who are opposed to this, we should have
16 purchased this property 10 or 15 years
17 ago and incorporated it into the overall
18 master plan that we had at the time.
19 Obviously, we didn't have that luxury,
20 nor that availability. I don't think
21 the idea of having additional land and
22 using it to our best use is a means that
23 in any way indicates that we shouldn't
24 have it or that it's somehow a part of a
25 master plan. I think this is sort of a

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1 Dan Brown-esque sort of paranoid view of
2 the church marching its way down Banyan
3 Drive.

4 The other comment, I think in
5 keeping with the spirit of a residential
6 community and being a part of the
7 community, for some reason the fact that
8 we have a residential house in which our
9 priest lives and his family live -- it's
10 a husband and wife and two children --
11 is discounted and is not considered part
12 of the community. So, as far as I can
13 tell, we've become a bigger part of the
14 community, but not in a way that altered
15 the characteristics of it.

16 And the last part I'd just say is,
17 I think as somebody who's coached sports
18 at St. Thomas, the adding of an
19 additional soccer or flag football or
20 play space is something that certainly
21 accentuates the mission of being low
22 density, being green, and accommodating
23 the development of our children and
24 people in the community.

25 Thank you.

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1 MS. MENENDEZ: Bill Parker?

2 MR. PARKER: Good evening. I'm
3 Bill Parker. I live at 7240 Southwest
4 127th Street, in Pinecrest, Florida.

5 I've been a member of St. Thomas
6 Episcopal Parish since 1986. I met my
7 wife there, had our three kids baptized
8 there. Two have graduated now from the
9 school, and our third will be
10 attending -- is attending currently, has
11 just graduated kindergarten and is
12 moving into first grade next year.

13 In addition, I've been involved
14 with coaching, along with Derek, have
15 also been involved in the scouting
16 program, along with Mr. Bales, and have
17 been involved in numerous projects
18 relative to St. Thomas Episcopal Parish
19 over the last several years.

20 There's been a number of comments
21 insinuating that the church has been
22 creeping to the east, when in fact, I
23 can tell you as a parishioner for this
24 many years, and having been involved as
25 intimately in the management of

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1 St. Thomas as I have, the actual larger
2 footprint of 5690 and 5692 hasn't
3 changed in the time that I've been
4 there.

5 Have there been things within that
6 footprint that have changed? Yes, of
7 course there have. We've made many
8 improvements. But we haven't actually
9 been moving to the east.

10 Echoing the comments of Derek, I
11 think it's unfair to consider the new
12 rectory where Father Tobin lives to be
13 anything other than a residence, because
14 that is, in fact, what it is.

15 And so the final point really
16 relates to the field itself. Having
17 been involved in the sports, having been
18 involved in the scouting programs, and
19 spent a long time on the field, it's a
20 maintenance issue. In trying to be
21 better neighbors, our attempts to
22 enforce the parking and bring people
23 into the field keeps it in a condition
24 of ill repair that we have to address
25 every year, at substantial expense to

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1 us, and we do that for the protection of
 2 the kids. Having a dedicated area for
 3 our PE and sports programs will be a
 4 tremendous benefit for our kids.

5 And I haven't heard anybody say
 6 this, but I'm going to say it, because I
 7 know it was also an insinuation by the
 8 legal counsel. It is not our intent to
 9 construct anything on that property
 10 other than a field, so I want to go on
 11 record as saying that tonight, that this
 12 isn't some convoluted way of ultimately
 13 being able to build a middle school down
 14 the road.

15 So thank you very much for your
 16 time, and we appreciate your
 17 consideration.

18 MS. MENENDEZ: Ofe?

19 MS. CHIAVACCI: Hi. I'm Ofelia
 20 Chiavacci, and I live at 9055 Banyan
 21 Drive. I am a neighbor. Hi, everyone.
 22 I'm there. I also graduated three
 23 children from Ransom Everglades, and I
 24 bought after the school was there. I
 25 bought more than 10 years ago and built

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1 a house and actually bought my property
 2 because it was located next to
 3 St. Thomas, and walked my three children
 4 to school every single day and also
 5 walked back to pick them up.

6 So here I am, as a neighbor, saying
 7 to you that having a field -- I also
 8 coached soccer, yes, in high heels
 9 sometimes, on that field for five years,
 10 and it would be great to have that extra
 11 space for those kids to play these
 12 sports, and I'm in the situation where I
 13 chose that neighborhood because the
 14 school was there, enjoyed the fruits of
 15 that school, love the fact that the
 16 school is now catering to all sorts of
 17 needs for the students, and my kids have
 18 gone on to higher education, very, very
 19 successfully, as a result of being at
 20 St. Thomas.

21 Thank you for your time, and I hope
 22 you will approve the zoning change.

23 MR. MENENDEZ: Bruce Brockhouse.

24 MR. BROCKHOUSE: Hi. Bruce
 25 Brockhouse. I live at 8525 Southwest

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1 96th Street. I was a long-term resident
 2 of Coral Gables and spent many years on
 3 the Architectural Board and am very
 4 interested in seeing the City of Coral
 5 Gables beautified, made more beautiful.

6 I've been a parent at St. Thomas.
 7 I no longer have children there. I
 8 graduated two. And I also coached
 9 soccer for a while, and I also have been
 10 involved in other school expansions, not
 11 personally, but in neighborhoods, and I
 12 notice that every school, virtually
 13 every elementary school, public or
 14 private, is always located in a
 15 residential neighborhood, as are most
 16 religious institutions, and in all cases
 17 there's going to be some disagreements,
 18 but I think what the Planning Board
 19 has done -- Planning Department has done
 20 very well, along with many of the people
 21 on the committee, is to come up with a
 22 very low impact plan and a great usage,
 23 because really, right now, the property
 24 that you're looking at, just underneath
 25 the 5690 and 5692, that playing field is

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1 almost half dirt, so it's really not a
 2 playing field. It's not a usable,
 3 functioning playing field, whereas the
 4 parcel that is going to be proposed as
 5 one is -- and the way it's going to be
 6 landscaped is also going to be a very
 7 nice buffer for the neighbors, as well
 8 as a very usable and functional field,
 9 with no, you know, impact after hours
 10 with playing, because there's not going
 11 to be lighting, so it's just going to
 12 remain a residential use.

13 If you look at Sunrise Park or some
 14 of the other parks in the city, they're
 15 really abutting and across from
 16 residential neighborhoods. There's
 17 playing and activities. I don't really
 18 see that we're asking for anything
 19 that's different than that. And so I
 20 hope you'll consider the request, and
 21 thank you very much.

22 MS. MENENDEZ: Debbie Augenstein?

23 MS. AUGENSTEIN: Hi. I'm Debbie
 24 Augenstein. I live at 5690 Banyan
 25 Drive. I'd like to show you which --

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1 where my house is. I'm right on the
 2 corner here. I don't have a number.

3 But I also want to explain that I'm
 4 the last of Banyan proper, which means
 5 there are other neighbors with addresses
 6 that say Banyan Drive, but that was
 7 because when we were annexed by Coral
 8 Gables, they changed the streets that
 9 had numbers to Banyan Drive. So 56th
 10 Court or whatever it was is now Banyan
 11 Drive.

12 To my knowledge, every house on the
 13 street, other than Father Tobin, on
 14 Banyan Drive, is opposed to this land
 15 use change, and I don't know how many of
 16 you are familiar with our neighborhood.
 17 Banyan Drive within Hammock Lakes is a
 18 very unusual place, and I know you on
 19 the Planning and Zoning Board will
 20 appreciate this. Our lot coverage in
 21 Coral Gables is 15 percent, and that's
 22 because we were annexed into the County
 23 (sic) with estate zoning. We abut
 24 Snapper Creek, so they have the same
 25 sort of lot coverage. We had a deal, I

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1 thought, with Coral Gables when we were
 2 annexed that Coral Gables was going to
 3 uphold our estate zoning. And I don't
 4 believe that changing a residential
 5 property to church use is upholding our
 6 zoning. I think that's not what we came
 7 in here for. We were actually looking
 8 for the greater protection from Coral
 9 Gables, which is what we were always
 10 told, Coral Gables protects residential
 11 neighborhoods, and if you approve
 12 this -- and I'm very glad that everybody
 13 spoke before me, because they made my
 14 point, again and again and again. The
 15 athletic field, which is very large,
 16 that is used every day as a parking lot,
 17 not an athletic field, it is used
 18 briefly, some parts of the afternoon.
 19 The rest of it, they are parking, and
 20 they're parking right up to the edge of
 21 our street. So, when you're looking
 22 through very nice properties, we are
 23 looking at a parking lot, six days a
 24 week, Monday through Friday for school,
 25 and Sundays with church. The only day

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1 that it's rarely used is Saturdays.

2 And what is just inconceivable to
 3 me is how they have a lot of land, they
 4 also have a big drive-through, but every
 5 day, for hours a day, there are cars
 6 parked right up to -- right up to the
 7 fence, which, by the way, the other
 8 problem is, as I think it's
 9 Mr. Aizenstat who said it properly -- I
 10 live right across from the pre-school,
 11 and there were Areca palms planted, I'm
 12 not sure when, maybe in the early '90s.
 13 Some of them are dead. Many of them
 14 have been cut up. They provide no
 15 barrier. There's no visual barrier,
 16 there's no sound barrier, and we are
 17 being flooded with all of these rains,
 18 because the church and school are built
 19 so high compared to the rest of our
 20 street, and we are in these low-lying
 21 areas and we get the church's runoff,
 22 every time it rains. It's not just the
 23 Fernandez property that is being
 24 flooded.

25 And by putting a wall, as they have

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1 described in their application, it only
 2 protects that side, going onto --
 3 the runoff going onto the Fernandez
 4 property. It comes right into our
 5 street on Banyan Drive and fills up all
 6 the low-lying areas, and that has been
 7 since I've lived here.

8 So, please, we ask you, because
 9 those of us who live on Banyan Drive, we
 10 bear the noise, we bear the traffic, we
 11 bear the flooding. We are unalterably
 12 opposed to this zoning change, other
 13 than the exclusion of Father Tobin's
 14 house.

15 CHAIRMAN KORGE: Let me ask you a
 16 quick question. Are you saying that the
 17 existing athletic field which is used
 18 for parking needs to be screened from
 19 the street?

20 MS. AUGENSTEIN: Yes, absolutely,
 21 and the pre-school, which is -- I will
 22 show you. It goes up to here, and this
 23 is where the Areca palms are. If
 24 anybody looks, there's nothing but
 25 holes, and -- and this whole section is

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1 just nothing but chain link fence, which
 2 you don't allow in Coral Gables to front
 3 the street. That's -- that's the zoning
 4 in Coral Gables. You may have it in
 5 back and a certain portion of the side,
 6 I don't remember what the -- how far the
 7 setback is on that, but that portion is
 8 their back, is their rear. They have
 9 chain link fence, which is not
 10 attractive, but it's the front of our
 11 street. We wouldn't be allowed to do
 12 that, but they have it, and it's not
 13 obstructed by landscaping. It has a few
 14 very, very sick Areca palms at this
 15 point, and it's just as you said. I
 16 think they planted them in the early
 17 '90s, and they're toast. They've had
 18 it.

19 So I don't think it's meeting any
 20 of these things, and the flooding is
 21 something that is a continuing problem.

22 Thank you.

23 CHAIRMAN KORGE: Anybody else?

24 MS. MENENDEZ: No.

25 CHAIRMAN KORGE: Ms. Russo, do you

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1 want to --
 2 MS. RUSSO: Just a very short
 3 rebuttal.
 4 I will start, with all due respect
 5 to my learned colleague, Mr. Tucker
 6 Gibbs, with the basic premise that his
 7 argument is flawed, because I do not see
 8 that a school and a church is
 9 incompatible with residential,
 10 single-family residential use, and I
 11 will submit to you the map that is
 12 standing there at the far back, which is
 13 the City's Comprehensive Future Land Use
 14 Map, which will show you that the Church
 15 of the Little Flower, Ponce de Leon
 16 Junior High School -- it will show you
 17 that St. Philip's, it will show you
 18 Sunrise Park, it will show you Jaycee
 19 Park, it will show you El Salvador
 20 Park -- it will show you that all these
 21 churches and schools, Temple Judea -- it
 22 will show you University Baptist Church,
 23 it will show you the church on Coral
 24 Way. It will show you all these
 25 churches and schools are all located in

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1 yellow areas, yellow being the City's
 2 single-family land use, and so, I submit
 3 that they're not incompatible and that
 4 the reason for the "S" in the zoning is
 5 for the City, through its Planning
 6 Board, through its Zoning Department, to
 7 be able to regulate the balance that
 8 allows the uses that allow a
 9 neighborhood, that allow a city, that
 10 allow a civilized society.

11 So that's the reason for the zoning
 12 change. The "S" is to be able to allow
 13 restrictions so that the use is not
 14 24/7, but to allow for the other uses,
 15 the uses that feed the church and the
 16 school and the parks. The athletic
 17 field is no different than being next to
 18 a City park. I happen to live on
 19 Country Club Prado, and I have this huge
 20 Prado space, where people come and enjoy
 21 that space in all hours of the day and
 22 night, and there are no restrictions
 23 whether they can use it in the morning
 24 or night. If you live on the golf
 25 course, people will walk the golf

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1 course.

2 So what we have here is the request
 3 for zoning, to specifically be able to
 4 have a balance of uses. And while
 5 Mr. Gibbs tells you that we currently
 6 have a restriction of students, I agree,
 7 we have a restriction, we haven't
 8 requested that that maximum capacity
 9 that was agreed to way back when be
 10 increased, and we are willing to put it
 11 of record again, and while Mr. Gibbs
 12 will tell you that it is of record and
 13 something the school has always promised
 14 to abide to, he's currently litigating
 15 that issue, and if we were not here
 16 before you, the question is whether or
 17 not the County's restriction would or
 18 would not be a restriction. We're
 19 showing our good faith. We proffered
 20 the restriction. We're keeping the
 21 maximum.

22 The idea here is that you have to
 23 improve the facilities of your
 24 education, of your church and your
 25 educational institutions. It's all a

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1 part of a balance, and I think that with
 2 the conditions that we have proffered
 3 and the additional conditions that Staff
 4 has placed on the use of the athletic
 5 field, that we are doing what a good
 6 neighbor would do, that it allow both
 7 the residences to continue to be
 8 single-family, and as you can see, there
 9 are neighbors in the immediate vicinity
 10 that have chosen to come to this
 11 neighborhood, where this church has
 12 existed since early 1950s -- I want to
 13 say it's 1953 -- because
 14 there's something desirable about this
 15 neighborhood.

16 Once again, I respectfully request
 17 that our three applications for the
 18 change in land use, the change in
 19 zoning, and for the overall master plan
 20 be approved.

21 CHAIRMAN KORGE: Laura, let me ask
 22 you, quickly, our last witness, Debbie
 23 Augenstein, and I think some others
 24 mentioned their concerns about the
 25 landscaping buffer, and in particular,

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1 the current field that is used as a
 2 parking lot. I don't have it -- I can't
 3 visualize that. And also the drainage
 4 issue. How will that be addressed, or
 5 is it being addressed?

6 MS. RUSSO: Well, let me start with
 7 the landscaping in front of the existing
 8 field. That is part of the supplemental
 9 understory that Mr. Riel requested as
 10 one of the additional conditions. There
 11 are holes. There currently is existing
 12 banyan trees. There are numerous banyan
 13 trees, hence, the name Banyan Drive.
 14 There's also Indian Hawthorn hedges that
 15 in areas are eight to 10 feet high,
 16 which are on the south side of the chain
 17 link fence. There are holes, just like
 18 you have issues with ficus hedges, and
 19 with the Arecas. Over the years, there
 20 have been some holes in the landscaping,
 21 and so part of the proposal is, in fact,
 22 to cover up these holes and to provide
 23 opacity on the entire southern boundary.

24 CHAIRMAN KORGE: And that would
 25 include the field on which the cars

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1 currently park?

2 MS. RUSSO: Yes, exactly, exactly.
 3 It would include it. It's to provide --
 4 because there currently is a lot of
 5 green on the southern boundary. What
 6 we're proposing is to come in and clean
 7 up and block up the holes where you can
 8 see some of the -- some of the parking,
 9 but it's not like it's all open, but
 10 there are holes. And so we are
 11 proposing that, and it was made an
 12 additional condition.

13 With respect to the drainage,
 14 obviously, removal of the single-family
 15 house improved the pervious nature of
 16 the property. But there currently is
 17 regulations in the City Zoning Code and
 18 in the Building Code that does not allow
 19 you to drain your water off into the
 20 adjoining properties. So the wall will
 21 prevent some of the drainage, and when
 22 the plans are submitted for leveling the
 23 playing field, et cetera, it will be up
 24 to the Public Works Director to make
 25 sure that the drainage is addressed in

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1 the permitting process for the actual
 2 laying of the field and the leveling of
 3 the field.

