

LOCAL PLANNING AGENCY (LPA)/.
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
HYBRID FORMAT

WEDNESDAY, JANUARY 15, 2025, COMMENCING AT 6:02 P.M.

Board Members Present:

Eibi Aizenstat, Chairman
Julio Grabiell
Wayne "Chip" Withers
Sue Kawalerski
Felix Pardo
Javier Salman
Robert Behar

City Staff and Consultants:

Jennifer Garcia, Planning and Zoning Director
Arceli Redila, Zoning Administrator
Cristina Suarez, City Attorney
Jill Menendez, Administrative Assistant, Board Secretary
Fenggian/Grace Chen, Principal Planner
Edward Hudak, Chief of Police

Also Participating:

Suzanne A. Dockerty, Esq., On behalf of Item E-1
Michael Ehrling, Architect
Father Manny Alvarez
Sister Rosalee
Barbara McPhillips
Jim McPhillips
Javier Banos Machado
Chris Elias (Via Zoom)
Judy Carty, Board of Architects Chair
Jorge Navarro, Esq., On behalf of Item E-4 and E-5

a continuance or allow the application to proceed to the City Commission without a recommendation.

Pursuant to Resolution number 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the Planning and Zoning Board has established the ability for the public to provide comments virtually. For those members of the public who are appearing on Zoom and wish to testify, you must be visible to the court reporter to be sworn in. Otherwise, if you speak without being sworn in, your comment may not have evidentiary value.

Lobby Registration and Disclosure, any person who acts as a lobbyist must register with the City Clerk, as required pursuant to the City Code.

As Chair, I now officially call the city of Coral Gables Planning and Zoning Board Meeting of January 15, 2025 to order. The time is 6:02.

Jill, please call the roll.

THE SECRETARY: Robert Behar?

MR. BEHAR: Present.

THEREUPON:

(The following proceedings were held.)

CHAIRMAN AIZENSTAT: Let's go ahead and get started. What I'd like to do is remind all Board Members please click on their button on their microphone, where it says, "Push," so your microphones light up red. Thank you.

Let's go ahead and get started. I'd like to call the meeting to order. I'd like to ask everybody to please silence your phones and beepers, if you still have any.

Good evening. This Board is comprised of seven members. Four Members of the Board shall constitute a quorum and the affirmative vote of four members shall be necessary for the adoption of any motion. If only four Members of the Board are present, an applicant may request and be entitled to a continuance to the next regularly scheduled meeting of the Board. If a matter is continued due to a lack of quorum, the Chairperson or Secretary of the Board may set a Special Meeting to consider such matter. In the event that four votes are not obtained, an applicant, except in the case of a Comprehensive Plan Amendment, may request

THE SECRETARY: Just so I could record, Robert Behar?

MR. BEHAR: Here.

THE SECRETARY: Julio Grabiell?

MR. GRABIEL: Here.

THE SECRETARY: Sue Kawalerski?

MS. KAWALERSKI: Here.

THE SECRETARY: Felix Pardo?

MR. PARDO: Here.

THE SECRETARY: Javier Salman?

Chip Withers?

MR. WITHERS: Here.

THE SECRETARY: Eibi Aizenstat?

CHAIRMAN AIZENSTAT: Here.

Notice Regarding Ex Parte Communications, please be advised that this Board is a quasi-judicial board, which requires Board Members to disclose all ex parte communication and site visits. An ex parte communication is defined as any contact, communication, conversation, correspondence, memorandum or other written or verbal communication, that takes outside of the public hearing, between a member of the public and a member of the quasi-judicial board regarding matters to be

1 heard by the Board. If anyone made any contact
2 with a Board Member regarding an issue before
3 the Board, the Board Member must state, on the
4 record, the existence of the ex parte
5 communication and the party who originated the
6 communication.

7 Also, if a Board Member conducted a site
8 visit specifically related to the case before
9 the Board, the Board Member must also disclose
10 such visit. In either case, the Board Member
11 must state, on the record, whether the ex parte
12 communication and/or site visit will affect the
13 Board Member's ability to impartially consider
14 the evidence to be considered regarding the
15 matter. The Board Member should also state
16 that his or her decision will be based on
17 substantial competent evidence and testimony
18 presented on the record today.

19 Does any Member of the Board have such a
20 communication and/or site visit to disclose at
21 this time?

22 MR. BEHAR: No.

23 MR. GRABIEL: No.

24 MS. KAWALERSKI: No.

25 MR. PARDO: Mr. Chairman, I had a brief

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1 communication with -- I had a brief
2 communication with a gentleman that is a friend
3 of mine, and he mentioned that something was
4 coming up before the Board, and that has no
5 influence whatsoever on how I would be
6 considering that particular application.

7 CHAIRMAN AIZENSTAT: Thank you.

8 Cristina.

9 MS. SUAREZ: Can you just let us know which
10 item that related to?

11 MR. PARDO: This would be the St. Theresa
12 school expansion.

13 CHAIRMAN AIZENSTAT: Thank you, Felix.

14 MR. PARDO: Thank you.

15 CHAIRMAN AIZENSTAT: Swearing in, everyone
16 who speaks this evening must complete the
17 roster on the podium. We ask that you print
18 clearly, so the official records of your name
19 and address will be correct.

20 Now, with the exception of attorneys, all
21 persons physically in the City Commission
22 Chambers, who will speak on agenda items before
23 us this evening, please rise to be sworn in.
24 Is anybody speaking in the Chambers? If you'd
25 please rise to be sworn in.

6

1 (Thereupon, the participants were sworn.)

2 CHAIRMAN AIZENSTAT: Thank you.

3 Please let the record reflect that Javier
4 Salman has arrived.

5 THE SECRETARY: Noted.

6 CHAIRMAN AIZENSTAT: Zoom platform
7 participants, I will ask any person wishing to
8 speak on tonight's agenda item to please open
9 your chat and send a direct message to Jill
10 Menendez, stating you would like to speak
11 before the Board, and include your full name.
12 Jill will call you when it's your turn. I'd
13 ask you to be concise, for the interest of
14 time.

15 Then phone platform participants, after
16 Zoom platform participants are done, I will ask
17 phone platform participants to comment on
18 tonight's agenda item. I also ask you to be
19 concise, for the interest of time.

20 First we have the approval of the minutes
21 of December 17, 2024.

22 MR. BEHAR: Motion to approve.

23 MR. SALMAN: Second.

24 MR. GRABIEL: Second.

25 CHAIRMAN AIZENSTAT: We have a motion to

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1 approve by Robert. We have a second by Julio.
2 Any comments?

3 Call the roll, please.

4 THE SECRETARY: Julio Grabiell?

5 MR. GRABIEL: Yes.

6 THE SECRETARY: Sue Kawalerski?

7 MS. KAWALERSKI: Yes.

8 THE SECRETARY: Felix Pardo?

9 MR. PARDO: Yes.

10 THE SECRETARY: Javier Salman?

11 MR. SALMAN: Yes.

12 THE SECRETARY: Chip Withers?

13 MR. WITHERS: Yes.

14 THE SECRETARY: Eibi Aizenstat?

15 CHAIRMAN AIZENSTAT: Yes.

16 The procedure that we'll use --

17 THE SECRETARY: Excuse me. Robert Behar?

18 MR. BEHAR: Thank you. Yes.

19 CHAIRMAN AIZENSTAT: Thank you.

20 The procedure that we'll use tonight, first
21 we'll have the identification of the agenda
22 item by the City Attorney. Then we'll have the
23 presentation by the applicant or its agent,
24 followed by the presentation of Staff. Then
25 I'll go ahead and open it to public comment,

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1 first in Chambers, then the Zoom platform,
2 followed by the phone line platform.
3 Afterwards, I'll go and close public comment.
4 We'll have a Board discussion, a motion if
5 necessary or needed, further discussion, and
6 second of motion, Board's final comments and a
7 vote.

8 On tonight's agenda we have -- the first
9 item is E-1, Ms. City Attorney.

10 MS. KAWALERSKI: And excuse me, Mr. Chair,
11 if I make a point of order regarding an
12 ex-parte communication. We had a late Board
13 Member come in, so I think we have to put him
14 on the record.

15 CHAIRMAN AIZENSTAT: Javier, have you had
16 any communication with anybody regarding any of
17 the items that --

18 MR. SALMAN: No. No.

19 CHAIRMAN AIZENSTAT: He's on the record.

20 MS. KAWALERSKI: Thank you.

21 And, also, not on the agenda, but I do want
22 to bring this up. It's the third meeting I've
23 brought this up so far. We were asking for
24 accountability on who did the change order for
25 the windows for the structure that was

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1 considered Mediterranean. That's the Paseo de
2 la Riviera, that now has sliding glass windows,
3 very not Mediterranean. Do we have an
4 accountability here?

5 MS. GARCIA: Yes, actually.

6 Can you hear me? Good.

7 So we did find those permits. I have,
8 actually, a copy of it right here. We were
9 able to research that. It seems like they were
10 approved during a shop drawing, during the
11 process, after the master permit was approved.
12 It was approved also during the shop drawings,
13 as well, by the former City Architect.

14 MS. KAWALERSKI: By the former City
15 Architect?

16 MS. GARCIA: Sorry, the former City
17 Architect approved the master permit, but the
18 shop drawings were the ones with the sliding
19 glass doors. Those were approved as a shop
20 drawing, which was not, at the time, reviewed
21 by the City Architect and his Staff. But since
22 then, we have corrected that issue. So now the
23 City Architect Staff now reviews those --
24 sorry, the echo is very distracting.

25 The City Architect now reviews those shop

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1 drawings to make sure that they are aesthetic
2 and that they are consistent with the approved
3 plans.

4 MS. KAWALERSKI: So this was a mistake?

5 MS. GARCIA: A mistake, as in it was not
6 sent to the City Architect, like it should
7 probably be, yes.

8 MS. KAWALERSKI: Okay. And that has been
9 corrected?

10 MS. GARCIA: Yes. Now that's part of the
11 review process in our job system.

12 MS. KAWALERSKI: Okay. Mr. Chair, I'd like
13 to bring this up at -- maybe as a last item
14 today, because I think that any time there's
15 any kind of change, especially of this kind of
16 significance, that that project should go back
17 through the process, right back to square one,
18 with the Board of Architects, because I'm sure
19 the Board of Architects would not have given
20 them a Mediterranean bonus with sliding glass
21 windows.

22 MS. GARCIA: Correct. So what the City
23 Architect does is that he bases his review off
24 of what's approved by the Board of Architects.
25 So if something is inconsistent, such as

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1 sliding glass windows or something that looks
2 obviously not Mediterranean or keeping with the
3 design, he does send it back to the Board of
4 Architects, because they typically don't
5 like --

6 MR. BEHAR: But when that project was
7 approved, probably, the requirement did not
8 exist that you had -- you know, you had to go
9 put other than a sliding glass door. The
10 sliding glass doors were permitted until the
11 last couple of years. So I would -- and, no, I
12 was not in the approval process there, that at
13 the time that they brought in the project, it
14 was okay to do -- it was permitted to do
15 sliding glass doors. It went through the shop
16 drawings review process, it complied, and it
17 went forward.

18 Now is when the process requires that the
19 shop drawings are reviewed specifically by the
20 City Architect and his Staff, but back then,
21 there's a lot of projects here that I assure
22 you was approved at the Board of Architects
23 with sliding glass doors.

24 MS. GARCIA: Correct. But I think what the
25 Board Member is trying to say is that she wants

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1 to make sure what's being approved as a master
2 permit is the same as what the BOA had approved
3 preliminarily, which is being done today.

4 MR. BEHAR: Today is being done.

5 MS. GARCIA: Yes.

6 MR. BEHAR: I mean, that project -- I don't
7 know -- has been completed for five years now,
8 four years.

9 MS. KAWALERSKI: Well, I'm familiar with
10 the project. I went to every Commission
11 meeting. I know the drawings inside out. It
12 did not have sliding glass windows.

13 MR. BEHAR: I think there was a black hole
14 that, you know, the shop drawings were not
15 being reviewed properly.

16 MS. GARCIA: Right.

17 MR. BEHAR: So it was no review, basically.

18 MS. KAWALERSKI: Okay. I just want to make
19 sure it doesn't happen again, because we're
20 giving developers Mediterranean bonus, which
21 residents are against, especially when they
22 find out that it doesn't look Mediterranean and
23 it doesn't have the elements that were approved
24 by the Board of Architects.

25 So you're assuring us that that process has

13

1 been corrected and this will never happen
2 again?

3 MS. GARCIA: Right. Yeah, because,
4 basically, when someone submits a shop drawing
5 into our system, Neogov, it's going to flag the
6 City Architect and his Staff to look at it.
7 And what they, basically, especially on
8 Mediterranean bonus buildings, they look at
9 what was approved by the Board of Architects,
10 and if it's not consistent, then they have an
11 issue and they let the applicant know that,
12 "Hey, you're asking for something that's not
13 consistent with what the BOA approved. You can
14 go back to BOA and have them look at it."
15 Usually they correct the issue. They don't
16 want to go back to the Board.

17 MR. BEHAR: I could attest that, today, our
18 City Architect is reviewing it, because my last
19 project that went through the permitting
20 process, there was a little deviation and we
21 made sure that we had to go back to -- and it
22 had nothing to do with doors. It was something
23 else.

24 MS. KAWALERSKI: Thank you, Robert.

25 Thank you, Jennifer.

14

1 CHAIRMAN AIZENSTAT: Thank you, Jennifer.

2 Let's go ahead and continue with E-1.

3 MS. SUAREZ: Thank you, Mr. Chair.

4 E-1 is an Ordinance of the City Commission
5 of Coral Gables, Florida, amending Ordinance
6 No. 2997 to add a new multipurpose building,
7 and increase the Maximum Student Enrollment
8 from 881 to 945 students for St. Theresa
9 Catholic School located at 2701 Indian Mound
10 Trail, Coral Gables, Florida; all other
11 provisions and conditions of approval contained
12 in Ordinance No. 2997 shall remain in effect;
13 providing for a repealer provision,
14 severability clause, and providing of an
15 effective date.

16 CHAIRMAN AIZENSTAT: Thank you.

17 MS. DOCKERTY: Good evening. I'm Suzanne
18 Dockerty, from the firm J. Patrick Fitzgerald &
19 Associates, address 110 Merrick Way, Coral
20 Gables. We represent Archbishop Wenski, who's
21 the property owner, Father Manny Alvarez, who's
22 the pastor of Little Flower Catholic Church,
23 and Sister Rosalee, who's the principal of St.
24 Theresa Catholic School. Father Manny and
25 Sister Rosalee are in attendance today.

15

1 We are pleased to present our application
2 and we thank you for your thoughtful
3 consideration. The application requests two
4 amendments to Ordinance Number 2991, approval
5 of a one story 19,123 square foot multipurpose
6 building for indoor athletics and a gym and
7 performing arts facility, to include
8 basketball, volleyball, performing arts, music
9 room, theater, special purpose classrooms for
10 arts and offices and storage areas.

11 There's also a request to approve an
12 increase in the maximum school enrollment that
13 was established in 1992 from 881 to 945
14 students. Please note, improving the school
15 campus with a multipurpose gym building is a
16 requirement for the school's accreditation
17 issued by the Florida Catholic Conference. It
18 will allow for all classes and performances to
19 be located safely within the school campus. So
20 students will no longer need to cross Sevilla
21 Avenue to participate in those activities in
22 the church sanctuary and Comber Hall.

23 It's important to also note that the school
24 enrollment has averaged 953 students for the
25 past 33 years. It was not until this current

16

1 application was submitted to the City's
2 Administration that they uncovered the 1992
3 Ordinance that had capped the enrollment. The
4 Staff acknowledges that neither the City, nor
5 the school administration, were aware of the
6 enrollment cap. The request to amend the
7 ordinance is, rather, a housekeeping item, to
8 better align the enrollment with what the
9 actual numbers have been over the past 33
10 years. The school will submit yearly
11 enrollment figures going forward with its
12 Certificate of Use, and it will not exceed the
13 945 maximum we are requesting this evening.

14 The current drop-off and pick-up
15 operational plans and patterns will remain,
16 because there is no increase in students. The
17 school's traffic engineer trip count analysis
18 confirmed the adequacy of the current patterns.
19 The drop-off/pick-up will remain under the
20 supervision and facilitation of the City's
21 Police Department.

22 The new building will actually improve the
23 number of afternoon pick-up trips, because more
24 students will be able to attend afternoon
25 sports and arts programs and be picked up later

17

1 in the afternoon.

2 The school retains a police officer to be
3 located all day on the school campus during
4 school hours for the safety and security of the
5 students, staff, and other occupants of the
6 campus.

7 The multipurpose building will not be used
8 to increase evening events, but will be used
9 for those that are already being held at
10 school. Those functions will be relocated to
11 the new building and include home and school
12 meetings, the occasional theatrical
13 performances, meetings and workshops. These
14 uses are passive, and they run no later than
15 9:00 p.m. at night. There will be no evening
16 sporting events or tournaments in the gym.

17 The new building would be located within
18 the northwest quadrant of the current school
19 field. The ball fields will shift to the east.
20 The current basketball and volleyball courts
21 will be relocated from the eastern most side of
22 the field into the indoor gym. These sports
23 are more intense, in terms of players and noise
24 volume. Relocating these sports, from this
25 area, to the indoor gym, will result in quieter

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1 field activities such as soccer. Soccer has
2 less players and they spread out over the
3 larger field. The soccer field will actually
4 be set back a greater distance from Palos
5 Street than where the current courts are
6 located.

7 Baseball will be located directly east of
8 the new building, to avoid balls being thrown
9 or hit outside the field's perimeter. Track
10 and field will remain on the perimeter of the
11 athletic field. There is no request for field
12 night lighting. There has never been, nor will
13 there be, field lights for night games or
14 tournaments.

15 The height of the new building is 25 feet
16 around the perimeter and steps up to 37 feet
17 within the interior to accommodate the gym and
18 it's substantially lower than the allowable
19 maximum height of 45 feet. All HVAC,
20 transformers and other mechanicals will be
21 located on the roof and/or the ground level of
22 the new building, with screening and landscape,
23 in accordance with the City's Code
24 requirements. All building lighting will be
25 contained within the campus and will comply

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1 with the City's Lighting Code requirements.
2 The school meets Green Building Certification
3 upon completion.

4 The construction entrance will be off
5 Valencia and into a secured and camouflaged
6 fence construction staging area located within
7 the field. There will be no access to the
8 construction staging area by anyone other than
9 those working in construction. Upon completion
10 of construction, the sidewalks and swale areas
11 will be restored to the City's Code standards
12 and requirements. In addition, landscape will
13 be installed and enhanced for beautification
14 and security along the entire perimeter of the
15 school campus and around the new building, all
16 in compliance with the City's robust landscape
17 requirements.

18 The school's perimeter fencing will remain
19 screen and landscaped. Construction of a
20 perimeter wall is incompatible with the
21 surrounding properties. It has a negligible
22 impact on noise mitigation. Commencement of
23 construction will be upon approval by the City
24 of the construction plans and specification and
25 issuance of a building permit. It is also

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contingent on funding being raised by the church and school during their ongoing capital campaign. Construction is expected to last no more than 18 months after commencement.

We thank you for your time and we respectfully request your approval of our application.

I do request rebuttal time, to address any public or Board comments, if appropriate.

Now I turn the presentation over to our team of architects, led by Michael Ehrling of Zyschovich.

MR. EHRLING: Thank you.

Thank you distinguished Board for hearing us today and, also, thank you, the community, for coming out today to see this important project for the school.

We're very proud to be part of this project --

CHAIRMAN AIZENSTAT: Could I ask you to just state your name and address, for the record? Thank you.

MR. EHRLING: Oh, I'm sorry. Michael Ehrling with Zyschovich, 100 North Biscayne Boulevard, Downtown Miami, but, again, to

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As you can see, it's almost double, as well as much less intensity, as we're moving all of the basketball into the gymnasium space, for a fully contained and protected from the sun space.

Here you could see the overall plan to the school, and as was distinctly pointed out, this is a gymnasium facility. It will have the ability to also perform plays, which are currently done at the school, but this will give them a much better venue for doing that. It will provide some additional classroom spaces, simply to support what was already there, not add additional students that are part of the school, but, basically, an art classroom, a music room to support the stage and a language lab, and some dressing rooms at the back.

And here you can see, also, as mentioned with the section, we are complying with the minimum height for gymnasiums for safety for students, because of basketball and volleyball and the heights that is required for these things. And, then, we're also, from there, stepping it down to the community, using

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reiterate, we're very proud to be here, very proud to work with the Archdiocese on this wonderful project for the school, to bring this amazing amenity to the students.

As you can see here, the initial rendering that you could see from Indian Mound Trail was worked extensively with Building -- with Planning, with the City Architect, and Historic, in order to sculpt a building that we believe will fit wonderfully with this historic campus.

Next slide.

Here you can kind of see a before and after, where, to the right, you have the existing fields, with the ball field out there, and then basketball courts that are off to the right. The new facility will bring the building over to Indian Mound Trail and Valencia, that corner, near the entry to the school, and then it will have a multipurpose field, with a walking track that goes around it. This will also, in part, as you see on the next slide here, move many of the field amenities, especially anything that's noise generating, further away from the community.

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colonnades along the side and sloped barrel tile roofs to (A) give the look proper for this location and also a building that feels like it steps down and scales down to the neighborhood along the community.

Here, again, you could see the setbacks. We are fully complied, and overly complied with many areas of all of the setbacks, the FAR and the height requirements at this location.

And here, again, you can see some renderings. The front -- at the top right, the front facade, opening out to the existing drive court, which during the day acts as an area of play for the students. The fields would be off to the side.

Again, the lower left corner, you could see how the school will front -- this new building will front out to the playground, again, with a porch at that location, and in the top right, you would see the facade that will be facing Indian Mound Trail. And in the lower right, you would see, then, the facade that would be facing Valencia. All, again, stepping down to the community in a very sympathetic and cohesive facade with the overall current

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1 school.

2 And of course, here's a rendering across
3 the entire frontage of Indian Mound Trail. You
4 can, of course, see the church off to the
5 right, then the school, and then the playground
6 spaces, and then the building and facility
7 itself.

8 The front facade facing the players -- the
9 drive court, and also addressing to the
10 existing school across from that.

