

CITY OF CORAL GABLES
LOCAL PLANNING AGENCY (LPA)/
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
CORAL GABLES CITY HALL
405 BILTMORE WAY, COMMISSION CHAMBERS
CORAL GABLES, FLORIDA
WEDNESDAY, OCTOBER 8, 2014, COMMENCING AT 6:08 P.M.

Board Members Present:

Eibi Aizenstat, Chairperson
Jeffrey Flanagan, Vice-Chairperson
Marshall Bellin
Anthony Bello
Julio Grabiell
Maria Alberro Menendez
Alberto Perez

City Staff and Consultants:

Charles Wu, Assistant Development Services Director
Ramon Trias, Planning Director
Craig E. Leen, City Attorney
Jane Tompkins, Development Services Director
Walter Carlson, Assistant City Planner
Scot Bolyard, Principal Planner
Megan McLaughlin, City Planner
Michael Miller, Assistant Police Chief
Yamilet Senespleda, City Engineer
Carlos Mindreau, City Architect
Susan Lanelle Trevarthen, Esq.
Weiss Serota Helfman Pastoriza Cole & Boniske
Special Counsel to the City

Also Participating:

City Commissioner Frank C. Quesada
Mario Garcia-Serra, Esq.
Alberto Cordoves, of Corwil Architects, Inc.
Hugh Johnson, of Architectural Alliance
Robert Behar, AIA
Roney Mateu, AIA

Public Speaker:
Edgar Jones

1 MR. BOLYARD: Marshall Bellin?
 2 MR. BELLIN: Yes.
 3 MR. BOLYARD: Anthony Bello?
 4 MR. BELLO: Yes.
 5 MR. BOLYARD: Jeffrey Flanagan?
 6 MR. FLANAGAN: Yes.
 7 MR. BOLYARD: Julio Grabiell?
 8 MR. GRABIEL: Yes.
 9 MR. BOLYARD: Eibi Aizenstat?
 10 CHAIRMAN AIZENSTAT: Yes.
 11 Now, on Item Number --
 12 MR. GARCIA-SERRA: Thank you very much.
 13 CHAIRMAN AIZENSTAT: On Item Number 5,
 14 which is the first part of this, is there a
 15 motion?
 16 MR. BELLIN: I'll make a motion to approve
 17 it.
 18 MR. PEREZ: I'll second.
 19 CHAIRMAN AIZENSTAT: We have a motion, we
 20 have a second. Any comments or questions? No?
 21 Call the roll, please.
 22 MR. BOLYARD: Alberto Perez?
 23 MR. PEREZ: Yes.
 24 MR. BOLYARD: Marshall Bellin?
 25 MR. BELLIN: Yes.

1 Commission of Coral Gables, Florida, requesting
 2 an amendment to the Future Land Use Map of the
 3 City of Coral Gables Comprehensive Plan,
 4 pursuant to Zoning Code Article 3, "Development
 5 Review," Division 15, "Comprehensive Plan Text
 6 and Map Amendments," and Small Scale amendment
 7 procedures, as Florida Statutes 163.3187, from
 8 "Residential Multi-Family Medium Density" to
 9 "Commercial Mid-Rise Intensity" for the
 10 property legally described as Lots 11-16, Block
 11 203 of the Riviera Section Part 14, whose
 12 address is 1500 Venera Avenue, Coral Gables,
 13 Florida; and providing for severability,
 14 repealer and an effective date.

15 The next item, also, is an Ordinance of the
 16 City Commission of Coral Gables, Florida,
 17 requesting a change of zoning pursuant to
 18 Zoning Code Article 3, "Development Review,"
 19 Division 14, "Zoning Code Text and Map
 20 Amendments," from Multi-Family 2 District,
 21 known as MF2, to Commercial District, known as
 22 C, for the property legally described as Lots
 23 11-16, Block 203, Riviera Section Part 14,
 24 whose address is 1500 Venera Avenue, Coral
 25 Gables, Florida; and providing for

1 MR. BOLYARD: Anthony Bello?
 2 MR. BELLO: Yes.
 3 MR. BOLYARD: Jeffrey Flanagan?
 4 MR. FLANAGAN: Yes.
 5 MR. BOLYARD: Julio Grabiell?
 6 MR. GRABIEL: Yes.
 7 MR. BOLYARD: Maria Menendez?
 8 MS. ALBERRO MENENDEZ: Yes.
 9 MR. BOLYARD: Eibi Aizenstat?
 10 CHAIRMAN AIZENSTAT: Yes.
 11 MR. GARCIA-SERRA: Thank you very much.
 12 Appreciate it tremendously.
 13 CHAIRMAN AIZENSTAT: You're welcome. Thank
 14 you.
 15 We'll just wait a --
 16 Let's go ahead and take just a very short
 17 break, if we can, maybe just five minutes, and
 18 then we'll continue. Thank you.
 19 (Thereupon, a brief recess was taken.)
 20 CHAIRMAN AIZENSTAT: Let's go ahead and
 21 move forward, please, if everybody would sit
 22 down.
 23 The next three items are related, so we'll
 24 go ahead and read them in together.
 25 The first is an Ordinance of the City

1 severability, repealer and an effective date.

2 And the final item on that is a Resolution
 3 of the City Commission of Coral Gables,
 4 Florida, requesting mixed use site plan review
 5 pursuant to Zoning Code Article 4, "Zoning
 6 Districts," Division 2, "Overlay and Special
 7 Purpose Districts," Section 4-201, "Mixed Use
 8 District," for the mixed use project referred
 9 to as "Shoma Park Tower," on the property
 10 legally described as Lots 11-16, Block 203, of
 11 the Riviera Section Part 14, whose street
 12 address is 1500 Venera Avenue, in Coral Gables,
 13 Florida; including required conditions;
 14 providing for an effective date.

15 At this time, I would like to ask the
 16 applicant to make their presentation.

17 MR. GARCIA-SERRA: Good evening, Mr. Chair,
 18 Members of the Board. My name, again, for the
 19 record, Mario Garcia-Serra, with offices at 600
 20 Brickell Avenue, representing Sunset Place
 21 Luxury Holdings, the owner of the property
 22 located at 1500 Venera Avenue, which you see
 23 indicated on the aerial photograph, which is
 24 the middle board that's up right now, just
 25 immediately west of Riviera Park and north of