4 The problem that exists there is an
 5 overall neighborhood problem, with
 6 respect to flooding.

7 CHAIRMAN KORGE: Yeah, and one more
 8 question.

9 MS. RUSSO: Uh-huh.

10 CHAIRMAN KORGE: Do you have any
 11 response to Mr. Gibbs' arguments
 12 regarding the strict application of
 13 Zoning Code Section 3-1404?

14 MS. RUSSO: I do.

15 CHAIRMAN KORGE: He went through
 16 that, point by point.

17 MS. RUSSO: I believe we meet two
 18 of the objectives, perhaps three.

19 Where it says promote high-quality
 20 development, development doesn't always
 21 necessarily mean the erection of a
 22 structure, and I think by improving the
 23 overall campus of St. Thomas and
 24 providing additional green, that is
 25 high-quality development.

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1 Now, is the area experiencing
 2 declining values? No. But there
 3 currently are flat property values. I
 4 mean, I think there are flat property
 5 values throughout the County and South
 6 Florida and nationwide. So this is
 7 high-quality development. This isn't
 8 going to be shoddy. It's going to be
 9 done in a first-class manner, and the
 10 additional landscaping that is being
 11 placed on the southern boundary that
 12 will clean up some of these holes and
 13 the fencing, et cetera, will create a
 14 higher class and higher quality
 15 surrounding campus.

16 And I do believe that there are
 17 specific objectives and policies of the
 18 Comprehensive Land Use Plan. I think
 19 that if you listen to Mr. Gibbs, what
 20 happens is, he starts with a premise
 21 that I disagree with, that in fact the
 22 uses are incompatible. The uses are not
 23 incompatible. I think the uses are very
 24 compatible, which is why the City
 25 founders and the City has continued over

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1 the years to allow for schools, churches
 2 and parks to be in residential areas.
 3 And the majority of all the schools,
 4 both public and private, within the City
 5 boundaries, and its religious
 6 institutions, are all within the yellow
 7 section of the Zoning Code, which is the
 8 lowest density of single -- of
 9 residential uses in the City of Coral
 10 Gables, and there are particular --
 11 excuse me, there are particular
 12 objectives and policies, as Staff has
 13 laid out for you, and I think when you
 14 start with the fact that they are
 15 compatible and it's a question of just
 16 balancing the hours and the uses and the
 17 intensities, which Staff has ensured
 18 with its additional conditions, then you
 19 achieve that goal.

20 And so with respect to the hours,
 21 you're dealing with the noise. With
 22 respect to glare, there is no glare.
 23 So, I mean, some of the uses -- it's
 24 almost as if you were trying to equate
 25 the use of an athletic field with some

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1 sort of manufacturing plant of, you
 2 know, Chinese drywall, where you're
 3 going to have all these -- you know,
 4 these negative impacts. I mean,
 5 understand that, you know, you have
 6 parks that are immediately across the
 7 street and adjacent to single-family
 8 homes, and so that's -- that's what
 9 we're asking for here. We're asking for
 10 a park to be next to a residential home,
 11 and we're asking -- and we're putting in
 12 restrictions that will buffer it from
 13 any obnoxious use like, you know, game
 14 playing at midnight.

15 And we conceded that it was not to
 16 be a commercial venture early on, when
 17 the request was made. We had never
 18 intended it to be the case, but the
 19 request was made that this field not be
 20 then leased out to other institutions
 21 for tournament play, et cetera. It's
 22 meant to be for the St. Thomas family.

23 Thank you very much for your
 24 consideration.

25 MS. KEON: Can I ask a question?

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1 CHAIRMAN KORGE: Yes.

2 Laura --

3 MS. KEON: How would you equate the
 4 existence of a public park in a
 5 neighborhood that is open and available
 6 for use by the public and the
 7 residential community around it that it
 8 served to an athletic field within a
 9 private facility that is restricted to
 10 the use of only those within that
 11 facility? How do you equate that?

12 MS. RUSSO: I think we're putting
 13 it in terms of the type of use, whether
 14 the people are coming -- I mean, while
 15 it is a private church, it's open for
 16 membership. So people can become
 17 members of the church. The church
 18 community isn't just the school and it
 19 isn't just the church. The church
 20 community provides things to the greater
 21 neighborhood, with the Cub Scouts, it
 22 has concerts, and has other activities
 23 within its campus that go beyond, to
 24 which the general public come out to
 25 attend. So this isn't just something

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1 that is meant to make additional money
 2 for the school. So I would equate it in
 3 terms of the types of use that would go
 4 on in the facility and the fact that it
 5 is, you know, open membership and that
 6 there are more restrictive hours in its
 7 use than you would probably have with a
 8 public facility that is open.

9 MS. KEON: Thank you.

10 CHAIRMAN KORGE: Do you have
 11 questions?

12 MR. AIZENSTAT: Laura, if I may ask
 13 a question.

14 MS. RUSSO: Uh-huh.

15 MR. AIZENSTAT: One of the big
 16 issues that I'm hearing is that the
 17 residents, or directly, the neighbor
 18 impacted by this property is concerned
 19 with the school building another school
 20 or the church building another facility.
 21 What are your comments on that?

22 MS. RUSSO: We've agreed, and in
 23 our submittal we said there will not be
 24 any buildings, and I can have whomever
 25 you would like from the church and/or

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1 the school to come up here and tell you
 2 that it is not the intent. It is solely
 3 to be an athletic -- an athletic field,
 4 a playing field --

5 MR. AIZENSTAT: Right.

6 MS. RUSSO: -- and to be green, and
 7 there is --

8 MR. AIZENSTAT: Would the school
 9 be --

10 CHAIRMAN KORGE: Is that going to
 11 be in the covenant?

12 MR. AIZENSTAT: That was what I was
 13 going to ask. Would you do a covenant?

14 MS. RUSSO: Would we do a covenant
 15 not to build on the --

16 MR. AIZENSTAT: Not to build on
 17 that land?

18 MS. RUSSO: Yes, we would.

19 MR. AIZENSTAT: I mean, that
 20 would --

21 MR. SALMAN: Go a long way to
 22 meet --

23 MR. AIZENSTAT: -- really take care
 24 of a problem that I notice that the
 25 residents are having with that property.

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1 I've got a couple of questions, if
 2 I may. One of the things that you had
 3 asked for was, regarding the property
 4 known as 5450, you had asked for, with
 5 the 10 feet, what is past the hedges, to
 6 be done as green. If you take into
 7 account what you need for a regulation
 8 soccer field -- I assume you're using it
 9 as a soccer field. Have you taken into
 10 account how much area you have left over
 11 to the buffer zone?

12 MS. RUSSO: Yes.

13 MR. AIZENSTAT: What do you have
 14 left over?

15 MS. RUSSO: We have an extra about
 16 five to eight feet before the actual
 17 playing field starts.

18 MR. AIZENSTAT: From the line,
 19 you'll only have five to eight feet
 20 after -- up to the 10 feet?

21 MS. RUSSO: After the 10 feet.
 22 After the 10 feet, that is correct.

23 MR. AIZENSTAT: Okay. I just
 24 wanted to know what was your reasoning
 25 behind that.

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1 MS. RUSSO: Right. It's just to
 2 provide sort of a greater area.
 3 Remember, depending on the game, whether
 4 it's flag football or whether it's
 5 soccer, or depending on the sport that
 6 is actually played there, you have to
 7 leave room for the team, for the coaches
 8 and for those parents that like to come
 9 out and cheer on their kids during the
 10 event, so you need to leave some sort of
 11 area surrounding the field.

12 MR. AIZENSTAT: And then my other
 13 question is, the father went ahead and
 14 stated the percentages, that he thought
 15 it was about 50 or 60 percent of the
 16 people that attended the church, but if
 17 we actually take a look at, right now,
 18 just concentrating on your school, which
 19 would be about 425 or 426 members --

20 MS. RUSSO: Uh-huh.

21 MR. AIZENSTAT: -- do you know what
 22 percent of those are residents of Coral
 23 Gables?

24 MS. RUSSO: I do not know that, but
 25 I'll see --

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1 MR. AIZENSTAT: Would the father --
 2 MS. RUSSO: We have 310 families in
 3 the school.
 4 MR. AIZENSTAT: Out of how many
 5 families in the school --
 6 MR. TOBIN: The number I gave
 7 incorporated both church and school.
 8 MR. AIZENSTAT: Right, but if I
 9 take a look at only the school --
 10 MS. RUSSO: Component.
 11 MR. AIZENSTAT: -- you have 310
 12 families. Out of those 310 families, do
 13 you know which are residents of Coral
 14 Gables, by any chance? Do you keep
 15 those numbers?
 16 MS. CHARLTON: I could tell you
 17 tomorrow, but at least 50 percent.
 18 MR. AIZENSTAT: At least 50
 19 percent?
 20 MS. RUSSO: At least 50 percent is
 21 the answer that --
 22 MR. AIZENSTAT: Okay, I just want
 23 to know what your breakdown was. Thank
 24 you.
 25 MR. FLANAGAN: It seems as though

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1 the new playing field is needed to
 2 accommodate the overflow parking. So it
 3 sounds like what you really need is a
 4 new parking lot. But I hear nothing
 5 about a parking lot, and I'm wondering,
 6 are you allowed -- it sounds like
 7 there's a lot of parking on a continuous
 8 basis on natural terrain. Is parking on
 9 natural terrain --
 10 MS. RUSSO: That is correct.
 11 MR. FLANAGAN: Is the parking on
 12 natural terrain allowed under the Gables
 13 Code?
 14 MR. SALMAN: No.
 15 MR. RIEL: I'd have to ask Zoning
 16 to comment on that one.
 17 MR. SALMAN: Not on a permanent
 18 basis.
 19 MS. RUSSO: This was a -- My
 20 understanding is that the overflow
 21 parking was part of the approval on the
 22 County and so it came in as legally
 23 non-conforming under the City. So it
 24 accommodates up to about 93, 95 parking
 25 spaces, and you're right. The reason is

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1 to allow use of an athletic playing
 2 field that currently, you know, isn't --
 3 it can't be used a lot of times on days
 4 like today. If there's rain and there's
 5 parking, it would be hard to use that
 6 field for tomorrow, and the goal, the
 7 reason why there is so much use of the
 8 overflow parking, is so that you keep
 9 the people from parking on the swale of
 10 Kendall and on Banyan.
 11 MR. FLANAGAN: Right, and I
 12 understand that, and I think, like most
 13 educational and other institutional uses
 14 in this town and this county, parking is
 15 a very difficult problem, and I think
 16 where you're situated creates an even
 17 greater problem, in that you've got
 18 nowhere to expand. It doesn't look like
 19 you really have anywhere to go, but I
 20 think even if you came under the
 21 County's regulations, I don't believe,
 22 and I don't have the County Code with me
 23 and I don't have it committed to memory,
 24 others may, but I don't know if you can
 25 park on natural terrain under the

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1 County's provisions, either. Hence --
 2 MR. RIEL: You can't. You cannot,
 3 and you can go for a variance.
 4 MR. FLANAGAN: Right, so you'd have
 5 to go for a variance. So I guess, in my
 6 mind, you might be parking illegally
 7 under either Code, and that may need to
 8 be an issue that needs to be addressed
 9 at some point, and if somehow maybe that
 10 shouldn't be addressed as part of the
 11 entire package here.
 12 I'm a firm believer of putting the
 13 community-serving uses next to the
 14 rooftops. I think it's very important.
 15 It allows to you walk wherever you're
 16 going. It keeps you out of your car. I
 17 heard the stories from some of the
 18 neighbors who have children at this
 19 school, and I fully appreciate that.
 20 I am struggling significantly with
 21 the land use change. If there is a way
 22 to allow a playing field, a soccer
 23 field, under the existing zoning, I
 24 would be sitting here with, I think, a
 25 much easier decision in my mind. It's

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1 the change of the land use that, really,
 2 I'm struggling with tonight, on how to
 3 decide on that one. So I think there's
 4 a couple issues in my mind that I need
 5 to flesh out.

6 MS. RUSSO: And that's why we
 7 agreed to the covenant that would say we
 8 would not build on that property. So
 9 there would be a covenant running with
 10 the land, that despite the land use, you
 11 would have a covenant that was, you
 12 know, proffered and agreed to by us,
 13 saying we would not build any school,
 14 facility, structure, on what we call the
 15 Larson property --

16 MR. FLANAGAN: Right.

17 MS. RUSSO: -- which is the 50 --
 18 what is it, 5450, and if I may, Mr. Bill
 19 Parker wants to address the parking on
 20 natural terrain.

21 MR. FLANAGAN: Okay, before we get
 22 to that, though, I mean, I'd like to
 23 hear from Mr. Gibbs, if he has any
 24 inclination as to how his clients may
 25 feel about a covenant that would

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1 prohibit any building on the property
 2 and how that may be addressed, both
 3 tonight and how it may be addressed in
 4 five, 10, 20 years down the road. And I
 5 would recognize, through the Chair,
 6 Mr. Gibbs at some point, if he wants to
 7 comment on that, and I guess --

8 CHAIRMAN KORGE: That would be
 9 fine.

10 MR. FLANAGAN: -- maybe also hear
 11 from --

12 MS. RUSSO: Mr. Parker.

13 MR. FLANAGAN: -- Mr. Parker.

14 MS. RUSSO: On natural terrain
 15 parking.

16 MR. PARKER: On that point, I'd
 17 just like to go back to a time prior to
 18 our incorporation in the City of Coral
 19 Gables. When we built the school, we
 20 took down the old existing school and
 21 built the new school. At that time,
 22 Miami-Dade County gave us the
 23 authorization to utilize the field for
 24 dual purpose, both as the field and for
 25 the parking. So we did go through that

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1 process, in fact, and it was part of the
 2 carry-over in City incorporation.

3 MR. FLANAGAN: So there's some
 4 variance or approval from the County
 5 that allows you to park on the field?

6 MR. PARKER: Yes.

7 MR. FLANAGAN: Okay.

8 MR. PARKER: Yes.

9 MR. FLANAGAN: Thank you.

10 MR. PARKER: Thanks.

11 MR. GIBBS: Good evening. Tucker
 12 Gibbs again. One of my clients is out
 13 of the country and it's Fernandez, and
 14 so I'm concerned to express any opinion
 15 about a covenant at this point. I'm
 16 perfectly willing to sit down with my
 17 clients and talk about a covenant, but I
 18 can't really say anything about that
 19 this evening, because they're all not
 20 here.

21 CHAIRMAN KORGE: Well, presumably,
 22 if we approve with the subject of the
 23 covenant, you would work with the City
 24 to protect --

25 MR. GIBBS: We always work with the

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1 City, but we do have -- but as I said in
 2 my presentation, we have serious
 3 concerns just about the actual land use
 4 change and the zoning change, but it
 5 comes from that issue. But I'm happy to
 6 sit down with my clients and discuss
 7 this with them and report back, either
 8 to you all or to the City Commission.

9 MR. AIZENSTAT: Actually, the
 10 question is more -- There's been a lot
 11 of talk about the water retention within
 12 the property and the flooding.

13 I'd like to ask Public Works, is
 14 that a problem that comes because of the
 15 low-lying area on the street, or is that
 16 runoff from existing properties that's
 17 not taken care of properly?

18 MR. KAY: For the record, I'm Jim
 19 Kay, with the Public Works Department.

20 Typically, the runoff is -- by
 21 Code, is supposed to be retained on
 22 private property.

23 MR. AIZENSTAT: Correct.

24 MR. KAY: We recognize that in
 25 extreme events, sometimes it doesn't

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1 happen, and there is runoff that will
 2 make its way to the streets. Hence, we
 3 have storm sewers and catch basins
 4 there, as well, to take care of the
 5 situation. I don't know the extent of
 6 the -- of the drainage system there. I
 7 have to recheck that and find out about
 8 that. But, you know, it would be, in
 9 my -- my observation that it is a low
 10 area there, and there is going to be,
 11 from time to time, problems with
 12 drainage due to an elevated water table
 13 because of lots of rain that can occur
 14 here in South Florida, and that's
 15 typically what happens. The groundwater
 16 rises, you have the canal in the back
 17 there, and it just doesn't make for a
 18 good situation.

19 MR. AIZENSTAT: Do we know if the
 20 properties that were built there, were
 21 they built during the -- after the
 22 annexation of Coral Gables or before the
 23 buildings that are there, existing?
 24 Maybe that would be the Building
 25 Department that would be able to answer

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1 that.
 2 MS. KEON: The new school?
 3 MR. AIZENSTAT: The --
 4 MS. KEON: The new school?
 5 MR. AIZENSTAT: The new school
 6 that's there.

7 MS. KEON: Was built after the
 8 annexation, wasn't it?
 9 MR. AIZENSTAT: So it's built by

10 Coral Gables --

11 MS. KEON: The new school? All of
 12 those buildings?

13 MS. RUSSO: No. The school --
 14 (Simultaneous voices)

15 MR. RIEL: Whoa, whoa. One at a
 16 time, please.

17 MS. KEON: No, I'm asking you, were
 18 all of the buildings --

19 MS. RUSSO: All of the buildings.
 20 There was a slight addition -- I believe
 21 it was done in '97 or '98 -- of the
 22 second story of 1500 square feet, total
 23 addition to the school. All the school
 24 buildings were built in the '50s, '60s
 25 and '70s.