11 And with that, we will open it up to any
12 questions in the next step in this process.

13 CHAIRMAN AIZENSTAT: Thank you.

14 MR. EHRLING: Thank you.

15 CHAIRMAN AIZENSTAT: Next we have Staff.

16 MS. GARCIA: Jennifer Garcia, Planning and
17 Zoning Director.

18 So there are two parts to this amendment to
19 Ordinance 2997 --

20 CHAIRMAN AIZENSTAT: Jennifer, it's hard to
21 hear. Bring it closer. Thank you.

22 MS. GARCIA: Oh, I'm sorry. This
23 microphone is a little weak. Can you hear me
24 now? Sort of? I have to stick it down my
25 throat. My gosh. Okay.

25

1 So, as we know, this site is south of --
2 oh, my gosh, I forgot the name of the street.
3 Valencia -- Valencia, thank you, Indian Mound
4 on the west side and north of Sevilla. It
5 encompasses basically a large square block in
6 the neighborhood.

7 And as you can see here, the school is
8 located mostly on the south side, and the
9 project site that they're really looking at is
10 the north part of this block. The Future Land
11 Use is educational use, and the Zoning is
12 Special Use District.

13 And the first part of the request is a new
14 multipurpose building. As you can see here,
15 that's that north part of their property, and
16 the building would be sitting on the very east
17 -- sorry, the very west part of it, but the
18 field is being reconfigured on the east part.

19 So zooming in to that floor plan, they
20 have, you know, a lot of extracurricular
21 classrooms and rooms, a music room, hall of
22 fame classrooms on the south side, offices, the
23 gymnasium, and, of course, this is the main
24 center of the building, (unintelligible) on the
25 north side. This is a rendering of what it

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1 looks like facing the interior of kind of the
2 pick-up/drop-off area that they have.

3 The second part of the request is basically
4 correcting the maximum enrollment according to
5 the Ordinance. So Ordinance Number 2997 had a
6 capacity of 881 students. I'm told by the
7 applicant, they were not aware that this was
8 actually the cap. They were thinking that they
9 gave the existing enrollment, which is why it
10 says, "Existing capacity." So part of the
11 proposal is to correct that.

12 Now, looking over the past, what is this,
13 30 years, enrollment's kind of being varying,
14 which means from 775 students up to a thousand
15 students. So they are requesting to correct
16 that number, from the 881 that right now is in
17 the Ordinance to be 945.

18 And this was reviewed by DRC back in
19 December of 2023, the Board of Architects a few
20 times in 2023, with final approval last year in
21 November. It went to the Historic Preservation
22 Board, because it is in a Historic District, in
23 December. They had their neighborhood meeting
24 also in December. And here we are tonight for
25 the Planning and Zoning Board.

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1 Letters to the property owners were sent
2 out to neighbors within a thousand feet of the
3 property, and that was sent three times. The
4 property was posted eight times, for the BOA
5 meetings. Website posting was three times, and
6 newspaper advertisement for Historic
7 Preservation and for tonight's meeting.

8 So Staff has reviewed this. They find it
9 to be consistent with the Comp Plan, and they
10 find that it complies with the Zoning Code. So
11 we do recommend approval, subject to many
12 conditions of approval. All of the conditions
13 that are contained within Ordinance Number 2997
14 will remain, but there are some additional
15 recommended conditions of approval.

16 The first one being an annual letter of
17 student enrollment, to make sure that they do
18 not go beyond that 945 enrollment cap, as well
19 as sidewalk improvements and widening on the
20 Valencia, on the north side. Right now it's a
21 four-foot sidewalk. Staff is recommending that
22 it be a five-foot sidewalk, so it's, you know,
23 ADA compliant and fits in the character of the
24 neighborhood. A Green Building Certification
25 of the new building itself, an off-duty police

28

officer for special events, and then underground utility lines along Valencia, as approved by FPL, of course.

Thank you.

CHAIRMAN AIZENSTAT: Thank you.

Jill, how many speakers do we have in Chambers?

THE SECRETARY: Yes. We have three in the Chambers, and no one has requested to sign on Zoom -- to speak, sorry.

CHAIRMAN AIZENSTAT: Could we please call the individuals in order?

THE SECRETARY: Sure. I just got a request via Zoom.

Let's see here, Barbara McPhillips.

MS. MCPHILLIPS: Good evening. My name is Barbara McPhillips. I'm here with my husband, Jim McPhillips. We are lucky to live at 1225 Almeria Avenue. And I'm also here on behalf of Virginia Lovaton, who I believe is on Zoom. She resides at 1228 Valencia, and Margarette and Bettina Bunge, who resides at 1225 -- excuse me, 1220 Valencia, and Chris Elias and his wife, Maria, who are at 1223 Almeria.

We are the residents on -- our house is at

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the corner, at the end of Almeria Avenue, at Palos Street. If you haven't been there, Palos Street is more like an alley. It's not as big as Sevilla and Valencia.

We love our neighborhood. Almeria, as you know, is historic, but as I drove down this evening, and I drove all of the way down to my home, I'm greeted with a high chain link fence and I think it's time to make some changes. I'm happy to see that St. Theresa is making these changes. I'm a first grade teacher in Coral Gables for over 25 years. I know what soccer games sound like. I know what recess sounds like. I have a lot of experience in that area.

I'd like to share some of our concerns. We are actually in favor of St. Theresa making the property up-to-date to what is current within Coral Gables. That helps our property value, as you know. But our first concern is noise and privacy.

With the request to move the soccer field from the center to over to the east side, there's nothing on the plans that we saw for noise abatement. I take issue with the fact

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that someone, the attorney, said that soccer games are not noisy. There are more players, and they scream. I've heard it, and I understand it, but I think we have a right for peaceful use of your property, and we would recommend keeping the soccer field in the center, where it is now. We can hear it, but it's not quite as deafening as it might be next to our property with very -- there's no sound abatement right now. Soccer matches are very loud activities, and the soccer field, we feel, should remain in the center.

We also have concerns about weekends. We understand -- we had a concern about night lighting and sound, but weekends. That's the time, as we all are, we're in our homes. We're having a cup of coffee. And I can't imagine having loud soccer games, baseball games, all day Saturday, all day Sunday. We wonder what will the restrictions be for the competitions.

In addition to that, will they be able to rent out those fields. Brand new fields are very popular and in need, and will there be restrictions on the hours of use on Saturday and Sundays. How will you protect our

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homeowner's expectations to be able to enjoy our backyards peacefully when large noisy crowds attend the athletic games and matches near their properties on a year around basis? Soccer is a year around sport. I'm not sure about baseball.

I wanted to move down to another concern, which is traffic congestion and pedestrian safety, a big concern. If -- my husband might be able to speak better, because, frankly, I'm teaching all day in Coral Gables at another school. We object to adding the sixty plus additional students of the school. We didn't even know -- we suspected there were almost a thousand, because of the number of cars. I've had cars drive over my drain field trying to get away from that traffic. We had to get a new drain field.

Jim, could you speak to what you see during the day?

MR. MCPHILLIPS: When I basically -- hello. What I basically see --

CHAIRMAN AIZENSTAT: Could you just state your name, for the record?

MR. MCPHILLIPS: James McPhillips.

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CHAIRMAN AIZENSTAT: Thank you, sir.

MR. MCPHILLIPS: Basically, we have congestion at, you know, pick-up and delivery times. I can barely get out of my garage, because people are coming in, on the eastern side of Palos, and I can't back out, and I've had to encounter traffic -- I've almost run into a couple of accidents. So the traffic situation, for me, is very concerning and I would like this to be addressed.

Now, one thing that I have not seen is what is being done for noise abatement on the east side. We're always talking on the Indian Mound side, but we are not talking about the noise abatement on the eastern side of Palos Street, and I would like that to be addressed.

So I'll let you --

MS. MCPHILLIPS: Okay. Our next concern is landscaping and aesthetics. As you know, Almeria Avenue, the McPhillips family has owned their property since the 1950s. We love the neighborhood. We love the school. However, the current proposal does not mention the landscaping on the east side of the project. The school must revise the plans to include

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trees, shrubbery and an appropriate perimeter wall for sound abatement and to enhance the beauty of your historic neighborhood.

If I'm not mistaken, Virginia Lovaton's house, at 1228 Valencia, was one of the first five buildings in Coral Gables, and across the street, at I believe it's 1220 Almeria, which just sold, was also one of the first buildings in Coral Gables. It's a beautiful neighborhood.

Other private schools in Coral Gables, for example, St. Thomas Episcopal, that's one example, have beautiful walls around their sports fields. Why not St. Theresa? I drive by Coral Gables High. They don't have a chain link fence on Riviera. They have a metal fence, which does nothing for sound, but I think it is an upgrade. I think it's time for the east side of St. Theresa to be upgraded to what our neighborhood expects and demands, because of its historic value.

What are the commitments to maintain green spaces and create the visual barriers -- sound is something but also visual barriers -- around the new expansions and especially the fields?

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The next concern we have is lighting and nighttime use. I believe that is covered. I hear just weeknights. What about weekdays? Will the school -- what kind of schedule will they have for those weekend games, Saturdays and Sundays?

The fifth one is property value and community impact. Has the school and local government assessed the potential impact on our neighboring properties if we don't take care of some of our concerns?

I think we've addressed the construction time line compliance and we understand the workers are going to be parking inside. They're not going to be using Palos Street as a staging ground, for example.

Will there be a Conditional Use permit or legally binding document or agreement that outlines the specific conditions, no night games, traffic mitigation, moving fields, penalties for non-compliance, because I don't think it's fair to the residents to say, "Oh, we didn't know." I don't think I can say, you know, about, "I didn't know I can't have such and such on my property or a chain link." I

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just think I have a duty to know what the laws are to live and have the privilege of living in this beautiful City.

So the McPhillips, Lovaton, Bunge and Elias families, we're all long-time residents. By raising these questions and concerns, we insist that St. Theresa and the Coral Gables Planning and Zoning Board recognize our objections and concerns as valid, in order to maintain our property values and the peaceful use of our properties and take the appropriate action.

We really appreciate it. We love Coral Gables. And thank you for the opportunity to speak tonight.

MR. MCPHILLIPS: Thank you.

CHAIRMAN AIZENSTAT: Thank you.

Next speaker.

THE SECRETARY: Mr. Elias. He's on Zoom.

CHAIRMAN AIZENSTAT: We have nobody else in Chambers?

THE SECRETARY: No.

Oh, I'm sorry, Mr. Banos. Javier Banos, please.

MR. BANOS: Good evening, everyone. Javier Banos Machado. I live at 1253 Anastasia

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Avenue, Coral Gables, Florida. I'm here speaking exclusively as a resident. I'm a member of the Historic Preservation Board, but I am not here in that capacity.

My home is at the corner of Anastasia and Palermo, which is right across from the Church of the Little Flower. It was a convent for the church for 35 years before I bought it about two years ago, but I've been a parent at St. Theresa since my kids were in Pre-K3. My daughter is about to finish 8th grade. So I have a breath of experience in everything that happens at St. Theresa and I'm now directly affected by what happens at the school.

I'm here to talk in support of the petition of the church and of the Archdiocese, and then perhaps give you somewhat of a different perspective of the prior speaker, from not only a neighbor, but also as a parent, who has been at the school.

There's typically -- the only time that there's traffic, if you will, it's clearly at drop-off and pick-up at the school. And if I could have -- the Staff provide a picture that was an aerial view of the school. If I could

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have that put back on, I would appreciate it.

So what happens is, in the morning, from about 7:20 okay, to about 7:45, all of the kids have to be there. There's two bells, one at 7:42 and one at 7:45, that the kids have to be inside the school. So you do get a line of cars, that come from Palermo, in front of Indian Mound Trial, in front of the church, and into the school. That happens for that window of time only.

And, then, the school has made an effort to actually have all of the teachers in front to gather -- the kids actually come out of the cars, and guide them into the property, and then, when the pick-up happens, there's an application that actually -- for the kids to actually -- for the parents to notify the school that the child is there and they're ready to pick-up. So the child is ready, okay, the moment the parent comes in. The parent comes around the blacktop right in front of where this building is being proposed, and the parent essentially has the kid brought into the vehicle and go around.

The McPhillips are on the other side, on

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the Sevilla and Palos side. There, it's only the kids that are typically in the smaller grades. So typically the Pre-K3, Pre-K4, the smaller kids. They're the ones that actually would come through the Palos side, into -- through the cafeteria area, outside. And, again, that is a very short window.

The only folks -- I'll be honest with you -- that take a little longer is that you have some very committed grandparents, who want to be the first ones in the -- you know, be the first one's to pick up, so they do line up, maybe about ten of them, in front of the school, on the Indian Mound Trial, and they are there maybe about an hour before, but it's -- really, you're talking about a half an hour window, between 2:30, 2:45 and three o'clock, when the actual pick-up happens.

Weekend games today, okay -- there are no night games, because there's no light there, okay, and there will -- as far as I understand it, there will be no light there. So, as a parent, when I'm there, the soccer field is in the middle, okay, of the area, and what's happening is, there's a very, very small, you

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know, whatever the particular line is for a basketball field on the side, which is very rarely used, because basketball only happens on Sundays -- I'm sorry, on Saturday mornings, that there's a particular person who has a plan to actually -- for the parents to pay for them to do the program for the basketball, but that only happens a small period of time. That's not going to really affect much of everybody who's going to be on this side, and, again, traffic happens to that area very, very quickly.

Now, there is around that entire area of the school -- so we're talking about everything that is on the end. There's one home on Indian Mound Trial. There's my house on the other side of the church. There is the deacon's house which is behind the church and he's not going to complain because he's the deacon. And then the folks on -- the McPhillips, which are on this side of the property.

All of that entire area has a hedge which is six feet, Father?

MS. MCPHILLIPS: They have one, but --

CHAIRMAN AIZENSTAT: What I've got to ask

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1 if, anybody who speaks, must speak into the
2 microphone.

3 MR. BANOS: I apologize, Mr. Chair. I
4 mean, I'm not trying -- but there's a hedge,
5 right, and then there's a covering around it.
6 So there is noise, because it's a school, and
7 when I bought my house in front of the church,
8 I knew people were going to park in my lawn,
9 okay. I knew there were going to be weddings.
10 There were going to be folks who were going to
11 be rowdy and noisy in Comber Hall in front of
12 my house. That's what happens when you decide
13 to buy a home in a place that is used by the
14 public, okay.

15 I don't necessarily believe that the half
16 an hour or 45 minutes that the school is
17 outwardly used in the middle of the workday, at
18 2:30 in the pick-up, is really going to affect
19 much of the quality of the neighborhood that is
20 around, and certainly, my experience, at least,
21 in the very early morning, when the kids are
22 dropped off, it is also not a difference.

23 Part of what's happening here is, we are
24 actually getting this school back to what it
25 should be, okay. This was a historic property,

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1 that was originally organized for a small
2 school for girls, okay, and the school has had
3 to make additions and modifications to the
4 original historical building to accomodate a
5 lot of the necessity that it has to have, a
6 certain program to have, a music room to
7 everything else.

8 So, one of the things that's happening is
9 that we're actually getting in the school to
10 have the chapel back, okay, and we're going to
11 restore the interior chapel, because the chapel
12 today -- what we have today as the music room
13 used to be the chapel, okay. The idea behind
14 this is to actually preserve this building as
15 it was originally intended, and move a lot of
16 the modernity that has been added to schools
17 into this multipurpose building.

18 I've kept abreast of the process that this
19 building has undertaken, that went through many
20 iterations in front of the BOA. Father kept
21 the entire congregation abreast of the -- of
22 what was happening there, and they have made
23 diligent efforts to bring back -- down the
24 scale of the building to actually make -- to
25 protect the concerns of the neighbors and bring

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1 all of those things into play, okay.

2 So I would encourage you to support the St.
3 Theresa family and to support the students of
4 St. Theresa and the parents who go there. As a
5 neighbor, I can say that I don't think that
6 what's being asked of you is overly burdensome.
7 Certainly, the McPhillips have -- and all of
8 the neighbors have a real concern, and if the
9 school can do something to ameliorate their
10 issues, that's something that should be looked
11 into, but my perspective, at least I'm not
12 there -- I don't live their lives obviously,
13 but from my perspective, as a neighbor, in the
14 position that I am, in front of the church, I
15 don't experience what they have experienced.

16 CHAIRMAN AIZENSTAT: Thank you.

17 Any other speakers?

18 THE SECRETARY: Not in the room.

19 CHAIRMAN AIZENSTAT: In the Zoom?

20 THE SECRETARY: Yes. Chris Elias.

21 MR. BEHAR: I thought, Mr. Chairman, the
22 first speaker spoke on his behalf, right?

23 CHAIRMAN AIZENSTAT: What do you mean on
24 his behalf?

25 MR. BEHAR: Yeah, because I think the first

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1 speaker came and said she was speaking on
2 Mr. Elias' behalf, as well.

3 MR. ELIAS: Yeah. Sorry.

4 CHAIRMAN AIZENSTAT: One person -- there he
5 is. He's over there now. He was at the house,
6 that's what it was.

7 MR. ELIAS: Yes. Chair, I was unable to
8 mute.

9 Thank you for the time. Chris Elias. I
10 live at 1223 Almeria Avenue. I think, you
11 know, Barbara and Jim did a really good job --

12 CHAIRMAN AIZENSTAT: Sir, if you want to be
13 sworn in for evidentiary value, then we need to
14 see you.

15 MR. ELIAS: You're not seeing me?

16 CHAIRMAN AIZENSTAT: No, we cannot.

17 MR. ELIAS: My camera is on.

18 THE SECRETARY: He's on.

19 CHAIRMAN AIZENSTAT: Is it something with
20 IT?

21 THE SECRETARY: I guess.

22 MR. BEHAR: Yes.

23 THE REPORTER: I can go to her computer and
24 swear him in from there.

25 CHAIRMAN AIZENSTAT: Is that going to be

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1 okay without -- okay.
 2 (Thereupon, the participant is sworn.)
 3 CHAIRMAN AIZENSTAT: Let the record state
 4 that the court reporter went over to the
 5 computer and visually saw the witness.
 6 MR. ELIAS: Thanks so much for your time
 7 this evening. Chris Elias, 1223 Almeria.
 8 I largely agree with everything that
 9 Barbara and Jim summoned up. I don't want to
 10 reiterate every point that she made. I think
 11 she did a really good job. The prior speaker,
 12 I respectfully disagree, in terms of the time
 13 and where cars line up. You know, cars are
 14 stacked on Palos, cars are stacked on Sevilla,
 15 cars are stacked on Valencia and cars are
 16 stacked on Columbus, and I have two little
 17 girls, that, you know, one goes to ECC, which
 18 is a pre-school just north of the Biltmore. We
 19 have the privilege of being able to live in
 20 this beautiful community and walk her to school
 21 and pick her up and walk about to our house
 22 every single day.
 23 On a constant basis, crosswalks are blocked
 24 by parents that are aggravated by long lines.
 25 A lot of times, I've seen people shouting at

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1 other cars, cutting other cars in different
 2 directions.
 3 I work up in Blue Lagoon, so when I go to
 4 work in the morning, I'll make a right onto
 5 Palos from Almeria. There are cars that
 6 sometimes go on the wrong side of the road.
 7 I've almost gotten into a head-on collision.
 8 So I think safety is completely underestimated
 9 here. And just because you guys did not follow
 10 an Ordinance in 1992 doesn't make it right, and
 11 I'd like to know what the recourse of penalty
 12 would be for not following that. I'd also like
 13 to see the enrollment data pre-1993 to see what
 14 that looked like, if there was truly a mistake
 15 or on purpose.
 16 And I think -- you know, enrollment looked
 17 like it was 911 as of 2024, and if these
 18 problems are prevalent with 911, I can't even
 19 imagine at 945. Thank you.
 20 CHAIRMAN AIZENSTAT: Thank you.
 21 Do we have any other speakers?
 22 Jill?
 23 THE SECRETARY: Does anyone wish to speak
 24 on Zoom on this item, please?
 25 CHAIRMAN AIZENSTAT: No? What about the

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1 phone platform?
 2 THE SECRETARY: No.
 3 CHAIRMAN AIZENSTAT: At this time, I'll go
 4 ahead and close it for public comment. I would
 5 like to -- do you have any rebuttal, for the
 6 Plaintiff?
 7 MS. DOCKERTY: Not specific rebuttal. You
 8 know, drop-off and pick-up times, anybody who
 9 lives by a school is familiar with that. You
 10 know, it's just part of the business of running
 11 a school. It does move quickly. We have
 12 police officers with the City of Coral Gables
 13 that facilitate our drop-off/pick-up and I
 14 think we do, you know, a fairly -- a pretty
 15 good job of it.
 16 But I will be here for any specific
 17 questions the Board may have or Staff.
 18 CHAIRMAN AIZENSTAT: Thank you.
 19 Cristina, I'd like to ask you one question.
 20 Before we open it up, we have an item that's
 21 time certain for seven o'clock.
 22 MS. SUAREZ: Yes.
 23 CHAIRMAN AIZENSTAT: So I don't know if --
 24 MS. SUAREZ: So that just means you cannot
 25 hear it before seven o'clock.

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1 CHAIRMAN AIZENSTAT: Okay. I just wanted
 2 to be clear on that. Thank you.
 3 MS. SUAREZ: Sure.
 4 CHAIRMAN AIZENSTAT: Chip, will you start?
 5 MR. WITHERS: Yeah, I'll be --
 6 THE SECRETARY: Can you turn on your mike,
 7 please?
 8 MR. WITHERS: Thank you.
 9 This is, I think, a good problem to have.
 10 We all want good schools, and I think it
 11 improves the value of Coral Gables, and St.
 12 Theresa is an institution in Coral Gables, but
 13 with saying that, I do think we have to be very
 14 clear with the balance of the neighbors.
 15 I've been driving by that school for as
 16 long as I can remember, and I think some of the
 17 aesthetics, the chain link fence and whatever,
 18 I think now is an opportunity to take a look at
 19 that.
 20 I do think that there is either been some
 21 miscommunication or misunderstanding, because
 22 the previous speaker spoke to specific issues
 23 that seem to have already been resolved. So I
 24 don't know if there were neighborhood meetings,
 25 how many there were, were these questions

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1 asked. I mean, as far as the -- obviously, the
2 nighttime lights, the noise of the soccer
3 field, was all of that brought out --

4 MS. DOCKERTY: We had a neighbor meeting.
5 Questions were asked. We submitted a summary.
6 It did include the questions that are being
7 raised here, and we responded accordingly.

8 MR. WITHERS: The only suggestion that
9 might help, and, again, I draw on experience
10 from the Coral Gables Youth Center, the field
11 is basically closed to any organized events on
12 Sundays. You can't have an organized team
13 sport. Obviously families can come and use the
14 field, which is probably a suggestion. I don't
15 know if the school would allow that, for
16 insurance reasons, but the City seemed to get
17 around that issue.