<p style="text-align: right;">Page 121</p> <p>1 Sunset Drive -- Sunset Road.</p> <p>2 I'm accompanied tonight by Masoud Shojaee</p> <p>3 and Anibal Duarte, of Sunset Place Luxury</p> <p>4 Holdings; Robert Behar, our project architect;</p> <p>5 Johanna Mead, of Witkin Design Group, our</p> <p>6 landscape architect; and Juan Espinosa of David</p> <p>7 Plummer & Associates, and Tim Plummer, our</p> <p>8 traffic engineers.</p> <p>9 We're proposing a nine-story, 65-unit mixed</p> <p>10 use residential and retail project, with ground</p> <p>11 floor retail. In order to develop this</p> <p>12 project, we need the three following approvals:</p> <p>13 A change in the Future Land Use Map of the</p> <p>14 Comprehensive Plan from Residential</p> <p>15 Multi-Family Medium to Commercial Medium</p> <p>16 Density; a rezoning of the property which right</p> <p>17 now is MF2 to C; and a mixed use site plan</p> <p>18 approval, also.</p> <p>19 I'll discuss those requests further, later</p> <p>20 on in the presentation, but right now I hand it</p> <p>21 over to Robert Behar so as to give a</p> <p>22 presentation of the plans.</p> <p>23 MR. BEHAR: Good evening. For the record,</p> <p>24 Robert Behar, 135 San Lorenzo Avenue, Suite</p> <p>25 610.</p>	<p style="text-align: right;">Page 123</p> <p>1 very limited. The idea is to create a small</p> <p>2 coffee shop in the corner to serve the</p> <p>3 neighborhood. That's basically it.</p> <p>4 Craig, is that fast enough?</p> <p>5 MR. LEEN: Oh. Mr. Chair, I had just --</p> <p>6 Thank you, Mr. Behar.</p> <p>7 I had just asked that they try to expedite</p> <p>8 this. Of course, if you have any questions,</p> <p>9 please feel free to -- It's ultimately your</p> <p>10 decision on how much information you would</p> <p>11 like, but we do have another matter that we</p> <p>12 have, Number 10, which I told the applicant,</p> <p>13 through an opinion, that they're entitled to be</p> <p>14 heard tonight, so I just wanted to make sure</p> <p>15 that this was completed in time, because under</p> <p>16 the Code, at nine o'clock, you have to do a</p> <p>17 motion.</p> <p>18 CHAIRMAN AIZENSTAT: Understood.</p> <p>19 MR. LEEN: But ask whatever questions you</p> <p>20 would like.</p> <p>21 CHAIRMAN AIZENSTAT: At this time, I'd like</p> <p>22 to go ahead and open up -- Actually, no. City</p> <p>23 Staff, please make your presentation. I</p> <p>24 apologize.</p> <p>25 MR. WU: If Aaron can pull up our slides,</p>
<p style="text-align: right;">Page 122</p> <p>1 CHAIRMAN AIZENSTAT: Welcome back.</p> <p>2 MR. BEHAR: Huh?</p> <p>3 CHAIRMAN AIZENSTAT: Welcome back.</p> <p>4 MR. BEHAR: Thank you. I miss you guys.</p> <p>5 You know, the project, as Mario stated, is</p> <p>6 on Venera. It's going to be actually about 60</p> <p>7 units, nine stories. You have mixed use. On</p> <p>8 the ground floor, you will consist of a fitness</p> <p>9 center -- for the commercial component, a</p> <p>10 fitness center, a little cafe, which we're</p> <p>11 creating a plaza, and overlooking the park, you</p> <p>12 have the office, administrative offices. Very</p> <p>13 little retail component. The total is about</p> <p>14 8,000 square feet, so it's not a lot of retail</p> <p>15 commercial. You have three levels of parking,</p> <p>16 and then you have -- sorry, two levels of</p> <p>17 parking, and then you have 65 units above.</p> <p>18 What we're doing is, we're stepping the</p> <p>19 building back, as you see from the rendering.</p> <p>20 We want to create -- break the massing up a</p> <p>21 little bit. Obviously, the building is done in</p> <p>22 the Mediterranean style, to be able to get up</p> <p>23 to the 3.5 bonuses. It's very simple. It's,</p> <p>24 you know, between 60 and 65 units, and mixed</p> <p>25 use because we have to provide that, but it's</p>	<p style="text-align: right;">Page 124</p> <p>1 I'll just try to skim through them.</p> <p>2 You see the aerials for the project, and I</p> <p>3 just wanted to touch upon the adjacent</p> <p>4 properties. To the upper right -- upper left</p> <p>5 is the property, a three-story office product</p> <p>6 north of Venera. Of course, west we have the</p> <p>7 seven-story office and retail which constitutes</p> <p>8 Whole Foods on the bottom floor, immediately</p> <p>9 west of the project. Immediately south is a</p> <p>10 three-story condo, which is one of the holdouts</p> <p>11 for the entire area, and south of San Remo is a</p> <p>12 project owned by Baptist Health, which is a</p> <p>13 very intense office project.</p> <p>14 You mentioned the change of the land use</p> <p>15 and zoning to Commercial. As you can see, it</p> <p>16 is surrounded by Commercial uses, and it serves</p> <p>17 as a buffer where Riviera Park is to the east,</p> <p>18 so we believe the land use and zoning change is</p> <p>19 appropriate.</p> <p>20 I won't dwell on some of the design</p> <p>21 concepts. They've met the review criteria.</p> <p>22 They've met the FAR to the T. They're</p> <p>23 proposing 65 dwelling units, and it satisfies</p> <p>24 the standards of 3-1506, to change the land</p> <p>25 use, satisfies Standards 3-408 for the mixed</p>

<p style="text-align: right;">Page 125</p> <p>1 use site plan, and satisfies the changing of 2 zoning of 3-1404, for the rezoning. 3 What I'd like to pass out is some 4 housekeeping matter. The applicant has 5 consented to this new condition, which relates, 6 as you can see on the screen here -- They're 7 proposing extensive arcades and plazas. My 8 question here is how the western paseo is going 9 to be done. The condition was silent. 10 We're proposing this new condition to read 11 as: The applicant agrees, subject to consent 12 and cooperation of the neighboring property 13 owners at 6705 Red Road to consolidate the 14 pedestrian walkway it is proposing for the 15 western edge of the property with the existing 16 pedestrian walkway located at the eastern end 17 of the property at 6705 Red Road, with all 18 improvements being installed and worked on at 19 the applicant's expense. 20 In other words, they're not only improving 21 their side; they'll be working with the 22 adjacent property, to improve that side, as 23 well, to make a well-coordinated designed paseo 24 to connect, in anticipation if the southern 25 property comes for redevelopment, they will</p>	<p style="text-align: right;">Page 127</p> <p>1 understood, and that is the maintenance of the 2 green wall in the parking garage, and we just 3 want to make sure that it's enforceable down 4 the road; when they're gone and the project is 5 10 years down the road, or five years down the 6 road, we just want to make sure it's taken care 7 of, and one of the other residents in our 8 project was concerned about noise during 9 construction, and I don't know what the rules 10 and regulations of that are, but just wanted to 11 go on record as expressing some concern about 12 it. Other than that, we're supportive of the 13 project. 14 MS. ALBERRO MENENDEZ: I'm sorry, sir, 15 where did you say your building is? 16 MR. JONES: It's the building -- oh, you 17 don't have it up there. It's -- 18 MR. BEHAR: Right behind here. 19 MR. JONES: Yes, directly to the south, 20 contiguous and to the south. 21 MS. ALBERRO MENENDEZ: The address, again, 22 I'm sorry? 23 MR. JONES: It's 1515 San Remo. 24 MS. ALBERRO MENENDEZ: Okay, 1515 San Remo. 25 MR. BEHAR: There it is. That project</p>
<p style="text-align: right;">Page 126</p> <p>1 have the connection through the two streets. 2 If such consolidated walkway is not 3 feasible, then the applicant agrees to provide 4 a five-foot-wide pedestrian walkway at the 5 western end of the property, and we would like 6 to put into the record, the applicant has 7 agreed to this condition, subject to the City 8 Attorney's review. 9 That concludes Staff's presentation. 10 CHAIRMAN AIZENSTAT: Thank you. 11 At this time, I'd like to open it up for 12 any public comment. 13 Did you sign up? 14 MR. JONES: Yes, I did. 15 CHAIRMAN AIZENSTAT: Thank you. 16 MR. JONES: My name is Edgar Jones. I 17 reside at 515 Tivoli Avenue, in Coral Gables, 18 Florida. I'm also an owner in the condo 19 project to the south of this project, 20 contiguous to the south, 1515 San Remo, and I'm 21 also the president of the homeowners' 22 association. 23 We just wanted to speak on behalf of the 24 project. We were supportive of it. We had a 25 couple concerns that we wanted to make sure we</p>	<p style="text-align: right;">Page 128</p> <p>1 would be right here. 2 MS. ALBERRO MENENDEZ: Okay. Thank you. 3 MR. GRABIEL: And the green wall -- 4 CHAIRMAN AIZENSTAT: And that's a 5 residential condominium? 6 MR. JONES: Yes, it is, 47 units. 7 Thank you. 8 MR. GRABIEL: And the green wall that 9 you're referring to is -- 10 MR. JONES: There's a green wall in the 11 parking garage. 12 MR. GRABIEL: The green wall that you're 13 referring to. 14 MR. BEHAR: May I? 15 CHAIRMAN AIZENSTAT: Please. 16 MR. BEHAR: When we met with the 17 neighborhood, they asked us to -- on the back 18 side, to put a green wall there and maintain 19 it, and we have done that. In addition to 20 that, we met with the residents a couple weeks 21 ago, and the parcel between our building -- the 22 portion between our building and their 23 building, we agree that we would landscape and 24 enhance it, whatever necessary, that will 25 comply and adhere to their requirements, you</p>