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1 MR. ARNOLD: No, no, no.
 2 MS. RUSSO: There's --
 3 (Simultaneous voices)
 4 MR. ARNOLD: No, no, no.
 5 MS. HERNANDEZ: Wait. Raise your
 6 hands. Raise your hands.

7 MR. TOBIN: With all due respect,
 8 again, I'm not a lawyer, but I've been
 9 there for 22 years. Here's the drill.
 10 The current school facilities, just
 11 classroom facilities, were completed
 12 just before Hurricane Andrew. That's
 13 1992. The additional facility that we
 14 just completed, the new Rantz Hall
 15 project, was completed --

16 Kris?

17 MS. CHARLTON: 2003.

18 MR. TOBIN: 2003. Okay? So -- so
 19 the pre -- the school facilities, the
 20 classrooms, were built before we were
 21 annexed.

22 MS. CHARLTON: 2005. 2005.

23 MR. TOBIN: 2005. The parish hall
 24 was completed after we were annexed.

25 Okay? Is that clear?

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1 MR. AIZENSTAT: The parish
 2 facility?
 3 MR. TOBIN: The school facility
 4 itself, classrooms, were before we were
 5 annexed. That was in 1992, it was
 6 completed.

7 MR. AIZENSTAT: Was before?

8 MR. TOBIN: Unincorporated Dade did
 9 that with us.

10 MS. RUSSO: The annexation was '96,
 11 '97.

12 MR. TOBIN: Okay?

13 MR. ARNOLD: May I just point out
 14 what the improvements have been since
 15 annexation? They've been substantial.

16 CHAIRMAN KORGE: Well, I appreciate
 17 that, but let's try to move this on.

18 Do you have some more questions?

19 MR. AIZENSTAT: Well, I just -- The
 20 reason I'm asking is, I don't know how
 21 the Building Department works or how it
 22 proceeds, but when you go in to get
 23 permits or to expand or so forth, I
 24 would assume that they take a look at
 25 the water retention issue and to retain

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1 it within your property. So I have to
 2 assume that when any of these additions
 3 were done, that was looked at. Am I
 4 correct? Is there somebody here from
 5 the Building Department?

6 MR. KAY: That would be correct.
 7 The Code requires the first one inch of
 8 rainfall runoff be retained on private
 9 property.

10 MR. AIZENSTAT: Okay.

11 MR. KAY: And that's
 12 something that's a standard that's
 13 usually met without any problem. But
 14 it's just when you get extreme rain
 15 events that do happen from time to time
 16 here in South Florida that you get
 17 flooding that spills over into the
 18 right-of-way.

19 CHAIRMAN KORGE: And so it's fair
 20 to say that assuming this project were
 21 approved, you would look at that again
 22 in connection with the field?

23 MR. KAY: Yes, sure.

24 MR. AIZENSTAT: You would look at
 25 it only with the property marked at

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1 5450, or would you look at it from 5690
 2 all the way to 5450?

3 MR. KAY: Well, the Public Works
 4 Department would look at all of Banyan
 5 Drive there and take all that in
 6 consideration.

7 MR. AIZENSTAT: So, at this point,
 8 or today, if there was not adequate
 9 retention of water, in other words, it
 10 would spill off, there would be an issue
 11 with that and they would have to remedy
 12 that?

13 MR. KAY: Well, if -- if it could
 14 be -- if it was determined that there
 15 was insufficient drainage on the private
 16 property, the Building & Zoning
 17 Department would have to take some sort
 18 of measures.

19 MR. AIZENSTAT: On the entire
 20 property, meaning the old section plus
 21 whatever the 5450 happens; is that
 22 correct?

23 MR. KAY: That is correct, yes.

24 CHAIRMAN KORGE: And if you
 25 determine that there's a drainage

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1 problem, but the school is not the
 2 source of the problem, and presumably
 3 it's a City problem, would you address
 4 it at that point?

5 MR. KAY: If the flooding occurs in
 6 the street right-of-way, the Public
 7 Works Department will get involved in
 8 that.

9 MR. AIZENSTAT: Okay. That was my
 10 question, just there's been a lot of
 11 concern, what I've heard from the
 12 residents that live there, over
 13 flooding, and it's a shame if it's
 14 something that can be remedied.

15 MR. KAY: Right.

16 MR. AIZENSTAT: Thank you.

17 MR. KAY: We will take a look at
 18 it.

19 MR. AIZENSTAT: Thank you.

20 CHAIRMAN KORGE: Anything else?
 21 Anybody, anything else?

22 MS. AUGENSTEIN: Oh, I'm sorry.
 23 Yes, the drainage issue that --

24 MR. RIEL: Ma'am, you need to come
 25 up and --

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1 MS. AUGENSTEIN: Sorry.

2 MR. RIEL: Just state your name, if
 3 you could, again.

4 MS. AUGENSTEIN: Debbie Augenstein,
 5 5690 Banyan Drive. The drainage issue
 6 is -- it's the length of this, from all
 7 the way here through all the way here.
 8 There was some modification. I don't
 9 know if there was an application. I
 10 received no notice of it, and I'm within
 11 20 feet of the school. They resurfaced
 12 the pre-school outside with an outdoor
 13 carpet of some kind, and it has
 14 substantially increased more flooding
 15 since then, and that was in the last
 16 year or two.

17 When the County did do those
 18 buildings in the '90s, they also put in
 19 a storm sewer, right in the corner, but
 20 it is totally inadequate for the amount
 21 of runoff that we're getting,
 22 particularly with this new surfacing at
 23 the pre-school, and it goes the length
 24 of the building, so it's a large area.

25 MR. AIZENSTAT: Well, that's why

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1 I'd like for that to be addressed.
 2 MS. AUGENSTEIN: Thank you.
 3 MR. AIZENSTAT: That's why I asked
 4 that question.
 5 MS. AUGENSTEIN: Thank you.
 6 CHAIRMAN KORGE: Any more questions
 7 from the Board?
 8 Okay, this is the last. We're
 9 going to close it for testimony after
 10 this and move on to discussion, because
 11 we really shouldn't be taking a lot of
 12 repeat testimony.
 13 Yes, sir.
 14 MR. WALKER: Roger Walker, just
 15 speaking to Mr. Aizenstat's point.
 16 The area here on 5450, the
 17 Fernandeses, is much lower than the
 18 road. It all drains down into that
 19 area. So, if this landscaping involves
 20 putting earth in there to level the
 21 field off, the field is sloping now,
 22 which will be difficult for kids to play
 23 decent soccer on it, unless you were the
 24 home team and always took the high side.
 25 But it drains down.

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1 Now, this is an extreme -- May I
 2 approach? I'm not familiar. It's like
 3 a big hole, the Fernandez, and 5450 is
 4 right next door, and that's the problem
 5 with it. They're going to be washed
 6 out --
 7 CHAIRMAN KORGE: Right.
 8 MR. WALKER: -- if any fill is
 9 brought in. It's --
 10 MS. KEON: How long does that
 11 water --
 12 CHAIRMAN KORGE: If any fill is
 13 brought in, what?
 14 MR. WALKER: It will all be washed
 15 out.
 16 MS. KEON: Okay, but how long does
 17 the water stand?
 18 MR. WALKER: It stands for two or
 19 three days.
 20 MS. KEON: Oh, okay. Beyond 24
 21 hours?
 22 MR. AIZENSTAT: Should we ask him
 23 to go back to the --
 24 CHAIRMAN KORGE: You need to go
 25 back to the podium.

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1 MS. RUSSO: Excuse me, Mr.
 2 Chairman, as a point of record, can we
 3 have him use the portable microphone so
 4 that we can hear? Because we're not
 5 able to hear the exchange.
 6 MRS. ARNOLD: I just want to say
 7 that you cannot convert that
 8 beautiful --
 9 CHAIRMAN KORGE: I'm sorry, what's
 10 your name, again, please?
 11 MRS. ARNOLD: I'm sorry. My name
 12 is Barbara Arnold, 5520 Banyan Drive. I
 13 live in the property designated 33, over
 14 there.
 15 You cannot change a beautiful piece
 16 of residential property to -- and rezone
 17 it, without impacting every residential
 18 property in that area, because there is
 19 noise pollution that will be involved,
 20 and a six-foot wall is not going to do
 21 anything to mitigate the kind of noise
 22 that already is a problem from where I
 23 live, because everybody across this
 24 whole lake hears the noise that comes
 25 from this playing field every time there

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1 is any kind of special assembly that
 2 they have, with electronic speaker
 3 systems that reverberate across the
 4 whole lake, and if you are thinking
 5 about changing that beautiful piece of
 6 residential property to a playing field,
 7 you cannot possibly compare it to a
 8 public park, because there's going to be
 9 noise that is nothing like a public
 10 park.
 11 So you are going to be doing
 12 something that negatively impacts all of
 13 those nice residential properties all
 14 around there. So I'm really hoping that
 15 you're going to leave 5450 as a
 16 beautiful residential property, which
 17 it's always been and should be in the
 18 future and continue to be.
 19 Thank you.
 20 CHAIRMAN KORGE: Okay, we'll close
 21 the public portion of this hearing and
 22 open it for discussion.
 23 Any discussion, a motion or --
 24 MS. KEON: I would -- amongst
 25 ourselves, I, too, struggle with the

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1 items here, this Number 2 on the
 2 standard of review. I have a hard time
 3 seeing where it meets any of those,
 4 those items, and it's not -- you know, I
 5 think schools belong in neighborhoods.
 6 Schools require facilities. They have
 7 to -- I mean, children need a place to
 8 play and all. I just -- you know, as
 9 a -- as a Zoning Board, I am struggling
 10 with that -- this second item there,
 11 that --

12 CHAIRMAN KORGE: That's on Page 11?

13 MS. KEON: That's on Page 11 of 16.
 14 "Provide a benefit to the City in that
 15 it will achieve two or more of the
 16 following objectives."

17 I -- objectively, I struggle with
 18 finding two of those objectives. So I'd
 19 like maybe some input from the rest of
 20 you to help me -- help me see where that
 21 is, because I'm having trouble seeing
 22 that.

23 MR. AIZENSTAT: Eric, let me ask
 24 you, how did you see that, when --

25 MR. RIEL: You're talking about

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1 Item -- Page 11, Number 2?
 2 MR. AIZENSTAT: What Pat commented
 3 on.

4 MS. KEON: Yeah.

5 MR. RIEL: I mean, obviously, when
 6 we evaluate, you know, an application,
 7 we look at the entire Zoning Code, as
 8 well as the Comp Plan. In terms of
 9 benefit to the City of two or more of
 10 the objectives, in terms of balancing
 11 the land uses, in terms of vehicle mile
 12 travel. I mean, Ms. Russo brought to
 13 your attention, which I agree, I mean,
 14 you'll see similar facilities, churches,
 15 schools, parks, you know, throughout the
 16 City. So that's a balancing of land
 17 uses. They need to co-exist.
 18 Therefore, it reduces the number of
 19 trips. The opportunity to, you know,
 20 walk to a school or a facility, which is
 21 something that's a daily need, as well
 22 as a church. Whether or not you drive
 23 five minutes, I mean, you want to have
 24 those uses in close proximity, just like
 25 you go to the grocery store. So, in my

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1 opinion, there is a balance of uses.
 2 In terms of, you know, creating a
 3 mix of uses, obviously, this is not a
 4 structure. It's a facility. It's an
 5 athletic field. So it's difficult to
 6 say it's a mix of uses. It's a church
 7 and a school right now. It is mixed
 8 uses, because it does operate as a
 9 church, which is typically, on weekends,
 10 more -- much more crowded, obviously,
 11 and then on -- during the weekdays, it's
 12 a school. So, in terms of the
 13 operations of the use, in terms of the
 14 sharing of the parking, that does occur,
 15 so those spaces are used simultaneously.
 16 So, in terms of mixing of uses, that
 17 does occur.

18 Increasing the share of trips,
 19 again, as I indicated, you know, there's
 20 an opportunity to walk, bicycle to the
 21 facilities.

22 MS. KEON: But that already exists.
 23 And I guess it's how are you taking that
 24 additional parcel and incorporating it
 25 into the existing use? How does

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1 that --

2 MR. RIEL: Well, basically, what
 3 Staff's viewpoint is, it's an existing
 4 facility. It's an improvement on the
 5 facility. Therefore -- It's no increase
 6 in intensity, 425. It's basically, you
 7 know, utilizing properties or land in a
 8 more efficient manner. So that's how we
 9 see it. It's an expansion of an
 10 existing use, and from Staff's
 11 viewpoint, we look at it as, at this
 12 present time, there are no conditions
 13 governing this property.

14 MR. AIZENSTAT: Exactly.

15 MR. RIEL: There's nothing that
 16 manages the traffic. There's nothing
 17 that manages the use operations.
 18 There's nothing that manages. The
 19 school and church have taken upon
 20 themselves to manage traffic, and we've
 21 met with the Police Department and other
 22 departments and discussed all these
 23 issues. That's a part of the DRC
 24 process.

25 We look at this as an opportunity

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1 to work closely with the property owner,
 2 as well as the neighbors, and where, you
 3 know, everyone benefits. The City
 4 benefits, the facility benefits, as well
 5 as adjoining neighbors.

6 So, I mean, it doesn't provide
 7 affordable housing, obviously. It's not
 8 a structure. And in terms of specific
 9 policies and objectives of the
 10 Comprehensive Plan, that's in the record
 11 where we indicate it's in compliance,
 12 and where we have identified
 13 inconsistencies, we've suggested
 14 mitigation, recommendations and
 15 conditions thereof.

16 CHAIRMAN KORGE: So you think it
 17 meets Paragraph 2, a, i --

18 MR. RIEL: Correct.

19 CHAIRMAN KORGE: -- and Paragraph
 20 2, d?

21 MR. RIEL: I would say a, ii, i,
 22 iii. There's a mixing of uses. I mean,
 23 it's -- you know, it's a joint --

24 MR. AIZENSTAT: And there was
 25 testimony -- I did hear testimony from

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1 people that -- actually, residents that
 2 live right there, that have either moved
 3 to that area because of the church or
 4 school and people that actually walk
 5 their children back and forth from
 6 school. There was a lady who spoke to
 7 that fact.

8 MS. KEON: Uh-huh.

9 MR. SALMAN: I, too, struggle with
 10 the change of use, from residential to
 11 special use. That's my biggest
 12 stumbling block right now.

13 The fact that we're not increasing
 14 intensity, the fact that they are
 15 willing to stipulate that they're going
 16 to limit the size of the school, the
 17 fact that they're dealing with a lot of
 18 the neighborly issues of boundary and
 19 boundary definition and separation
 20 from -- in respect to the surrounding
 21 residences, all go towards having me be
 22 more receptive to a more expansive
 23 interpretation of some of these
 24 conditions. If we were to take it along
 25 the strict lines, I think that it would

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1 probably fail, in many respects.

2 I have problems with d, in regard
 3 to the specific objectives and policies.
 4 I don't think that that's a specific
 5 objective. I think it's a general
 6 objective, and it harkens back,
 7 probably, to the balancing of land uses,
 8 where you distribute schools and
 9 facilities within the residential fabric
 10 to help limit some of those travel
 11 distances and promote a sense of
 12 community. But to give it double weight
 13 is where I'm struggling, and it's a
 14 really fine line, a really fine line.

15 If there were a way to do this
 16 through -- and again, I applaud the
 17 restrictive land use, that you're not
 18 going to develop that property, so it's
 19 a way of limiting that, and that's where
 20 the balance lies. It's giving you a
 21 conditional -- it's almost giving you a
 22 conditional use. We're changing the
 23 underlying zoning, but you're
 24 auto-imposing a conditional use that you
 25 will never build a structure on the

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1 building -- on the site, and it's --
 2 it's what's going to make it probably
 3 palatable, to me, but otherwise it would
 4 be very difficult.

5 MR. AIZENSTAT: But I think, also,
 6 by allowing this and having some more
 7 control as to the activities and so
 8 forth, as Eric said, it might outweigh
 9 that, because you're creating a green
 10 space that is going to be there and not
 11 be built for anything else. You're
 12 going to get the landscaping that you
 13 need. You're going to get other
 14 benefits out of it.

15 MR. SALMAN: I think that there are
 16 other issues here that have been
 17 addressed, through a series of the
 18 conditions that have been included,
 19 together with a lot of the testimony
 20 that we've heard and some of the issues
 21 that have come up. I looked very
 22 carefully at Tim's report, and you're
 23 right there on the numbers, with regards
 24 to pick-up and drop-off. You have 157
 25 kindergarten students, on average.