18 Secondly, the field is not to be rented out
19 or leased out to anyone other than St. Theresa.
20 So you can't bring in a local soccer league to
21 use the field. You can't bring in a local, you
22 know, flag football group to use the field. It
23 has to be strictly St. Theresa athletics and
24 activities. That somewhat restricts the use of
25 the field.

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1 And I also think that there's no reason in
2 the world why there can't be some nice
3 landscaping to buffer that east side. Looking
4 at the pictures, the swale looks large enough
5 and I think we have some precedent on -- was it
6 St. Phillips, where we required the school to
7 actually go in and landscape the swale, to keep
8 them, both, from parking on the swale and also
9 for beautification.

10 So those are the only comments I have, Mr.
11 Chair.

12 MS. DOCKERTY: If I may make one comment.
13 We have a very detailed and robust landscape
14 plan that's part of our package. It does
15 include extensive landscape on the east side --

16 MR. WITHERS: Okay.

17 MS. DOCKERTY: -- but the installation will
18 be done at completion of construction. The
19 entire perimeter of the property will be
20 re-landscaped, enhanced landscaped, beautified.
21 So if there are bald spots, it will not remain.

22 The City through the process we've been
23 through have been very, very particular and
24 concerned and very high standards imposed on us
25 for what their landscape requirements will be,

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1 but acknowledging, because of construction, you
2 don't want to require plantings now, only to
3 have everything destroyed or die. So we will
4 be doing that as soon as construction is over.

5 MR. WITHERS: So is the fencing still chain
6 link fencing?

7 MS. DOCKERTY: Yes.

8 MR. WITHERS: Why wouldn't you want to
9 remove that?

10 MS. DOCKERTY: It serves the purpose of
11 which it always has and the landscape
12 camouflages it.

13 MR. WITHERS: The purpose of -- when you
14 say, "It serves a purpose," of what, keeping
15 the kids on the field?

16 MS. DOCKERTY: Correct.

17 MR. WITHERS: Well, an ornamental fence
18 could serve the same purpose, couldn't it?

19 MS. DOCKERTY: We have never been asked or
20 inquired, either through the Board of
21 Architects or any -- the City Architect to put
22 any other type of fencing there. It's been
23 there. It served the purpose. We keep it
24 landscaped. If, like I said, right now there
25 may be bald spots, that will not remain that

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1 way, but it's -- we even have a screening on
2 the fences. So it's camouflage and it's
3 just --

4 CHAIRMAN AIZENSTAT: Is it camouflaged from
5 the side of the school or camouflaged from the
6 side of the residents?

7 MS. DOCKERTY: Do you know where the
8 camouflage --

9 MR. EHRLING: The landscaping is on the
10 outside from the school side. So it's on the
11 perimeter where the residents are, not on the
12 inside where the school is. So the fence is
13 visible from the school --

14 CHAIRMAN AIZENSTAT: Not from the
15 residents?

16 MR. EHRLING: -- not from the resident side.

17 CHAIRMAN AIZENSTAT: Okay. And the
18 landscaping that you would put in afterwards
19 would be a sound barrier type of landscaping,
20 not a low, shallow type of beautification
21 landscaping?

22 MR. EHRLING: That would be correct.
23 Currently, all of the landscaping is above the
24 height of the fence. So, in theory, with the
25 exception of a bald spot or two, the fence

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would not be visible from the community. And, of course, the school is very amenable to working with the community on landscaping, intensifying areas, in order to beautify the overall neighborhood, which is really the intent of what they are also trying to do here, besides a safe facility for the students.

CHAIRMAN AIZENSTAT: Thank you.

MR. WITHERS: Can I just --

CHAIRMAN AIZENSTAT: Yes.

MR. WITHERS: Do you have a problem with restricting the use of the field to St. Theresa activities only and not leasing it out to private clubs?

MS. DOCKERTY: If I could, I'll defer to Father Manny Alvarez. If he could come up and speak to that. He's the applicant, and the Pastor of the church.

FATHER MANNY ALVAREZ: Good evening, everyone. Father Manny Alvarez, resident of 1270 Anastasia Avenue and Pastor of the Church of the Little Flower and St. Theresa Catholic School.

No, we will not -- first of all, Sunday is not the Lord's day. We don't even execute

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people on Sunday in this country. So we will not be doing any sports on Sunday. And on Saturdays, it will be limited to what we have now, which is the intramurals, which I believe are only on Saturday mornings.

MR. WITHERS: So it would only be St. Theresa School activities?

FATHER MANNY ALVAREZ: It will only be St. Theresa. We are not looking forward to renting it out to anybody else, just for the use of our students and our purpose.

CHAIRMAN AIZENSTAT: Thank you.

Chip, anything further?

MR. WITHERS: That's it. Thank you very much.

CHAIRMAN AIZENSTAT: Felix.

MR. PARDO: I think that the architects did a very good job with the -- working with the Board of Architects, because you can see that there were half a dozen meetings, and they did a very, very good job.

One of the great things about having this gymnasium now is that a lot of what would have been exterior noise is now interior noise, inside of the building, and those are very loud

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buildings, but I think that this really serves a very good purpose.

I agree with the neighbors on both things. Number One, in order to be able to get the building in there, the architects pushed the building -- or the playing field toward the east, to be able to compensate for the footprint of the building on the west side. In doing so, they did it toward the east, and I think that additional buffering, I think, would be important.

I'm saying this, because, you know, it's like the analogy of you move next to the airport and then you complain about the airplanes. In this particular case, there's an improvement being made, and St. Theresa has served a crucial purpose in the City since the late 1920s, and I think that they provide a service to the community, and I think that -- I think that they can accommodate some of these issues with the neighbors.

I looked at the previous two conditions, the Historical conditions there, and there are limitations. Not only are there limitations to the amount of students, but also the

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limitations of traffic and landscaping, et cetera. Unfortunately what happens is, well, Public Works will do the landscaping or Public Service or the Building Department will do this. I think that this has to be a more holistic -- in my opinion, Father, I think that extending a tremendous olive branch to these neighbors that have these concerns in a direct way, in a positive way, where everybody can walk away there, you know, in a good thing, I think that would be great.

I also believe that the chain link fence does not do anything, and the landscaping won't do very much, from a noise standpoint. And kids are kids. I've got three. When they all grew up, they had all had intramurals on Saturdays. Unfortunately, they didn't have a nice interior gymnasium and we had to take them, you know, all over the County to be able to play their games. So I think that the need is there, plus the fact that now it's going to do other things, such as music and performances, and it just gives an anchor and a sense of community.

So I would hope that you could work

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something out, where maybe -- maybe not a solid wall, but it could be some type of metal solid -- solid metal, where it has -- you know, it's attractive, and at the same time, it can be -- the sound attenuation would be at maximum. So, a picket fence, as the example that was given earlier today, will be a failure. The landscaping, in my opinion, will be a failure. But something solid, whether it's a metal prefabricated, approved by the Board of Architects, aesthetically beautiful, and then buffering it with landscaping on the neighbor side, I think would go a long way to solving the sound problem. We've done it in my practice successfully, without any issue.

The other thing is that, I think that the original conditions -- both of these conditions were signed by Mayor Corrigan in 1990 and 1992, and those conditions, I think, should be incorporated, besides the amount of students. The amount of students in the increase, we're talking about approximately nine to ten percent. That's not a lot, as far as the actual impact on the surrounding neighborhood. The other thing is that, having the functions

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inside, will ameliorate the issue of the noise outside.

The other thing is that, one of the noisiest places is where the kids leave their bookbags, et cetera. You could see that the bookbag location for pick-up is immediately south of the new proposed gymnasium, which actually will reduce the amount of noise, just from the chaos that happens at pick-up time.

On the traffic standpoint, with all due respect -- and I saw Mr. Plummer in the audience somewhere, with all due respect to traffic engineers, I think that the people that are in impacted have a much better understanding of what the issues are than, you know, putting a piece of rubber hose across the street and figuring out how many cars are going by, when they don't understand where they're stopping their cars, where they're doing that, and that's where, I think, that the church has to step in, with the school administration, and lay down the law, when it comes to the parents and being cooperative, as far as maintaining a type of order.

I think that, unfortunately, the cuing

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lines become very long. People get there very early. It becomes, like it was said before, a place to socialize, but I think, at the end of the day, you have to listen to the neighbors, and you have -- my opinion is, a condition should be that you meet with the neighbors, at least, you know, during the school year, where things are worked out at the beginning, and in the middle, and that kind of thing. I truly believe that would be being a good neighbor.

So I don't have an issue with the application, as long as we condition it. I think Chip came up with, you know, a very, very -- happens every once in a while, but he came up with a very good idea, as far as the use on the field and the limitation. I think that's extremely important.

Father, you said you don't have an issue with that, so the condition shouldn't be a problem. But I think that the fence, I think is key, to give peace and tranquility to the neighbors, were it solid, and there are ways of doing it, where it can look very nice and be part of what we expect in Coral Gables, which is what the neighbors are looking for, and at

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the same time, the issue which happens in every school, which happens everywhere, and that is that we have to maintain an understanding and listen to what the neighbors are saying during the school year, and I know that you would do a great job doing that.

That's all, Mr. Chairman.

CHAIRMAN AIZENSTAT: Thank you, Felix.

Sue.

MS. KAWALERSKI: Thank you.

First of all, it reckons back to Buffalo, New York, where I grew up, seeing the nuns here, because I grew up with the Felician nuns through elementary school and high school. So it's good seeing you.

First of all, the building, I think, looks terrific. I think it fits with the character of Coral Gables. It's a rather large building, for the site, I think, because when I saw the aerial -- is that the largest building on that site?

MR. PARDO: No.

MS. KAWALERSKI: No? It's not?

MR. PARDO: The tallest one is the classrooms, which are three stories.

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1 FATHER MANNY ALVAREZ: The original --
2 MS. KAWALERSKI: Well, not height wise, but
3 footprint.

4 FATHER MANNY ALVAREZ: It would be the
5 original building built in 1925. That's three
6 stories height.

7 MS. KAWALERSKI: Okay. All right. But the
8 architecture is beautiful.

9 A couple of things. The building itself,
10 will that be rentable for wedding receptions or
11 any outside functions?

12 FATHER MANNY ALVAREZ: No. We have Comber
13 Hall for that. And as Mr. Banos says, that's
14 really used almost 52 weeks a year.

15 MS. KAWALERSKI: Okay. Thank you.

16 You know, regarding the neighbors' concerns
17 about traffic, traffic is a nightmare
18 everywhere, particularly around schools. I
19 live across from Sunset Elementary School. I
20 can't get out of the driveway in the morning.
21 You know, I have to wait until the school
22 traffic dissipates. So I have a lot empathy
23 for you. And is there a solution? Not unless
24 we have flying cars, right, but I don't think
25 there is a solution.

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1 But the parent that talked on Zoom said
2 that he walked his child not to St. Theresa,
3 but to another school. How many children
4 actually walk to St. Theresa?

5 FATHER MANNY ALVAREZ: Sister. I would
6 defer that to our principal, Sister Rosalee.

7 SISTER ROSALEE: Good evening. I'm Sister
8 Rosalee and I live at 2819 Alhambra Circle.

9 And the amount of students that actually
10 walk to and from school is minimal. I have
11 probably about ten to fifteen. And they have
12 to be at a certain -- we have a policy, they
13 have to be in fifth grade or higher. So we
14 don't let the little ones walk, not even
15 parents taking them home, because we realize a
16 lot of the traffic. You know, safety is our
17 number one priority. That's why we hire lots
18 of police officers from Coral Gables who do a
19 really good job with that.

20 So, yes, we do have some walkers, but they
21 are all old enough to walk on their own, and
22 there is a certain distance that they cannot --
23 it can't be more than a mile away from the
24 school.

25 MS. KAWALERSKI: Do you think you would

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1 have more children walking if you maybe
2 encouraged it, had some kind of program? Some
3 of -- even cycling, for example. There are a
4 lot of cities that have what they call bike
5 trains, where parents will get on a bike and
6 lead kids to the school on their bikes back and
7 forth, almost like a chaperone, to and from.
8 I'm just thinking about options for relieving
9 traffic congestion and it's not going to
10 relieve all of it, but if you encourage the
11 students and the parents to start some kind of
12 program for walkability or bikeability, that
13 might relieve some of the congestion. Plus,
14 you know, we need different kinds of mobility
15 other than getting in a car.

16 SISTER ROSALEE: We're willing to look at
17 those options.

18 MS. KAWALERSKI: Okay. All right. I
19 encourage you to do that, because I think
20 that's the only possible partial solution to
21 the congestion problem.

22 I agree about some kind of wall. The sound
23 would drive me crazy. I think there has to be
24 some kind of -- and chain link fences and
25 landscaping do not muffle sound.

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1 I lived on a property on Le Jeune, and I
2 tried landscaping, and it did not help. And I
3 talked to sound engineers and they said, "It
4 will never help. So you either move or you
5 build something." And in this case, I think
6 you have to build some kind of barrier. And
7 heaven knows we've got a lot of examples in
8 Coral Gables that will conform to your
9 wonderful architecture. I would just build the
10 wall. Build the wall. Where have we heard
11 that?

12 Yes. Can I ask --

13 MS. MCPHILLIPS: Excuse the interruption.
14 I just wanted to clarify, because I live on
15 Palos. There is no swale. So no landscaping
16 can be built. There are oak trees. They're
17 beautiful, but they are shady and I know you're
18 not going to cut down the trees. I hope you
19 don't. The chain link fence comes right up to
20 the sidewalk. You can't put any landscaping
21 there. So please put a beautiful wall.

22 St. Thomas Episcopal had to put a wall
23 against those expensive homes behind them. It
24 can be done. It can beautify and it can help
25 us and it has to be a tall wall because of the

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sports.

CHAIRMAN AIZENSTAT: Thank you.

MS. KAWALERSKI: Okay. Thank you.

CHAIRMAN AIZENSTAT: Thank you.

MS. KAWALERSKI: But I think you've heard from three of us now, the wall would go a long way in helping the neighbors, and, again, I encourage the walkability and bikeability to school efforts for the traffic congestion. That's all. Thank you.

CHAIRMAN AIZENSTAT: Thank you.

Robert.

MR. BEHAR: Thank you.

I'm going to start with the increase in students from 1992, where you had 881 students, today you're looking for 945. That's an increase of 64 students. Felix, seven percent. Over thirty years, that's nothing. That is nothing.

So I think that you're right, over thirty years, I think -- I don't have an issue whatsoever. On the contrary, I think that probably I would have asked for more, but when it comes --

FATHER MANNY ALVAREZ: We don't want more.

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MR. BEHAR: No, I understand. You know, what I'm trying to say, it's a minimal increase. Seven percent is nothing in thirty years -- over thirty years.

When it comes to addressing the noise, you moved the soccer fields -- to the architect, you moved the soccer fields all of the way to the east, and just -- for the benefit -- I think I know the answer, I'm an architect, as well, but for the benefit of the neighbors that spoke on the noise, is it feasible to flip the soccer field back to the center, next to the building, and put, I guess they're baseball fields, a diamond there, on that side? I don't think it's feasible, but is that something that can be done or no?

MR. EHRLING: What we did in placing the soccer field there -- and, in part, it's striped and shown as a soccer field, but it is a general playing field for the kids during the day. They are not really playing organized soccer at school. It's just a general recreation space for the kids to run around.

What we did is, we completely lowered the intensity of those fields by moving the

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basketball courts, which are twice as close, to some degree, to the neighbors to the east in that area, into the gymnasium, and they had bleachers there for having organized stuff. By moving it, our challenge would be flipping with the baseball. We could look at that, but, again, we were trying to keep the baseball closer to the building itself, and we don't believe -- and we know the intensity will be much less now in the future.

MR. BEHAR: And logistically, it makes sense to keep the baseball field next to the building. You know, there's no question.

MR. EHRLING: Yeah. Yeah.

MR. BEHAR: All right. Thank you.

When it comes to the north barrier wall, I think I agree with my three previous colleagues on their comments, and I'm thinking the wall that is -- that the University of Miami did along 57th Avenue, that is part solid, a little bit of open finestrations, and then landscaped heavily on that. I think that would be -- for me, it will be a requirement that you put the wall, when you do this venture, and in addition to that, I think -- and I haven't seen the

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landscape plan. I think that you have to go an extra step to put much more additional landscaping, including, to me, shade trees that are along Valencia and Indian Mound almost to buffer the building a little bit more from the adjacent neighbors. The landscaping and the wall, I think, are, in my opinion, necessary when you do this project.

Other than that, I think it's a beautiful building. I think you're doing a great job. I think it's -- you know my kids never went there, but I think -- I've been there many times, and I think you're a great asset to the community. So I'm in support of the project.

CHAIRMAN AIZENSTAT: Thank you.

Javier.

MR. SALMAN: I like the project. I think that the baseball fields next to the building make more sense, 'cause you don't want to have the stands next to the residents. I mean, that just makes sense.

I'm going to make it a condition of approval -- I'm going to make it that, in addition to whatever motion gets made here, that --

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1 MR. BEHAR: The wall.
 2 MR. SALMAN: -- the wall be installed and
 3 it can be a partial wall and green wall, but
 4 you need a reflective barrier to keep the sound
 5 away from the neighbors.
 6 I'm looking up and down Palos Street and it
 7 does have a swale on both sides, and it
 8 actually is divided in the middle with a
 9 greenscape, correct?
 10 UNIDENTIFIED FEMALE VOICE: Correct.
 11 MR. SALMAN: I would suggest to you that
 12 what needs to happen is that you need to put
 13 trees on both sides of Palos to help isolate
 14 the neighbors more from the school, and that
 15 would buy you a whole lot of breathing room
 16 with the neighbors and show that you are also a
 17 good neighbor. So I'm also looking to make
 18 that a condition for a motion of approval,
 19 should it come.
 20 And as to the student count, 7.4 percent is
 21 a de minimus increase, given the amount of time
 22 since the limitation was put in. It appears
 23 that you already are dealing with that number
 24 of students, so we're not looking at any kind
 25 of real impact here, and what we're talking

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1 about is just a bit of bookkeeping and
 2 housekeeping here. So I have no problem with
 3 that.
 4 CHAIRMAN AIZENSTAT: Thank you, Javier.
 5 Julio.
 6 MR. GRABIEL: I think most of what I was
 7 thinking has been said. Definitely, I will
 8 vote for and demand a wall around the property,
 9 so that the noise of the kids in the field will
 10 be kept there. Now, I don't think it has to go
 11 around the whole property, because around --
 12 MR. BEHAR: Exactly.
 13 MR. GRABIEL: -- the outside of building,
 14 and then the building acts as a sound barrier.
 15 So it's not a full wall, but it's a solution
 16 that works.
 17 I think landscaping can be improved. I
 18 don't have any problem with the number of
 19 students going to the school, and it's a school
 20 that's an asset to the community. My two boys
 21 went there, and they did very well, and I would
 22 continue to support it that way.
 23 CHAIRMAN AIZENSTAT: Thank you.
 24 I think my colleagues have actually made
 25 very good points, a lot of the points that I

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1 was going to discuss also.

2 As far as closed organized sports, which
 3 Chip said and so forth, no outside receptions,
 4 the wall, the landscaping, and the buffering
 5 really all make sense to get this project
 6 going.

7 As far as the student count, even though we
 8 all talk about it's only a seven percent
 9 increase, what I've heard is, that's been the
 10 student count all along unknowingly, but that's
 11 been the student count that has been there all
 12 of the time. I'm not here to add blame or say
 13 why or whose fault it is or how it should or
 14 should not be corrected. I know that the
 15 school has said that they will supply student
 16 counts to the City, whether it's biannually and
 17 annually, and I think that should be part of
 18 the recommendation that we do, to keep the head
 19 count where it should be, and to ensure that
 20 such mistakes or oversights are not done going
 21 forward. Other than that, I'm good with the
 22 project.

23 Yes, ma'am.

24 MS. DOCKERTY: For a point of
 25 clarification, with respect to the wall, I just

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1 want everyone to be clear, principally, the
 2 neighbors, that there are restrictions on walls
 3 in Coral Gables. They're not high walls, four
 4 feet, six feet. You know, we looked at
 5 different screening scenarios and we did put a
 6 lot of thought into noise mitigation, but the
 7 analysis, at the end of the day, was, because
 8 of the height restriction on walls, it really
 9 wouldn't have any substantial impact on noise.
 10 We're happy to look at it. We're happy to
 11 address it.

12 The other point I just want to clarify is,
 13 Palos Street seems to be the concern with
 14 respect to noise. Is it acceptable if we look
 15 only at a wall on Palos Street?

16 MR. BEHAR: Mr. Chair, I think that we're
 17 back at the Board. The Board will make our
 18 recommendations, and then, you know --

19 CHAIRMAN AIZENSTAT: You could say that
 20 your client will agree to it or not, and then
 21 we'll move from there.

22 MS. DOCKERTY: Yeah. I just wanted to be
 23 clear, are we talking -- like if a wall is a
 24 condition, is it on Palos Street, not on
 25 Valencia, Indian Mound --

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1 CHAIRMAN AIZENSTAT: We haven't come to
2 that determination yet.
3 MS. DOCKERTY: Oh, okay.
4 CHAIRMAN AIZENSTAT: That will come through
5 discussion on a motion and so forth, and then
6 you can ask your client --
7 MS. DOCKERTY: Okay. Yeah. Okay.
8 CHAIRMAN AIZENSTAT: -- if they will agree
9 to it or not at that point.
10 MS. DOCKERTY: Okay.
11 CHAIRMAN AIZENSTAT: What I can tell you
12 is, probably a recommendation is going to be
13 the wall height to the maximum allowable by
14 Zoning and by Code, and there could be -- I
15 know I would want the landscaping in front of
16 that wall, that can grow to a certain height,
17 to further abate the noise.
18 MS. DOCKERTY: Uh-huh. Okay.
19 The other point I just want to clarify is,
20 the landscaping, additional trees on Valencia,
21 FP&L has installed the very high powered
22 utility lines that feed through the
23 neighborhoods with the big cement poles and
24 transformers along Valencia and they have
25 controlled the landscape that can be planted

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1 underneath. So I'm not sure we could put oak
2 trees or something like that on Valencia,
3 because of the power lines that have been
4 installed by FP&L.
5 CHAIRMAN AIZENSTAT: Okay.
6 MS. DOCKERTY: So we want to make the right
7 commitments, but not a commitment we can't live
8 up to and so I wanted to bring that up.
9 CHAIRMAN AIZENSTAT: It would have to be a
10 commitment that you can live up to.
11 MS. DOCKERTY: Yeah.
12 MR. BEHAR: And a commitment that you will
13 be allowed to do, you know.
14 MS. DOCKERTY: Yeah. I mean, because if
15 it's out of my control, you know, and same with
16 trees on the east side of Palos, it's possible
17 a property owner says, "I don't want you
18 planting over here." We don't control that
19 land.
20 MR. BEHAR: Let us come back and --
21 MS. DOCKERTY: Yeah. So to the extent --
22 we're willing to cooperate, but to the extent
23 these things aren't within our control, to the
24 extent they're not, it's not that we are
25 unwilling, it's just we are unable.