<p style="text-align: right;">Page 129</p> <p>1 know, so that was one of the comments that we 2 had in the meeting. 3 CHAIRMAN AIZENSTAT: Are you satisfied with 4 with that, sir? 5 MR. JONES: Yes, uh-huh. 6 CHAIRMAN AIZENSTAT: Thank you. 7 MR. JONES: Thank you. 8 CHAIRMAN AIZENSTAT: Thank you. 9 MR. WU: And just for the record, you 10 received a communication from a resident 11 outside the City. Thank you. 12 CHAIRMAN AIZENSTAT: And you'll enter that 13 into the record. 14 MR. WU: Yes. 15 MR. LEEN: Mr. Chair? 16 CHAIRMAN AIZENSTAT: Yes. 17 MR. LEEN: I've reviewed the condition, the 18 added condition. It is legally sufficient. I 19 would just want to confirm on the record with 20 the applicant that you do agree to this 21 condition and you're proffering it? 22 MR. GARCIA-SERRA: Yes, we are in agreement 23 with that condition. 24 CHAIRMAN AIZENSTAT: Is there anybody else 25 that has signed up to speak?</p>	<p style="text-align: right;">Page 131</p> <p>1 Commercial component, but this is just an 2 avenue availed by the applicant. This is an 3 area of transition. It's been in transition 4 throughout the years. The two or three 5 residential properties left are the only ones 6 left west of Yumuri, west of Riviera Park, so 7 it's ripe for opportunity for redevelopment. 8 MS. ALBERRO MENENDEZ: Let me ask you, if 9 this was not a mixed use but a Multi-Family, 10 how high up, how intense would the FAR be? 11 MR. WU: Give me a minute. I have that 12 information. The building height, ironically, 13 is the same. It would be allowed the same, 14 under the same zoning today. So, if it did not 15 go Commercial, they're allowed the same 16 building height. It's just the density would 17 be a lot less. 18 MS. ALBERRO MENENDEZ: How much less? 19 MR. WU: It will be allowed 40 dwelling 20 units per acre. With the Med Bonus, they can 21 go up to 50 dwelling units per acre, and the 22 building height can go up to 97 feet. So the 23 building height is the same. What they're 24 requesting for the Commercial Land Use and 25 Zoning is just to get more density out of it.</p>
<p style="text-align: right;">Page 130</p> <p>1 MR. BOLYARD: No, that's it. 2 CHAIRMAN AIZENSTAT: Okay. At this time, 3 I'm going to go ahead and close the floor. 4 Any comments, any questions? Maria? 5 MS. ALBERRO MENENDEZ: I have comments. I 6 have a comment to Staff. The mixed uses, are 7 they allowed everywhere or just in Commercial 8 areas? 9 MR. WU: it's commercially-zoned 10 properties. 11 MS. ALBERRO MENENDEZ: Okay. So this mixed 12 use is for a Multi-Family zone. Is that why 13 we're -- 14 MR. WU: I'm sorry? 15 MS. ALBERRO MENENDEZ: This mixed use 16 proposal is in Multi-Family zone. 17 MR. WU: Yes, but they're changing the land 18 use and zoning to a Commercial. 19 MS. ALBERRO MENENDEZ: To accommodate it? 20 MR. WU: Yes. 21 MS. ALBERRO MENENDEZ: Was that the intent 22 of the mixed use concept? 23 MR. WU: I wouldn't say that's the intent. 24 The intent is to allow a variety of uses, for 25 instance, to add a Residential component on a</p>	<p style="text-align: right;">Page 132</p> <p>1 CHAIRMAN AIZENSTAT: And by doing the 2 Commercial end of it, is that what allows them 3 to have the retail stores downstairs, also, 4 or -- 5 MR. WU: Yes. Yes. 6 CHAIRMAN AIZENSTAT: To service the area, 7 if they want to do a coffee shop or anything 8 like that to service the area? 9 MR. WU: And the retail. They have a 10 retail component, as well. And I think that 11 from a land use and a planning perspective, we 12 would like to have like use face each other. 13 For instance, Venera does have an office 14 building on the north side. We would like a 15 commercial use on the south side, as well. 16 MS. ALBERRO MENENDEZ: Okay. 17 CHAIRMAN AIZENSTAT: So it complements it. 18 MR. WU: Complement across the street. 19 MS. ALBERRO MENENDEZ: The use -- 20 MR. GARCIA-SERRA: If I could just -- 21 MS. ALBERRO MENENDEZ: Sure. 22 MR. GARCIA-SERRA: If I could, if you don't 23 mind, expand on that point a little bit. If 24 you look at the zoning map of the City, of this 25 area right here, you'll see our property is the</p>

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1 north half of this sort of brown MF2, basically
 2 an island of MF2 within a Commercial area.
 3 So, going to your question, I think you're
 4 also asking, independent of what our project
 5 is, is a Commercial rezoning justified for this
 6 area?
 7 MS. ALBERRO MENENDEZ: Right.
 8 MR. GARCIA-SERRA: And we would say that
 9 yes, it is justified, when you consider the sea
 10 of red, really, that's around here, and that
 11 this is really the standout that's on the
 12 zoning map, and everything around it is
 13 Commercial.
 14 MS. ALBERRO MENENDEZ: Does a mixed use
 15 provide for more than a commercial use, as far
 16 as density -- as far as FAR?
 17 MR. BEHAR: No, FAR is the same.
 18 MS. ALBERRO MENENDEZ: Always the same?
 19 MR. BEHAR: Always the same.
 20 MS. ALBERRO MENENDEZ: Okay.
 21 MR. BEHAR: FAR is the same. The density
 22 increases, but as Charles Wu was saying, the
 23 height would be the same. We're proposing to
 24 be at --
 25 MR. GARCIA-SERRA: 97 feet to the top of --

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1 MR. BEHAR: -- 97 feet, okay? So you would
 2 allow the same thing. It would not go any
 3 higher. And if you see the adjacent property,
 4 like, you know, that the Red Road goes up to --
 5 even to 104 feet. So you're really within the
 6 sea of red there, so it should really -- What
 7 it does is, it cleans it up, for this to be
 8 consistent.
 9 MS. ALBERRO MENENDEZ: Okay, and the
 10 gentleman that spoke, or resident, he lives
 11 right behind you, right? That's the remaining
 12 Multi-Family?
 13 MR. BEHAR: That's correct, and as a matter
 14 of fact, you know, they're even contemplating
 15 the possibility of getting theirs, as well,
 16 so this -- you know, rezoning theirs, as well,
 17 so --
 18 MS. ALBERRO MENENDEZ: Okay. Can I see the
 19 one that has the buildings adjacent to it? You
 20 know, we used to -- I remember, some time ago,
 21 we used to have like massing, like an elevation
 22 that would show the surrounding properties so
 23 that we can visualize the massing.
 24 MR. BEHAR: What I did here, Maria, it's
 25 three-dimensional. We took the photograph and