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1 You've got 125 spaces. I've had
 2 kindergarten students. You walk them,
 3 you don't drop them. And so you may be
 4 a little shy on your parking there. I
 5 think that by mitigating that, by moving
 6 the field to allow for -- and I think
 7 that this project would benefit from the
 8 development of some sort of an extended
 9 drop-off to help mediate -- you've got
 10 like five or 10 minutes where you're
 11 actually backing back up onto Kendall,
 12 not on a typical day, but often enough.
 13 That's what the report says. I'm not --
 14 I read it. You've got -- You're picking
 15 them up 10 students a minute. That's
 16 impressive, but the reality is that
 17 that -- you just don't have enough
 18 stacking distance to be able to hold the
 19 waiting, so it is backing up, but police
 20 help a lot.

21 It's certainly a lot better than
 22 what you had before, but -- and it also
 23 brings back the drainage issue, because
 24 by compacting that field, you're
 25 affecting the drainage, and so that

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1 water is also contributing to part of
 2 the run-off. And, yeah, the area, I'm
 3 familiar with it, I drove it, it does
 4 slope down towards the road and the
 5 lake, so it does have a general fall in
 6 that direction, and Jim Kay says that
 7 you're going to take into effect all the
 8 site with regards to the drainage in the
 9 development of that one parcel. I would
 10 stipulate that that would need to be one
 11 of the requirements.

12 MR. AIZENSTAT: I agree with that.

13 MR. SALMAN: And if you're okay
 14 with it, I think that that would make it
 15 more palatable, also, to the
 16 neighborhood.

17 CHAIRMAN KORGE: Do you want to
 18 frame that as a motion?

19 MR. SALMAN: Yeah, I'd like to make
 20 a motion to approve with regards to --

21 MS. KEON: May I ask one more
 22 question?

23 MR. SALMAN: Yes.

24 MS. KEON: Of Eric. Would you
 25 require that they -- there is a wall on

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1 the east boundary, the eastern
 2 boundary --

3 MR. AIZENSTAT: You're talking
 4 about the entire length --

5 CHAIRMAN KORGE: With the chain
 6 link fence?

7 MR. AIZENSTAT: -- of the 5690 and
 8 the 5692?

9 MS. KEON: No, at 5450.

10 MR. SALMAN: That's one of the
 11 conditions.

12 MS. KEON: Right. Is that there --

13 MR. AIZENSTAT: That's one of the
 14 conditions that's there now.

15 MS. KEON: Is it -- Does the wall
 16 come back across onto Banyan Drive, or
 17 it's just between the residences?

18 MR. SALMAN: Between the
 19 residences.

20 MR. AIZENSTAT: Between the
 21 residences.

22 MR. RIEL: It's between the
 23 residences. The proposal is a masonry
 24 six-foot wall, overstory trees, as well
 25 as understory shrubs.

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1 MR. AIZENSTAT: And --

2 MR. RIEL: Within a 10-foot
 3 landscape easement.

4 MS. KEON: Very well, and then you
 5 are further requiring that -- What are
 6 you doing about the Banyan Drive?

7 MR. RIEL: Banyan Drive, to
 8 supplement the -- basically, the holes
 9 in the landscaping --

10 MS. KEON: Right.

11 MR. RIEL: -- with other materials,
 12 to achieve 100 percent opacity.

13 MR. AIZENSTAT: I would -- I would
 14 be in favor of that if you could keep it
 15 as the Staff's recommendation, not
 16 change the hours, not change the use. I
 17 would keep it as Staff recommends, and I
 18 would second that.

19 MS. KEON: What would you keep as
 20 Staff recommends?

21 CHAIRMAN KORGE: Well, I didn't get
 22 a motion yet.

23 MR. AIZENSTAT: No, no, no, I
 24 was --

25 MR. SALMAN: I was in the middle, I

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1 mean.

2 MS. KEON: No, I know, I just -- I
 3 wanted one more question. Okay. In the
 4 motion, you know, the other issues that
 5 they asked about were the special use
 6 permits and those types of things. Is
 7 that a -- Are we going to talk about
 8 that, or are you --

9 MR. RIEL: I'd be happy to go
 10 over and --

11 MS. KEON: Are you looking to --

12 MR. RIEL: -- provide you my
 13 position on each one of those, if you'd
 14 like.

15 MS. KEON: I would like to hear in
 16 response to the items that they raised,
 17 that they would like.

18 MR. AIZENSTAT: The item about
 19 blocking that fence, as far as taking
 20 out the word "lock," does make sense, so
 21 I don't see a -- to me, I don't see a
 22 problem with that. I actually see a
 23 benefit to it, you know, if they've got
 24 to keep it closed. But if they have an
 25 emergency or something, I understand

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1 that. As long as -- as long as the
 2 Building Department, the Zoning
 3 Department, the Planning Department, as
 4 long as they agree with that, I'm fine
 5 with that.

6 MS. KEON: Can you address that?

7 MR. RIEL: I don't have a problem
 8 with the gate just being closed. That's
 9 fine.

10 MS. KEON: Okay.

11 MR. RIEL: Not a problem.

12 And, Mr. Chairman, when you do get
 13 to a motion, we are going to require
 14 three separate motions from the Board,
 15 one acting as a Local Planning Agency
 16 for the change in land use, and then the
 17 two other issues, the change in zoning,
 18 as well as the site plan.

19 CHAIRMAN KORGE: The first one is
 20 as a Local Planning Agency?

21 MR. RIEL: Acting as a -- The Board
 22 is acting as a Local Planning Agency,
 23 and it's the recommendation regarding
 24 the land use change. So we'll need
 25 three separate motions.

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1 MS. KEON: And the special permit?

2 MR. AIZENSTAT: Can I just ask --
 3 I'm sorry.

4 CHAIRMAN KORGE: Go ahead, Eibi.

5 MR. AIZENSTAT: Just a question.
 6 If the church or the school wants to do
 7 a carnival, what are their requirements,
 8 today? What do they have to do? Let's
 9 say they want to go and on their field
 10 they want to do a fundraising benefit or
 11 so forth. How do they proceed?

12 MR. RIEL: Let me kind of give you
 13 a little overview of special permits.
 14 Obviously, if they do a carnival, I
 15 believe they have to go get a special
 16 permit, because it's a special activity.
 17 So the school, obviously, has gone
 18 through that process, as a part of that.
 19 I'm sure they have a number of carnivals
 20 a year or whatever they had in their
 21 history.

22 The reason we put the condition
 23 here is because we would like to have a
 24 threshold of 123 spaces. That doesn't
 25 mean that they can say, you know, every

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1 time you have an event of 123 -- they
 2 can go to the Special Events Committee,
 3 and just say that when you get that
 4 event, if you have an event like that,
 5 you have to do A, B, C and D, and every
 6 time you exceed that threshold, the
 7 understanding is, that will be done. So
 8 they don't need to go to the Special
 9 Event Committee each time they have an
 10 event. It's kind of like when you
 11 exceed that threshold. That's why we're
 12 asking to go back on an annual basis,
 13 tell the committee what the events are,
 14 we'll tell you what are the thresholds,
 15 and then if you obviously do, you know,
 16 a special event like a carnival, you
 17 have to come back.

18 It's similar to St. Philip's Church
 19 and School. They're doing the same
 20 thing. They provide the events yearly.
 21 The committee looks at it. They make a
 22 determination what's needed, based on
 23 this threshold, and then if it's above
 24 that threshold, they tell them, "Okay,
 25 you have to come back for that event."

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1 MR. AIZENSTAT: The reason I ask
 2 is, I would actually be concerned about
 3 holding that carnival on the 5450
 4 property, because it's directly next to
 5 a neighbor, a residential or a home.

6 MR. RIEL: Well, the way the
 7 condition reads, there's no activities
 8 other than for a playing field on that
 9 parcel.

10 MR. AIZENSTAT: So, if they want to
 11 get a special permit to hold a carnival
 12 on their playing field, they would not
 13 be able to?

14 MR. RIEL: Well, you can certainly
 15 clarify even further, saying that no
 16 special events -- and I think it's
 17 pretty clear that, you know, it's
 18 only -- the purpose of that thing is to
 19 be utilized for athletic activities, not
 20 for parking, you know, not for anything
 21 else. So I think, if you want to
 22 further clarify that with a condition,
 23 you can certainly do that.

24 MR. AIZENSTAT: I would like to,
 25 because of the fact that it is a

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1 residential neighborhood and there is a
 2 house right next door to that.

3 MR. FLANAGAN: Mr. Riel, if this
 4 gets approved, can they not use the
 5 square footage of 5450 to apply to
 6 future development for allowable
 7 additional buildings on 5690 and 5692?

8 MR. RIEL: I believe the "S" use
 9 does not have a maximum intensity and
 10 density. Anything that's built, in
 11 terms of a structure, will need to come
 12 through a public hearing review. So, if
 13 they put anything over, you know, 36
 14 inches in height, a structure, they need
 15 to come back through this Board, as well
 16 as the Commission.

17 But I don't believe -- and Martha
 18 can correct me -- I don't believe
 19 there's intensity or density thresholds
 20 for special use properties.

21 MS. RUSSO: There's an FAR.

22 MR. RIEL: There's an FAR, yes, but
 23 I think that's the only threshold. It's
 24 obviously fairly low, because it's meant
 25 to be for special uses, like country

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1 clubs, golf courses, you know, parks,
 2 playgrounds, schools.

3 CHAIRMAN KORGE: Just about
 4 anything they do, it has to come back
 5 for public hearing, is what you're
 6 saying?

7 MR. RIEL: Everything in an "S"
 8 use, absolutely.

9 CHAIRMAN KORGE: Right, so --

10 MR. RIEL: It doesn't matter
 11 whether it's a City facility, private
 12 facility. It has to. That's clear.

13 MR. FLANAGAN: But from a
 14 development standpoint, in the future,
 15 because there's no density limitations
 16 on an "S" use, this does not then confer
 17 any additional development rights on the
 18 balance, on 5690 and 5692; is that what
 19 I'm understanding clearly?

20 MR. RIEL: Yes.

21 MR. FLANAGAN: Okay. Thank you.

22 CHAIRMAN KORGE: That's a good
 23 question. It didn't occur to me to ask
 24 that.

25 MS. KEON: Yeah.

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1 CHAIRMAN KORGE: Javier, do you
 2 want to make your motion now?

3 MR. SALMAN: Well, we have to do
 4 this three times.

5 MR. RIEL: Obviously -- well, the
 6 change in land use is the first motion,
 7 and the change in zoning and the change
 8 in the site plan approval, that's where
 9 the conditions come into play. So the
 10 change in land use is basically just a
 11 change -- a recommendation for a change
 12 in land use.

13 MR. SALMAN: In this particular
 14 case, I'd like to do it in reverse.

15 MR. AIZENSTAT: Yeah, I was going
 16 to ask the same thing.

17 MR. SALMAN: Yeah.

18 MR. AIZENSTAT: Because you pass
 19 the two and then you don't --

20 MR. SALMAN: You can't, because
 21 you've got to approve one to get the
 22 other one.

23 MR. AIZENSTAT: I'd like to --

24 MR. RIEL: We've done that before.

25 MR. SALMAN: So, if anything

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1 happens between one, two and three, then
2 we've really got a problem.

3 All right, I'd like to make a
4 motion to approve the change in land
5 use.

6 CHAIRMAN KORGE: To --

7 MR. SALMAN: To the recommended --

8 MR. RIEL: Based upon Staff's
9 recommendation?

10 MR. SALMAN: Based upon Staff's
11 recommendation.

12 CHAIRMAN KORGE: Based on Staff's
13 recommendation, okay. Is there a second
14 for that motion?

15 MR. AIZENSTAT: I'll go ahead and
16 second it.

17 CHAIRMAN KORGE: Moved and
18 seconded. Any discussion on this
19 motion?

20 No discussion. We'll call the roll
21 on this, please.

22 MS. MENENDEZ: Javier Salman?

23 MR. SALMAN: Yes.

24 MS. MENENDEZ: Eibi Aizenstat?

25 MR. AIZENSTAT: Yes.

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1 MS. MENENDEZ: Jeff Flanagan?

2 MR. FLANAGAN: Yes.

3 MS. MENENDEZ: Pat Keon?

4 MS. KEON: Yes.

5 MS. MENENDEZ: Tom Korge?

6 CHAIRMAN KORGE: Yes.

7 Javier, are you on a roll? Are you
8 going to do the second?

9 MR. SALMAN: Sure. The next one
10 is the -- first we did the land use.
11 The second is the --

12 MR. RIEL: The change of zoning.

13 MR. SALMAN: -- change in zoning.

14 All right, I'd like to make a
15 motion to change the zoning, as per the
16 Staff's recommendation.

17 MR. AIZENSTAT: Second.

18 CHAIRMAN KORGE: Seconded. Is
19 there any discussion on this?

20 MS. KEON: No.

21 CHAIRMAN KORGE: None?

22 Let's call the roll on this one,
23 please.

24 MS. MENENDEZ: Eibi Aizenstat?

25 MR. AIZENSTAT: Yes.

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1 MS. MENENDEZ: Jeff Flanagan?

2 MR. FLANAGAN: Yes.

3 MS. MENENDEZ: Pat Keon?

4 MS. KEON: Yes.

5 MS. MENENDEZ: Javier Salman?

6 MR. SALMAN: Yes.

7 MS. MENENDEZ: Tom Korge?

8 CHAIRMAN KORGE: Yes.

9 Javier?

10 MR. SALMAN: And for our third,
11 which is going to be the conditional --

12 MR. RIEL: The site plan approval.

13 MR. SALMAN: Site plan approval,
14 thank you. I keep thinking conditional
15 use, because that was my goal.

16 For the site plan approval, I make
17 a motion to approve as per the Staff
18 recommendation with regards to this
19 application, with the following
20 stipulations, that the applicant provide
21 a covenant to ride with the land.

22 MR. AIZENSTAT: Provide what?

23 MR. SALMAN: A covenant riding with
24 the land to limit development, to
25 exclude any permanent structures.

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1 MR. AIZENSTAT: Okay.

2 MR. RIEL: To limit or prohibit?

3 MR. AIZENSTAT: Prohibit.

4 MR. SALMAN: Prohibit.

5 MR. RIEL: Okay.

6 MR. SALMAN: Prohibit was the word.

7 And that would be the first.

8 MS. RUSSO: Except for the wall.

9 MR. AIZENSTAT: Except for --

10 MR. SALMAN: Except for the wall,
11 which is included in the --

12 MS. RUSSO: A permanent structure.

13 CHAIRMAN KORGE: Right.

14 MR. SALMAN: A permanent structure.

15 MR. RIEL: That's understood.

16 MR. SALMAN: Lawyers, what can you
17 do with them?

18 And the second stipulation is that
19 they include the entire site with
20 regards to analysis for drainage.

21 MS. RUSSO: Include the entire site
22 in the drainage analysis?

23 MR. SALMAN: Yes, in the drainage
24 analysis, for review and approval by the
25 City Public Works Department.

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1 CHAIRMAN KORGE: By entire site,
2 you mean all three parcels?
3 MR. SALMAN: All three parcels.
4 CHAIRMAN KORGE: Yes, okay.
5 MS. KEON: What does that mean?
6 MR. SALMAN: That means that they
7 have to submit a paving and drainage
8 plan for the entire site and prove to
9 the Public Works Department that they
10 retain one inch of runoff --
11 MR. AIZENSTAT: Within.
12 MR. SALMAN: -- within the site.
13 MR. RIEL: Well, it's subject to
14 City Public Works review for stormwater
15 management, as well as other applicable
16 State and Federal guidelines.
17 MR. SALMAN: Correct.
18 CHAIRMAN KORGE: Right, and
19 hopefully, if they are doing that, maybe
20 the City will address the drainage
21 problem that obviously needs to be
22 addressed, because there is -- clearly,
23 there's a drainage problem.
24 MR. SALMAN: I'm just concerned
25 with the contribution of this particular

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1 applicant to the problem.
2 CHAIRMAN KORGE: No, I agree with
3 you. I agree with you.
4 MS. KEON: I guess what I'm asking
5 you is, when you say part of your motion
6 is a review, is that review and
7 compliance?
8 MR. SALMAN: Correct, yes.
9 MS. KEON: Okay, so compliance
10 is --
11 MR. SALMAN: That they meet the
12 requirements of --
13 CHAIRMAN KORGE: They have to meet
14 the Code.
15 MR. SALMAN: Requirements of the
16 Code, exactly.
17 MS. KEON: Yes, okay.
18 MR. AIZENSTAT: Could I ask,
19 also -- well, for the motion, as we
20 discussed, for them not to be able to do
21 any special activities on that
22 particular field?
23 MS. KEON: It includes the
24 recommendation of the Staff.
25 MR. RIEL: No, that's not --

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1 MR. SALMAN: That's included in the
2 recommendation.
3 CHAIRMAN KORGE: That's already in
4 the recommendation.
5 MS. KEON: That's in the
6 recommendation?
7 MR. AIZENSTAT: That they cannot
8 get a special permit to do a carnival on
9 that parcel?
10 MR. SALMAN: You want to limit them
11 to no carnivals, as well?
12 MR. AIZENSTAT: Well, I'm just
13 concerned, having a house next door,
14 going into a residential area, going and
15 having carnivals or so forth. I'd just
16 like for the neighbors to have quiet
17 enjoyment.
18 CHAIRMAN KORGE: Eric, what is the
19 Staff's recommendation?
20 MS. RUSSO: In addition to the
21 covenant?
22 MR. SALMAN: In addition to the
23 covenant, then, is that what you're
24 suggesting?
25 MR. RIEL: My suggestion, to be

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1 clear, is, if that's what the intention
2 of the Board is, to say that no special
3 event activities may be on 5450. I
4 mean, that way, it's clear.
5 MR. SALMAN: Okay.
6 CHAIRMAN KORGE: Okay.
7 MR. SALMAN: Well, that would ride,
8 then, with the covenant.
9 MR. AIZENSTAT: I'm sorry?
10 MS. KEON: That would ride with the
11 covenant.
12 MR. SALMAN: Ride with the
13 covenant, no special activities.
14 MR. RIEL: And let me clarify, no
15 special event activities and any
16 accompanying impacts.
17 MR. SALMAN: Okay.
18 MR. AIZENSTAT: Correct.
19 MR. RIEL: I just want everybody to
20 understand that.
21 CHAIRMAN KORGE: Okay.
22 MR. AIZENSTAT: And then -- but in
23 the Staff's recommendation, you'll take
24 out the word "locked"?25 MS. KEON: Yes.