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1 CHAIRMAN AIZENSTAT: Understood. Thank
2 you.
3 MS. DOCKERTY: Okay.
4 CHAIRMAN AIZENSTAT: Is there a motion to
5 be made?
6 MR. PARDO: I would like to make a motion,
7 Mr. Chairman, with conditions.
8 CHAIRMAN AIZENSTAT: Yes, sir.
9 MR. PARDO: I'd like to approve Staff
10 recommendation, with the additional conditions
11 of only St. Theresa uses on the field, per
12 Chip; no Sunday activity in the field, except
13 for special events that are permitted and you
14 have to have additional police, et cetera, on
15 Sundays. That, I think, would cover probably
16 your festival.
17 FATHER MANNY ALVAREZ: Yes. The annual
18 fair is permitted. And I'm very busy on
19 Sunday, so I can't be on sporting events.
20 MR. PARDO: A requirement to meet with the
21 neighbors for traffic and pick-up issues during
22 the school year, in order to mitigate that. A
23 six-foot high solid buffering fence --
24 CHAIRMAN AIZENSTAT: Can I suggest whatever
25 Zoning or the Building Department allows,

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1 maximum height, as opposed to specifying a
2 height?
3 MR. PARDO: I think it is six feet.
4 CHAIRMAN AIZENSTAT: Okay.
5 MR. PARDO: Because it's Institutional.
6 CHAIRMAN AIZENSTAT: Solid six, okay.
7 MR. PARDO: That's correct.
8 CHAIRMAN AIZENSTAT: Okay.
9 MR. PARDO: In other words, it's a special
10 land use. So, therefore, because of that, it's
11 allowed to be six feet.
12 Being solid and decorative and approved by
13 the Board of Architects, that would accommodate
14 sound, and said fence would be heavily
15 landscaped on the exterior perimeter side,
16 facing the neighbors.
17 CHAIRMAN AIZENSTAT: When you say, "The
18 exterior perimeter side," so the wall does not
19 go up to the property line?
20 MR. PARDO: No, the wall doesn't come up to
21 the property line. I'm looking at Google Earth
22 right now, and they have --
23 CHAIRMAN AIZENSTAT: How will they maintain
24 the landscaping?
25 MR. PARDO: Well, that's why you --

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MR. BEHAR: That's their own people maintaining it.

MR. PARDO: You pull your fence in a little bit. You have the landscaping on the outside. And they walk around the outside through some type of gate.

CHAIRMAN AIZENSTAT: Okay. I just -- myself, I don't see that as being very feasible, but maybe I'm wrong.

MR. PARDO: Well, what I'm saying is, if this is the property line, and you move it in a little bit --

CHAIRMAN AIZENSTAT: I understand the concept.

MR. PARDO: -- you have landscaping outside, and that's usually really on their land, and they have to maintain the landscaping. I mean, we do it all of the time.

CHAIRMAN AIZENSTAT: Is there a reason you wouldn't have the landscaping on the inside?

MR. PARDO: Because the inside is toward the ball fields and it doesn't do anything for the neighbors.

MR. BEHAR: Yeah. I agree. Felix is correct. If you move it in, you are going to

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be able to landscape the outside. It's going to be a buffer, you know, for the neighbors.

MR. PARDO: It's done all of the time --

MR. BEHAR: Leave it to the architects.

MR. WITHERS: Sometimes.

MR. PARDO: Yeah. Just can't do the math.

And, then, I saw what counsel was talking about with the high tension power on Valencia, but I would suggest additional landscaping with some type of shade trees. There are shade trees that are allowed by Florida Power & Light to grow underneath in easements like that.

They have their own landscaping division and they have their recommended trees that are acceptable under those things, and I think that would go a long way to bring that, and at the same time, we're not asking for a solid wall on Valencia. This is to specifically provide more aesthetics, you know, and also a little more -- if you will, a little more relief, you know, from the building and the magnitude of it, when you're driving down Valencia, where you have a long shot of it.

Those are all of the conditions, Mr. Chairman.

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CHAIRMAN AIZENSTAT: What about the condition that was spoken about, no outside receptions in the facility?

MR. PARDO: Outside --

CHAIRMAN AIZENSTAT: Reception or use for the facility, except for the school itself.

MS. KAWALERSKI: Well, in addition to the outside, the inside facility also, no --

CHAIRMAN AIZENSTAT: That's what I meant, no outside vendors or no outside gatherings, that are not part of the school, to be held in the gymnasium.

MR. PARDO: Okay. I thought I covered it when I said, only St. Theresa uses.

MS. KAWALERSKI: For the field.

MR. PARDO: No. No. No. I said, "And for the field."

CHAIRMAN AIZENSTAT: Okay. As long as it's there.

MR. PARDO: Yes, any uses and for the field.

MR. SALMAN: Okay. I will second that motion, but I'd like to make two friendly amendments.

MR. PARDO: Okay.

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MR. SALMAN: Number One, with this approval, the applicant agrees to make a yearly submittal of the student station count.

MR. PARDO: That condition is already in Staff's report. So I accepted Staff's report. That's why I didn't add it.

MR. SALMAN: And the second one is that we define the wall to be built, should be along the property line of Palos, so there's no question that it's not going to Valencia, it's just for the length of Palos, from the service entrance north.

MR. PARDO: Yes. If you could add the location as parallel to Palos Street.

CHAIRMAN AIZENSTAT: I'd like to ask a question. What about stating also that no lighting will be placed in the future for intramural games or any type of games within that --

FATHER MANNY ALVAREZ: Yeah, we're amenable to that. We do not want it to be night.

CHAIRMAN AIZENSTAT: So would that be a covenant, Cristina, that would be done --

MS. SUAREZ: So all of these conditions will be in covenant ultimately, yeah.

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CHAIRMAN AIZENSTAT: Would you agree to also no lighting?

MR. PARDO: Absolutely. Thank you.

CHAIRMAN AIZENSTAT: Yes, sir.

MR. GRABIEL: I have a concern with the height of the wall. That's one of the few open spaces that we have in that neighborhood. A six-foot wall I know will make it quieter for the neighborhood, but the neighborhood loses then the open space that is there. So I was wondering if we could lower the requirement of six-foot fence to a four-foot-six, so that you still keep the sense of open space.

CHAIRMAN AIZENSTAT: Well, we have a motion. We have a second, friendly amendment.

Sir, would you agree to lower it to four feet?

MR. PARDO: I'd like to have this as part of the discussion. The only reason -- I think a four-foot high fence would not accommodate the sound issue. I understand your concern. I think that the only reason I was saying to pull it in from the property line a little bit is, there is a swale area there. I'm looking at it now on the map, and there is a swale area.

What I was hoping to do is to just bring it

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in enough to be able to heavily landscape it, you know, so it doesn't look like there is a loss of the perception of landscaping, if that's okay with you, Julio.

MR. SALMAN: Julio, if I can add, Palos is really the side street for the properties that face Valencia or Almeria or to the street on the south. There are no door entrances off of Palos. They're all driveway entrances into garages and whatnot. It's not a place that you're going to be looking for a vista or open space, if you follow what I'm saying, and there is a green space in the middle, which increases the depth of the actual right-of-way between the church property and the nearest neighbors. And what we're looking for is to reduce the sound into the neighborhood along Almeria, into those houses to the east.

So I would not like to see it at four feet. I would like to see it at six feet, because it's a proven strategy for reflecting that sound back and away from the neighborhood.

MR. BEHAR: And I think -- I agree with both, Javier and Felix, I think the idea was -- Felix mentioned, put it in a little bit.

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Maybe, I don't know, five feet, so you could do some landscaping, so you could buffer that wall a little bit.

MR. SALMAN: That's the way it is now. The chain link fence is like five or six feet away from the sidewalk.

MR. PARDO: That's correct, and the whole point was to be able to have enough area to, you know, have the hedge, have trees, you know, give them canopies, and with the six feet, that solid will mitigate a lot of the thing.

The other thing that will mitigate a lot is, because they're building the gymnasium, they're going to be eliminating those basketball courts, I would think --

MS. DOCKERTY: Yeah.

MR. PARDO: -- and that's the whole thing. Now the sound not only goes away from the neighbors, but the sound of the basketball, you know, it goes into a building.

FATHER MANNY ALVAREZ: And excuse me, if I can -- it's not just the basketball. Our entire PE program takes place there throughout the day. That will be going indoor.

MR. PARDO: Right. And that's why a lot of

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the sound mitigation --

FATHER MANNY ALVAREZ: A lot of the sound will be going indoors, yeah.

Now, the only thing that isn't changed and will affect our neighbors is the -- the top part -- no, no, that's on the corner -- where the banyan trees is, which is something you and I, we don't want be touching those trees, because they're the crown jewel of the property, you know, other than want it touching the street (Unintelligible) that's the only thing that I worry about.

MR. BEHAR: So we have a motion. We have a second.

CHAIRMAN AIZENSTAT: Excuse me, you have to speak into the microphone, for the court reporter.

FATHER MANNY ALVAREZ: I'm sorry.

CHAIRMAN AIZENSTAT: If we can, Father, just direct everything to the --

FATHER MANNY ALVAREZ: No problem.

CHAIRMAN AIZENSTAT: We have a motion. We have a second. Any other comments?

MS. DOCKERTY: I just want to make sure that whatever the height of the building -- the

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1 wall is, we don't have to ask for a variance.
2 I don't know if it's four feet, five feet, six
3 feet. I don't know if they're going to
4 consider that an accessory side, a front side.
5 We've had these discussions with the Board of
6 Architects, City Architect --

7 CHAIRMAN AIZENSTAT: That's why I wanted to
8 ask for whatever is maximum allowable by Code.

9 MS. DOCKERTY: And, also, I want to point
10 out that there are some buildings that are
11 Historically designated on our campus, on the
12 Palos side, where the Pre-K are, that we may
13 not be able to go five feet more in for the
14 wall, because we've got a building there, and
15 then we won't have the proper setback and then
16 we're back for a variance.

17 So we need some flexibility to work with
18 the City Staff, the landscape architects, the
19 City landscape Staff. We understand where you
20 want us to go with this, but I want to build in
21 flexibility based on Code and conditions.

22 CHAIRMAN AIZENSTAT: Understood.

23 Thank you. Understood.

24 MR. PARDO: Mr. Chairman, I don't think
25 that -- you know, just to clarify, in looking

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1 at the building, we're not going up and
2 touching the Historic building. We're stopping
3 it short of the building, because that's where
4 the residents on Palos are. They don't make it
5 all of the way to the building.

6 CHAIRMAN AIZENSTAT: Well, we have a
7 motion. We have a second. We've discussed it.

8 Sir, I understand. We're just trying to
9 reach a determination, for procedure.

10 So my only question is, do we change it to
11 what's allowable to the maximum height that's
12 allowable and the conditions --

13 MR. PARDO: I'm good with that.

14 CHAIRMAN AIZENSTAT: -- which the Code
15 allows, so we don't make a determination, if
16 for some reason Code and Zoning says it's got
17 to be five-foot-two and it can't be six, they
18 don't have to go to a variance and it's a good
19 point? So are you okay with that, Felix?

20 MR. PARDO: Yes, sir.

21 CHAIRMAN AIZENSTAT: Okay. Any other
22 discussion? No?

23 Call the roll, please.

24 THE SECRETARY: Felix Pardo?

25 MR. PARDO: Yes.

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1 THE SECRETARY: Javier Salman?

2 MR. SALMAN: Yes.

3 THE SECRETARY: Chip Withers?

4 MR. WITHERS: Yes.

5 THE SECRETARY: Julio Grabiell?

6 MR. GRABIEL: Yes.

7 THE SECRETARY: Robert Behar?

8 MR. BEHAR: Yes.

9 THE SECRETARY: Sue Kawalerski?

10 MS. KAWALERSKI: Yes.

11 THE SECRETARY: Eibi Aizenstat?

12 CHAIRMAN AIZENSTAT: Yes. Thank you.

13 It would be easier if we made it all by
14 Code. Thank you.

15 MR. BANOS: That's fine.

16 CHAIRMAN AIZENSTAT: Thank you very much,
17 and good luck with your project.

18 MS. KAWALERSKI: Thank you.

19 CHAIRMAN AIZENSTAT: Can we go ahead and
20 call the next item please.

21 MS. SUAREZ: We're doing the time certain?

22 CHAIRMAN AIZENSTAT: Yes, please.

23 So this is Item E-3. It's time certain for
24 seven o'clock.

25 An Ordinance of the City Commission of

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1 Coral Gables, Florida providing for text
2 amendments to the City of Coral Gables Official
3 Zoning Code by amending Article 14, "Process,"
4 Section 14-212, "Zoning Code Text and Map
5 Amendments," and Section 14-212, "Comprehensive
6 Plan Text and Map Amendments," to create a
7 conceptual review by the Planning & Zoning
8 Board for applications proposing land use or
9 zoning changes prior to the preliminary Board
10 of Architects approval; and providing for a
11 repealer provision, severability clause,
12 codification and providing for an effective
13 date.

14 MS. GARCIA: Jennifer Garcia, Planning and
15 Zoning Director.

16 So, going back, after discussion you guys,
17 you had a motion, I think, back in October, I
18 want to say, in the Special Meeting to look at
19 the process -- look at the procedural process
20 when you're changing the land use and zoning.

21 So if you look at the slide behind you, or
22 also in front of you, as well, we're looking at
23 the initial review phase, right. So right now,
24 there's an optional BOA conceptual review, and
25 then it goes to DRC, and then public hearing --

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1 I'm sorry, public information meeting and then
2 through the Board of Architects preliminary
3 review. Per this Board and per the Commission,
4 we're looking at adding in a Planning and
5 Zoning conceptual zoning review, just for those
6 changes of land use and zoning.

7 I think we're familiar with this, as we
8 discussed this, again, in October. It was
9 discussed again by the City Commission in this
10 last meeting in December. So we're here back
11 with a text amendment to basically require that
12 conceptual zoning review by this Board, before
13 it goes to BOA.

14 That's it.

15 CHAIRMAN AIZENSTAT: Thank you.

16 Chip.

17 Actually, do we have anybody here for this
18 item?

19 MR. PARDO: The Board of Architects.

20 CHAIRMAN AIZENSTAT: Anybody in Chambers?

21 THE SECRETARY: No one requested via Zoom
22 to speak.

23 MR. PARDO: Well, Mr. Chairman, I want to
24 clarify, there are several Board Members here
25 from the Board of Architects. So I -- do they

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1 have to fill anything out?

2 CHAIRMAN AIZENSTAT: Right. I would assume
3 they would fill out if they would like to
4 speak. Is there anybody from the Board of
5 Architects that would like to speak on this
6 matter?

7 MS. GARCIA: Yeah. So per the Commission,
8 remember, they wanted to have someone from the
9 Board of Architects be designated to speak on
10 behalf of the Board. So they selected Judy,
11 the Chair.

12 MR. PARDO: It's like two Boards instead.
13 That's the point I was trying to make.

14 CHAIRMAN AIZENSTAT: Okay.

15 MS. GARCIA: Right. So, I guess, Judy, if
16 you want to say a few words now, that would be
17 helpful. I guess that will help the
18 discussion.

19 MS. CARTY: Sure.

20 I mean, so we all felt strongly and
21 fortunately --

22 CHAIRMAN AIZENSTAT: If you could just
23 state your name and --

24 MS. CARTY: Sorry, Judy Carty, 920 Medina
25 Avenue.

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1 CHAIRMAN AIZENSTAT: Thank you. And you're
2 speaking on behalf of the Board of Architects?

3 MS. CARTY: That's correct.

4 CHAIRMAN AIZENSTAT: Thank you.

5 MS. CARTY: But we have a whole handful of
6 us, five out of the nine. The other four
7 apologize.

8 So we did -- what was presented in this
9 amendment is that we would have a Board of
10 Architects conceptual review before a Planning
11 and Zoning Conceptual. And just to clarify,
12 upon discussion of that last Thursday, we all
13 felt that the Board of Architects conceptual
14 should not occur before your conceptual.

15 CHAIRMAN AIZENSTAT: Okay.

16 MR. BEHAR: Should not occur before ours?

17 MS. CARTY: Exactly. That the Planning and
18 Zoning conceptual review should be the first
19 thing that occurs.

20 MR. PARDO: Mr. Chairman?

21 CHAIRMAN AIZENSTAT: Yes, sir, Felix.

22 MR. PARDO: I don't want to speak out of
23 turn, but I want to make sure that we keep it
24 on the tracks. If you don't mind, if I can say
25 something at the beginning.

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1 CHAIRMAN AIZENSTAT: Please.

2 MR. PARDO: Since I brought this up a while
3 ago, let's go back to the origin. The origin
4 was that, when the Board of Architects reviews
5 a project, they have the ability to review
6 massing, compatibility and many other factors
7 that are written in black and white in the
8 Code.

9 The problem was that there is a subset, and
10 the subset are a subset of projects that have
11 to do with what we would call upzoning and/or
12 changes of the Comprehensive Land Use Plan,
13 which increases other intensities besides
14 massing.

15 The other charge that the Board of
16 Architects has is applying compatibility to the
17 surrounding neighborhoods, which are in
18 different forms, both from a site planning
19 standpoint, and also just from an existing
20 building, their character, and what you're
21 trying to do.

22 What I originally suggested, which we voted
23 on, and if you go back to the minutes, you will
24 see it, is that it is a procedural problem,
25 because when the Board of Architects were

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1 looking at these particular projects, they were
2 being limited to their full review, based on
3 the Code, because they were being told to
4 assume that the project had already been
5 approved, although it had not come before the
6 Planning Board.

7 The dilemma was that we then ended up with
8 something -- a project that was coming before
9 the Planning Board, which now had a preliminary
10 approval from -- or acceptance by the Board of
11 Architects, but what we weren't being told was
12 that they were basically giving this particular
13 approval handcuffed.

14 What we do by doing this procedural change
15 is, we are taking the handcuffs off the Board
16 of Architects, because what would happen --
17 what would happen is that we would have a
18 non-binding -- a non-binding conceptual review
19 of one of these projects in this subset, not as
20 a matter of right, in the subset, that would
21 come before us, and we would be looking at
22 compatibility with the neighborhood,
23 compatibility with the zoning, and other
24 things.

25 In the memo that we received from Staff, I

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1 BOA to comply with the Mediterranean Design
2 Standards and does not consider the request for
3 use -- Land Use Plan. That's exactly what is
4 happening. But the problem is that the
5 Planning and Zoning Board made a separate
6 recommendation, to consider discussing changing
7 the public review procedure and as requiring a
8 recommendation from the Planning Board, to the
9 Board of Architects, to see what the
10 temperature of the water was, as far as the
11 possibility of that being changed.

12 The reason that's important is because it
13 gives the Board of Architects a new tool, in
14 their toolbox, which is to be able to take a
15 look at something and somebody may be asking
16 for too much, and from a massing standpoint,
17 the Board of Architects are really qualified to
18 be able to say, it should be less. Because the
19 applicant is asking for something, there's no
20 Bert Harris issue. So this becomes the ability
21 for the Board of Architects to apply their
22 skills, in the way that they are training, and
23 the way that they are competent, to be able to
24 help the neighborhood preserve those
25 neighborhood qualities, property by property.

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1 had a couple of questions, because it wasn't
2 quite the way that we discussed and approved
3 the motion. So if you will indulge me for one
4 minute. It says, "Concerns with the current
5 review procedure of the proposed building site
6 plan request, that are reviewed simultaneously
7 with future land use and zoning map changes."
8 Sometimes there's not a future land use map
9 change, because they're only asking for an
10 upzoning, because they're within the ceiling of
11 the Comprehensive Land Use Plan.

12 So if the Comprehensive Land Use Plan says
13 you could go up to this height, and right now
14 the existing zoning is only this, but they're
15 asking for this, because they never touched
16 that ceiling, then a change of Comprehensive
17 Land Use Plan, from a height standpoint, would
18 not apply. Now, if they're changing the use of
19 it, the intensity of it, from one comprehensive
20 land use-use to another, let's say, from
21 commercial to residential, then that's
22 different. So we have to be careful, that when
23 we're looking at this, that we understand what
24 the ask is.

25 The second thing is if it's deemed by the

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1 The other thing is that, in the Staff
2 recommendation, there was an issue where it
3 says, "The BOA requested that the materials
4 reviewed by the PZB be limited to mass, site
5 plans and other two dimensional documents." In
6 fact, that is the exact opposite of what
7 happened. What happened was that we had
8 someone come in and we used it as not a
9 specific application, but a conceptual
10 application. This was a lay person that came
11 in with a model. The model that they brought
12 in was incredible, because it showed three
13 things.

14 It was a model that showed three different
15 colors. The first color was what the existing
16 zoning allowed from a massing standpoint. The
17 model also had a second color, which then was
18 the ask of what they were asking for. In other
19 words, what the applicant was increasing their
20 zoning to. So, let's say, going from five
21 stories to twelve stories. Then the last
22 color, which was placed on top of the model, a
23 very simple crude model, but it made the point,
24 was the additional two or three floors that is
25 allowed by the Mediterranean bonus. All of

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these things put together are very important, and we're talking three dimensional, not limited to two dimensional. So I disagree with Staff comments there, and it could have been a typo, but the whole point here is that -- the way I see it is that if we take a look at something, I would feel more comfortable that the applicant, the developer that's coming in, you know, has a better understanding of what the Board of Architects can and cannot do, and I think that's it, in a nutshell, Mr. Chairman, and I just wanted to be a preamble to what Judy was explaining.

And Judy, maybe I missed the point, but if you could just address that, I would really appreciate it.

MS. CARTY: The specific ask of addressing is not the three dimension, is that what you're saying?

MR. PARDO: Well, in the Staff report, it said, "And other two dimensional documents." For me, you know, whether it's graphic on a computer or whether it's a physical model that shows the character of the neighborhood around it and it shows the zoning, it shows the

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height, and it shows what they're asking for, whatever, that would -- what that particular neighbor did that day was impressive.

MS. CARTY: I know the model that you're talking about, because they showed it to us. I think where Staff got that from was the internal discussion that we had at the Board of Architects last Thursday, was specifically about not cooking the architecture for you all to see, right, and that was the concern.