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1 inserted the building. You see this building,
 2 which is the Whole Foods building, for lack of
 3 a better word; you know, it actually goes up to
 4 114, and the roof structure goes to 129, okay?
 5 A building that was completed recently, the
 6 Riviera Health Spa --
 7 CHAIRMAN AIZENSTAT: The health care.
 8 MR. BEHAR: The health care, it goes up to,
 9 the top of the roof, 65; to the top of the
 10 feature, 85.
 11 MS. ALBERRO MENENDEZ: And yours -- Yours
 12 is 97?
 13 MR. BEHAR: 97.
 14 MS. ALBERRO MENENDEZ: With the towers or
 15 without?
 16 MR. BEHAR: No, without, the roof.
 17 MS. ALBERRO MENENDEZ: The roof.
 18 MR. BEHAR: With the tower, I go up to 117,
 19 just the tower element, okay, which is not
 20 going to be tallest. The tallest is going to
 21 be, you know, right adjacent to us. So you do
 22 have already, you know, where the Baptist --
 23 6855, you go up to 70 with 89. So its
 24 massing-wise is contextually within the same
 25 area. Obviously, the newer the building, you

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1 know, a little bit higher, but 97 is
 2 consistent, and it would not be any taller than
 3 otherwise permitted.
 4 MR. GARCIA-SERRA: And an important point
 5 to point out, if you look at the land use map,
 6 today's land use map, the property under
 7 discussion here is designated Residential
 8 Medium Density, which with Mediterranean
 9 bonuses permits up to 97 feet, to the top of
 10 the roof.
 11 MS. ALBERRO MENENDEZ: Okay. Thank you.
 12 MR. BEHAR: And 65 units is not the maximum
 13 density. You could go higher. But we're not
 14 maximizing density, either, by the rezoning.
 15 MS. ALBERRO MENENDEZ: Okay. Thank you.
 16 CHAIRMAN AIZENSTAT: Jeff?
 17 MR. FLANAGAN: Mario, you just said you can
 18 go up to 97 feet today under the Multi-Family?
 19 MR. GARCIA-SERRA: Under the Residential
 20 Medium, Multi-Family density that the property
 21 has.
 22 MR. FLANAGAN: So why -- The colors of a
 23 map are always telling, and I don't have a
 24 problem with the rezoning to Commercial. I
 25 think that's appropriate. But when I look at

<p style="text-align: right;">Page 137</p> <p>1 the rest of this block and the blocks to the</p> <p>2 south, they're designated as Commercial Low</p> <p>3 Rise.</p> <p>4 MR. GARCIA-SERRA: Correct.</p> <p>5 MR. FLANAGAN: You're trying to hang a</p> <p>6 slice of red across the street of Venera for a</p> <p>7 Commercial High-Rise Intensity.</p> <p>8 What's the difference between -- What would</p> <p>9 be the difference between those two land use</p> <p>10 designations?</p> <p>11 MR. BEHAR: Jeff, it's Commercial Mid-Rise,</p> <p>12 not High-Rise. We asked for Mid-Rise, not</p> <p>13 High-Rise.</p> <p>14 MR. FLANAGAN: Sorry. You're right.</p> <p>15 You're asking for Commercial Mid-Rise.</p> <p>16 MR. GARCIA-SERRA: And if you notice, on</p> <p>17 the north side of Venera, there is Commercial</p> <p>18 Mid-Rise, so we're proposing to designate this</p> <p>19 Commercial Mid-Rise, also, which is also</p> <p>20 functionally equivalent to the Residential</p> <p>21 Mid-Rise designation.</p> <p>22 MR. BEHAR: And here --</p> <p>23 MR. FLANAGAN: But what would a Commercial</p> <p>24 Low-Rise Intensity end up allowing?</p> <p>25 MR. GARCIA-SERRA: The height is where you</p>	<p style="text-align: right;">Page 139</p> <p>1 MR. FLANAGAN: No, that abuts -- No, that</p> <p>2 abuts -- There's a bank building on the south</p> <p>3 side of it and you've got the school to the</p> <p>4 west, on the Riviera Health Care Center, I</p> <p>5 think. Right. It doesn't abut Residential.</p> <p>6 MR. GARCIA-SERRA: Here's the school and</p> <p>7 then the Single-Family. I think what Robert is</p> <p>8 trying to say, it's closer to the Single-Family</p> <p>9 Residential.</p> <p>10 MR. BEHAR: It's closer to the Single-</p> <p>11 Family, and remember, we have the park, which</p> <p>12 is a buffer. You've got Publix on the other</p> <p>13 side, so you're not adjacent to a Residential,</p> <p>14 per se, okay? And keep in mind, Jeff, that,</p> <p>15 you know, even though this property is zoned</p> <p>16 Commercial, you know, that's where the Whole</p> <p>17 Foods building is, which is also --</p> <p>18 MR. FLANAGAN: Well, let's address that.</p> <p>19 Whole Foods, you said, is like 114 feet, on Red</p> <p>20 Road. How tall is the parking structure that</p> <p>21 comes to the west? How tall is the Whole Foods</p> <p>22 building where it abuts this project?</p> <p>23 MR. BEHAR: This is six stories.</p> <p>24 MR. FLANAGAN: Okay.</p> <p>25 MR. BEHAR: Okay? We are nine stories.</p>
<p style="text-align: right;">Page 138</p> <p>1 see the biggest difference. The maximum height</p> <p>2 under the Commercial Low-Rise would be 77 feet</p> <p>3 with the Med bonuses.</p> <p>4 MR. FLANAGAN: So as I look at the map,</p> <p>5 yes, I know north of Venera, that block is red,</p> <p>6 where you have the three-story office</p> <p>7 buildings. Then you go west on Red Road, which</p> <p>8 is appropriate, and you've got the Commercial</p> <p>9 Mid-Rise Intensity along the Red Road corridor.</p> <p>10 When I look at the map as you go west,</p> <p>11 you've got the Venera buildings, which are</p> <p>12 three stories; you've got the San Remo building</p> <p>13 that Baptist recently bought is four stories.</p> <p>14 You then are approaching the park, which is</p> <p>15 some significant open space. You've got the</p> <p>16 school to the south of the park, and I forget</p> <p>17 what you said, how many stories the new health</p> <p>18 care center is, which is on a -- It's close --</p> <p>19 You said -- I think you said, Robert, top of</p> <p>20 the roof maybe was 85 feet on that one?</p> <p>21 MR. BEHAR: Right, but keep in mind, that</p> <p>22 is abutting the Residential, you know,</p> <p>23 immediately. We're not there. We're much</p> <p>24 further away, and by the way, just to go back,</p> <p>25 Jeff --</p>	<p style="text-align: right;">Page 140</p> <p>1 MR. FLANAGAN: So that's about six-- Would</p> <p>2 we agree that's about --</p> <p>3 MR. BEHAR: Six, seven stories.</p> <p>4 MR. FLANAGAN: -- 60, 65 there, and you</p> <p>5 are, you said, what, 115?</p> <p>6 MR. BEHAR: 97, 97 to the top.</p> <p>7 MR. FLANAGAN: Plus plus.</p> <p>8 MR. BEHAR: Just the tower element is the</p> <p>9 one that goes up, but, you know, what you're</p> <p>10 looking at -- and then keep in mind that about</p> <p>11 89 feet or so, or 88 feet, I step the building</p> <p>12 back, so there is a transition at that point.</p> <p>13 MR. FLANAGAN: A question for Staff,</p> <p>14 Charles.</p> <p>15 MS. ALBERRO MENENDEZ: May I see that board</p> <p>16 a little closer?</p> <p>17 MR. FLANAGAN: Part of your analysis of</p> <p>18 whether it complies with the Code -- Where did</p> <p>19 it go? I'm sorry. Bear with me. There's a</p> <p>20 provision in the Code that says that the</p> <p>21 apartment buildings -- Page 9 of my Staff</p> <p>22 recommendation, Section A-89 says the height of</p> <p>23 buildings, no apartment building should be more</p> <p>24 than four stories or 45 feet in height --</p> <p>25 MR. WU: Yes.</p>