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1 MR. RIEL: If that's included
2 within the motion.

3 MR. AIZENSTAT: I'm sorry.

4 MR. SALMAN: And to remove the
5 requirement for lock of the gate that
6 opens onto Banyan Court from the 5690
7 and 5692 property. Is that all?

8 CHAIRMAN KORGE: Are those all the
9 conditions?

10 MR. SALMAN: In addition to the
11 ones that Staff recommended.

12 CHAIRMAN KORGE: In addition to the
13 ones that Staff recommended.

14 Does the applicant accept those
15 conditions?

16 MS. RUSSO: We would respectfully
17 request that the Board consider a higher
18 threshold for the special events permit.
19 We'll accept the condition of the
20 special events permit, but a higher
21 threshold than 123 cars, as we said,
22 to -- you know, to --

23 MR. RIEL: That is not -- That is
24 not on the table. That issue is not on
25 the table.

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1 CHAIRMAN KORGE: I would like to
2 add that the special events restriction
3 does not apply to religious activities.
4 I mean, I can't imagine why we would be
5 able to restrict, much less want to
6 restrict, the number of cars of people
7 who attend Easter vigil mass or
8 whatever. It doesn't make sense.

9 MR. AIZENSTAT: Aren't we talking
10 about 5450?

11 MR. SALMAN: No. That will always
12 be used as a play field.

13 MR. AIZENSTAT: Okay.

14 MR. SALMAN: It's about limiting
15 the other property. And we're tying
16 them all together on this. We're doing
17 a unity of title, so it will be one
18 property all the time.

19 MS. KEON: It would be hard for me
20 to understand how your ongoing services
21 that you would have on a regular basis,
22 that you would normally provide as a
23 church, such as Easter services or
24 funeral services or those sorts of
25 things, would ever be construed as a

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1 special event. I mean, I don't see how
2 that would be construed -- Would that
3 not -- Would that be construed as a
4 special event? Those are the activities
5 of a church.

6 MR. AIZENSTAT: Have you had to go
7 for a special permit or anything
8 whenever you've had those events?

9 MS. RUSSO: Not to date.

10 MS. KEON: I would think it would
11 be an event that is outside of --

12 MR. AIZENSTAT: I agree with that.

13 MS. KEON: -- the normal --

14 MR. SALMAN: The normal activities
15 of a religious establishment.

16 MS. KEON: -- operations of a
17 church or a school.

18 MS. RUSSO: So a carnival --

19 MR. AIZENSTAT: That's a special
20 event, a carnival.

21 MS. KEON: A carnival would be a
22 special event.

23 MR. AIZENSTAT: But if you have
24 mass --

25 MS. KEON: No.

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1 MR. AIZENSTAT: -- or a funeral --

2 MR. RIEL: The intent was, if you
3 have an event on the facility that is
4 over 123 spaces, that they come up with
5 an operational parking management plan.

6 MS. HERNANDEZ: Right.

7 MR. RIEL: And that could be --

8 MS. HERNANDEZ: Because they had
9 parking issues when they came before us.

10 MR. RIEL: Right, and that could
11 be A, B and C --

12 MR. AIZENSTAT: Which makes sense.

13 MR. RIEL: -- and when you go over
14 that threshold, that plan just is
15 implemented. It's not necessarily
16 event-based.

17 CHAIRMAN KORGE: Let's be real
18 clear about this, then. The typical
19 church activities that may draw more
20 than 123 cars are not considered a
21 special event that requires a special
22 permit, and the typical school
23 activities, that, you know, may be a
24 school play in the evening that might
25 draw more than 123 cars -- would not be

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1 considered a special event, requiring a
2 permit.

3 MR. RIEL: I mean, we kind of look
4 at it not from an event -- we look at it
5 from an event -- and maybe it's not the
6 right -- special event. We look at it
7 as, if you have, obviously, a funeral or
8 something like that, where there's a
9 potential of having 500 cars or
10 vehicles, that a management plan be put
11 into place to deal with that issue, in
12 other words, whether that be, you know,
13 police directing traffic and things of
14 that sort.

15 MR. AIZENSTAT: Does that mean that
16 the church has to come to the City for a
17 permit at that point?

18 MR. RIEL: They would come for like
19 a standard permit and they would
20 initiate --

21 CHAIRMAN KORGE: To hold a funeral?

22 MR. AIZENSTAT: I mean, you might
23 have somebody pass away and they'd have
24 to do something in a day or two.

25 MR. SALMAN: I think what Eric is

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1 saying is that they will file a plan for
2 an event.

3 MS. KEON: They will file -- right,
4 they will file a plan with the City.

5 MR. RIEL: And that could be for --
6 you know, on certain events like -- you
7 know, funerals aren't -- you know, I
8 don't mean to go back to funerals, but
9 if you have an event that exceeds that
10 threshold, in other words, you have to
11 get police officers out there to direct
12 traffic. Valet parking needs to be
13 accommodated. We're trying to minimize
14 the impact --

15 MR. AIZENSTAT: On the
16 neighborhood.

17 MR. RIEL: -- of an event that is
18 over 123.

19 CHAIRMAN KORGE: We got that, but
20 the question is, what constitutes an
21 event? A funeral or mass is --

22 MR. RIEL: Anything over 123.

23 MS. KEON: Okay, I understand.

24 CHAIRMAN KORGE: Okay, so --

25 MR. SALMAN: Let's leave it the way

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1 it is.

2 MS. KEON: Okay.

3 MR. SALMAN: What you're saying,
4 leave the threshold where it is. Have
5 them file a plan for those events.

6 MR. RIEL: Right.

7 MR. SALMAN: And that's it.

8 MR. RIEL: And that's it. That's
9 it.

10 MS. RUSSO: Are we excluding
11 religious events?

12 MS. KEON: Well, but I don't think
13 you're filing a plan for -- you're not
14 coming back for permission for a
15 specific event. It is a management plan
16 over the course of your year, when --

17 MS. RUSSO: Okay.

18 MS. KEON: -- things happen in your
19 school.

20 MR. RIEL: Yes.

21 MS. KEON: Like a funeral -- Like I
22 would think a school play is kind of a
23 part of the normal operation of the
24 school.

25 MR. SALMAN. Parent night.

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1 MS. KEON: Parent night,
2 back-to-school night.

3 MR. SALMAN: That's crazy.

4 MS. KEON: It's just that when you
5 know that you're going to have more than
6 that, that there is a plan filed with
7 the City that says how you intend to do
8 it, and it may be that you have off-duty
9 police officers or whatever, but you
10 have to file a plan.

11 CHAIRMAN KORGE: Is that acceptable
12 to the applicant?

13 MS. RUSSO: Yes.

14 MS. KEON: Okay.

15 MS. RUSSO: It is acceptable.

16 CHAIRMAN KORGE: Okay.

17 MR. RIEL: Could you make sure
18 you get that on the record?

19 MS. KEON: Okay.

20 MR. SALMAN: Well, that's part of
21 the conditions already.

22 MS. RUSSO: Yes, that is acceptable
23 to the applicant.

24 CHAIRMAN KORGE: Thank you.

25 MS. KEON: That's what's included

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1 in Staff's recommendation, yes.
 2 CHAIRMAN KORGE: Anything else in
 3 the motion? No?
 4 Any further discussion? Do we have
 5 a second on the motion?
 6 MR. AIZENSTAT: Yes.
 7 CHAIRMAN KORGE: We have a second.
 8 Moved and seconded. Any further
 9 discussion on this motion?
 10 No discussion. We'll call the
 11 roll, please.
 12 MS. MENENDEZ: Jeff Flanagan?
 13 MR. FLANAGAN: Yes.
 14 MS. MENENDEZ: Pat Keon?
 15 MS. KEON: Yes.
 16 MS. MENENDEZ: Javier Salman?
 17 MR. SALMAN: Yes.
 18 MS. MENENDEZ: Eibi Aizenstat?
 19 MR. AIZENSTAT: Yes.
 20 MS. MENENDEZ: Tom Korge?
 21 CHAIRMAN KORGE: Yes. Let's take a
 22 five-minute break.
 23 MR. SALMAN: It's -- I notice from
 24 the clock on the wall --
 25 MS. RUSSO: Thank you very much for

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1 your consideration.
 2 MS. HERNANDEZ: Wait a minute.
 3 It's almost nine o'clock. What's the
 4 will of the Board?
 5 MR. AIZENSTAT: Let's not take a
 6 break.
 7 (Simultaneous comments)
 8 MS. HERNANDEZ: All right, we're
 9 going to start the next item and maybe
 10 we'll finish it in 10 minutes, okay?
 11 Folks, if you could please keep it
 12 down, please. Thank you. We're trying
 13 to also finish up. Thank you. Please
 14 take it outside.
 15 All right, Mr. Vice-Chair?
 16 MR. AIZENSTAT: Okay, let's take it
 17 over to --
 18 MS. HERNANDEZ: City of Coral
 19 Gables Comprehensive Land Use Plan.
 20 Mr. Riel?
 21 MR. AIZENSTAT: The next item, City
 22 of Coral Gables Comprehensive Land Use
 23 Plan and Map.
 24 Eric?
 25 MR. RIEL: At the last meeting, you

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1 know, Staff did a presentation on this.
 2 We're obviously not going to go through
 3 that presentation.
 4 MR. SALMAN: Bless your heart.
 5 MR. RIEL: We had -- a couple Board
 6 members indicated they'd like the
 7 opportunity to have some additional time
 8 to look at the plan.
 9 At this point, I'll turn it over to
 10 those members, if they would like to
 11 provide any comments, and then any other
 12 members that have any additions.
 13 MS. HERNANDEZ: Right.
 14 MR. RIEL: I would ask that when
 15 you do your Staff recommendation again,
 16 I need four separate motions on each of
 17 these items --
 18 MS. HERNANDEZ: Right.
 19 MR. RIEL: -- because they need to
 20 go in different directions, in terms of
 21 the Department of Community Affairs.
 22 MS. HERNANDEZ: And for ease of
 23 reference, we were in the deliberations
 24 portion of it, so the public hearing was
 25 closed. So this is where we're at,

188

1 okay?
 2 MR. RIEL: And I'm sorry, Mr. Vice-
 3 Chair, I was just handed a letter
 4 from -- dated June 3rd, 2009, Riviera
 5 Neighborhood Association.
 6 Unfortunately, I just was handed
 7 it, so I have not had a chance to read
 8 it.
 9 MS. HERNANDEZ: Can you read it
 10 into the record?
 11 MR. SALMAN: Do you want to read it
 12 in the record?
 13 MR. RIEL: It's about two pages
 14 long.
 15 MS. HERNANDEZ: Oh.
 16 MS. KEON: Should it be read into
 17 the record?
 18 MR. FLANAGAN: The public hearing
 19 session was closed?
 20 MS. HERNANDEZ: Yeah, it was
 21 closed. The public hearing portion of
 22 this was closed at the last meeting. So
 23 the Board will have to make a motion if
 24 they want to accept it and review it and
 25 consider it.

Planning & Zoning Board Meeting

Attendance/Speaker Sign In Sheet – June 3, 2009

Name	Mailing Address	Phone	(If you wish to be a speaker, please check the appropriate box)
1. PATRICK GRIFFITH	11901 OLD CUTTER ROAD 33156	951 202 6009	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input checked="" type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
2. Tom Arnott	5520 Banyan Dr	305 669-8516	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <i>2</i> <input checked="" type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
3. Roger Weller	520 Banyan Dr	205 6616178	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <i>3</i> <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
4. Esie Miranda	1114 Adiana Ave (305) 666-9720		<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input checked="" type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
5. Tedd Wilhite	2180 McFarlan Rd	305-448-8746	<input checked="" type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <i>1</i> <input checked="" type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)

Planning & Zoning Board Meeting

Attendance/Speaker Sign In Sheet – June 3, 2009

(If you wish to be a speaker, please check the appropriate box)			
Name	Mailing Address	Phone	
1. <u>Gary Talbott</u>	7100 S. University Avenue, FL 33154	305.284-9954	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
2. <u>Chris Cobb (SPEAKING)</u>	5525 Keewood Oaks Drive Coral Gables, FL 33156	305 338 0372	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
3. <u>Thomas Bales</u>	2151 Arvida Ln Coral Gables, FL	305-668-9236	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
4. <u>Linda Johnson</u>	6495 Swiss Dr. S. Miami, FL	305-665-5022	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
5. <u>Vivian More Cortines</u>	1109 Harder Rd Coral Gables, FL 33146	305-667-1439	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)

2

Planning & Zoning Board Meeting

Attendance/Speaker Sign In Sheet – June 3, 2009

(If you wish to be a speaker, please check the appropriate box)				
	Name	Mailing Address	Phone	
1.	Tim Birthella	900 W. Subida Dr. Pinecrest, FL 33156	305-667-2182	<input checked="" type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
2.	John Tipton	5290 Finch, 14 way Coral Gables, FL	305-661-2315	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
3.	Roslyn Tipton	5290 Finch, 14 way Coral Gables, FL	305-661-2315	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
4.	Enia Rivers	5450 Benger Dr.	305/661-9993	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input checked="" type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
5.	Monica Usasi	5500 Hammock Dr.	305/740-0656	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input checked="" type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)

Planning & Zoning Board Meeting Attendance/Speaker Sign In Sheet – June 3, 2009

	Name	Mailing Address	Phone	(If you wish to be a speaker, please check the appropriate box)
1.	Maxwell Bales	9151 Arvida Lane Coral Gables, FL 33156	305-668-9236	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input checked="" type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
2.	Gregory Bales	9151 Arvida Lane Coral Gables FL 33156	305-668-9236	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
3.	Constance Ryan	9151 Arvida Lane Coral Gables, FL 33156	305-668-9236	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
4.	Kitty Finnean	7335 S.W. 14th Street PALMETTO BAY, FL 33158	305-251-6833	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)
5.	Roger Tobin	5401 Banyan Drive Coral Gables, FL 33156	305-661-5803	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)

Planning & Zoning Board Meeting

Attendance/Speaker Sign In Sheet – June 3, 2009

Name Mailing Address Phone				(If you wish to be a speaker, please check the appropriate box)			
1. Kris Charlton	600 Biltmore Way #904	305 613-1595	Coral Gables	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			
2. Charles H. Johnson	6495 Forest Dr. Sunset Miami FL 33143	305-665-5622		<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			
3. Lana Stricker	20 Samona Dr. Coconut Grove	305 854-2792	33133	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			
4. Sean Robertson	7701 SW. 51st Ave	305 666-7849	Miami 33143	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			
5. Stephen Stricker	20 Samona Dr. Coconut Grove	305 854-2792	33133	<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			

Planning & Zoning Board Meeting

Attendance/Speaker Sign In Sheet – June 3, 2009

Name Mailing Address Phone				(If you wish to be a speaker, please check the appropriate box)			
1. Derek A. McDowell	7333 Vista Mar St Coral Gables, FL 33143	(305) 667-5756 (305) 205-8782		<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <i>11</i> <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			
2. Bill Parker Speaker	7240 Seawall St Pinecrest, FL 33156	305-256-2530 305-790-1320		<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <i>12</i> <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			
3. Joe Wallace Speaker	9055 Banyan Dr Coral Gables, FL 33156	305 667 8522 305 299 0438		<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <i>13</i> <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			
4. Bruce Pickthouse Speaker	9325 SW 96th St Miami, FL 33156	305 666-2332		<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <i>14</i> <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			
5. Debbie Augenstein Speaker	5090 Oceanview Dr. Coral Gables, FL 33156	(305) 667-8547		<input type="checkbox"/> Item # 5 (ZC Text Amend. Re: Historic Board) <input type="checkbox"/> Item # 6 (Montgomery Foundation Property) <input checked="" type="checkbox"/> Item # 7 (St. Thomas-Land use/Rezoning/Site Plan) <input type="checkbox"/> Item # 8 (Update of Comp. Land Use Plan & Map)			<i>6/</i>

CITY OF CORAL GABLES
CITY OF CORAL GABLES

Guillermo & Ofelia Fernandez
5441 Banyan Drive
Coral Gables, FL 33156

2009 JUN -3 AM 10:31

June 3, 2009

To: Members of the Planning & Zoning Board

RE: Application of St Thomas Episcopal Church

We adamantly oppose the proposed change in land use for the property located at 5450 N. Kendall Drive. Through the years St. Thomas Church has been growing and encroaching more and more into our once quiet neighborhood. Some years ago, they requested and received cooperation and approval from the neighbors for new buildings and promised that they would not make any more changes to the school. Since that time they have purchased 2 more properties in the neighborhood, each one on either side of our house. The property on the west side is before you today requesting a Change in Land Use. The property on the east side is currently used as a residence for the pastor. How long will it be before they want a Change in Land Use on that one also? Twenty years ago we purchased our home surrounded by single family one acre residences. Changing the land use on this property would cause irreparable harm to our neighborhood.