And we felt that if it was presented in two dimensions -- I guess the majority felt, if it was presented in two dimension, it would be less cooked, right.

MR. PARDO: Right.

MS. CARTY: Because even massing is some cooking of it.

MR. PARDO: Right, but what I'm trying to say is that, I don't think what we should be doing is looking at the architecture. I'm taking, from a planning standpoint --

MS. CARTY: No. No. No. And I think it's fair, as a push back from your side and what you all want to see, to be able to conduct that conceptual review. It's a fair pointing that

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you're making, right. And I think that's the purpose of this whole discussion, is what do you all think you need to do that.

I mean, you know, we had a discussion internally, and, you know, we felt that the architecture -- we're concerned about you all looking at the architecture, right, I mean, obviously, so --

MR. BEHAR: But we don't look at architecture.

MS. CARTY: No. No. No. Exactly. So how much do you need to, you know, be able to give your opinion on a conceptual level. We didn't feel it was architecture, and that's why I think we said 2D.

So, you know, if you need a massing model, maybe that's the push back that you give.

MS. KAWALERSKI: Yeah, and I would agree with that. And, you know, going a little bit further in that sentence it says, "And to focus on the scope of the PZB's conceptual review to the proposed changes of the land use and zoning." I would also add context and compatibility. I mean, at that point, we should also be considering those things.

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MS. CARTY: Yeah. I mean, the reason that we all felt that it was important for us all to be here or as many of us as possible, is because, obviously, there's nine of us and that means there's nine opinions, right. We're architects.

So, you know, and at the same time, we all understand how important the synergy between these two boards is, because we work hand in hand with their opinions.

MR. PARDO: Mr. Chairman, I have a general question for you and the Board Members, which is, if you -- if you have approved plans -- or have approved projects, rather, and you weren't told, "Assume that it's already been approved, would the outcome have been different on some of these projects," because it seems like the answer has been yes?

MS. CARTY: Well, I can speak only for myself. I would say, yes. For myself, yes. I mean, I don't know if everybody feels the same.

MS. SUAREZ: Can I chime in?

CHAIRMAN AIZENSTAT: Yes.

MR. PARDO: And that's the reason we're here.

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1 MS. KAWALERSKI: And the thing is, I think
2 this is helpful for everybody, not only the
3 Boards, but also, if I was a developer, I'd
4 want to know right upfront, as opposed to
5 getting stymied along the way. I think this
6 whole process -- this new process review is
7 helpful to everyone.

8 MS. CARTY: In terms of not putting in a
9 huge amount of effort to develop the
10 architecture of a building, absolutely.

11 MS. KAWALERSKI: Right.

12 MR. PARDO: And this only affects, as I
13 said before, a more subset of projects, but
14 they're extremely important projects, because
15 when you're pushing the envelope, those
16 decisions will alter the compatibility of
17 anywhere that you are in this City.

18 CHAIRMAN AIZENSTAT: Cristina, did you want
19 to say something else?

20 MS. SUAREZ: Yes. And I know that this
21 issue has come up before, and I think our
22 office has tried to clarify it, that the Board
23 of Architects, in reviewing the design, can
24 absolutely look at the massing, the
25 compatibility with the neighborhood, et cetera.

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1 And the issue comes about, just how we're
2 speaking about how this Board doesn't look at
3 the architecture, the Board of Architects
4 should not look at the request for the land use
5 change and the zoning changes. And so their
6 review should be limited to the design.

7 If the design is not compatible with the
8 neighborhood, regardless of what the zoning
9 is -- if you're looking at the design, the
10 height, et cetera, if it's not compatible, they
11 can certainly make those determinations, on a
12 case by case basis, based on a particular
13 design. And I know we've had some discussions
14 on this, but, you know, I want to reiterate
15 that. That does not mean that this is not a
16 change to the process that can occur. I think
17 we're hearing from all of you and I think we
18 heard from the Board of Architects that they
19 find that this would be helpful, to have a
20 conceptual review at the Planning and Zoning
21 level, so that early on there's some feedback,
22 non-binding, of course. Some feedback as to
23 the request for the land use changes and the
24 zoning changes.

25 MR. PARDO: I think this is a win-win

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1 situation, specifically, you know, for the
2 Board of Architects, having more clarity, you
3 know, as far as the direction of the Planning
4 Board, and I think, also, it gives the
5 developer the understanding of what to expect
6 and how far to go along, you know, before they
7 either pull the ejector seat or proceed.

8 And then the third thing is, the protection
9 of the neighborhoods. We have been devastated
10 over the years, and this is -- the changes of
11 Master Plan -- of the Comprehensive Land Use
12 Plan -- sorry, I dated myself -- but the
13 Comprehensive Land Use Plan, people don't
14 understand, when you make a change like that,
15 we are sitting in a building today that is
16 surrounded by big buildings, and these
17 buildings have right-of-ways that are so small
18 that they could barely get emergency vehicles
19 in and out of here, and it can't accommodate
20 the traffic, and, unfortunately, the problem is
21 that, we've taken the original plan, and then
22 we have subverted it, by making these changes
23 that have changed the fabric of this City.

24 And if you want Manhattan, just go north.
25 That's where it is. This isn't Manhattan. And

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1 we don't have certain elements that could help
2 us in resolving the issues that have been
3 created by changes of the Comprehensive Land
4 Use Plan and the Zoning Map. I mean, the
5 Zoning Map is something that -- that's your
6 limitation. When you look at the Comprehensive
7 Land Use Plan, that's your ceiling. There have
8 been a lot of people in this City that have a
9 problem with that, but that's the way it really
10 works.

11 CHAIRMAN AIZENSTAT: But Felix, the
12 responsibility of the design aspect is the
13 Board of Architects. So if you're saying that
14 they're allowing too big of a building or too
15 big of a massing, are you saying that the Board
16 of Architects isn't doing what they're supposed
17 to doing?

18 MR. PARDO: No. I respect the Board of
19 Architects, that I chaired many years ago.
20 They do a great job.

21 CHAIRMAN AIZENSTAT: I agree.

22 MR. PARDO: They do an incredible job and
23 it's a thankless job, but I've got to tell you
24 that the problem that I have is that, when the
25 architect on the Board of Architects says to

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1 the applicant, "What is the ask? What are you
2 asking for? Where are you going beyond what is
3 already zoned there," they're not allowed to
4 ask that question. I'm not talking about the
5 use. I'm talking about now --

6 CHAIRMAN AIZENSTAT: The massing.

7 MR. PARDO: The size, the massing.

8 So the other thing is that, in their design
9 constructs, they are allowed to be able to look
10 at the compatibility of the neighborhood, and,
11 in fact, there have been, over the years, where
12 you have to have drawings of what's around you.
13 Sometimes it could be something as simple as a
14 house. Most of the houses are one story,
15 compared to two stories. And sometimes it has
16 to do with the styles of the different areas in
17 the neighborhood.

18 So, for me, I think the problem that I've
19 had is that, because we don't look at the
20 architecture, as Robert said, we get something
21 from the Board of Architects, but we haven't
22 been told that they've been limited in looking
23 at the massing. So sometimes, let's say, an
24 applicant is asking for a change of zoning and
25 maybe their height restriction now goes from

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1 five to ten stories, but in the neighborhood
2 that they had, there was a protection, based on
3 that existing zoning, because of the size of
4 what's around that area.

5 Now, that doesn't mean that some of that
6 massing can't be pushed to another part of the
7 site, but the problem is that we should be
8 looking at that first, from a conceptual
9 standpoint, and see if it's (A) over the top.
10 And let me give you a very specific example.
11 One of the great developers in this City, Allen
12 Morris, came in with a very large project. It
13 was too much. And, then, he kept getting his
14 head. And then he made a decision and he
15 changed that project, which was approved by the
16 Board, and then the Commission, and it's
17 probably going to be under construction soon.

18 The difference is that if Allen Morris
19 would have come first, for this conceptual, at
20 this level, because he would have fit right in
21 that subset, he probably wouldn't have wasted
22 all of that time and money.

23 CHAIRMAN AIZENSTAT: But I hear the Board
24 of Architects saying differently. I hear the
25 Board of Architects saying, it needs to come to

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1 them first. Am I hearing you wrong, Judy?

2 MR. PARDO: Not for this subset.

3 MS. CARTY: No. We're specifically saying,
4 conceptual review by Planning and Zoning prior
5 to us. Not your final review, but just a big
6 picture, you know, discussion, because we feel
7 you all are more qualified for the planning and
8 zoning aspects, that we are either, you know,
9 not that well versed in or not, you know,
10 looking at in the same way that you all are
11 looking at it.

12 And honestly, it's not really our purview
13 for permission, either.

14 CHAIRMAN AIZENSTAT: I agree. That's the
15 same way we don't look at design.

16 MS. CARTY: Right.

17 CHAIRMAN AIZENSTAT: We can comment on it,
18 but we don't -- that's not our purview.

19 MS. CARTY: Right. So we're specifically
20 saying, if you all do a conceptual review
21 first, then, when we see the buildings, even at
22 a conceptual review, if they so choose to, at
23 least we have some assurance -- some
24 understanding of your comments, even, right,
25 because you may say, "No," and they may still

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1 go ahead, I'm assuming it's possible, but at
2 least we'll understand where this Board lies --

3 MR. BEHAR: But by the same token, Judy,
4 we're going to be looking at something -- we're
5 not going to be looking at anything. We're
6 just going to be looking at a proposed zoning
7 change or land use change.

8 CHAIRMAN AIZENSTAT: Or height.

9 MR. PARDO: No. No. Massing --

10 CHAIRMAN AIZENSTAT: Or massing, correct.

11 MR. BEHAR: But should that not be, then,
12 conceptually reviewed by the Board of
13 Architects before coming to us? Because
14 they're going to bring a massing, and it's
15 going to probably -- you know, be the whole
16 site, you know, and what are we going to be
17 looking at?

18 CHAIRMAN AIZENSTAT: I tend to agree with
19 comment, to be honest with you.

20 MR. PARDO: Well, if you remember the model
21 that was brought by the resident.

22 CHAIRMAN AIZENSTAT: Yes.

23 MR. PARDO: I can't remember. You were
24 here for that.

25 MR. BEHAR: Yeah.

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CHAIRMAN AIZENSTAT: Yeah.

MR. PARDO: I think the model, you know, showing -- and I remember when that particular resident said, "And this is our house -- you know, this is my house and these are the houses next to it." All of a sudden, you were able to understand that.

So the conceptual is not the conceptual that the Board of Architects looks at. The conceptual can be another type of concept. It could be from massing, to intensity, to all sorts of things like that.

MR. BEHAR: I agree, but this Board is not a Board of Architects, so --

MR. PARDO: No. I'm looking at it from a planning standpoint.

MS. KAWALERSKI: Yeah, we're not looking at the design.

MR. PARDO: So when you look from a planning standpoint and zoning, Robert, one of the first things you do is, what are the limitations? What is the limit that I'm allowed? And then you may have the client that says, "Well, you know, I want much more than that."

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MR. BEHAR: You made a comment a little while ago where maybe part of the site could allow it to have higher massing or something to that effect. Well, should that not be first looked at by the Board of Architects, before us.

MR. PARDO: Well, this is why I --

MR. BEHAR: Is it more compatible than --

MR. PARDO: This is why I said it was non-binding. Why? Because the applicant can come in and say, "You know what, I don't care what the you guys think. I want to go to the BOA," and the BOA now starts to hone in on that particular building, where now it starts to take shape and they may agree or disagree. Then it comes here.

The problem that we have is that -- when you get into the upzoning, is that you're getting into an upzoning where you're only looking at a map that has a different color and a different designation. The problem that we have is that we're not looking into something from a compatibility standpoint, and the compatibility standpoint, it could be that you put a big building in an area that allows big

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buildings.

Let's say, if you're in the middle of the CBD, you come in here with a conceptual, they're coming up for more height, that's fine. The problem that I have is that not all of the areas are like that. For example, on US-1. We all have discussed these enormous buildings that were built on US-1 in Coral Gables. It was not the Board of Architects' fault. That was a problem with the procedure, that this Board did not say --

MR. BEHAR: No.

CHAIRMAN AIZENSTAT: I disagree.

MR. BEHAR: I beg to differ. I disagree, with all due respect. Every Board Member of this Board denied those projects.

CHAIRMAN AIZENSTAT: We denied those projects.

MR. PARDO: Every one of those projects?

MR. BEHAR: Every single one, because we were here. I don't know if you were here at the time, but we denied those projects completely.

MR. PARDO: All of them?

MR. BEHAR: All of them, yes, sir. And go

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back on record so you can see that.

CHAIRMAN AIZENSTAT: And I actually think, Felix -- I actually think, with the Allen Morris project, whether he would have come here first, with the way he came in, and this was during COVID and I remember explicitly, whether he would have come in here first for conceptual or not, I think he would have come in the same way.

MR. PARDO: It's possible.

CHAIRMAN AIZENSTAT: I think what happened was that he was turned down so many times coming back, that he switched teams completely.

MR. PARDO: Right.

MR. BEHAR: But make sure, he came here and we denied that.

CHAIRMAN AIZENSTAT: Correct. That's what I'm saying.

MR. BEHAR: Remember? You were here with us.

CHAIRMAN AIZENSTAT: His project was denied all of the way through.

MR. PARDO: What was project near the University of Miami?

MR. BEHAR: The Paseo.

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MS. KAWALERSKI: The Paseo.

MR. PARDO: The Paseo was denied by --

MR. BEHAR: Yes.

MS. KAWALERSKI: You denied the Paseo?

MR. BEHAR: Yeah.

CHAIRMAN AIZENSTAT: Yeah.

MR. BEHAR: And the same with Gables Station. As a matter of fact, I had to sit out from the Gables Station, because the developer went to, at the time, the previous City Attorney's Office and conflicted me out, yes. But that received from this Board six-zero denial.

MR. PARDO: So you think that this is a bad idea?

MR. BEHAR: No.

MS. CARTY: No. But can I say something?

MR. BEHAR: I don't think it's a bad idea.

MS. CARTY: I think it's the reverse, because if we had known you all would have said no, that would have given us a great foundation. We said, yes, because we were told we had no purview on size.

MR. BEHAR: I agree with you there, but is it good to know that they come in with some

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sort of --

MS. CARTY: Massing, yeah, maybe that makes sense.

MR. BEHAR: Because, otherwise, what are we looking to be -- you know, we're going to be looking at just a spot zoning. I don't know. I mean --

CHAIRMAN AIZENSTAT: Cristina.

MS. SUAREZ: I just want to -- I'm trying to also manage expectations here. The Board of Architects, in reviewing the design, also should not -- if there's feedback from the Planning and Zoning Board as to the land use and zoning change, that really should not form the basis for your denial or approval, right. Your review, again, is based on the design. You can always consider the compatibility, the massing. You can always consider that, based on design.

And when we say that there's an assumption that the zoning is there or the land use is there, it's because you're not looking at what the delta is between what they have and what they're asking for. It's, is it compatible, this design. And I know this is a conversation

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that we keep hearing and I think there's -- we'll continue to work to try to make this clear, because it's -- again, I understand what you're saying, and I think you and I have had meetings about this, as well, but, again, you should not feel handcuffed in that way. You can, today, look at those criteria that are in the Zoning Code. You can look at that criteria.

CHAIRMAN AIZENSTAT: Chip.

MR. WITHERS: And I love Allen Morris to death. He's being honored as a landmark guy at our Coral Gables Museum Gala, so -- but I remember that specifically. And I don't know, I can't even draw a straight line, but I understand kind of the concept here, that when Allen's first building came in, we said it was too tall. I think he attempted to try to re-design it by basically squashing it or minimizing it and it didn't look any better.

So I guess my question is, if the Board of Architects approves it. We deny the massing and the height and the bonuses. It has to be resigned.

CHAIRMAN AIZENSTAT: It has to go back.

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MR. WITHERS: It goes back. So we're trying to eliminate that go back, is how I look at this.

MS. KAWALERSKI: Yeah. Again, I think this is helpful for all parties. There is no hurt here.

MR. PARDO: But wait a minute. Cristina, I'd like to address exactly what you are saying.

So, let's say, again, we have an existing zoning that allows five stories in height, and an applicant is coming in with a change, where he wants now ten stories in height, and it's surrounded by these apartments that can only go 45 feet, four stories in height.

So, now, if I look at it on a conceptual thing and I say, "You know what, it's too much." The same thing as what happened to Allen. So if you do that, you're giving them the ability of saying, you're going to have push back. You're not just asking for a change of zoning. You're asking for doubling or tripling the height. By doing that, and you're looking at the neighborhood around you, you have a problem on your hands.

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Now, you could also ask for that change of zoning with a covenant limiting the height, and that's up to the developer to come up with, but the problem here is that, where the incompatibility happens is, it happens in the early stages of any project, when the developer makes the decision, can we get it done.

So, normally, a developer is buying a piece of land, where he knows what he can build or he's willing to take a risk of being able to push the envelope. That's where I have a problem.

MR. BEHAR: But Felix, the problem, I think, is that by the time it comes here, he already went to DRC -- you know, the conceptual, DRC, neighborhood meetings and everybody else, before it comes to us.

CHAIRMAN AIZENSTAT: Correct.

MR. PARDO: Right.

MR. BEHAR: What this should be doing is eliminating that whole process and conceptually coming to the BOA and to the Planning and Zoning Board.

MR. PARDO: And I went one step further, when the original motion was passed

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unanimously. I went one step further, and the step I went was saying non-binding conceptual at this level, which doesn't preclude, then, the Board of Architects from looking at it -- what's it called now, conceptual -- the conceptual, which is their preliminary shot. Now they're looking at a building that's a lot more cooked.

But if this particular developer came in and instead of asking -- he's got five, but instead of asking for ten, he's asking for something that is more compatible with the neighborhood, now you all would know exactly which way we're leaning, and then that gives you the tool to be able to look at the massing differently.

CHAIRMAN AIZENSTAT: What strikes me is that I have -- through this entire process, I have not seen one developer come in and agree or disagree with us, and I have not seen one attorney for a developer come in to speak on this subject, agree or disagree, and that to me strikes me.

MR. PARDO: Right.

MR. WITHERS: I'm sorry, that does what?

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CHAIRMAN AIZENSTAT: That strikes me.

MR. WITHERS: Oh, strikes you. Frightens you.

CHAIRMAN AIZENSTAT: If a developer wants to come in and say, "You know what, I don't want to go through all of that and thank you you're helping me, I would like to do that, because you're helping the expense," which is what we're saying, we're helping a developers expense, why aren't they coming in and telling us that?

MR. PARDO: That is a residual component of this. The concern here is, unfortunately -- what has happened in the past is that the Board of Architects has been limited because they're being told specifically by the City Attorney's Office that you have to look at this thing as if it has already been approved. So now they're looking at this specific building, where instead of five stories, it's ten or fifteen stories, whatever the ask is, but you guys don't know that -- you can't tell them, you know, that's just too massive.

I'm not talking about use. I'm talking about that the height is too much. And that's where that model came into play. That's what

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was -- the most important part of that model is that when you look at these intensities and the massings, this is where you apply the common sense of something where compatibility comes into play, which is written all over the Code, but if the Board of Architects thinks that they're handcuffed, they're here, that's the most important part for me. It's not the developers being here. It's these people being here, the people that guard this City.

CHAIRMAN AIZENSTAT: I agree with you wholeheartedly, but you spoke about the cost that the developer goes through and that's why I said that.

MR. PARDO: I did.

CHAIRMAN AIZENSTAT: But by the same token, if you've got our City Attorney or our City Staff giving direction, it's got to be direction that's within the Code or within their purview or else they wouldn't be giving that direction to the Board of Architects.

So is the problem or is the concern with our Code the way it is?

MR. PARDO: Yes.

CHAIRMAN AIZENSTAT: And not necessarily

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the step?

MR. PARDO: No, it is a procedural problem with the Code.

CHAIRMAN AIZENSTAT: Okay.

MR. PARDO: And just so you know, only this subset of people that are asking for the change of zoning or the change of the Land Use Plan. Everybody else is under a matter of right under the Code. That's -- I don't know what the percentage would be, but it has to be a very high percentage.

CHAIRMAN AIZENSTAT: That's everybody we see.

MR. PARDO: Well, no, because then you have --

CHAIRMAN AIZENSTAT: In reality, it's a hundred percent.

MS. SUAREZ: There are some site plan reviews that aren't seeking any land use change or --

MR. PARDO: That's what I was going to say, PADs and things like that, that come before this Board.

And, again, this goes back to the City Attorney's Office having a difficult situation.

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They have to give some type of direction to the Board of Architects. And what's happened is you must assume this. I'm not making this up. They're all here and they can tell you, because they have to listen to the City Attorney say it.

CHAIRMAN AIZENSTAT: But there's got to be a reason the City Attorney is saying that.

MS. SUAREZ: Again, because they make that assumption, does not mean -- they can still reject a project. Even if they make that assumption, they can still reject the project, if they determine, on a case by case basis, that that design -- the architecture and the design, considering the massing, et cetera, all of those other criteria that are in the Zoning Code under their standards of review, they can still reject the project for those reasons.

MR. PARDO: Let's talk about the massing. You're thinking the massing of only the project. I'm thinking of the massing and the relationship of the massing with the surrounding area for compatibility.

MS. SUAREZ: Absolutely. They can consider the compatibility, absolutely, but -- so that

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is irrelevant. But I guess what I'm trying to say, it's irrelevant whether they already have the zoning change or not. So if you're looking at it from an architecture perspective, from a design perspective, they're looking at the design in comparison to the neighborhood and the rest of the -- you know, the surrounding area.

MR. PARDO: I think -- I mean, I think this is an amazing conversation, because it's a procedural problem that came up because the City Attorney's Office was present with the Board of Architects and gave them a specific instruction that limited them from using all of the tools that are written in black and white in the Code. Am I getting something wrong here, Judy?

MS. SUAREZ: So I need to respectfully disagree that we're limiting their tools. I think we've actually emphasized that they can use those tools. It's just -- the request for the land use, it's not in their criteria. Those requests are not in their criteria.

MR. PARDO: The request -- you're talking about land use like if it was an actual use.

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It's not.

MS. SUAREZ: Correct. That change.

MR. PARDO: No. When you're looking at zoning, you look at setbacks, you look at floor area, you look at density and then you look at height and you look at many other factors, but when you say, "Land use," it's not like the use that this is an apartment building --"

MS. SUAREZ: No, of course not.

MR. PARDO: "-- and this is a shopping center."

MS. SUAREZ: Of course, not.