<p style="text-align: right;">Page 141</p> <p>1 MR. FLANAGAN: -- for these lots and block? 2 MR. BELLIN: If you have over 20,000, that 3 doesn't apply. 4 MR. FLANAGAN: No, I think this is Riviera 5 Section Part 14 specific. 6 MR. WU: Yes, and this is not -- we take 7 the position this is not an apartment building 8 itself. This is a mixed use project. 9 MR. FLANAGAN: I would posit that I think 10 that's a big reach -- 11 MR. BELLIN: Okay. 12 MR. FLANAGAN: -- by saying that that 13 section doesn't apply, because this is no 14 longer an apartment building. 15 MR. BELLIN: You're talking about site 16 specifics -- 17 MR. WU: Yes. 18 MR. BELLIN: -- for that site. When you 19 put an MXD, site specifics don't apply anymore. 20 MR. FLANAGAN: I'm just talking about 21 Staff's rec. right now that help to justify the 22 approval of the application, and I'm just 23 saying, when I see an analysis that says -- I 24 mean, it's good lawyering, if you ask me, to 25 say, well, because this is not an apartment</p>	<p style="text-align: right;">Page 143</p> <p>1 taller than yours? 2 MR. BEHAR: No, no, I don't say that, but 3 it's probably very close to ours. 4 CHAIRMAN AIZENSTAT: Okay. 5 MR. GARCIA-SERRA: If I could, just to try 6 to help address your concerns, one thing I 7 would point out is that the Comprehensive Plan, 8 which is supposed to be sort of the guide for 9 how we want to see development develop in the 10 City, again, permits -- or pursuant to the 11 Comprehensive Plan, you would be permitted 97 12 feet in height, and that -- 13 MS. ALBERRO MENENDEZ: But it's not 97. 14 It's really not 97. I mean, you have -- you 15 have features here that brings it up further 16 than 97. 17 MR. BEHAR: But, Maria, you're allowed 18 architectural features -- 19 MS. ALBERRO MENENDEZ: Yeah, I know. 20 MR. BEHAR: --- to go 25 beyond the roof. 21 MS. ALBERRO MENENDEZ: I know. I know, I 22 know. 23 MR. BEHAR: You know, that's -- 24 MS. ALBERRO MENENDEZ: But we keep on 25 saying 97, but it's really not 97.</p>
<p style="text-align: right;">Page 142</p> <p>1 building, therefore that regulation doesn't 2 apply, when -- It would be well before my time, 3 when this was written, but it was written that 4 way, I would imagine, because it's designated 5 and zoned for Multi-Family, and you would have 6 put an apartment building on there. 7 I was surprised to see, I think, such a 8 stretch in the analysis, to declare that 9 because this project is not an apartment 10 building, that that site-specific restriction 11 would not apply. 12 CHAIRMAN AIZENSTAT: Now, that whole area 13 there is changing. In other words, from what I 14 take -- I don't live far from there. That 15 whole area, everything is becoming commercial. 16 There's a construction project that's going on 17 right now on Red Road itself, where the flower 18 shop used to be. 19 MR. FLANAGAN: Sunset. 20 CHAIRMAN AIZENSTAT: On Sunset. 21 MR. BEHAR: On Sunset. That's an office 22 building, and it's about, you know, a six, 23 seven-story building there -- taller, because 24 office, floor to floor, is much higher. 25 CHAIRMAN AIZENSTAT: So that project is</p>	<p style="text-align: right;">Page 144</p> <p>1 MR. BEHAR: Well, but you could 2 theoretically take those tower elements, which 3 are part of the -- 4 CHAIRMAN AIZENSTAT: Mediterranean. 5 MR. BEHAR: -- Mediterranean, you know, 6 that has been imposed, and you could take those 7 out. It doesn't do anything. There's no 8 units, there's no density, there's nothing 9 there. 10 MS. ALBERRO MENENDEZ: No, I know. 11 MR. BEHAR: There's no FAR. It's just -- 12 MS. ALBERRO MENENDEZ: But the massing of 13 it, it's -- 14 MR. BEHAR: You know? 15 MS. ALBERRO MENENDEZ: It looks a little 16 bigger than -- 17 MR. BEHAR: Listen, I don't mind taking the 18 roof off this building and I'm okay with it, 19 but that I have to comply with the 20 Mediterranean. 21 MR. GARCIA-SERRA: And the other item that 22 I would put forward is the fact that these 23 Mixed Use District regulations, when they were 24 adopted, consciously were adopted not only for 25 the Mixed Use District that we have around the</p>

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1 Village of Merrick Park, but also for
 2 individual sites, with the idea of trying to
 3 foster some sort of redevelopment on these
 4 areas by permitting the increased density that
 5 you have, and indeed, you know, we have an
 6 interesting problem here in the Gables. It's
 7 that buildings that are pretty outdated, I
 8 think, and already sort of losing a lot of
 9 their functionality, are still being able to
 10 exist and maintain because they are in Coral
 11 Gables, and people want to live in Coral
 12 Gables, and they're willing to live here even
 13 if the unit isn't as nice of a unit as you
 14 could potentially get somewhere else, and so
 15 part of the reason for the Mixed Use District
 16 regulation was to try to encourage
 17 redevelopment, and this is part of it.
 18 MR. FLANAGAN: And I don't think it's a bad
 19 project. It's very nicely designed. I think
 20 it's appropriate for the site. I think the
 21 mixed use is fine. But you hear me, I'm
 22 struggling with the height, because to me, the
 23 higher stuff should be on Red Road. As you're
 24 coming west and approaching the residential
 25 corridor, it really should step down. What

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1 we've done now is create a bowl. We're high up
 2 on Red Road, we've come down a little bit, and
 3 now we're back up at the park, and that's
 4 really what I struggle with. How many units
 5 are in the existing apartment building?
 6 MR. GARCIA-SERRA: That existing apartment
 7 building is about 40 some units.
 8 MR. FLANAGAN: Because I read a lot in the
 9 recommendation about this bringing in
 10 residential units to the City, but in fact,
 11 those units are -- There are -- Two thirds of
 12 them are already there.
 13 MR. GARCIA-SERRA: Yeah, but they're small
 14 units.
 15 MR. BEHAR: They're small units, Jeff.
 16 They're very small units.
 17 MR. FLANAGAN: Are they?
 18 MR. BEHAR: They're outdated. You know,
 19 what this will do, the unit size here is
 20 about -- probably between 15 and 1800 square
 21 foot units, so they're nice units.
 22 MR. GARCIA-SERRA: And we have some
 23 pictures of the existing facility, if you want
 24 to look at them.
 25 MR. FLANAGAN: No, no, I mean, I know. My