Please protect our neighborhood and do not recommend a Change in Land Use for this property. The continued growth of this school threatens our right to quiet enjoyment of our home and neighborhood.

Thank you for your consideration.

Sincerely,

Guillermo & Ofelia Fernandez

CITY OF CORAL GABLES

2009 JUN -3 AM 8:54'

Public Hearing Courtesy Notification

City of Coral Gables
Planning Department
405 Biltmore Way
Coral Gables, Florida 33134

Email: planning@coralgables.com
Telephone: (305) 460-5211
Fax: (305) 460-5327

May 20, 2009

Subject: Courtesy Notice of Public Hearing
Application No. 02-07-456-P - Change of Land Use, Rezoning and Site Plan Review

Dear Property Owner:

The City of Coral Gables LPA/Planning and Zoning Board will be considering at a public hearing the following:

Proposed new St. Thomas Church/School new athletic field on property immediately east of existing campus and modifications to the existing parking lots, more specifically as follows:

- a. An Ordinance of the City Commission of Coral Gables approving a change of land use from "Residential Use (Single Family) Low Density" to "Religious/Institutional Use" for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repeater provision, a savings clause, and a severability clause, and providing for an effective date.
- b. An Ordinance of the City Commission of Coral Gables approving a change of zoning from Single Family Residential (SFR) to Special Use District (S) for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repeater provision, a savings clause, and a severability clause, and providing for an effective date.
- c. An Ordinance of the City Commission of Coral Gables granting site plan approval for the new St. Thomas Church/School athletic field and modifications to the existing parking lots, located on portions of Lot 2, Avocado Land Company's Subdivision (5450, 5690 and 5692 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repeater provision, a savings clause, and a severability clause, and providing for an effective date.

This application is scheduled for consideration by the Planning and Zoning Board in the Commission Chambers, City Hall, commencing at 6:00 p.m. on Wednesday, June 3, 2009. The application will be scheduled for City Commission consideration thereafter. No further notice will be provided.

Please feel free to comment on the request by completing the below listed information and forwarding this form via mail, fax or e-mail to the Planning Department. This information will be entered into the record and considered during the review of the application. A map of the property is on the back of this form.

I, or We, Alexander & Claire JORDI
Print Name(s)

Mailing address: jordi 5390 @ aol.com

do not object to this application, or
 do hereby object, for the following reason(s) (attach additional sheets as necessary to further explain):

We did not receive a notification (this one is a copy from a neighbour)

We are concerned by the noise, the traffic and the encroachment in our quiet neighborhood.

There are less property taxes this year and this property should stay residential and pay taxes. The school generate too much traffic and parking on Kendall and this will make the situation worst.

Public Hearing Courtesy Notification

RECEIVED

MAY 26 2009

City of Coral Gables
Planning Department
405 Biltmore Way
Coral Gables, Florida 33134

TY OF CO
MING

100 JUN -2

Email: planning@coralgables.com
Telephone: (305) 460-5211
Fax: (305) 460-5327

May 20, 2009

Subject: Courtesy Notice of Public Hearing
Application No. 02-07-456-P – Change of Land Use, Rezoning and Site Plan Review

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- a. An Ordinance of the City Commission of Coral Gables approving a change of land use from "Residential Use (Single Family) Low Density" to "Religious/Institutional Use" for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date.
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Please feel free to comment on the request by completing the below listed information and forwarding this form via mail, fax or e-mail to the Planning Department. This information will be entered into the record and considered during the review of the application. A map of the property is on the back of this form.

I, or We, Eric and Jennifer Levin

Print Name(s)

Mailing address: 5495 Hammock Drive Coral Gables, FL 33156

do not object to this application, or
 do hereby object, for the following reason(s) (attach additional sheets as necessary to further explain):

This would create more traffic and congestion

JS

St. Thomas Church/School

Proposed Change of Land Use, Rezoning and Site Plan Review

06.03.09 PZB Meeting

Request

- St. Thomas Church and School proposes to construct a student athletic field on a 1.0 acre parcel located immediately / contiguous to the east of the existing facility

06.03.09 PZB Meeting

Applications filed

Local Planning Agency (LPA) review:

1. Change of land use from "Residential Use (Single Family) Low Density" to "Religious/Institutional Use" for a 1.0 acre parcel proposed for use as an athletic field (5450 North Kendall Drive).

Planning and Zoning Board review:

2. Change of zoning from Single Family Residential (SFR) to Special Use District (S) for a 1.0 acre parcel proposed for use as an athletic field (5450 North Kendall Drive).
3. Site plan approval for the new athletic field and modifications to the existing parking lots (5450/ 5690/5692 North Kendall Drive).

06.03.09 PZB Meeting

Applications filed

5450 North Kendall Drive
parcel
Change of land use from
"Residential Use (Single
Family) Low Density" to
"Religious/Institutional
Use".

5450 North Kendall Drive
parcel
Change of zoning from
Single Family Residential
(SFR) to Special Use
District (S).



06.03.09 PZB Meeting

Request

- No changes are being proposed to the existing church and school buildings
- No new buildings
- No building renovations
- No demolition of buildings

06.03.09 PZB Meeting

Request

- Construction of a new athletic field
- Reconfiguration of existing parking lots
- Additional landscaping, buffering, walls, etc
- Maximum student capacity for the school remains at 425 students pursuant to previously established agreements
 - No increase in student capacity
 - Pre-kindergarten through 5th grade

06.03.09 PZB Meeting

Parking requirements

- Property at the time of annexation into the City had 115 existing parking spaces
 - Determined to be legally non-conforming
 - Verified by the City Building and Zoning Department
- Proposal is to provide 123 parking spaces onsite
 - Additional 8 spaces resulting from the reconfiguration of the existing parking lots
- Proposal does not exceed the minimum threshold to require the property to be brought into compliance with the City's Zoning Code, no additional parking is required
 - Verified by the City Building and Zoning Department

06.03.08 PZB Meeting

3

Traffic circulation

- Applicant proposes 11 changes/recommendations for improving the existing student pick-up / drop-off operations and ingress and egress to the site
- Procedures are listed in the "St. Thomas Episcopal Parish School Pick-up/Drop-off Evaluation" - part of application

06.03.08 P25 Meeting

8

Landscaping and buffering

- Applicant proposes a minimum 10' wide landscape buffer along the east property line of athletic field - 5450 North Kendall Drive
 - Continuous 6' high masonry wall
 - Continuous hedge
 - Continuous row of canopy/shade trees
- Installation of landscape materials is proposed along both the north and south perimeter of the athletic field to provide further buffering

06.03.09 PZG Meeting

5

Use and operation restrictions

- Applicant proposes various use and operational restrictions on the athletic fields and entire facility as well

06.03.09 P2B Meeting

10

CLUP compliance

- * Consistency with the CLUP Goals, Objectives and Policies (pages 12 & 13 of Staff's report):

01/01/2023 10:12:27

1

CLUP compliance

- Inconsistent CLUP Goals, Objectives and Policies (pages 13 & 14 of Staff's report):

Category	Sub-Category	Item	Description	Notes
1. General Information	1.1 Personal Data	1.1.1 Name	John Doe	
1. General Information	1.1 Personal Data	1.1.2 Date of Birth	1990-01-01	
1. General Information	1.1 Personal Data	1.1.3 Gender	Male	
1. General Information	1.1 Personal Data	1.1.4 Address	123 Main Street, Anytown, USA	
1. General Information	1.1 Personal Data	1.1.5 Phone Number	(555) 123-4567	
1. General Information	1.2 Professional Data	1.2.1 Current Position	Software Engineer	
1. General Information	1.2 Professional Data	1.2.2 Previous Positions	Software Developer, Junior Developer	
1. General Information	1.2 Professional Data	1.2.3 Education	Bachelor's Degree in Computer Science	
1. General Information	1.2 Professional Data	1.2.4 Certification	None	
1. General Information	1.2 Professional Data	1.2.5 Skills	Java, Python, C++, SQL, Git	
2. Work Experience	2.1 Previous Jobs	2.1.1 Job Title	Software Developer	2015-2018
2. Work Experience	2.1 Previous Jobs	2.1.2 Company	ABC Software Inc.	2015-2018
2. Work Experience	2.1 Previous Jobs	2.1.3 Duties	Developed software modules, debugged bugs, worked on team projects.	2015-2018
2. Work Experience	2.1 Previous Jobs	2.1.4 Achievements	Completed several projects on time, received positive feedback from management.	2015-2018
2. Work Experience	2.2 Current Job	2.2.1 Job Title	Software Engineer	2018-Present
2. Work Experience	2.2 Current Job	2.2.2 Company	XYZ Corporation	2018-Present
2. Work Experience	2.2 Current Job	2.2.3 Duties	Designed software architecture, implemented features, optimized performance.	2018-Present
2. Work Experience	2.2 Current Job	2.2.4 Achievements	Launched multiple software products, improved user satisfaction.	2018-Present
3. Education	3.1 Formal Education	3.1.1 Degree	Bachelor's Degree in Computer Science	2010-2014
3. Education	3.1 Formal Education	3.1.2 University	University of Technology, Anytown	2010-2014
3. Education	3.1 Formal Education	3.1.3 Majors	Computer Science, Mathematics, Physics	2010-2014
3. Education	3.2 Non-Formal Education	3.2.1 Courses	Machine Learning, Deep Learning, Python for Data Science	2015-Present
3. Education	3.2 Non-Formal Education	3.2.2 Certifications	None	2015-Present
4. Skills	4.1 Technical Skills	4.1.1 Programming Languages	Java, Python, C++, SQL, Git	
4. Skills	4.1 Technical Skills	4.1.2 Database Systems	MySQL, PostgreSQL, MongoDB	
4. Skills	4.1 Technical Skills	4.1.3 Operating Systems	Windows, Linux, macOS	
4. Skills	4.1 Technical Skills	4.1.4 Development Tools	IDEs (Eclipse, IntelliJ, VS Code), Version Control (Git)	
4. Skills	4.2 Soft Skills	4.2.1 Communication	Excellent communication skills, able to work well with team members.	
4. Skills	4.2 Soft Skills	4.2.2 Problem Solving	Ability to identify and solve complex problems, think logically.	
4. Skills	4.2 Soft Skills	4.2.3 Adaptability	Ability to adapt to new technologies and work environments.	
4. Skills	4.2 Soft Skills	4.2.4 Time Management	Ability to manage time effectively, meet deadlines.	

069398278 Mscat

15

Discussion of issues

- To provide an overview of the issues, Staff will review the issues as a part of the review of Staff's Recommendation

06.03.09 PZB Meeting

13

Staff Recommendation

- Based upon the findings of fact contained in Staff's report; and in furtherance of the Comprehensive Land Use Plan (CLUP) Goals, Objectives and Policies, the Zoning Code and other applicable City provisions
- Planning Department recommends approval of the three (3) applications subject to all of the following conditions of approval:

06.03.09 PZB Meeting

14

Conditions of approval (page 3)

1. Application/supporting documentation.
 - Construction of the project shall be in conformance with the site plan, landscape plan and all other representations and exhibits submitted with the application package.
2. General provisions.
 - Restrictive Covenant including all conditions of approval submitted within 30 days of approval.
 - Unity of Title tying the entire property together submitted within 90 days of approval.
 - Maximum school capacity shall be limited to 425 students.

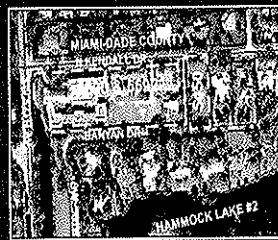
06.03.09 PZB Meeting

15

Conditions of approval (page 3)

3a. Use and operation restrictions – athletic field - 5450 North Kendall Drive

- Users of athletic field - only to be used by students and faculty.
- Play equipment - only permanent soccer nets/ other field apparatus. Bleachers or other elevated seating shall be prohibited.
- Hours of use - no activities between 6:30 pm - 7:30 a.m.
- Vehicle access shall be prohibited.
- Vehicle parking shall be prohibited.



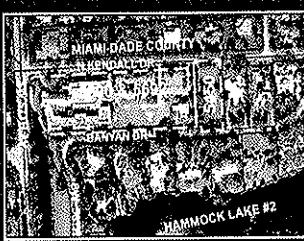
06.03.09 PZB Meeting

16

Conditions of approval (page 4)

3a. Use and operation restrictions – athletic field - 5450 North Kendall Drive (cont)

- Lighting is prohibited
- Landscape easement - a perpetual 10' wide landscape easement shall be provided the entire eastern property line - North Kendall Drive to Banyan Drive.
- Expressed purpose of the easement is to provide a buffer.



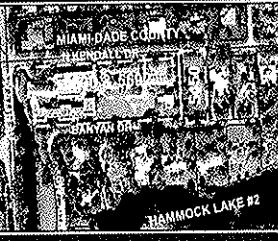
06.03.09 PZB Meeting

17

Conditions of approval (page 4)

3b. Use and operation restrictions – athletic field - 5690 and 5692 North Kendall Drive

- Users of athletic field - only to be used by students and faculty.
- Play equipment - only permanent soccer nets/ other field apparatus.
- Bleachers or other elevated seating shall be prohibited.



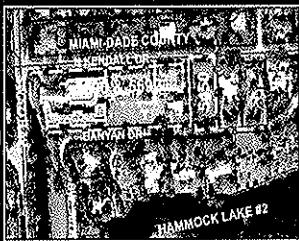
06.03.09 PZB Meeting

18

Conditions of approval (page 4)

3b. Use and operation restrictions – athletic field - 5690 and 5692 North Kendall Drive (cont)

- Hours of use - no activities between the hours of 6:30 p.m. and 7:30 a.m.
- Vehicle access- shall be prohibited.
- Vehicle parking is permitted.
- Lighting - shall be prohibited.



06.03.09 PZB Meeting

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Conditions of approval (page 4)

3c. Facility operations - 5450, 5690 and 5692 North Kendall Drive

- Special events permits-Tentative schedule of events shall be submitted to City a minimum of one month prior to each school year.

06.03.09 PZB Meeting

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Conditions of approval (page 4)

3c. Facility operations - 5450, 5690 and 5692 North Kendall Drive (cont)

- On-street parking - No vehicle parking, storage or standing (temporary or permanent) shall be permitted along any portion of North Kendall Drive or Banyan Drive.
- Traffic circulation improvements for school operations- Within 180 days of City Commission approval, implement the 11 recommendations for improving the pick-up/drop-off operations.
- Traffic management for school operations - an off-duty police officer shall be provided during peak morning and afternoon periods.

06.03.09 PZB Meeting

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Conditions of approval (page 5)

3c. Facility operations - 5450, 5690 and 5692 North Kendall Drive

- Existing old rectory/ caretakers residence - gates shall remain locked at all times and driveway shall not be used for vehicle parking or storage.
- Lighting - "spillover" prohibited onto all adjoining properties.

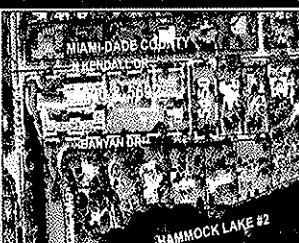
06.03.09 PZB Meeting

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Conditions of approval (page 5)

4a. Landscaping and public rights-of-way – 5450 North Kendall Drive eastern property line

- Landscape plan for the 10' easement along eastern property line shall consist of:
 - 6' high masonry wall
 - 3' hedge
 - 12' to 14' high Green Buttonwood shade trees



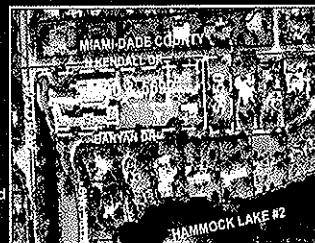
06.03.09 PZB Meeting

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Conditions of approval (page 6)

4b. Landscaping and public rights-of-way -5450 North Kendall Drive front property line

- 3' hedge
- 12' to 14' Green Buttonwood shade trees.
- Landscape plan along entire rear property line (5450, 5690 and 5692 North Kendall Drive).
- Supplement understory to achieve 100% opacity.