MR. PARDO: But I want to make sure that this is crystal clear, because they're being told specifically, and they have been told for a long time, that they cannot weigh in on certain factors and they can only look at the architecture and the aesthetics of the architecture. Very big difference between looking at a style of a window, compared to looking if it should be stepped down, when they're been told that they can't do that.

MS. CARTY: And if I say, because -- and I'm not speaking for the Board. I don't know how everybody feels on this, but from my review

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1 at the Board, if the City Attorney is coming in
2 there and saying, "You need to assume that this
3 is approved," it's a very different pressure to
4 not having that, okay, because if they're going
5 to a much different height, as an example, or
6 allowing, you know, a loading dock right
7 opposite a single-family house and we have to
8 assume that those aspects of it are approvable,
9 it's very, very different, right, to being able
10 to say, "You know what, I don't think this is
11 the right project, in terms of height, for this
12 location."

13 MS. SUAREZ: And you can do that today is
14 all I'm trying to say. And I understand there
15 seems to be a disconnect, and so -- my office
16 is committed to continuing to work with the
17 Board of Architects, because you could do that
18 today, from a design perspective, it doesn't
19 meet the criteria that's set forth in the Code.
20 That is all I'm trying to just make clear.

21 Again, I don't think that impacts
22 necessarily this item today, because I think
23 we've heard different reasons why this is a
24 helpful tool, meaning adding the conceptual
25 review by this Board, so you all can make that

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1 determination and recommendation as to that.
2 But I do want everyone to know that we are
3 committed to continuing to work with the Board
4 of Architects and make sure that they are
5 crystal clear on the authority that they have
6 under the Zoning Code.

7 MR. PARDO: Respectfully, I'd like to add
8 one thing. At one of the public hearings
9 before, in the Planning Board, I was told
10 specifically that I misunderstood, and it just
11 so happens that I think Judy and Peter were
12 here at that time, and Judy came up and
13 specifically said, "No, we have been told
14 this."

15 Although you're saying one thing, the key
16 here is that they're being told in a
17 non-recorded meeting, where there's no access
18 of recording of anything to hear who said what
19 and how, which I think is important to have at
20 the BOA, when it comes to these very large
21 specific projects, where people are asking for
22 increases of the Zoning Code or the
23 Comprehensive Land Use Plan, which affects all
24 of those properties around it.

25 I mean, listen, people are sick and tired

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1 of having things built where they're not
2 compatible, and we're missing the message, and
3 I think that's wrong. And this is just a
4 device, a procedural device, to be able to give
5 the BOA the ability to do what they do,
6 although you're saying it's okay to do it, but,
7 then, you know, come next Thursday, they may
8 have someone from the City Attorney's Office
9 telling them the exact opposite. I have a
10 problem with that.

11 MS. KAWALERSKI: You know, we have two
12 other members of the Board of Architects here.
13 Would either one of you like to -- oh, we have
14 a number. Would any of the gentlemen like to
15 come up and weigh in on this?

16 CHAIRMAN AIZENSTAT: Hold a second. Robert
17 wanted to make a comment.

18 MR. BEHAR: Yeah. This is very simple. We
19 all agree this is going to be the right process
20 to follow. The question is, does it come here
21 first or does it go to the BOA and come back to
22 us, conceptual.

23 MR. PARDO: And I said the word,
24 non-binding, to make sure.

25 MR. BEHAR: Okay. So which one goes first,

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1 you know, the chicken or the egg.

2 MR. SALMAN: Right. That's the question.

3 MR. BEHAR: Sir, go ahead.

4 MR. BALLI: Giorgio Balli, with offices at
5 1533 Sunset Drive, in the Gables.

6 I'm a recent member on the board, and, you
7 know --

8 MS. SUAREZ: I'm sorry, Mr. Chair. I have
9 to interrupt.

10 MR. BALLI: When the applicants come --

11 MS. SUAREZ: I'm sorry, I need to
12 interrupt. You're a member of the Board of
13 Architects? So, unfortunately, this meeting
14 was not noticed as a meeting of the Board of
15 Architects. So we cannot have --

16 MR. BALLI: We're all members of the Board
17 of Architects.

18 MS. SUAREZ: I know. So we've had one
19 member speak, but you all should not -- you can
20 listen, but you should not have a back and
21 forth discussion about something, because it
22 could come again before you. It's something
23 you might all discuss at some other time, so --
24 due to the Sunshine Law.

25 MR. PARDO: But how was this advertised?

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1 MS. SUAREZ: It's advertised as a meeting
2 of the Planning and Zoning Board. There was no
3 Sunshine notice for a Board of Architects
4 meeting.

5 CHAIRMAN AIZENSTAT: Can this gentleman
6 come before us as a resident? Do you live in
7 the Gables, sir?

8 MR. BALLI: I work in the Gables. I don't
9 live in the Gables.

10 CHAIRMAN AIZENSTAT: So he's is not a
11 resident of Coral Gables.

12 MS. SUAREZ: I think there would still be a
13 challenge with the Sunshine Law.

14 MR. BEHAR: I think she's just trying to
15 protect --

16 MS. SUAREZ: Just trying to protect the
17 process.

18 MS. KAWALERSKI: Well, you know, our
19 intention was to have members of the Board of
20 Architects speak at this meeting. Why wasn't
21 it advertised correct?

22 MS. SUAREZ: So my understanding, the Chair
23 was designated to speak before you all.

24 CHAIRMAN AIZENSTAT: Robert, you were
25 saying something?

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1 to the Board of Architects for a full review?

2 MR. SALMAN: Right. So it can start the
3 process going forward, and then they will know.
4 Then they will know. And, also, gives the
5 residents notice of things happening sooner,
6 which is the reason I supported it initially.

7 CHAIRMAN AIZENSTAT: Judy -- I just wanted
8 to ask Judy a question.

9 Judy, if you have a conceptual review on a
10 big project -- today, when you look at a
11 project, a big project, you have the entire
12 Board looking at it?

13 MS. CARTY: Yes, absolutely. Yes.

14 CHAIRMAN AIZENSTAT: Okay. If you would do
15 a conceptual review, would you then have the
16 entire Board review it? Is that the idea?

17 MS. CARTY: Yes. Yes. It is the idea.
18 And just if I could say --

19 CHAIRMAN AIZENSTAT: Yes.

20 MS. CARTY: -- the strong consensus of
21 commentary that I guess has to be filtered
22 through me --

23 CHAIRMAN AIZENSTAT: Yes, ma'am.

24 MS. CARTY: It is that it just doesn't make
25 sense. The ask is the land use change. That

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1 MR. BEHAR: No. You know, for me -- again,
2 for me, it's very simple. You know, it has to
3 go to a conceptual for both, the Board of
4 Architects and us. I still believe that it
5 should go there first and then come to us. And
6 the reason for that is, before it goes through
7 the whole entire process, you know, it gets
8 conceptually from -- I don't know what the
9 other Board Members feel that it should be the
10 case.

11 MR. SALMAN: I'd like to support Robert in
12 his point, and I think it should go to the
13 Board of Architects first, because they're the
14 ones that are looking at it holistically with
15 regards to the size of the building and its
16 environment and its ability to actually fit in
17 within the fabric of the City.

18 CHAIRMAN AIZENSTAT: Conceptually.

19 MR. SALMAN: On a conceptual basis. And
20 then they can go and they come here, and at
21 that point, we will have the benefit of their
22 review, in a non-binding way, to inform our
23 position, to also present a conceptual review
24 and opinion on the project.

25 CHAIRMAN AIZENSTAT: And then it goes back

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1 is what needs to occur first, and you work from
2 the big picture to the small picture, and we're
3 looking at the architecture. Anybody can make
4 a make a big building look good.

5 CHAIRMAN AIZENSTAT: But I think if it
6 comes before us for a land use change and we
7 make a determination that it's not a conceptual
8 review --

9 MR. PARDO: No. No. No. No. Remember,
10 it's not even a conceptual here. It's a
11 non-binding. Non-binding. Makes a big
12 difference.

13 MS. CARTY: To come to us for a conceptual
14 review, a lot of architectural work needs to
15 occur, right. It needs to be a building, looks
16 like a building. The style needs to be
17 determined. The detailing needs to be
18 determined, you know, because we're going to
19 comment on all of those things. It doesn't
20 make sense.

21 MR. SALMAN: I think that maybe what we
22 need to do -- forgive me through the Chair --
23 is that we just need to limit what the
24 requirement of that conceptual review as to the
25 Board of Architects, to just a massing study

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1 and a context study, period, end of story. You
2 can make that decision. And, then, when it
3 comes to us, we can see, okay, let's look at
4 the Zoning. That makes sense.

5 It's a series of boxes. And we've already
6 heard that that's what we are looking for, a
7 very simplistic view of the ultimate massing
8 that they're looking to do, and whether or not
9 it fits in with the surrounding area. Forget
10 the fenestrations. Forget all of the ginger
11 bread. Forget everything. Just the massing.

12 MS. KAWALERSKI: So, then, you're
13 suggesting that we look at it first, this
14 non-binding conceptual look at the box --

15 MR. SALMAN: No, it goes to the Board of
16 Architects for massing and context and then it
17 comes here.

18 MR. BEHAR: If we have --

19 MS. KAWALERSKI: But they're architects.

20 MR. BEHAR: If we have conceptually
21 approved the massing, the Board has to say,
22 "Well, that was approved. They've got to
23 follow that." Right?

24 MS. KAWALERSKI: But they have no guidance.

25 CHAIRMAN AIZENSTAT: One at a time.

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1 MR. WITHERS: Are they going to base the
2 massing and context on what they might receive
3 from a Mediterranean Bonus or are they going to
4 base it on what the Code stands for?

5 MR. SALMAN: They should -- the developer
6 should be submitting to them what their
7 intention is, whether it has included
8 Mediterranean bonuses or not, whether there's
9 an increase -- and only if it's an increase in
10 the development rights of the property, either
11 through Zoning or FAR, whatever. That's the
12 subset that Felix is talking about
13 specifically. And what we're looking for is a
14 massing review and context review only from the
15 Board of Architects, and they're the ones that
16 are in charge of that, not us.

17 And once it gets to them, they can come
18 with the same set of drawings or exhibits and
19 say, "Hey, we want to build this. What do you
20 think?" And then we can give them an opinion.
21 And then everybody knows where we're going with
22 this.

23 CHAIRMAN AIZENSTAT: Felix, let me present
24 something to you.

25 MR. PARDO: Sure.

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1 CHAIRMAN AIZENSTAT: It goes to the Board
2 of Architects, an enormous building, because
3 the Board of Architects -- I'm taking an
4 assumption, the Board of Architects is being
5 told, "You have to assume that they've gotten
6 everything they've asked for," just going all
7 of the way out there, that building comes
8 before us. Don't we look at it individually,
9 each member, and come to a conclusion, by the
10 vote, that -- and we've done this before, where
11 we've said, "That thing is just a monster.
12 It's just too big." And, basically, they can
13 go -- the developer and the attorney can go to
14 the Commission, with a denial, and proceed
15 further.

16 MR. PARDO: Sure.

17 CHAIRMAN AIZENSTAT: So what tool are we
18 putting in by doing the conceptual back and
19 forth, except maybe a process to notify the
20 neighbors more so?

21 MR. PARDO: No. Let me give you a specific
22 example. Many years ago, there was a family
23 that owned what is today Ponce Circle Park, and
24 they wanted the City to buy it. They were
25 allowed, based on the Zoning Map, something,

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1 and they came in with a high-rise right in the
2 middle of that park. The City eventually
3 bought it and became their property.

4 If today someone has that property and
5 says, "I want to put whatever the maximum that
6 could be allowed there," they come in with a
7 change of Zoning and they come in with a
8 Comprehensive Land Use Plan. If they would go
9 to the Board of Architects first with the
10 building, the Board of Architects would not be
11 able to rely on anything from a massing
12 standpoint.

13 CHAIRMAN AIZENSTAT: But the Board of
14 Architects is there to look at the design
15 aspect of that building.

16 MR. PARDO: Of the building and the
17 contextual relationship -- the contextual
18 relationship of the neighborhood.

19 CHAIRMAN AIZENSTAT: But then it comes to
20 this Board.

21 MR. PARDO: That's correct. But if that
22 applicant would come before us first, we could
23 tell them, without a doubt, that we don't think
24 it's compatible with the neighborhood. That's
25 just an example.

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CHAIRMAN AIZENSTAT: What if that applicant doesn't want to come to you first? Don't take me wrong. I understand what you're saying we should do.

MR. PARDO: Right.

CHAIRMAN AIZENSTAT: But that goes back to my point, I haven't seen a single developer come in here and talk about this at all, and personally, I don't understand it, because I think it does affect them.

MR. PARDO: Well, you know, maybe I shouldn't say this, but if I were the developer, then why come here, because he knows he's going to go to the Board of Architects and they're being told, "You can't do this and you can't do that." That's why the developers aren't lined up here. That's the 800-pound gorilla in the problem.

The problem is that no one is opining -- and, look, Staff does their job and they make a recommendation, and they make it based on certain things, but at the end of the day, Staff makes a recommendation. It's not binding on us, but it's a recommendation.

What I'm saying is, get a recommendation

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here before you go to the Board of Architects, and then keep anybody else from interfering with the Board of Architects and what they are charged to do.

CHAIRMAN AIZENSTAT: What do you mean, keep anybody else from interfering?

MR. PARDO: In other words, at this time what happens is that when there is an ask for additional zoning and/or intensity and the change of a Comprehensive Land Use Plan, they're being told that "You have to assume that it's already been approved." So they're looking at something completely different, and that's a problem. And we could talk about it all night, but it is an issue, and it's a subset of this.

And the other thing is that, this is because not only are they asking for the change of Zoning and/or Land Use Plan, but they're specifically going to be asking for Mediterranean bonuses, which adds another two or three stories, depending on what they're doing.

And now you're looking at a building that is possibly much bigger than it should have

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been, wherever it is, with the change of Zoning, because all of this now affects massing and intensity and the surrounding area.

CHAIRMAN AIZENSTAT: Who makes the ultimate determination?

MR. PARDO: Well, the ultimate determination, without a doubt, is always the Elected Official.

CHAIRMAN AIZENSTAT: Right.

MR. PARDO: That is absolutely true. But at the same time, you know, the person that receives most of the criticism is the Board of Architects, and it's unrightful for them to be criticized for doing their job with their hands tied behind their back. That's just my opinion.

CHAIRMAN AIZENSTAT: I don't know if they received all of the criticism. I don't know if I'd agree with you.

MR. PARDO: Well, you know, it's the same thing. You're right, the ultimate decision is the Commission, and the ultimate decision of the change of this procedure is also the Commission.

CHAIRMAN AIZENSTAT: Correct.

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MR. PARDO: Let's kick it up to the Commission without a recommendation. Let them figure it out.

MS. KAWALERSKI: So I have a motion. I have a motion to move this item --

CHAIRMAN AIZENSTAT: Before you do that, I just want to find out if we have any more speakers.

Any other speakers that have signed up whatsoever?

THE SECRETARY: No.

CHAIRMAN AIZENSTAT: Okay. I'll go ahead and close the floor.

MR. WITHERS: I do have just one question. What are we being asked to do? I know there's a Resolution from the Commission.

MS. SUAREZ: And there's a proposed Ordinance that Staff has prepared to that effect.

MR. WITHERS: So has the Commission already acted on this, kind of, in a way?

MS. SUAREZ: The Commission basically asked Staff to consult with the Board of Architects and to bring this matter before you. Staff has gone ahead and prepared a text amendment to the

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1 Zoning Code, that changes the process, by --
2 and, you know, I'll defer to Jennifer, but
3 basically to create a conceptual review by this
4 Board, when there is a request to change the
5 Land Use or the Zoning boundary.

6 MR. WITHERS: Okay.

7 MS. SUAREZ: Jennifer, did I --

8 MS. GARCIA: Right. Right. So if you go
9 to Page 2 and Page 3 of your Staff report,
10 there's a full chart, basically, and this is
11 adding in conceptual review by the Planning and
12 Zoning Board within any request for the Zoning
13 and for the Land Use changes.

14 MR. WITHERS: I got it.

15 MR. SALMAN: And, Jennifer, this is not a
16 requirement, it's an optional?

17 MS. SUAREZ: No.

18 MS. GARCIA: After today, it is required.

19 MR. SALMAN: Okay.

20 CHAIRMAN AIZENSTAT: That would be
21 required.

22 MR. WITHERS: That's what I was asking.

23 MS. KAWALERSKI: No, it's not binding.

24 MR. PARDO: No. The original motion that
25 was passed by this Board unanimously was

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1 master.

2 MR. PARDO: Okay. I'd like to make a
3 motion to change the procedure for proposed
4 projects that include a Land Use and/or Zoning
5 change to have a non-binding conceptual review
6 by the Planning Board first, and then that
7 recommendation is forwarded to the Board of
8 Architects as part of their consideration for
9 their mandatory conceptual review.

10 CHAIRMAN AIZENSTAT: I'm not sure I'm
11 clear.

12 MR. SALMAN: It comes to us first --

13 CHAIRMAN AIZENSTAT: I'm sorry?

14 MR. SALMAN: It comes to us first, and then
15 they use our recommendation, non-binding, in
16 their review of massing and disposition. Is
17 that correct?

18 MR. PARDO: Would you be able to read the
19 motion?

20 CHAIRMAN AIZENSTAT: So it's not as
21 written?

22 MR. PARDO: It's not as written here.
23 That's why I had to change it.

24 (Thereupon, said portion was read back by the
25 reporter, as above recorded.)

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1 non-binding.

2 MS. SUAREZ: Correct, but it's a required
3 step, as drafted, unless the Board wants to
4 suggest for it to be an optional, but as
5 drafted, it is a required step in the process,
6 but the feedback will be feedback, it will be
7 non-binding. In other words, you know, the
8 applicant can't come back and say, "But you all
9 told me you were in favor of this," right.
10 It's a non-binding. It's a conceptual -- it is
11 conceptual feedback.

12 MR. PARDO: I think that one of the issues
13 here, and Chip put his finger on it, and that
14 was that, the way that it's written, it's not
15 clear. That's the reason I got my copy
16 completely marked up.

17 CHAIRMAN AIZENSTAT: Sue was going to make
18 a recommendation.

19 MS. KAWALERSKI: I'm going to defer any
20 motion to Felix.

21 CHAIRMAN AIZENSTAT: Okay. All right.

22 MR. PARDO: Is that okay, Mr. Chair?

23 CHAIRMAN AIZENSTAT: Yeah. I thought you
24 were going to make a motion first.

25 MS. KAWALERSKI: I was, but he's the

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1 CHAIRMAN AIZENSTAT: Felix, what happens to
2 all of the other steps the developer has to
3 take before the Board of Architects? They go
4 through all of the steps, and, technically, on
5 the chart, when it goes to the Board of
6 Architects --

7 MR. PARDO: I think you said the word
8 "first."

9 THE REPORTER: Yes.

10 MR. PARDO: That includes every procedure,
11 DRC, et cetera, which I think Staff had the
12 graph in there.

13 MS. GARCIA: Yes. So just to clarify, in
14 our Zoning Code, we have separate requests. So
15 the Board of Architects, as much as we adore
16 them, they're not part of the Land Use changes
17 or the Zoning changes. So the request of
18 having this Board review proposed Land Use or
19 Zoning change first would be captured most
20 likely in an administrative order by the City
21 Manager, instead of trying to criss-cross it
22 into the Zoning Code, because right now the
23 Zoning Code is kind of separate as far as the
24 request goes.

25 Does that make sense?

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1 MR. PARDO: I'm okay with that.
 2 MS. GARCIA: Okay.
 3 MR. PARDO: There's a motion on the floor.
 4 MS. KAWALERSKI: I second.
 5 CHAIRMAN AIZENSTAT: Is there a second. We
 6 have a second.
 7 Any discussion?
 8 MS. SUAREZ: I just want to make sure
 9 Jennifer's clear on the motion, and you'd be
 10 able to put that into the text amendment, the
 11 proposed text amendment.
 12 MS. GARCIA: Yes. My understanding is that
 13 this Board -- before the Board of Architects,
 14 that this should review the conceptual review
 15 first and that those comments and non-binding
 16 discussion that happens here, we forward it to
 17 the Board of Architects, before they review the
 18 project at the conceptual level.
 19 CHAIRMAN AIZENSTAT: So, in other words,
 20 they'll get our minutes.
 21 MR. WITHERS: Can I ask a question? Are
 22 there time frames tied to all of this procedure
 23 that have to be adopted?
 24 MR. BEHAR: I don't like this.
 25 MS. GARCIA: No. There's fees that would

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1 have to be adopted. If we have to charge the
 2 applicant some fees -- there's not a change in
 3 the time line.
 4 MR. WITHERS: So there's not like a 60-day
 5 or 30-day time frame that would have to --
 6 MS. GARCIA: We don't have that in the
 7 Zoning Code, no.
 8 MR. PARDO: And I just want to make sure
 9 that the Board of Architects somehow has a
 10 record of what we have said, so they have that
 11 as part of their design constructs, if you
 12 will.
 13 MS. GARCIA: Right. So we'll have the
 14 record. We'll have the minutes that are being
 15 typed up right now for every single change of
 16 Land Use or Zoning. We'll make sure that's
 17 forwarded to the Board of Architects for their
 18 information.
 19 MR. PARDO: Thank you.
 20 CHAIRMAN AIZENSTAT: So we have a motion.
 21 We have a second. Any other discussion?
 22 Call the roll, please.
 23 THE SECRETARY: Sue Kawalerski?
 24 MS. KAWALERSKI: Yes.
 25 THE SECRETARY: Felix Pardo?

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1 MR. PARDO: Yes.
 2 THE SECRETARY: Javier Salman?
 3 MR. SALMAN: Yes.
 4 THE SECRETARY: Chip Withers?
 5 MR. WITHERS: Yes.
 6 THE SECRETARY: Robert Behar?
 7 MR. BEHAR: No.
 8 THE SECRETARY: Julio Grabiell?
 9 MR. GRABIEL: Yes.
 10 THE SECRETARY: Eibi Aizenstat?
 11 CHAIRMAN AIZENSTAT: No.
 12 THE SECRETARY: Five-two. It passed.
 13 CHAIRMAN AIZENSTAT: All right.
 14 MR. BEHAR: Mr. Chair, keep in mind that
 15 it's 8:41.
 16 MR. WITHERS: That was a quick discussion.
 17 That was a good discussion.
 18 CHAIRMAN AIZENSTAT: Should we take a
 19 five-minute break?
 20 MR. BEHAR: Let's take a five-minute break,
 21 but let's keep -- we have how many more items
 22 on the agenda tonight?
 23 THE SECRETARY: Two.
 24 CHAIRMAN AIZENSTAT: Well, we've got E-4
 25 and E-5, but we also skipped E-2.