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1 office used to be right there. I know the area
 2 well. Not that it matters from my perspective,
 3 but anticipated to be rental or condominium?
 4 MR. GARCIA-SERRA: This is condominium.
 5 MR. BEHAR: Condominium.
 6 MR. FLANAGAN: I mean, the redevelopment is
 7 good, but you've got three stories on the
 8 north; you've got four stories on the south.
 9 MR. GARCIA-SERRA: You know, let's talk
 10 about that four-story, which you're referring
 11 to this building here, right? It's
 12 interesting, and I didn't realize it until we
 13 started doing the research for this exhibit.
 14 This building has a fairly significant
 15 penthouse, which stretches almost the entire
 16 length of the building, and when you measure up
 17 to the penthouse, it's 62 feet, so it's --
 18 MR. BEHAR: It's four stories, but it's
 19 really like six stories.
 20 MR. FLANAGAN: Okay, but it's still not --
 21 MR. BEHAR: But that building was built in,
 22 what, 1976, you know?
 23 MR. FLANAGAN: But you've got the building
 24 on Sunset, which is a much more intense street,
 25 I think, and more appropriate for maybe a

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1 higher structure. That's, you're thinking, 60
 2 to 70 feet.
 3 MR. BEHAR: Yeah, but that building is for
 4 a self-use. Bacardi is doing the building, the
 5 family, for themselves. So, I mean, it's
 6 not -- They want to be there. They have that,
 7 you know, location. So they're not maximizing
 8 the potential of that site. That building
 9 could have gone, you know, 97 feet, if they
 10 chose to build all the FAR they're allowed to
 11 do. So that's -- It's a little bit different
 12 there.
 13 MR. FLANAGAN: The Code may allow it. I
 14 think, from a compatibility standpoint, that's
 15 my big hang-up right now, from the height,
 16 compatibility from the height standpoint.
 17 MR. GARCIA-SERRA: And I suppose your
 18 concern with the height probably has to do,
 19 also, with what's the effect on the
 20 single-family residences to the east, or --
 21 MR. BEHAR: No, that's too far.
 22 CHAIRMAN AIZENSTAT: No, because there's
 23 the open space. You've got quite a large park
 24 there. So, to me, it doesn't affect me that
 25 much.

<p style="text-align: right;">Page 149</p> <p>1 MR. GARCIA-SERRA: What I think is --</p> <p>2 CHAIRMAN AIZENSTAT: If you had homes next</p> <p>3 to it or so forth, it would.</p> <p>4 MR. FLANAGAN: Right. I'm sorry, how tall</p> <p>5 is the Kendar, or what used to be called the</p> <p>6 Kendar Building? Do we know how tall that is?</p> <p>7 MR. GARCIA-SERRA: These here?</p> <p>8 MR. FLANAGAN: Do you know? Can you</p> <p>9 comment? I'm sorry, Mario, the other way. Go</p> <p>10 north. Yes.</p> <p>11 MR. GARCIA-SERRA: You know, we didn't call</p> <p>12 out that building. We called out this one,</p> <p>13 which --</p> <p>14 MR. FLANAGAN: How tall is the school?</p> <p>15 MR. GARCIA-SERRA: That's 55.</p> <p>16 MR. BEHAR: 55.</p> <p>17 MR. FLANAGAN: 55?</p> <p>18 MR. GARCIA-SERRA: And, you know, I think,</p> <p>19 something very important, too, as you saw</p> <p>20 during the public hearing, the residents who</p> <p>21 indeed live right behind it have no objection</p> <p>22 to this building.</p> <p>23 MS. ALBERRO MENENDEZ: No, and plus I</p> <p>24 notice that you notified single-family</p> <p>25 residents across, and nobody's here.</p>	<p style="text-align: right;">Page 151</p> <p>1 behind them, because they're basically</p> <p>2 exceptions to the otherwise applicable portion</p> <p>3 of the Code.</p> <p>4 So I understand what you're saying, in the</p> <p>5 sense that obviously they're saying an</p> <p>6 apartment building because that's what could go</p> <p>7 there under that land use. However, you know,</p> <p>8 under that doctrine that you specifically</p> <p>9 construe them, you would apply it just to an</p> <p>10 apartment building.</p> <p>11 Now, if you're concerned about the height</p> <p>12 of this building, and it may be hard or</p> <p>13 impossible to impose a condition that would</p> <p>14 cure that issue, but you are allowed to</p> <p>15 consider conditions -- it is a conditional use</p> <p>16 review -- to address the concern that that</p> <p>17 raises with you. I just wanted to make that</p> <p>18 clear about the site-specific.</p> <p>19 MR. BELLIN: Craig, another point. The</p> <p>20 site-specifics, when you put an MXD on a piece</p> <p>21 of property, the whole purpose of this is to</p> <p>22 change the zoning so you can put the MXD on it.</p> <p>23 MS. ALBERRO MENENDEZ: Right.</p> <p>24 MR. LEEN: Yes.</p> <p>25 MR. BELLIN: So, when you put the MXD,</p>
<p style="text-align: right;">Page 150</p> <p>1 MR. BEHAR: And we --</p> <p>2 CHAIRMAN AIZENSTAT: Right, and I'm</p> <p>3 actually surprised the Riviera Homeowners</p> <p>4 Association isn't here.</p> <p>5 MS. ALBERRO MENENDEZ: Right.</p> <p>6 CHAIRMAN AIZENSTAT: Which I think --</p> <p>7 MR. BEHAR: We went through that.</p> <p>8 CHAIRMAN AIZENSTAT: You know, which</p> <p>9 means that they're satisfied with it.</p> <p>10 MR. BEHAR: No, they're okay with it.</p> <p>11 CHAIRMAN AIZENSTAT: Yeah, which means</p> <p>12 they're okay.</p> <p>13 MR. LEEN: Mr. Chair?</p> <p>14 CHAIRMAN AIZENSTAT: Yes.</p> <p>15 MR. LEEN: I just -- for purpose of the</p> <p>16 record, I did want to say one thing about the</p> <p>17 site-specific --</p> <p>18 CHAIRMAN AIZENSTAT: Yes, please.</p> <p>19 MR. LEEN: -- which came up. In our Code,</p> <p>20 Section 1-108, C, does indicate that</p> <p>21 site-specifics take precedence over the</p> <p>22 remainder of the Zoning Code. It does say</p> <p>23 that. But the thing is, because they are</p> <p>24 different than the Zoning Code, they're</p> <p>25 generally strictly construed. That's the idea</p>	<p style="text-align: right;">Page 152</p> <p>1 site-specifics don't apply anymore. It's</p> <p>2 specific in there, if you go to the MXD --</p> <p>3 MR. LEEN: I understand.</p> <p>4 MR. BELLIN: So it's immaterial. They</p> <p>5 don't apply anymore.</p> <p>6 MR. LEEN: Well, first of all, this is --</p> <p>7 My understanding is, this is not going to be a</p> <p>8 Mixed Use District. We're talking about a</p> <p>9 Mixed Use use in a Commercial District. It's a</p> <p>10 little different.</p> <p>11 MR. BELLIN: But you put an MXD openly on</p> <p>12 an individual building, and that allows you --</p> <p>13 MR. LEEN: I'd have to look at that. I'm</p> <p>14 just reading to you from the Zoning Code</p> <p>15 itself. It does say it takes precedence over</p> <p>16 the other regulations. I don't think we need</p> <p>17 to resolve that issue, because it specifically</p> <p>18 says apartment building, and generally, you</p> <p>19 strictly construe site-specifics, because</p> <p>20 they're different than the remainder of the</p> <p>21 Zoning Code. I just -- That's the -- Now, you</p> <p>22 could amend the site-specific if you want it to</p> <p>23 apply more generally. You have a lot of</p> <p>24 authority in terms of recommending, but because</p> <p>25 it says apartment building, I don't think you</p>