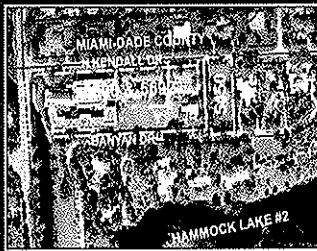
06.03.09 PZB Meeting

24

Conditions of approval (page 6)

4c. Landscape plan along entire rear property line - 5450, 5690 and 5692 North Kendall Drive

- Locate existing vegetation.
- Supplemental understory to achieve 100% opacity.



06.03.09 PZB Meeting

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Conditions of approval (page 6)

5. Facility public information liaison/point of contact

- To facilitate exchange of information between all parties.
- Single point of contact for the neighborhood, surrounding properties and public inquiries.
- Include name, email, address, phone numbers and hours of availability.
- Information shall be provided to all properties within 100 feet of facility upon completion and on annual basis.

06.03.09 PZB Meeting

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Findings of Facts (page 10)

1. Proposal is "consistent" with specific CLUP Goals, Objectives and Policies as identified herein.
2. Recommendations are provided and included as conditions of approval for those CLUP Goals, Objectives and Policies identified herein as "Inconsistent".
3. Proposed project satisfies Zoning Codes standards for CLUP map amendments and changes in zoning district boundaries.
4. Improvements to existing perimeter landscaping and public right-of-ways would be installed with this proposal.
5. Operational requirements are specified for events held at the school which currently are not addressed.

06.03.09 PZB Meeting

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Findings of Facts

6. Improvements to the school's existing traffic circulation system for student drop off and pick up would be required.
7. Eight (8) additional parking spaces would be provided as a result of the reconfiguration of the parking lot.
8. Future use of the existing rectory property's driveway would be prohibited.
9. Implementation of all conditions of approval as provided for herein provides additional protection to adjoining residential uses and mitigates any potential adverse effects.

06.03.09 PZB Meeting

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Substantial competent evidence

Substantial competent evidence has been presented as to how this proposal is in compliance with the City's CLUP and Zoning Codes

06.03.09 PZB Meeting

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Staff's has presented its substantial competent evidence as to how this proposal is in compliance with the City's CLUP and Zoning Codes, as provided for as a part of the record it should also be noted:

- The City adopted the existing master plan for the campus from the County when the Snapper Creek Section was annexed in 1996.
- The County's requirements for the property are generally not consistent with the City's Zoning Code/CLUP provisions, therefore, evaluation and recommendation on this proposal does not take into consideration City of Coral Gables issues and remedies pursuant to the City's Codes.
- No comprehensive specific regulations presently exist which govern the use and operations of the property to insure surrounding properties are not negatively impacted.

06.03.09 PZB Meeting

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Substantial competent evidence has been presented as to how this proposal is in compliance with the City's CLUP and Zoning Codes

- Staff Recommendation of this proposal with the conditions sets forth specific operational and use safeguards to allow for the operation of the facility in concert with surrounding properties.
- The operation and use safeguards proposed herein are similar, if not identical to other limitations that have been placed upon other church and school facilities within residential areas of the City.

06.03.09 PZB Meeting

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Courtesy Public Notification

The following has been completed to solicit input and provide notice of the application:

Type	Completed
Door-to-door notification initiated	Completed 01/07/09
Courtesy notification mailed to all property owners within 1,000 feet of the subject property	Completed 05/20/09
Newspaper ad published	Completed 05/21/09
Posted property	Completed 05/21/09
Posted agenda on City web page/Cay Haile	Completed 05/21/09
Posted Staff report on City web page	Completed 05/29/09

Courtesy notices were mailed to surrounding property owners within 1000 feet of the subject property advising them of the request and providing them with an opportunity to comment on the application

06.03.09 PZB Meeting

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ENTERED AS EXHIBIT Laura Russell
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
DATE INITIALS

SAINT THOMAS EPISCOPAL
PARISH SCHOOL
PETITION FOR APPROVAL OF PLAYING FIELD
EAST OF ST. THOMAS PARKING LOT

The undersigned hereby express their support for the creation of a playing field on the property to the east of the St Thomas parking lot. We understand that the property was purchased by the St. Thomas in 2002 and that the playing field will be for the use of the students.

As a parent of one or more children who attend school at St. Thomas, we believe that a playing field will add to The growth and enrichment of our child(ren).

<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. MARIA COAIZ	Miami	
2. Kirsten Haynes	Coral Gables	
3. Yastha de Zayas	Coral Gables	
4. Caroline Irvin	South Miami	
5. Lana Stricker	Coconut Grove	
6. Lourdes Lafaz	Coral Gables	
7. Beverly Battie	South Miami	
8. J. Hernandez	Coral Gables	
9. Emilio Fernandez	Coral Gables	
10. Grant Miller	Pinecrest	
11. Rudy Tovar	Coral Gables	
12. Mercedes Amez	Coral Gables	
13. Carolyn Leant	Pinecrest	



ENTERED AS EXHIBIT Laura Russo A1
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 DATE JM INITIALS

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. Gina Fox	Miami	<u>Gina Fox</u>
2. D. Chlossen	Coral Gables	<u>D. Chlossen</u>
3. V. LENNON	MIAMI	<u>V. LENNON</u>
4. E. Crews	Miami	<u>E. Crews</u>
5. Edson Han	Miami	<u>Edson Han</u>
6. Melissa Farrell	Miami	<u>Melissa Farrell</u>
7. JuliAnne McDowell	Coral Gables	<u>JuliAnne McDowell</u>
8. Sara Baigorri	Coral Gables	<u>Sara Baigorri</u>
9. Anne D'faure	Coral Gables	<u>Anne D'faure</u>
10. Laura O. Kimes	Miami	<u>Laura O. Kimes</u>
11. Thelma Restrepo	Miami	<u>Thelma Restrepo</u>
12. James A. Slaman	Miami	<u>James A. Slaman</u>
13. Caren Levine	Pinecrest	<u>Caren Levine</u>



ENTERED AS EXHIBIT *Laura Lusk* AI
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
DATE INITIALS

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. James Robertson	UNINCORPORATED DADE	<i>J. Robertson</i>
2. Stella Hewitt	Miami - Dade	<i>S. Hewitt</i>
3. Liz Perdigon	Coral Gables	<i>L. Perdigon</i>
4. Katie Newcomer	South Miami	<i>Katie Newcomer</i>
5. Donell	Parent	<i>Donell</i>
6. Rebecca Paredes	Miami - Dade	<i>R. Paredes</i>
7. Lourdes Boyer	Miami	<i>Lourdes Boyer</i>
8. Cynthia Slaman	Miami	<i>Cynthia Slaman</i>
9. JAMES SLAMAN	MIAMI	<i>J. Slaman</i>
10. MARY E HOLLE	Miami	<i>Mary E. Holle</i>
11. Jennifer S. Robinson	Palmetto Bay	<i>Jennifer S. Robinson</i>
12. Karen Claus	Miami	<i>Karen Claus</i>
13. Caroline Hernandez	Coral Gables	<i>C. Hernandez</i>



ENTERED AS EXHIBIT Laura Russo A1
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 DATE JM INITIALS

SAINT THOMAS EPISCOPAL
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1. Matthew Sunford	Miami	
2. Julie Dell	Coral Gables	
3.	Miami	
4. Kim Wood	Pinecrest	
5.	Coral Gables	
6.	Coral Gables	
7. Rosie Delos	Coral Gables	
8. Meg Valls	Pinecrest	
9. Vicki Williamson	Coral Gables	
10. Tracy Lorenzo	Miami	
11. Ana Br	Miami	
12. Cynthia Suarez	Pinecrest	
13. Louise M. Kayal	Pinecrest	



ENTERED AS EXHIBIT Laura Russo A1
THE PLANNING AND ZONING BOARD
ON 06.03.09 DATE JM INITIALS

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. Laurie McWilliams	Coral Gables	Laurie McWilliams
2. James Grippando	Coral Gables	James Grippando
3. Jeff Rogers	Coral Gables	Jeff Rogers
4. Cherie Cole	Miami	Cherie Cole
5. Victoria de la Torre	Coral Gables	Victoria de la Torre
6. Deborah Elwaw	Coral Gables	Deborah Elwaw
7. Jessica m. white	Coral Gables	Jessica m. white
8. Hilda A. BACACDI	S. miami Coral Gables	Hilda A. BACACDI
9. Morgan Smith	C. Gables	Morgan Smith
10. Alexis Birbragher	S. Miami	Alexis Birbragher
11. Ana Grande	C. Gables	Ana Grande
12. Victoria Accianni	S. Miami	Victoria Accianni
13. Daisy Lopez-Alejo	Coral Gables	Daisy Lopez-Alejo



ENTERED AS EXHIBIT *Laura Russo A1*
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. <i>Sylvia Cabral</i>		<i>Sylvia</i>
2. <i>John</i>	Pinecrest	<i>John</i>
3. <i>Yvette Fornaris</i>	Coconut Grove / Miami	<i>Yvette</i>
4. <i>Eric Rainey</i>	M. a. m.	<i>Eric Rainey</i>
5. <i>Alison Robinson</i>	Coral Gables	<i>Alison</i>
6. <i>Kim Vinas</i>	S. Miami	<i>Kim</i>
7. <i>Albert Lazo</i>	Coral Gables	
8. <i>Joseline O'Sullivan</i>	Pinecrest	<i>Joseline O'Sullivan</i>
9. <i>Michelle R. Sanchez</i>	Coral Gables	
10. <i>Ali Burel</i>	S. Miami	<i>Ali Burel</i>
11. <i>Marcia Acosta</i>	Pinecrest	<i>Marcia Acosta</i>
12. <i>Monica Quirarte</i>	Miami	<i>Monica Quirarte</i>
13. <i>Catherine H. Lorrie</i>	Coral Gables	<i>Catherine H. Lorrie</i>



ENTERED AS EXHIBIT Laura Russo AI
THE PLANNING AND ZONING BOARD
ON 06.03.09 dm
DATE INITIALS

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1.	Patricia	Pinecrest	Patricia
2.	Edson Briggs	Miami	Edson
3.	CORNELIA EHRLING	CORAL GABLES	Cornelia
4.	Melinda Gonzalez	Coconut Grove	Melinda
5.	Lyn-Anne Wilson	Miami	Lyn-Anne
6.	Maria Villamil	Coral Gables	Maria Villamil
7.	Stephanie Jackson	S. Miami	Stephanie
8.	Carolyn Reyes	Coral Gables	Carolyn Reyes
9.	Kendra Malloy	Miami	Kendra Malloy
10.	Leslie Joseph	Coral Gables	Leslie Joseph
11.	Ashley Cesack	Coral Gables	Ashley Cesack
12.	Elizabeth Bacardi	Coral Gables	Elizabeth Bacardi
13.	Seth Levine	Pinecrest	Seth Levine



ENTERED AS EXHIBIT Laura Lasseau
BY NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 DATE JM INITIALS

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. Katherine Rubio	Grove	K. Rubio
2. Michelle Canto	Coral Gables	M. Canto
3. Jennifer Green	Coral Gables	J. Green
4. Alex Martinez	Coral Gables	A. Martinez
5. Victoria Hegewisch	Pinecrest	V. Hegewisch
6. Nydia Lacaayo	Coral Gables	N. Lacaayo
7. Stephanie Demos	Miami	S. Demos
8. Susan Hannan	Pinecrest	S. Hannan
9. Jeannette Calles	Gables	J. Calles
10. Mari Wells	Coconut Grove	M. Wells
11. Marisa Salas	Gables	M. Salas
12. Susannah Rose	Coral Gables	S. Rose
13. Sandra Ross	Coral Gables	S. Sandra Ross



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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. Allison Freeland	Gables	<u>Allison</u>
2. Sharron Polo	Pinecrest	<u>Sharron</u>
3. Joan Kolski	Pinecrest	<u>Joan Kolski</u>
4. Gloria Ehlebracht	Miami	<u>Gloria Ehlebracht</u>
5. Debra Alvarez	Coral Gables	<u>Debra Alvarez</u>
6. Maria Gutierrez	Coral Gables	<u>Maria Gutierrez</u>
7. Donna Farnas	C. G.	<u>Donna Farnas</u>
8. Winton Monroe	Dade	<u>Winton Monroe</u>
9. Juan Canto	C. G.	<u>Juan Canto</u>
10. Carlos Gcllo	C. G.	<u>Carlos Gcllo</u>
11. Stewart Williams	MIA	<u>Stewart Williams</u>
12. John P. Kenyon	Pinecrest	<u>John P. Kenyon</u>
13. Michael R. Battle	Coral Gables	<u>Michael R. Battle</u>

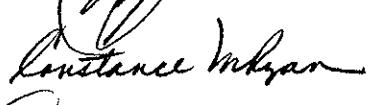
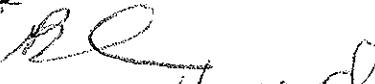
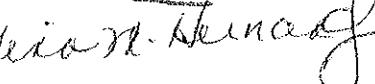
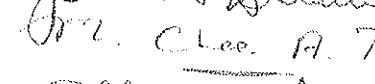
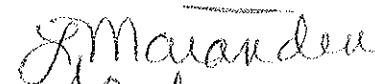
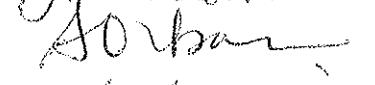


FILED AS EXHIBIT Laura Russo A1
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
DATE INITIALS

SAINT THOMAS EPISCOPAL
PARISH SCHOOL
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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. Don Fisher	Miami	
2. Vanesa Hernandez	Coral Gables	
3. Constance M Ryan	Coral Gables	
4. Jules & Jennifer	Miami	
5. Condie Alcott	Coral Gables	
6. Tim Birritha	Mearns	
7. Gina Hernandez	Coral Gables	
8. Joellen Strumpf	Coral Gables	
9. Malinda Chao, A. T. T.	South Miami	
10. Laura Marandino	Coral Gables	
11. Susan Orban	Palmetto Bay	
12. Kristen Mariani	S. Miami	
13. Angel Reyes	Coral Gables	

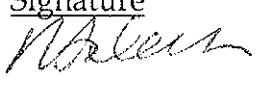
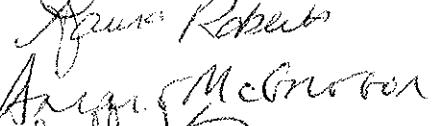
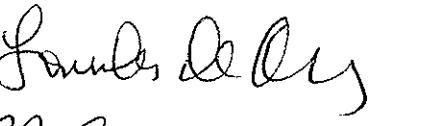
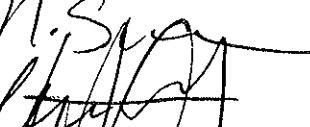
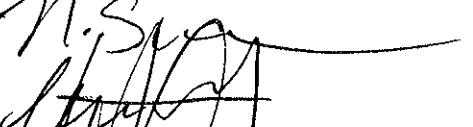
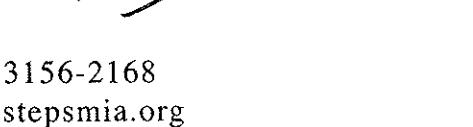


ENTERED AS EXHIBIT Laura Russo A1
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DATE INITIALS

SAINT THOMAS EPISCOPAL
PARISH SCHOOL
PETITION FOR APPROVAL OF PLAYING FIELD
EAST OF ST. THOMAS PARKING LOT

The undersigned hereby express their support for the creation of a playing field on the property to the east of the St Thomas parking lot. We understand that the property was purchased by the St. Thomas in 2002, and that the playing field will be for the use of the students.

As a parent of one or more children who attend school at St. Thomas, we believe that a playing field will add to The growth and enrichment of our child(ren).