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1 MR. BEHAR: I'm going to make a motion,
 2 when we come back, that maybe E-2 goes into --
 3 MS. SUAREZ: I think that Jennifer will
 4 tell we need to have --
 5 MS. GARCIA: That is very specific. We
 6 have to get a recommendation for that tonight.
 7 We're on a time line with the State for that
 8 one.
 9 MR. BEHAR: Okay.
 10 CHAIRMAN AIZENSTAT: Let's take a break --
 11 five-minute break, please.
 12 (Recess taken.)
 13 CHAIRMAN AIZENSTAT: I'd like to start the
 14 meeting back on, please. It is 8:51 right now.
 15 So we don't have to interrupt, is there a
 16 motion to go past nine o'clock?
 17 MR. SALMAN: I make a motion to extend to
 18 9:30.
 19 MR. GRABIEL: Second.
 20 MR. WITHERS: Third.
 21 CHAIRMAN AIZENSTAT: Everybody in favor
 22 say, aye.
 23 (The Board Members voted aye.)
 24 CHAIRMAN AIZENSTAT: All right. Could we
 25 read the next item in, please, which would be

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1 E-2, that we skipped?

2 MS. SUAREZ: Yes. E-2 is an Ordinance of
3 the City Commission of Coral Gables, Florida
4 requesting amendments to the text and maps of
5 the City of Coral Gables Comprehensive Plan,
6 pursuant to expedited state review procedures
7 (Section 163.3184, Florida Statutes) and Zoning
8 Code Article 14, "Process," Section 14-213,
9 "Comprehensive Plan Text and Map Amendments;"
10 to update as a result of the City's Evaluation
11 and Appraisal Report, the minimum planning
12 periods and sewer requirements, as well as
13 amendments to certain goals, objectives and
14 policies of the Comprehensive Plan; providing
15 for a repealer provision, providing for a
16 severability clause, and providing for an
17 effective date.

18 MS. GARCIA: Jennifer Garcia, Planning and
19 Zoning Director. I am sharing my screen.
20 Perfect.

21 So, really quick, you guys have had this
22 PowerPoint in your submittal, so I'm going to
23 go through this really quickly.

24 Our Comprehensive Plan, as you know, was
25 adopted back in the early '80s, 1980, actually,

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1 was the first Comprehensive Plan. We've
2 amended it many times since then.
3 Particularly, there's been some EAR-based
4 amendments. EAR-based means Evaluation and
5 Appraisal Report, which is the process that's
6 required by the State to make sure that our
7 Comp Plan is basically consistent within State
8 Statutes.

9 So we have found two State Statutes that we
10 need to comply with. One is expanding the --
11 kind of the short-term, long-term planning
12 periods from five to ten years and ten to
13 twenty years, as well as some feasibility
14 requirements for sewer services, and you'll
15 find that in Attachment A of the Staff report.

16 I'm going to go through this really
17 quickly. Part of the process of an EAR-based
18 amendment is to show the State -- you guys know
19 this, of course, because you've been here for
20 many, many years, but to show the State, who is
21 not familiar with Coral Gables, how we've been,
22 you know, achieving our Comprehensive Plan.

23 So there's a mix of uses that we have here.
24 We did find some discrepancies with one of our
25 Comp Plan policies. We have a goal to be able

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1 to fix that. We're at 28 properties with
2 discrepancies, inconsistencies between the
3 existing and the future land use of the Comp
4 Plan and the existing land uses.

5 Affordable housing -- we were able to
6 update our affordable housing study in 2017.
7 So you will find that also as part of the
8 packet before you.

9 Schools, I don't think we have grown in any
10 public schools since the original adoption of
11 the Comp Plan.

12 Let's see, we've been able to expand our
13 trolley system. We've kind of updated those
14 policies in our Comp Plan, as well. Our
15 current trolley ridership averages around 4,000
16 passengers, so you also see that adjusted in
17 the Comp Plan policy, as well.

18 And then, also, for parks and recreation,
19 there have been new facilities and new parks
20 that have been acquired by the City. So
21 they're going to be captured in the Local
22 Service Maps of the Comp Plan.

23 Let's see. There's also been a Historic
24 District along Coral Way that needs to be
25 incorporated into that map.

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1 We have done a lot of green initiatives,
2 and you can find more details about that in the
3 actual inventory that's attached to your Staff
4 report.

5 Also, the findings that we got from the
6 National Community Survey, incorporating that,
7 as well, into that report. And this is
8 actually a very interesting diagram we've done
9 to show kind of the value per acre. You can
10 see that as we've been focusing on
11 redevelopment in Downtown and along US-1,
12 specifically around the Metrorail Station at
13 Douglas, we've been able to increase that value
14 per acre.

15 Let's see. So just as a quick recap,
16 again, we're just updating the planning periods
17 of our Comprehensive Plan to reflect the
18 requirements by the State. We're also removing
19 some of this outdated language by the 2007
20 Zoning Code Re-Write, because it's kind of
21 outdated language that we need to update that
22 doesn't really apply anymore.

23 Also updating some policies and
24 corresponding target dates, because they, of
25 course, were a little bit out of date, you

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1 know, prior to 2011, prior to 2016. So we've
2 been able to update that, according to the
3 ten-year, twenty-year planning horizons.

4 And also updating some outdated references
5 to, of course, the Florida State Statutes, and
6 then, again, revising that parks and recreating
7 goals, objectives and policies, based on the
8 coordination with the Parks and Recreation
9 Department, updating that map particularly, and
10 also the Historic Resources District Maps that
11 you can see here.

12 So the Historic Landmark Districts Map, on
13 the left side, you'll see the incorporation of
14 that new district along Coral Way and also the
15 five additional new parks and facilities on the
16 right side, that measures the level of service
17 for parks.

18 So we have reviewed this, and we find that
19 it does comply with the Comprehensive Plan, as
20 well as being satisfied for the amendments. In
21 fact, that's why Staff has recommended to
22 transmit this after First Reading, of course,
23 to the Florida Commerce.

24 Thanks.

25 CHAIRMAN AIZENSTAT: Thank you.

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1 example. I mean, that is like a major hammer
2 that has come down, that's going to affect
3 numerous areas in Coral Gables. Why won't that
4 be more detailed in here?

5 MS. GARCIA: Yeah. So that map is included
6 in the Live Local application you've seen in
7 the past meetings. It's one of the display --
8 it's one of the PowerPoint slides. It shows
9 all of the mixed-use districts, and that's
10 where Live Local would apply for.

11 MS. KAWALERSKI: Right. And why isn't it
12 in here?

13 MS. GARCIA: Because we're not putting that
14 policy into our Comprehensive Plan.

15 CHAIRMAN AIZENSTAT: You don't want to put
16 that policy into the Comprehensive Plan.

17 MS. KAWALERSKI: You don't?

18 MS. GARCIA: It's ever changing.

19 MS. KAWALERSKI: All right. Well, when it
20 says, "Revised references to State Statutes,"
21 isn't that like the biggest one?

22 MS. GARCIA: No. So there's been State
23 Statutes that have kind of moved around in the
24 past fifteen years --

25 MS. KAWALERSKI: The numbering?

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1 Yes.

2 MS. KAWALERSKI: I've got a question.

3 MR. WITHERS: I just have a question. When
4 it says, "Ensure alignment with State
5 priorities," what if we disagree with aligning
6 with the State priority? What's our option?

7 MR. PARDO: Live Local.

8 MR. WITHERS: Coincidentally.

9 MS. KAWALERSKI: Well, that was my
10 question. There is no mention in here at all
11 of Live Local under affordable housing, and,
12 you know, I was expecting like a map, where, in
13 Coral Gables, that could be applied, but
14 there's no mention of this.

15 MS. GARCIA: So we are doing the very bare
16 minimum, as far as what the State is requiring
17 us to put into our Comprehensive Plan. They're
18 not requiring us to put in Live Local and
19 policies, objectives relating to that as of
20 now. So we're not incorporating that. We're
21 kind of just doing what is required of us, from
22 the State's standpoint, into our Comp Plan.

23 MS. KAWALERSKI: But I mean, it would be
24 helpful. I mean, I'd like to see a map of
25 where these projects could be built, for

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1 MS. GARCIA: -- that we're basically just
2 specifying where exactly that State Statute is.
3 They're a little bit outdated. There's one
4 that's like a Rule 9-J, I think, and it moved
5 to Chapter 163. So we're just updating that
6 reference.

7 MS. KAWALERSKI: Okay.

8 MR. PARDO: Mr. Chairman?

9 CHAIRMAN AIZENSTAT: Yes, sir.

10 MR. PARDO: When I'm changing something, I
11 always like to see what I had before, before I
12 get what I want. So I found the document
13 overwhelming, because of the references that
14 are there. So, in other words, if you don't
15 have the reference, you don't understand.
16 That's one thing.

17 The second thing is that, when you say,
18 "Well, we're changing these updates," I don't
19 understand exactly what you changed. You know,
20 is it the year of the adopted Code? You know,
21 what -- it is very hard to follow, and I would
22 imagine -- how long did you work on this, a
23 week, a month, six months?

24 Because we get this document at the end of
25 Friday. I'm looking at it. I spent my time

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1 looking at this over the weekend. I'm looking
2 at it, you know, a couple of more times, and I
3 have a very difficult time understanding it,
4 because I can't -- I have questions, and I
5 don't feel comfortable.

6 The first thing that Chip said, he said,
7 "Well, you know, how do we" -- he just took one
8 little sentence and he says, "We're complying
9 with everything that the State does?" And I
10 said, "Live Local." I disagree a hundred
11 percent with Live Local. I think that's the
12 worst thing that this Legislature has ever
13 done.

14 It doesn't promote affordable housing.
15 That's a lie. When you look at the rents, once
16 you apply it based on those things, that is
17 just nonsense. So that's not affordable
18 housing. What's affordable housing is what we
19 have north of us here, in the Apartment
20 District, the North Gables Apartment District.
21 That's affordable housing.

22 What I'm trying to say is that, how can we
23 adopt or vote or agree with something that,
24 unfortunately, has so many holes? I'm trying
25 to agree with it, but I can't even wrap my head

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1 around it.

2 MS. GARCIA: So the first, I guess,
3 probably half of that data analysis report is
4 kind of for the State. Of course, the Board is
5 welcome to look into that, and that's fine, but
6 that's really just taking an analysis of things
7 that we kind of already know is happening in
8 our City, and giving it to them, so they
9 understand where we're coming from, right.

10 What we should be looking at are the
11 strike-through and underline at the end of that
12 report, the text and the map. That's the
13 changes that are proposed. And you'll see that
14 a lot of them are just updating the years,
15 updating the planning horizons, adding in a
16 sentence about coordinating with Miami-Dade
17 County as far as the sewer system goes.

18 MR. PARDO: So let me understand this.

19 MS. GARCIA: Uh-huh.

20 MR. PARDO: You're taking this document.
21 You're sending it as an update, so we comply
22 with the State requirement of updating our
23 Comprehensive Land Use Map?

24 MS. GARCIA: As required by the State, yes.

25 MR. PARDO: Required by the State.

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1 MS. GARCIA: And, again, the State is not
2 requiring us to put any policy in our
3 Comprehensive Plan about Live Local.

4 MR. PARDO: That started back in the '80s
5 some time --

6 MR. WITHERS: And that's okay.

7 MR. PARDO: -- and that's okay, but the
8 problem that I have is, what if you -- you
9 know, you want to change something? Like our
10 mass transportation here stinks. We don't have
11 any. You know, are we addressing that? Are we
12 addressing all sorts of things that are part of
13 the factors that go into this?

14 How can we just push the paper over there
15 and not change it in such a way where it means
16 something, instead of just complying with
17 whatever the requirement is?

18 I'm not trying to put you on the spot. I'm
19 just trying to say, are we missing an
20 opportunity to do something with this document,
21 when we send it to the State, and also make
22 darn sure that we put things in there that we
23 won't agree with State policies.

24 MS. GARCIA: Right. Again, the only two
25 State policies are the planning periods, which

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1 I guess we could disagree with, but, you know,
2 they seemed pretty fine, the ten-year and
3 twenty-year planning horizons, and the sewer
4 feasibility, which is really not on the City to
5 do, right.

6 We know that we are managed by the County.
7 So it's kind of coordinated with the County.
8 It's coordinated with the County, as far as
9 what's feasible for the sewer conversion.
10 Those are the only two real requirements.

11 At the same time, we're going to be going
12 through our analysis of the Comp Plan, what
13 needs to be updated. Many of the years are
14 updated. Much of the information, as far as
15 the, you know, affordable housing study, was
16 updated. It needs to be in the Comp Plan.
17 There are also new facilities, as far as new
18 parks. Those are also being updated, as well
19 as the historic preservation.

20 Now, we're not putting any new policies as
21 it relates to transit. Those policies still
22 remain in the Comp Plan, as far as we want to
23 have greater ridership on the trolley, as much
24 as we can, right, and there's also policies as
25 far as to locate your intensity and density

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next to transit stations, as well. So those still remain in the Comp Plan.

I'm not sure how else you think we would need to have a policy to improve our transit system. We're really relying on Miami-Dade County.

MR. PARDO: For example, you talk about parks. So when we put housing projects up and we've taken all of the setbacks basically away, we're pushing the buildings to the edge of the sidewalk and we have very little, if any, green space, ten percent maybe every once in a blue moon, so when you do that, when those people are living in those areas, where do they go as far as a park, because part of our calculations, which is crazy, is, you know, Matheson Hammock and things like that, which are, you know, completely out of the scope of the usability of the people that are in this area?

So my question is, you know, I can't understand what we're evaluating, you know, or are we just kicking the ball down the -- you know, down the line here. I don't understand it.

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MS. GARCIA: So, again, as far as the parks and recreation goes, we have acquired, I believe, five new facilities, new parks, one right up the street right here, in the core of our, you know, North Ponce, Downtown area. So those policies in the map are being updated accordingly.

As far as policy goes, the policy in our -- the policy in our recreation element, is to be a five-minute walk from any park, whether it be a large, Matheson Hammock Park, or a small urban space. That's still a Comp Plan policy that we have. We want to make sure we have those areas of relief and the areas of park that people can get to.

So that policy still remains. So we want to have, you know, easy access to parks.

MR. PARDO: I don't know. Maybe I'm just tired, but I really don't -- I can't grasp, besides we have to have it within "X" amount of years, you know, the update, at the State level, I don't understand why we haven't been discussing this for a matter of time, over a certain amount of meetings, instead of us getting a package, you know, on Friday, which

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the ramifications could be huge, because you could put something in or take something out, and we don't understand -- or at least I don't understand what it is.

So maybe I'm -- you know, like I said, maybe I'm just tired.

MS. GARCIA: I mean, if the Board wants, we can go through the changes. I think there's about six pages, but most of them are just bullet points that we're not touching.

MS. SUAREZ: Right. And it starts on Page 26. So the changes that you would be making a recommendation on, just so we're all clear, begin on Page 26 of your packet. And so those are the amendments, and there's strike-throughs and underlines with the changes.

MR. BEHAR: Does this item have to be approved tonight?

MS. GARCIA: Yeah. So we did submit an EAR-based letter, back in, I think, February of last year. We have one year to comply with that. So we've been gathering data and we wait until the end of the year, to make sure we have all of the complete data for the entire year. Some of the information, we had to wait to

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basically close out that year, just so we can give it to you.

MR. PARDO: It's only Page 26, Cristina?

MS. SUAREZ: That is the change to the text that is being -- right, Jennifer? Is that correct?

MS. GARCIA: Yes.

MS. SUAREZ: It's the strike-throughs and underlines.

MR. PARDO: Okay. Mr. Chairman, I'm sorry --

MS. SUAREZ: Beginning at Page 26.

MR. PARDO: -- you know, I didn't get it until -- you know, we're looking at Page 26, period, end of story.

MS. SUAREZ: No. No. Beginning at Page 26.

CHAIRMAN AIZENSTAT: 26 to 36.

MR. PARDO: Okay. So on the FLU 1.19, from 2004, 2007, that strike-out, when was the last Code re-write that we had?

MS. GARCIA: I mean, we had a Zoning Code update, but didn't really change much of the content of the Zoning Code. So we're still erasing that, because it's not really relevant

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1 anymore.

2 MR. PARDO: Okay. So you wouldn't annually
3 change it, so, therefore, that's why you're
4 taking that sentence out?

5 MS. GARCIA: Well, yes, we are still going
6 to annually look at our Zoning Code, but we're
7 not going to refer to a 2004, 2007 --

8 MR. PARDO: There's no Comprehensive
9 re-write, okay.

10 MS. GARCIA: Right.

11 MR. PARDO: And on the FLU 1.444, the City
12 completed a review of the existing land
13 development regulation, that is stricken out,
14 because they haven't done another one since
15 then?

16 MS. GARCIA: Correct. So we're still going
17 to annually review any land use development
18 regulations. The rest of that policy applies.

19 MR. PARDO: Okay. Are there any
20 strike-outs that affect the Comprehensive Land
21 Use Plan or the Zoning Code or concurrency?

22 MS. GARCIA: No.

23 MR. PARDO: In any way, shape or form?

24 MS. GARCIA: No, because if you go on to
25 Page 27, the next page, Information, that's

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1 when we're just striking through outdated 2010
2 information, corresponding with the Public
3 School system.

4 Probably the only, maybe, substantial
5 change is related to parking, as far as private
6 facilities. Let me see if I can find that one.

7 MR. PARDO: And how would you address
8 Chip's comment?

9 MS. GARCIA: Remind me again what Chip's
10 comment was.

11 MR. PARDO: The comment about the State,
12 you know, about the State policies.

13 MS. GARCIA: The Live Local?

14 MR. WITHERS: That we're sure that -- that
15 we can ensure we're in alignment with their
16 policies, if we disagree with them.

17 MS. GARCIA: Well, again, there are only
18 two. We don't disagree, unless the Board
19 disagrees with the short-term, long-term
20 ten-year and twenty-year planning periods,
21 that's being updated from the five and
22 ten-year.

23 As a built-out city, it seems to make
24 sense, from a planning perspective. We're not
25 a City that's kind of growing, you know,

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1 horizontally and spreading out.

2 MR. PARDO: I mean, look, since the State
3 of Florida has basically declared war on home
4 rule -- is that a fair statement?

5 MR. WITHERS: Yeah.

6 MR. PARDO: That's a problem for me,
7 because home rule is what makes us do what we
8 do, and when they initiate, you know, things
9 like Live Local, then that's not in alignment
10 with what I think.

11 MS. GARCIA: I understand.

12 MR. PARDO: I would like to see that
13 portion of it rewritten or stricken.

14 MS. GARCIA: So, again, we don't really
15 mention Live Local anywhere in here. It's not
16 proposed.

17 MR. PARDO: No. No. I'm not saying -- I'm
18 talking about the section specifically about us
19 being aligned. I don't want to be blindly
20 aligned with anything. I don't want anyone to
21 come back, you know, from the State and say,
22 "Well, you agreed to this thing."

23 MS. SUAREZ: And so if I can clarify.
24 Jennifer, jump in if I'm not getting this
25 right.

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1 I don't think we're saying that. I think
2 that was Jennifer's summary, in your bullet
3 points, when you were summarizing or focusing
4 on the key areas of what these changes were.
5 You have a line that says, "Update specific
6 policies and corresponding target dates to
7 ensure alignment with State and Local
8 priorities."

9 Now, does that mean -- that is not in the
10 actual text.

11 MS. GARCIA: Correct. Yes.

12 MS. SUAREZ: That language is not in the
13 text that you are making -- that's in the
14 summary of the key areas that are being
15 addressed, and that's just -- there were two
16 policies, and that's what Jennifer is saying,
17 that were updated to make sure alignment with
18 the State policies.

19 MS. GARCIA: Right.

20 MS. SUAREZ: So maybe you can show us where
21 those two are in the text amendment. Maybe
22 that will help, Jennifer.

23 MS. GARCIA: Yes. So the first one was the
24 first page. Let me go back to that one.

25 MR. PARDO: I'm sorry, could you speak up?

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1 MS. GARCIA: The first one was in the first
2 page, I believe, Page 26, goal FLU 2. So you
3 can see that the planning period is just
4 updated from 2007 to 2014, to now be 2025 to
5 2035, and, then, again, for 2025 to 2045, the
6 ten and twenty-year planning periods.

7 Again, for a built-out city at our scale,
8 it's not really a big deal.

9 MS. SUAREZ: So that was one of the changes
10 that is incorporated, in order to align with
11 State policies.

12 MS. GARCIA: Right.

13 And, then, the other one, if you're
14 curious, is later on, underneath Capital
15 Improvements.

16 MR. WITHERS: I got it.

17 MS. GARCIA: Okay.

18 CHAIRMAN AIZENSTAT: Do we have anybody for
19 this subject?

20 THE SECRETARY: No speakers.

21 CHAIRMAN AIZENSTAT: No speakers
22 whatsoever? So closing the floor.

23 Any other comments or anybody that would
24 like to make a motion on this?

25 MR. BEHAR: I'll make a motion to approve

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1 it.

2 MR. WITHERS: Second.

3 CHAIRMAN AIZENSTAT: We have a motion. We
4 have a second.

5 Any discussion? No?

6 Call the roll, please.

7 THE SECRETARY: Javier Salman?

8 MR. SALMAN: Yes.

9 THE SECRETARY: Robert Behar?

10 MR. BEHAR: Yes.

11 THE SECRETARY: Julio Grabiell?

12 MR. GRABIEL: Yes.

13 THE SECRETARY: Sue Kawalerski?

14 MS. KAWALERSKI: Yes.

15 THE SECRETARY: Felix Pardo?

16 MR. PARDO: Yes.

17 THE SECRETARY: Javier Salman?

18 MR. SALMAN: Yes, again.

19 THE SECRETARY: I'm sorry.

20 CHAIRMAN AIZENSTAT: She thought it may
21 change your mind.

22 THE SECRETARY: Eibi Aizenstat?

23 CHAIRMAN AIZENSTAT: Yes.

24 All right. We have one last item.

25 It's two items that are together. It's 8:15.

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1 MS. SUAREZ: 9:15.