<p style="text-align: right;">Page 153</p> <p>1 have to be worried that you're setting any sort 2 of precedent by not applying it to something 3 that's not an apartment building. 4 MR. GARCIA-SERRA: And I think I pointed it 5 out already, but just in case I didn't, across 6 the street, this parcel right here has the same 7 land use and zoning designations that we're 8 asking for tonight. 9 MS. ALBERRO MENENDEZ: But they're not 10 tall. 11 MR. GARCIA-SERRA: Right now, they aren't 12 tall. Right now. 13 MS. ALBERRO MENENDEZ: That's very true. 14 Can I ask a simple question? The fitness 15 component, the fitness center, is that just for 16 the occupants or is it -- 17 MR. BEHAR: It's for the occupants. 18 MS. ALBERRO MENENDEZ: So what retail do 19 you have, to call it a mixed use? 20 MR. BEHAR: Under the mixed use, you're 21 allowed to put fitness center, the offices, as 22 part of the permitted uses. What we've done is 23 located that -- The real retail, Maria, would 24 be just in the corner, a small portion, that 25 the idea was, working with the plaza we're</p>	<p style="text-align: right;">Page 155</p> <p>1 MS. ALBERRO MENENDEZ: Okay. Thank you. 2 CHAIRMAN AIZENSTAT: Marshall, do you have 3 any other comments? 4 MR. BELLIN: No. 5 CHAIRMAN AIZENSTAT: Anthony? 6 MR. BELLO: No. 7 MR. BELLIN: Alberto. 8 MR. PEREZ: Yeah, I have a quick question. 9 What's the plan for the Art in Public Places? 10 Does it -- 11 MR. GARCIA-SERRA: Say that again? 12 MR. PEREZ: The Art in Public Places, do 13 you need something there? 14 MR. GARCIA-SERRA: For the Art in Public 15 Places, we would be making the financial 16 contribution of the one percent of construction 17 costs to the City. 18 MR. BEHAR: Maybe some of that could be 19 used in the park, maybe some artwork in the 20 park. 21 CHAIRMAN AIZENSTAT: So it would benefit 22 the neighborhood. 23 MR. BEHAR: Absolutely. 24 CHAIRMAN AIZENSTAT: Any other comments, 25 any questions? Julio?</p>
<p style="text-align: right;">Page 154</p> <p>1 creating, it perhaps becomes a little coffee 2 shop, cafe, and that's it. This is all really 3 meeting Code requirement, because it's a part 4 of the Code, but it's really for the uses of 5 the building. So you're going to have -- the 6 fitness center is going to have, you know, 7 constant people coming there. 8 MS. ALBERRO MENENDEZ: But in a mixed use, 9 don't you have to have a certain percentage of 10 retail? 11 MR. BEHAR: Eight percent, and this gives 12 you the eight percent. 13 MS. ALBERRO MENENDEZ: And that corner 14 gives you the -- 15 MR. BEHAR: Well, this, remember, under the 16 permitted uses, you've got office, 17 administrative -- 18 MS. ALBERRO MENENDEZ: They allow for the 19 offices? 20 MR. BEHAR: Yes. 21 MS. ALBERRO MENENDEZ: Okay. 22 MR. BEHAR: You could even do, if I'm not 23 mistaken, residential on the bottom, because 24 that was changed, you know, some years ago, to 25 allow those uses.</p>	<p style="text-align: right;">Page 156</p> <p>1 MR. GRABIEL: I don't have a problem with 2 the height. If it were neighbors across the 3 street, but not the park -- 4 CHAIRMAN AIZENSTAT: Right. 5 MR. GRABIEL: -- I think it would be 6 objectionable, but with that large amount of 7 green space, I think that would fit well -- It 8 fits well in the neighborhood. It adds 9 additional residential to what's become really 10 an urban area. 11 CHAIRMAN AIZENSTAT: Right. 12 MR. GRABIEL: Because with everything 13 that's happening there, it's a walkable 14 surface. My wife saw it the other day and 15 said, "Oh, let's move over there." I said, 16 "No, we're not moving over there." But she 17 likes the idea of going to an apartment 18 building that is walkable to shops and retails 19 and everything else. So, even though we're not 20 part of South Miami there, it's really an 21 extension of that whole urban neighborhood. 22 CHAIRMAN AIZENSTAT: But that's the idea of 23 the overall Master Plan for the City, if I 24 remember, when we went through that -- 25 MS. ALBERRO MENENDEZ: Yeah.</p>

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<p>1 CHAIRMAN AIZENSTAT: -- to do that.</p> <p>2 Any other comments? Anybody want to make a</p> <p>3 motion?</p> <p>4 MR. GRABIEL: I'd move for approval. Move</p> <p>5 for approval.</p> <p>6 MR. WU: Can I ask for just the land use</p> <p>7 change first?</p> <p>8 MR. GRABIEL: Sorry?</p> <p>9 MR. WU: There are three applications</p> <p>10 before you. To change the land use first.</p> <p>11 CHAIRMAN AIZENSTAT: Take the land use</p> <p>12 first?</p> <p>13 MR. WU: Yes.</p> <p>14 CHAIRMAN AIZENSTAT: And we don't have to</p> <p>15 go ahead and put any of the -- what they did</p> <p>16 the PowerPoint for, we don't have to do at this</p> <p>17 point.</p> <p>18 MR. WU: The conditions are the very last</p> <p>19 motion.</p> <p>20 CHAIRMAN AIZENSTAT: Correct, okay.</p> <p>21 MR. GRABIEL: So I move approval for the</p> <p>22 land use.</p> <p>23 MR. BELLO: Second that.</p> <p>24 CHAIRMAN AIZENSTAT: Second. Any</p> <p>25 discussion?</p>	<p>1 Call the roll, please.</p> <p>2 MR. BOLYARD: Anthony Bello?</p> <p>3 MR. BELLO: Yes.</p> <p>4 MR. BOLYARD: Jeffrey Flanagan?</p> <p>5 MR. FLANAGAN: Yes.</p> <p>6 MR. BOLYARD: Julio Grabiell?</p> <p>7 MR. GRABIEL: Yes.</p> <p>8 MR. BOLYARD: Maria Menendez?</p> <p>9 MS. ALBERRO MENENDEZ: Yes.</p> <p>10 MR. BOLYARD: Alberto Perez?</p> <p>11 MR. PEREZ: Yes.</p> <p>12 MR. BOLYARD: Marshall Bellin?</p> <p>13 MR. BELLIN: Yes.</p> <p>14 MR. BOLYARD: Eibi Aizenstat?</p> <p>15 CHAIRMAN AIZENSTAT: Yes.</p> <p>16 Did they call you?</p> <p>17 MR. FLANAGAN: Yeah.</p> <p>18 CHAIRMAN AIZENSTAT: And then on the final</p> <p>19 item, is there a motion?</p> <p>20 MR. WU: With the added condition.</p> <p>21 CHAIRMAN AIZENSTAT: Well, let's see if</p> <p>22 there's a motion. Anybody like to make a</p> <p>23 motion?</p> <p>24 MR. GRABIEL: I'd make a motion, with the</p> <p>25 new added condition as read. Do I have to read</p>
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<p>1 Call the roll, please.</p> <p>2 MR. BOLYARD: Marshall Bellin?</p> <p>3 MR. BELLIN: Yes.</p> <p>4 MR. BOLYARD: Anthony Bello?</p> <p>5 MR. BELLO: Yes.</p> <p>6 MR. BOLYARD: Jeffrey Flanagan?</p> <p>7 MR. FLANAGAN: No.</p> <p>8 MR. BOLYARD: Julio Grabiell?</p> <p>9 MR. GRABIEL: Yes.</p> <p>10 MR. BOLYARD: Maria Menendez?</p> <p>11 MS. ALBERRO MENENDEZ: Yes.</p> <p>12 MR. BOLYARD: Alberto Perez?</p> <p>13 MR. PEREZ: Yes.</p> <p>14 MR. BOLYARD: Eibi Aizenstat?</p> <p>15 CHAIRMAN AIZENSTAT: Yes.</p> <p>16 The next item, Charles, would you like</p> <p>17 any --</p> <p>18 MR. WU: That's the rezoning. That's the</p> <p>19 rezoning one. There's no conditions for that.</p> <p>20 CHAIRMAN AIZENSTAT: On the rezoning, is</p> <p>21 there a motion?</p> <p>22 MR. BELLO: I move approval.</p> <p>23 MR. PEREZ: I'll second.</p> <p>24 CHAIRMAN AIZENSTAT: Moved and seconded.</p> <p>25 Any comments? Any questions?</p>	<p>1 it or -- Should I read it?</p> <p>2 CHAIRMAN AIZENSTAT: No, we can enter it --</p> <p>3 MR. WU: We have the record.</p> <p>4 CHAIRMAN AIZENSTAT: -- in the record as</p> <p>5 written. And Staff recommendations?</p> <p>6 MR. GRABIEL: And Staff recommendations,</p> <p>7 yes.</p> <p>8 CHAIRMAN AIZENSTAT: Okay.</p> <p>9 MR. PEREZ: I'll second.</p> <p>10 CHAIRMAN AIZENSTAT: We have a second. Any</p> <p>11 comments or questions?</p> <p>12 Call the roll, please.</p> <p>13 MR. BOLYARD: Jeffrey Flanagan?</p> <p>14 MR. FLANAGAN: No.</p> <p>15 MR. BOLYARD: Julio Grabiell?</p> <p>16 MR. GRABIEL: Yes.</p> <p>17 MR. BOLYARD: Maria Menendez?</p> <p>18 MS. ALBERRO MENENDEZ: Yes.</p> <p>19 MR. BOLYARD: Alberto Perez?</p> <p>20 MR. PEREZ: Yes.</p> <p>21 MR. BOLYARD: Marshall Bellin?</p> <p>22 MR. BELLIN: Yes.</p> <p>23 MR. BOLYARD: Anthony Bello?</p> <p>24 MR. BELLO: Yes.</p> <p>25 MR. BOLYARD: Eibi Aizenstat?</p>