<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. Natasha Dekin	Miami	
2. Mimi Fernandez	Pinecrest	
3. Javá Sigas-Molina	Miami	
4. Laura Roberts	Coral Gables	
5. Anais McGregor	Palmetto Bay	
6. MARITZA KAYLENSTEDT	CORAL GABLES	
7. Carla O'Connor	Palmetto Bay	
8. Lourdes de Armas	Pinecrest	
9. Nikki Suarez	Coral Gables	
10. Richard Diaz	Coral Gables	
11. Ana Santisteban	Coral Gables	
12. Vivian Gomez	Coral Gables	
13. Cintia Cuperman	Miami	

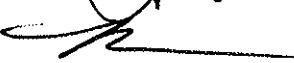
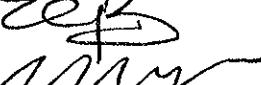
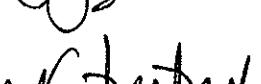
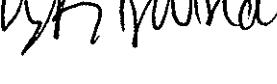


ENTERED AS EXHIBIT *Laura Russo A1*
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
DATE INITIALS

SAINT THOMAS EPISCOPAL
PARISH SCHOOL
PETITION FOR APPROVAL OF PLAYING FIELD
EAST OF ST. THOMAS PARKING LOT

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. Jennifer Briggs	Miami	
2. Ricardo Socorro	Miami	
3. Richard Cadena	S. Miami	
4. Eileen Sanchez-Muñoz	Miami	
5. Michael P. Maguire	Coral Gables	
6. Rio Newcomer	S. Miami	
7. Sam James	Coral Gables	
8. Elizabeth Bellande	Palmetto Bay	
9. Marshall G. Smith	Coral Gables	
10. Meredith Birnithella	Pinecrest	
11. Javien Lopez	Miami	
12. Dr. Irene Ortega	Coral Gables	
13. W. K. Smith	Coral Gables	



AS EXHIBIT Laura Russo A1
by NUMBER

THE PLANNING AND ZONING BOARD

ON 06.03.09

JM

DATE

INITIALS

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PARISH SCHOOL
PETITION FOR APPROVAL OF PLAYING FIELD
EAST OF ST. THOMAS PARKING LOT

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. Jonathan Fitzpatrick	Coral Gables	<u>Jonathan Fitzpatrick</u>
2. Kristen Munroe	Miami	<u>Kristen</u>
3. WIRTH MUNROE	MIAW	<u>Wirth Munroe</u>
4. Constance Fernandez	Coral Gables	<u>Constance Fernandez</u>
5. Miguel Fernandez	Coral Gables	<u>Miguel</u>
6. Juliana De La Riva	Pinecrest	<u>Juliana De La Riva</u>
7. Robert De La Riva	Pinecrest	<u>Robert</u>
8. Katherine Hart	Coral Gables	<u>Katherine Hart</u>
9. Charlotte Hicks	Coral Gables	<u>Charlotte</u>
10. Vivian Ortinais	Coral Gables	<u>Vivian Ortinais</u>
11. Katie Elliott	Coconut Grove	<u>Katie Elliott</u>
12. Michelle Pablos	Pinecrest	<u>Michelle</u>
13. Natasha Habermann	miami	<u>Natasha Habermann</u>



ENTERED AS EXHIBIT *Laura Lucco* A1
THE PLANNING AND ZONING BOARD
ON 06.03.09 JMN
DATE INITIALS

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
1. J. Sciarra	S. Miami	<i>J. Sciarra</i>
2. R. Kayal, Jr.	Pinecrest	<i>R. Kayal, Jr.</i>
3. Rob Perdgen	Coral Gables	<i>Rob Perdgen</i>
4. JORGE GARCIA	Coral Gables	<i>Jorge Garcia</i>
5. Enrique Martin	Miami	<i>Enrique Martin</i>
6. Jackie Poliakoff	Miami	<i>Jackie Poliakoff</i>
7. DAVE PROSKOS	Edie Lurman	<i>Dave Proskos</i>
8. MATTHEW BRAUNED	CORAL GABLES	<i>Matthew Brauned</i>
9. Mai Annunition	Coral Gables	<i>Mai Annunition</i>
10. Mary Melia Lopez	Coral Gables	<i>Mary Melia Lopez</i>
Grandparent 11. PATRICIA B. BELL (TRISH BELL)	Coral Gables	<i>Patricia B. Bell - The Trish Bell</i>
12.		
13.		

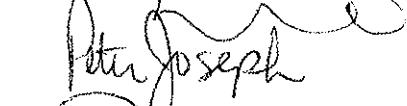
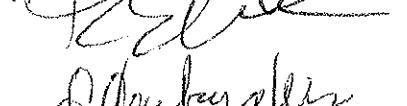
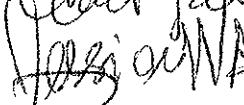
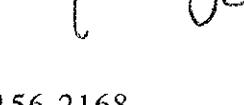
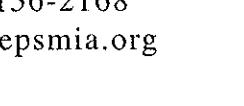


ENTERED AS EXHIBIT Laura Russo A1
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
DATE INITIALS

SAINT THOMAS EPISCOPAL
PARISH SCHOOL
PETITION FOR APPROVAL OF PLAYING FIELD
EAST OF ST. THOMAS PARKING LOT

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1. John Elwaw	Coral Gables	
2. PHILIPPE BELLANDE	PALMETTO BAY	
3. W. I. Holt	Coral Gables	
4. PETER Joseph	Coral Gables	
5. JUAN ORTIZ	PINECREST	
6. Robert White	S. Miami	
7. Cristy Curbajales	Miami	
8. Jessica White	S. Miami	
9. Rosetta Maynard	C. Gables	
10. CRISTINA ROJO	S. Miami	
11. Juan Paul	Coral Gables	
12. Susan Garcia	C. Gables	
13. Manny Rodriguez	Miami	



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THE PLANNING AND ZONING BOARD
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1. Mariana Sanchez	Pinecrest	<i>Mariana Sanchez</i>
2. Nicolas Valls	Pinecrest	<i>Nicolas Valls</i>
3. KURT R. BAUER	PAUMETRO BAY	<i>Kurt Bauer</i>
4. Tom Carlos	Coral Gables	<i>Tom Carlos</i>
5. Adolf McGregor	Palmetto Bay	<i>Adolf McGregor</i>
6. Richard Diaz	Coral Gables, FL	<i>Richard Diaz</i>
7. Ana Santisteban	Coral Gables, FL	<i>Ana Santisteban</i>
8. Telmo BARREIRA	So. Miami	<i>Telmo Barreira</i>
9. DONALD MCNEILL	CORAL GABLES	<i>Donald McNeill</i>
10. John Gates	Coral Gables	<i>John Gates</i>
11. Gail Shelley	Pinecrest	<i>Gail Shelley</i>
12. Robert Shelley	Pinecrest	<i>Robert Shelley</i>
13. Roger Fernandez	Pinecrest	<i>Roger Fernandez</i>



ENTERED AS EXHIBIT Laura Russo
by Steph
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
DATE INITIALS

SAINT THOMAS EPISCOPAL
PARISH SCHOOL

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
Robin Toomey	Palmetto Bay	Robin Toomey
Ann Collins	Miami	Ann Collins
Lisa Timpone	Palmetto Bay	Lisa Timpone
Eileen Fierro Rodriguez	Miami	Eileen Fierro Rodriguez
KEN WILEY	Miami	KEN WILEY
Mary McDonnell-Klein	Miami	Mary McDonnell-Klein
Fayle Benedict	CUTLER BAY	Fayle Benedict
Laura Bresch	Pinecrest	Laura Bresch
Elizabeth Schantz	Miami	Elizabeth Schantz
STACY LOPEZ	Miami	Stacy Lopez
Frances Rose	Miami	Frances Rose
Karen K. Crum	Miami	Karen K. Crum
Deanna Alisman	Palmetto Bay	Deanna Alisman
STEPHANIE LIVINNES	MIAMI GABLES	Stephanie Livinnes
LEANORE CRAVEN	CUTLER BAY	Leanore Craven
CAROLINA KARAY	Miami	Carolina Karay



ENTERED AS EXHIBIT *Laura Russo* A1
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THE PLANNING AND ZONING BOARD
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SAINT THOMAS EPISCOPAL
PARISH SCHOOL

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
<u>Kris Charlton</u>	<u>Coral Gables</u>	<u>Kris M. Charlton</u>
<u>Betty Francisco</u>	<u>Miami</u>	<u>B. Francisco</u>
<u>Edmon Power</u>	<u>Pinecrest</u>	<u>E. Power</u>
<u>Catherine Bohn</u>	<u>Pinecrest</u>	<u>Catherine B. Bohn</u>
<u>Jaquie Reyes</u>	<u>Kendall Miami</u>	<u>Jaquie Reyes</u>
<u>Debra Ellman</u>	<u>Palmetto Bay</u>	<u>Debra Ellman</u>
<u>Frances Vieira</u>	<u>Shoreline Park</u>	<u>F. Vieira</u>
<u>Lorraine Kneehan</u>	<u>Palmetto Bay</u>	<u>Lorraine Kneehan</u>
<u>Karla de la Torre</u>	<u>Cutter Bay</u>	<u>K. de la Torre</u>
<u>M. Cristina Rodriguez-Villa</u>	<u>Miami</u>	<u>M. Cristina Rodriguez-Villa</u>
<u>Janet</u>	<u>Palmetto Bay</u>	<u>Janet</u>
<u>Sara B. Hammond</u>	<u>Palmetto Bay</u>	<u>Sara B. Hammond</u>
<u>Emily Lachapelle</u>	<u>Miami Dade</u>	<u>Emily Lachapelle</u>
<u>Julie Plasencia</u>	<u>Palmetto Bay</u>	<u>Julie Plasencia</u>
<u>Amy Li</u>	<u>Coral Gables</u>	<u>Amy Li</u>
<u>William Noble</u>	<u>Coconut Grove</u>	<u>William Noble</u>



ENTERED AS EXHIBIT Laura Russo by RECORDED AT
THE PLANNING AND ZONING BOARD
ON 00.03.09 DATE JM INITIALS

SAINT THOMAS EPISCOPAL
PARISH SCHOOL

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<u>Name</u>	<u>City of Residence</u>	<u>Signature</u>
Linda Johnson	South Miami	Linda Johnson
ANNY QUIÑONES	Coral Gables	Ann Quiñones
Roberta Meyerinck	Coral Gables	Roberta Meyerinck
Idanet Gonzalez	Miami	Idanet Gonzalez
Valerie Doubterley	Pinecrest	Valerie A. Doubterley
Janet Hewitt	Miami	Janet Hewitt
Jennifer Lobo	Miami	Jennifer Lobo
Joyce Noble	South Miami	Joyce Noble
Carol Knisely	Miami	Carol Knisely
Aurora Martin	Miami	Aurora Martin
Shirley Richard	Miami	Shirley Richard
Priscilla Bleffe	Miami	Priscilla Bleffe
Erin Dean	Miami	Erin Dean
Holly Quinell	Miami	Holly R. Quinell
Shannon Dittino	Homestead	Shannon Dittino
Bright Morley	Miami	Bright Morley



ENTITLED AS EXHIBIT Laura Russo A1
by
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
DATE
INITIALS

SAINT THOMAS EPISCOPAL PARISH SCHOOL

PETITION FOR APPROVAL OF PLAYING FIELD
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Name City of Residence Signature
Debys Alonso Miami Debys

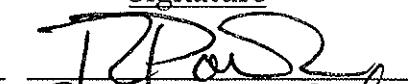
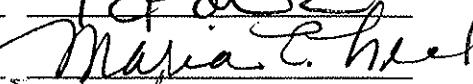
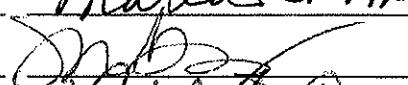
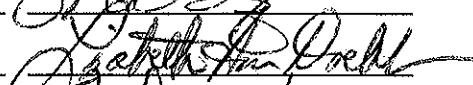
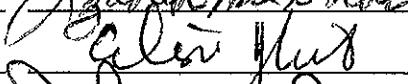
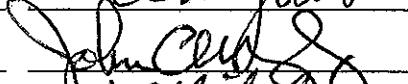
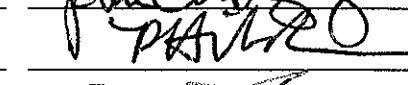
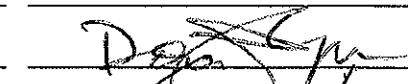
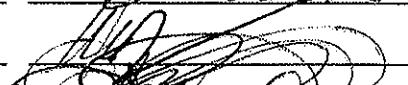
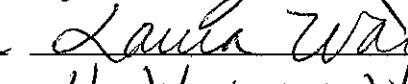


ENTERED AS EXHIBIT Laura Russo
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06-03-09 JM
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SAINT THOMAS EPISCOPAL
PARISH SCHOOL
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EAST OF ST. THOMAS PARKING LOT

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Rebecca Parker	Pinecrest, FL	
Maria Leal	Pinecrest, FL	
Michelle Camey	Coral Gables	
Lizeth Drobler	Palmetto Bay	
Elin Regalado	Pinecrest, FL	
John Murphy	Miami, FL	
Phoebe Hirschman	Kendall, FL	
Doris Capps	MIAMI, FL	
Laura Vieth	Coral Gables, FL	
William L. Parker	Pinecrest, FL	
Mary B. Vela	Pinecrest, FL	
61 de 14	Pinecrest, FL	
Elizabeth Loyer	Coral Gables, FL	
Karen Morgan	Coral Gables, FL	
Laura Walker	Coral Gables, FL	
William Wacker	Coral Gables	

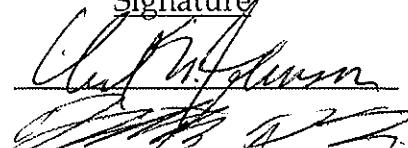
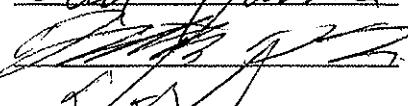
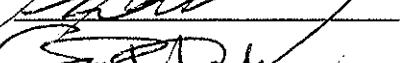
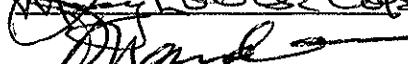
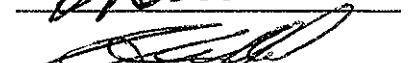
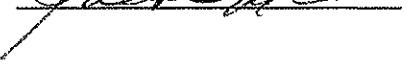
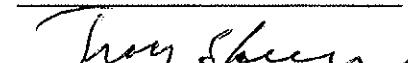
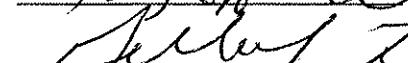


ENTERED AS EXHIBIT Laura Russo A1
by NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 JM
DATE INITIALS

SAINT THOMAS EPISCOPAL
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Name	City of Residence	Signature
Charles M Johnson	South Miami	
Nathaniel D. B. n	Coral Gables	
Alexander Diaz	Coral Gables	
Wilson N Fernandes	Cruise Bay	
Gary Tarbe	Pinecrest.	
BOB GOLD	Miami FL	
Tim KAROSSATES	Palmetto Bay	
Mary Louise Cole	Palmetto Bay	
Miller Vanderson	Palmetto Bay	
Juan Elias Calles	Coral Gables	
Zette M. Calles	Coral Gables	
Troy Spurrow	Miami FL	
Billberg n. forres	miami fl,	
Janis SR. TOBIN	Coral Gables FL	
JESUS Camerante	Pinecrest, FL	



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by NUMBER
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Caroline P. Brumbaugh	South Miami	Caroline P. Brumbaugh
John Brumbaugh	South Miami	John Brumbaugh
Sue Cesarano	Coral Gables	Sue Cesarano
Felix JACOMINO	Miami	Felix JACOMINO
Robert Scott Newman	Coral Gables	Robert Scott Newman
Nancy Mitchell	Miami	Nancy Mitchell
Maureen O'Brien	Miami	Maureen O'Brien
Noel S Rodriguez	Miami	Noel S Rodriguez
Maria Jose	Coral Gables	Maria Jose
Monica Harmon Lummis	Miami	Monica Harmon Lummis
SALUD FRANKLIN	CORAL BAY	SALUD FRANKLIN
DIANE ROURKE	Pinecrest	DIANE ROURKE
Notalee Jenkins	Palmetto Bay	Notalee Jenkins
Cynthia L. Dean	Miami	Cynthia L. Dean
JULIE M. BERLIN	CORAL GABLES	JULIE M. BERLIN
Julia C. Johnson	Miami-Dade Co.	Julia C. Johnson
MARIAIS KNAPP	Miami-Dade County	MARIAIS KNAPP



ENTERED AS EXHIBIT Laura Russo AT
BY NUMBER
THE PLANNING AND ZONING BOARD
ON 06.03.09 Jm
DATE INITIALS

**SAINT THOMAS EPISCOPAL
PARISH SCHOOL
PETITION FOR APPROVAL OF PLAYING FIELD
EAST OF ST. THOMAS PARKING LOT**

The undersigned hereby express their support for the creation of a playing field on the property to the east of the St Thomas parking lot. We understand that the property was purchased by the St. Thomas in 2002, and that the playing field will be for the use of the students.

As parishioners of St. Thomas, we believe that a playing field will add to the growth and enrichment of the children of our church school.

Name	City of Residence	Signature
W. Campbell Walton	Coral Gables	
E. GURRI LEVIS	So. Miami	
Thomas Ayre	miami	
LAURENCE LEVIS	SOUTH MIAMI	
Gillett Mitchell	Miami	