<p style="text-align: right;">Page 161</p> <p>1 CHAIRMAN AIZENSTAT: Yes.</p> <p>2 MR. GARCIA-SERRA: Thank you very much, and</p> <p>3 have a good night. Appreciate it.</p> <p>4 MR. BEHAR: Thank you.</p> <p>5 MR. FLANAGAN: Unrelated to this</p> <p>6 application, but it deals with the park,</p> <p>7 unfortunately, Mr. Kinney is not here. I</p> <p>8 noticed, probably going back about a year, the</p> <p>9 parking stalls along the west side and the</p> <p>10 south side of the park were public parking.</p> <p>11 These are the only two residential developments</p> <p>12 in the neighborhood, yet out of the blue, signs</p> <p>13 went up that said the on-street parking along</p> <p>14 the park is residential permit parking only,</p> <p>15 beginning at 5:00 p.m.</p> <p>16 Now, the position, I guess I could call</p> <p>17 Kevin Kinney, but it would be interesting to</p> <p>18 know, as this area redevelops and becomes more</p> <p>19 intense, there are only two apartment buildings</p> <p>20 there, those are the only two residences. They</p> <p>21 both accommodate all their on-site parking now,</p> <p>22 and this project will continue to accommodate</p> <p>23 all the necessary parking. I question why it</p> <p>24 is that the City put up residential parking</p> <p>25 signs from 5:00 p.m. for that park, on the west</p>	<p style="text-align: right;">Page 163</p> <p>1 with the Chair --</p> <p>2 CHAIRMAN AIZENSTAT: Please.</p> <p>3 COMMISSIONER QUESADA: I'm glad you bring</p> <p>4 that up, and I will bring it up at our</p> <p>5 Commission meeting on Tuesday so that we can</p> <p>6 discuss it, because sometimes you have</p> <p>7 different departments working together and</p> <p>8 before you know it, you've got a million signs</p> <p>9 and some don't make sense and some do, so</p> <p>10 sometimes it's good, you know, to call us out</p> <p>11 on that. So we'll take a look at that.</p> <p>12 I also want to mention one more thing. You</p> <p>13 may not realize it, but we always read the</p> <p>14 minutes of all your meetings before our</p> <p>15 Commission meetings, when we're voting on big</p> <p>16 issues, and I wanted to come today to get a</p> <p>17 little bit more perspective. It's a little bit</p> <p>18 different, reading it on a piece of paper, than</p> <p>19 actually being here.</p> <p>20 Thank you so much for all the thought and</p> <p>21 energy that you guys put into the meetings.</p> <p>22 You probably think I'm just, you know, giving</p> <p>23 you some fluff right now, but I understand how</p> <p>24 difficult it is after a long day and maybe not</p> <p>25 being able to see your kids tonight because</p>
<p style="text-align: right;">Page 162</p> <p>1 side and the south side. On the north side,</p> <p>2 that abuts or is adjacent to the Publix, those</p> <p>3 got left as metered spaces. There's no public</p> <p>4 parking on the west side, but by the school and</p> <p>5 then by this development right now, it's only</p> <p>6 resident parking after 5:00 p.m., which I found</p> <p>7 very odd to have occurred.</p> <p>8 And I wasn't bringing it up because</p> <p>9 Commissioner Quesada was here. We're talking</p> <p>10 about this area, I've seen these signs</p> <p>11 sprouting across the City constantly, and a lot</p> <p>12 of areas that say residential parking only. We</p> <p>13 seem to also have become sign happy about No</p> <p>14 Parking, No Left, No Standing, No Loitering.</p> <p>15 You go by Gables High School and the canal,</p> <p>16 we've got signs on the north side of the rock</p> <p>17 wall, in the middle of the rock wall, on the</p> <p>18 south side of the rock wall, and it's sign</p> <p>19 pollution. But that wasn't intended to be a</p> <p>20 conversation tonight.</p> <p>21 COMMISSIONER QUESADA: If it's not</p> <p>22 procedurally improper for me to speak at this</p> <p>23 meeting --</p> <p>24 MR. LEEN: No, it's not.</p> <p>25 COMMISSIONER QUESADA: -- and if it's okay</p>	<p style="text-align: right;">Page 164</p> <p>1 they're going to sleep by the time you get</p> <p>2 home, my experience tonight. So thank you so</p> <p>3 much for the service and keep on questioning</p> <p>4 everyone and making our City a better place.</p> <p>5 Thank you.</p> <p>6 MS. ALBERRO MENENDEZ: Thank you.</p> <p>7 CHAIRMAN AIZENSTAT: Thank you for coming.</p> <p>8 Okay, let's go ahead and move on to our</p> <p>9 final item, and that is a Resolution of the</p> <p>10 City Commission of Coral Gables, Florida,</p> <p>11 requesting mixed use site plan review, pursuant</p> <p>12 to Zoning Code Article 4, "Zoning Districts,"</p> <p>13 Division 2, "Overlay and Special Purpose</p> <p>14 Districts," Section 4-201, "Mixed Use</p> <p>15 District," for the mixed use project referred</p> <p>16 to as 4311 Ponce, on the property legally</p> <p>17 described as Lots 36-43, Block 5, Industrial</p> <p>18 Section, 4225 and 4311 Ponce de Leon Boulevard,</p> <p>19 Coral Gables, Florida; including required</p> <p>20 codifications; providing for an effective date.</p> <p>21 At this point, if the applicant can please</p> <p>22 make their presentation.</p> <p>23 MR. BELLO: Mr. Chairman, a point of order.</p> <p>24 I see that the Staff is not able to give us a</p> <p>25 recommendation.</p>