2 CHAIRMAN AIZENSTAT: I'm sorry, 9:15.

3 That's even worse.

4 MR. BEHAR: Read fast.

5 CHAIRMAN AIZENSTAT: Could we read it?

6 MS. SUAREZ: Yes. So E-4 is a Resolution
7 of the City Commission of Coral Gables, Florida
8 approving receipt of Transfer of Development
9 Rights (TDRs) pursuant to Zoning Code Article
10 14, "Process," Section 14-204.6, "Review and
11 approval of use of TDRs on receiver sites," for
12 the receipt and use of TDRs for a Mixed-use
13 project referred to as "299 Minorca" on the
14 property legally described as Lots 45 through
15 48, less than North 12 feet thereof, Block 17,
16 Section "K", Coral Gables, Florida; including
17 required conditions; providing for a repealer
18 provision, severability clause, and providing
19 for an effective date.

20 E-5 is a Resolution of the City Commission
21 of Coral Gables, Florida granting Remote
22 Parking (Section 10-109) Conditional Use
23 approval pursuant to Article 14, "Process",
24 Section 14-203, "Conditional Uses," for
25 proposed Remote Parking associated with the

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1 commercial project referred to as "299 Minorca"
2 on the property legally described as Lots 45
3 through 48, less than North 12 feet thereof,
4 Block 17, Section "K", Coral Gables, Florida;
5 including required conditions; providing for a
6 repealer provision, severability clause, and an
7 effective date.

8 And we can consolidate the items for
9 purposes of the public hearing.

10 CHAIRMAN AIZENSTAT: Can you repeat that?

11 MR. WITHERS: You know, you've done
12 informercials, haven't you?

13 MR. NAVARRO: She reads a fine text.

14 CHAIRMAN AIZENSTAT: Go ahead, please.

15 MR. NAVARRO: So, good evening, Mr.
16 Chairman, Board Members. Jorge Navarro, with
17 Offices at 333 Southeast 2nd Avenue. I know
18 you've had a very lengthy hearing. I flew in
19 just for this hearing, so I appreciate you
20 taking time to hear us this evening. It means
21 a lot. I'm here joined with my clients Jose
22 Boschetti and Eduardo Otaola.

23 We're coming back before you this evening
24 to address some of the direction that we
25 received last month when we were before you.

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This Board gave us some homework to do, and we've been working with our design consultants, and as a team, to address the comments. I went back through the meeting minutes and I believe I have all of the comments, and I want to walk through what we've done to address those comments. I know Staff put together a very nice summary, but I think it's important to show you.

Okay. If you could load up our PowerPoint. I will try to go through this as quickly as possible, so we can get to any questions.

So one of the comments that was raised by Councilman Withers was, he wanted to ensure that we're providing more remote parking than what the Code requires. If we can get the PowerPoint up. If not, I'm just going to go through this one item.

So this is a residential building which has no restrictions on the minimum length of stay. It's not a hotel. It's primarily a residential building. So we calculated the parking under the Code for residential, and you have 52 required spaces, and even though it's not a hotel, we calculated it as a hotel. There's 50

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required spaces. So under the worst case scenario, in your Code, of the residential required parking, we'd be required to provide 52 remote parking spaces. We are providing 56 spaces. That's what we're committing to. So we're providing four more spaces than are required, in response to that last comment.

Most importantly, Mr. Pardo gave us some direction as to making sure that we could accommodate loading vehicles. Loading is the main issue that was raised at the last meeting, whether it's for a delivery vehicle, a moving truck. So we went ahead and -- if we can go to the -- let me see if this works. Perfect.

So we went back and completely restudied the ground floor, in order to provide for an internal loading area, that could be dedicated to temporary parking for either a moving truck or other types of delivery vehicles, and what we did is -- if you can tell, between the image on the left and the image on the right, is that we have -- there we go. Thank you, Devon. That's the exhibit I was referring to.

So the image on the left is the original one that we proposed, which had a very minor

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drop-off area, with a through lane on the right. As you can see, we've gone ahead and completely redesigned the ground floor. We've reduced the amount of square footage by approximately 250,000 square feet. What we've been able to do is now create --

MR. SALMAN: 250 square feet.

MR. NAVARRO: 250 square feet less.

MR. WITHERS: We all heard the same. He wanted to see if we were awake.

MR. NAVARRO: It was a long flight, okay. It was a long flight over.

MR. WITHERS: That was good.

MR. NAVARRO: Yeah. It's a great project. It's got negative square footage.

So now, if you could see, on the left side, that's highlighted in green, we now have a full area where up to two trucks can be able to park, and we have completely provided an adequate loading area for whatever the future needs might be.

Another comment was, Ms. Kawalerski had a comment regarding the amount of sidewalk area that we had, that it was kind of narrow, and also that is being used substantially for open

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space. What we've done is, if you could tell, on the image on the right, we have expanded the sidewalk from ten to fifteen feet in certain areas -- yeah -- the widest possible that we could do, and we removed some of that open space and recalculated it with other portions that we've created within the site, and that's going to allow for, obviously, a better pedestrian connectivity, but also for future mobility needs. Now we'll have more ample space within the site.

Mr. Behar had a comment regarding having a longer lease than is required by the Code. Normally it's a year lease, with a 90-day termination period, and what we -- in speaking with the owner of the 255 Alhambra garage, which we've committed to provide parking in, as that is, for the operations of the Police Station, the least impactful, as to take the traffic off, is that we will have a three-year lease, with a six-month cancellation period. So a more strict cancellation notification that's required by your Code. That will give us, in the event that, in the future, for whatever reason, we have to find a remote

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location, we have more time to be able to do so.

One other item that we have -- and Devon has a copy that she can hand out -- this is a project that's before you for remote parking and the use of TDRs. Let's see if this thing wants to work. And you're not really reviewing the site plan, because the site is less than 20,000 square feet, but we committed to you at the last meeting that we would tie ourselves to a site plan. So we have proffered a covenant that ties us to this site plan that you've seen today, with the new loading area, and with the additional sidewalk configuration.

Can you go to the next slide?

And that is something that we're handing out, and that if this Board allows us to move forward, we would ask that you include it as part of your recommendation here this evening.

And the last item was, Mr. Salman wanted a new rendering, which we have worked on. So I have something for everybody. And this is a rendering from across the street, of the project. This is an updated rendering, showing kind of how that streetscape of your pedestrian

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-- it's a little bit higher than what you see from the street, but at least a new updated rendering with the new sidewalk design. That tree is in the middle, just to give you an idea.

But we believe that -- you know, we've worked very hard to try to capture everybody's comments from the last meeting, and we hope that with these changes, we could obtain your positive recommendation here this evening, so we can move forward with this project.

And our team is here to answer any questions you have.

CHAIRMAN AIZENSTAT: Thank you.

Staff.

MS. GARCIA: I think the applicant did a good job in explaining the changes. I don't have any other comments to add.

CHAIRMAN AIZENSTAT: Okay. Thank you.

Jill, do we have any --

THE SECRETARY: No speakers.

CHAIRMAN AIZENSTAT: We have no speakers for this project.

Chief, I know that you had some concerns last time.

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CHIEF HUDAK: I just wanted to put on the record, and, again, in my role, Ed Hudak, Chief of Police, Coral Gables, and a historical perspective for this Board. I just need to put that on there.

It's a beautiful building. When we first looked for this location where we're currently in, what was taken into consideration, when you're building a public safety building, and including our emergency operations, our Fire Department, with the response times, which is measured from door to patient, as well as the area around it, from a historical perspective, because, you know, I was there, this was -- this lot, 299, was to be and was scheduled to be at the time a public park, which is something that we -- and when I say, "We," the Police Department had investigated, looked at, about what we're doing, while we're putting a building and an infrastructure of this size, so intentionally we looked at, you know, the hardening of this building, but also including the entire IT infrastructure of the City is housed in this building.

So, you know, the IT Department was brought

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here, centralized here, along with servers, into the building, and because of our redundant requirements of our Emergency Operations Center, it was built -- and the Manager at the time -- I mean, we can sell energy to FP&L with the amount of generators that we have, to make sure we can continue our operation for the Government, if you will, come out of this building.

A couple of things that I just -- and I just need to put it on the record again. I've mentioned to you all before our concern. And when I say, "Our concern," the traffic, it's obviously not just this building. As late as yesterday afternoon, there was a Resolution or a motion by the Commission to look at leasing or getting into a lease agreement with the Tax Collector and a discussion about adding more traffic to the area or the potential of having more traffic to the area, by leasing out some other City facilities in the adjacent building.

So my concern is not anything to do with what the Planning Department has about this building. My concern and what my charge is as the Chief, is to look down the road to what the

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potential safety issues are for this building and those who may enter. And there's a couple of things that we take into consideration in law enforcement, and I don't want to, you know, do the fire and brimstone here, but these are like six of the ideas that we look at in building a facility, but also where we're placing them.

You know, surveillance and observation, any high-rise building provides an elevated vantage point for individuals who may wish to surveil police activities, including response times, patrol patterns, sensitive operations, and this could lead to a compromised tactical operation. So, again, our response times from the Police Department is somewhat mobile, but our emergency response times comes out of this building.

The Fire Department, unless they're at another call, all of their dispatches, if you will, come from the south side of this building.

There are -- something that we have to consider, and I have to consider every day, is the threat of sniper attacks against officers.

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Surrounding buildings that are high can potential -- have a potential risk. We do have Government officials and visitor dignitaries here, that would actually change our modus operandi, if you will, about how we protect this building, depending on who's in the building.

Crowd control -- I mean, if we were to have a protest here at the building, and, again, I'm going into 2017, when we started looking at what we were doing, a park over there would be able to -- to house peaceful protesters, whatever. Now that would be off, and we would have to interrupt -- yeah.

MR. BEHAR: Mr. Chair, it's 9:26. We're going to have to make a motion to extend for at least another 15 minutes, right.

CHAIRMAN AIZENSTAT: Is there a motion?

MR. BEHAR: I'll make assure to extend to 9:45.

CHAIRMAN AIZENSTAT: Sorry, Chief.

Is there a second?

MS. KAWALERSKI: Second.

CHAIRMAN AIZENSTAT: Everybody in favor say aye.

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(All Board Members voted aye.)

CHAIRMAN AIZENSTAT: Thank you for pointing it out.

Thank you, Chief.

CHIEF HUDAK: Thank you.

And, again, because of the close proximity across the street, escape routes for criminals -- I mean, part of this building, we do house criminals from time to time, both, investigative, but we also have a holding cell, as well. The idea of apprehending them, if they get out -- you know, we've already talked to, and I know our neighbor across the street is just totally rattled by the gates, that are constant, 24/7. We are actually in the process of having to change those for any kind of pedestrian entry into this part of the building. So they have to be almost guillotine like. They have to be that quick, where somebody can't get into the facility, and the first step would be the property room, which we have millions of dollars worth of evidence, but also property here, as well.

It does increase our vulnerability to attacks with the way it's delivered. Also, it

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challenges our emergency response from our northern site line, if you will. You know, last, it does give us pause, I should say, because it's not going to be a bunch of individuals. We do know everybody that is in this area. So before we moved here, our intelligence people kind of did a -- not a deep dive, but we know all of the businesses, we have the contacts. Something of a remote hotel like but not, is something that we would have to be doing on a regular basis, and I have to balance the security around this building, of which you're all being watched anyway, but the outside of that and going into people's bedroom, is a challenge for us, as a Police Department, to know who is that close to you.

Right now, we have a pretty good circumference of it. This side of the street is the smaller of the two streets. You know, previously, we did have a horrendous accident on the south side of the street, where I think four fire vehicles were taken out, and one of our employees, who still isn't back to work, was run over by a car.

So we have done a lot of data on this.

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We've also looked at the increase in accidents at these intersections, and we're seeing it -- not even so much that it is an ongoing per trip basis, but in the amount of emergency, every minute counts, whether it be the Police Department or the Fire Department. Coming out of this building is something, as your Chief, I have to put on the record to you all.

Again, I'm not -- I mean, the way it's designed, the pool area, the visual area into this building, is something that is a concern. You know, we spent money on frosting just inside, and for those of you who have never been through the building, our general employees can't go around the building without escorts, because of the State Statutes that we have to abide by, that people can't see, screens, computers, and that's mandated by the State, but also by the Federal Government, of what rooms you can go into.

If you saw the little signs, Unauthorized Entry, that's something that we would have to take into consideration for something that's that close, you know. And, again, this was all taken to into consideration.

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I don't want the developer to think that this was targeting him. The Police Department's idea was, this was going to eventually be a park. That's the way -- when we did this, and we went through our International Chief's Association of how to plan police facilities. That was intentionally what we wanted to do from the Police Department. Where that changed, I don't know. I know the land has changed hands and bought. You know, Planning might have known about it. We didn't know about it, because I just wanted to be consistent in what our concern was about this area.

Traffic alone, it's going to be an issue. So I can appreciate the cuing. I can appreciate the traffic engineer's study, but when trafficking doesn't work, whether it be at St. Theresa's or any other school or any other event, the people that you're going to call to fix the traffic issue is going to be law enforcement, and I'm doing it half a block away from where we're at, if it becomes a problem. That's fine. But trying to get out of the station, I can't sit here and not at least go

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on the record of saying, you know, there are concerns by me and my staff about what the impact would do to this area.

So, other than that -- that's my only two cents on this.

CHAIRMAN AIZENSTAT: Thank you.

Anybody else that we have here tonight? No?

I'll close the public comment.

MR. NAVARRO: Yeah. I just wanted to -- and, obviously, the Chief is a friend and we've been working with him and we continue to work with him. You know, unfortunately, it seems that the original circumstances have changed.

I just wanted to kind of highlight a couple of points. Obviously, this police station is built in a Downtown area, where you just tractionally have congestion, and it's a mixed-use area, where you're going to see development, and that something will be built there, whether it's this project. I think we went through, at the last hearing, there are other by right projects which are probably a worse case scenario, and due to the size of this lot, it is a by right process.

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What we've tried to do is make the best of the situation. You know, there's no plans for that to be a park. It's zoned commercial and the owner has certain rights to develop. I think one of the things that we've done is, obviously, I think we established that the main concern is the traffic on Minorca, and what we've been able to do is remove the parking garage, which is what generates the traffic, and place it on this side, so that that area is less congested.

So we are going to continue to work with the Chief. We understand what his concerns are, but, you know, these uses are allowed by right here, whether it has parking or no parking, and I think the request before you, which is for remote parking, actually improves the situation from what could otherwise be built there.

So I just wanted to kind of highlight some of the other items that we went through at length at the last meeting.

I'm here to answer any questions. I know you're probably eager to close the public hearing.

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CHAIRMAN AIZENSTAT: Thank you very much.

Go ahead.

MR. PARDO: I've got a question for you, the applicant, and the Chief. So it occurs to me --

CHAIRMAN AIZENSTAT: If you could speak into the mike, please.

MR. PARDO: I'm sorry.

So it occurs to me, you know, the applicant obviously has done your homework, so congratulations on that. You hit all of these different points. You went through the verbatim transcript, and that, I think, was important.

The disturbing part here, though, is, you know, you've got to listen what the Chief says. Why? Because he protects the entire City. And we spent a ton of money on that building and the parking garage right now.

One of the concerns is, if I look at Fire by itself -- I just looked at it on Google now, and it seems to me that, obviously, the applicant can't do this, but the applicant is making a contribution to the parking, right, of seven million dollars or something like that?

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MR. NAVARRO: 700,000.

MR. PARDO: 700,000.

MR. NAVARRO: Our zeros are off today.

MR. PARDO: Okay. Well, I'm not good at math. Robert does the math here.

MR. BEHAR: Seven million.

MR. PARDO: So, you know, again, I don't know, because it's very difficult to put this on the developer, but if Alcazar has an entire parking lane removed, Chief, wouldn't that -- wouldn't that help? You know, with the Fire Department exiting onto that street, if cars park only on one side of the street, you know, it's the same as years ago, when we made certain streets, like Andalusia, one way, all of a sudden, that became a better traffic artery. And if we would take -- the City would take one of those lanes of parking out --

CHIEF HUDAK: On the south side?

MR. PARDO: No.

CHIEF HUDAK: There is no parking.

MR. PARDO: No. No. I mean, on Alcazar, where -- you know, one of the issues is, you have the fire trucks coming out.

CHIEF HUDAK: Right, but there is no

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parking there. That is a safety zone already and there is an emergency light that was placed in when we built the building.

MR. PARDO: I'm sorry, all of the way to the --

CHIEF HUDAK: To the entrance to the parking garage. So across the street -- it's a two-lane street, but across from the garage, when they come out of the truck or they come out of the garage, that's a safety zone there. So the only cars -- and when they got hit, they were actually authorized Fire Department cars.

So the parking for the rest of that street goes father to the east, on the other side of that parking garage.

MR. PARDO: So the east, all of the way to the end --

CHIEF HUDAK: Yeah. From the east side of that garage, all of the way to Ponce, there is parking, but where the doors open for the fire engines themselves, is a safety zone. So there's no public parking there, across from the doors.

And the issue isn't so much the parking coming out from that side.

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MR. PARDO: Oh, I see it. I'm sorry,

Chief. On this photograph that I'm seeing, you could see the trucks are parked over the chevrons that are there.

CHIEF HUDAK: Exactly. Yeah. I'll have to enforce that, as well.

MR. PARDO: Okay.

CHIEF HUDAK: But writing the Fire Department tickets is probably not a good idea.

CHAIRMAN AIZENSTAT: I think, from what I hear, Felix, the big concern is security and safety.

CHIEF HUDAK: It's security and safety and traffic, in that order.

MR. PARDO: I was getting there, because the whole point is, these streets are so narrow that, here, you have this, and also on Minorca, you have the parking down that way.

CHIEF HUDAK: You have two entrances to parking in the 300 Block of Minorca, which is between here and Le Jeune.

MR. PARDO: Right.

CHIEF HUDAK: You have -- there's four parking spaces on the north side. There's the bump outs. There's the back parking lot from

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1 the Marriott Courtyard. There's the entrance
2 to the offices and exit to the offices. There
3 is an output for the garbage hauling.

4 On this side, you have the entrance and
5 exit to this building, right next to the
6 entrance and exit to the garage next door. You
7 have a double entrance on the north side of
8 Minorca that goes to the high-rise on there,
9 and you have another double entry to the last
10 building, which is on the corner of Ponce and
11 Minorca.

12 MR. PARDO: Chief, have you expressed those
13 concerns to Public Works?

14 CHIEF HUDAK: Yeah, I have. I have.

15 MR. PARDO: On deaf ears?

16 CHIEF HUDAK: Well, I wouldn't say they're
17 deaf ears. I'm pretty bombastic at times, so
18 they've heard me, but I -- I mean, it is a
19 concern, and, you know, the issue that we have
20 is, One, the security, Two, the traffic,
21 because depending on what else you have.

22 Right now, in this building, we're housing
23 the City Manager's Office, the Finance
24 Department --

25 MR. PARDO: I know, and it's only going to

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1 get worse.

2 CHIEF HUDAK: -- Communications, IT, and
3 that's -- HR is next door, Parking is next
4 door. So the increase coming into this area,
5 on this street, is going to be an issue. It
6 always has been, when we've looked at these
7 before.

8 And for the record, I mean, when this came
9 up in DRC, my staff that attends the DRC, I
10 believe, voiced these concerns, as well, that
11 we had some early on things. I just don't want
12 the Board to think that this was blindsided on
13 us, that all of a sudden we don't want somebody
14 next to us.

15 MR. PARDO: No. No. No. What I want to
16 make sure is, you know, there's a certain
17 amount of what the applicant has to do or can
18 do, because they have a matter of right.

19 CHIEF HUDAK: Right.

20 MR. PARDO: But at the same time, you know,
21 the City picked this site. The City made the
22 arrangements to pick this site.

23 CHIEF HUDAK: Correct.

24 MR. PARDO: And I know you're putting it on
25 the record, because if something goes wrong,

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1 you can say, "Hey, I told you guys though," and
2 I get that all day.

3 The problem I have is, I think that the
4 City, not you, but Public Works, can
5 contribute, you know, as far as being able to
6 come up with solutions for the issues that
7 you're bringing up, which are more than bona
8 fide.

9 CHIEF HUDAK: Right. And listen, in
10 deference to --

11 MR. PARDO: No, and they're not all caused
12 by them.

13 CHIEF HUDAK: -- this was not -- I mean,
14 when we talked about this planning stage at our
15 level for this building and this location and
16 the land swap that took place and the garage,
17 why it has to connect, because of emergency
18 storms and the size of this building, that was
19 slated, as I was intending, from the City, to
20 be a park, which we put in that, like, okay,
21 that's what we need in the front, because the
22 distance of something built that close is -- of
23 that height, and, again, it's so much closer to
24 this building than any of the other high-rises
25 that are around, and we were designed --

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1 certain security design were put into the
2 building because there was nothing that close
3 on top of us. That's the issue.

4 MR. PARDO: Can you put up the rendering
5 from this side, please?

6 Don't go anywhere, Chief.

7 CHIEF HUDAK: At this point, I'll be doing
8 morning roll call --

9 MR. PARDO: Chief, sorry.

10 CHAIRMAN AIZENSTAT: We're at 9:41. We're
11 supposed to go to 9:45.

12 MR. PARDO: I'm going to make one more
13 point about this, to address the sniper and
14 security.

15 MR. BEHAR: Motion to extend to ten
16 o'clock.

17 CHAIRMAN AIZENSTAT: We have a motion until
18 10:00. Is there a second?

19 MS. KAWALERSKI: Second.

20 MR. SALMAN: Second.

21 CHAIRMAN AIZENSTAT: Everybody in favor say
22 aye.

23 (All Board Members voted aye.)

24 MR. NAVARRO: We're pulling it up for you
25 right now.

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MR. WITHERS: Why didn't the City buy the park? What happened there?

CHIEF HUDAK: That's above my pay rate.

MR. BEHAR: That should have been what happened, because -- I mean, in all fairness to everybody, the property owner, you know.

MR. PARDO: You know what the sad part about this is, that there's a park that they're going to be putting in, on Salzedo, that was part of all of this land swap stuff, down there in front of Bill Ussery.

MR. BEHAR: That should have been here.

MS. KAWALERSKI: Maybe we can do another land swap.

CHAIRMAN AIZENSTAT: Let me ask you a different question.

Can't the City try to acquire the property as a swap from the developers, to where it's worthwhile for the developer to do that also?

MR. PARDO: I would imagine that the developer -- that's a complicated, long --

CHAIRMAN AIZENSTAT: Jorge, has the City approached your client about trying to do some type of a swap deal to where it would be beneficial to the developer to do something

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like that also, given the security concerns that the Chief has.

MR. NAVARRO: And we understand the security concerns. And like I think the Chief mentioned, we were not part of those discussions. I don't know the timing of those discussions. I know this building was built in 2021, and I believe the park discussion was with another developer. We actually purchased that site in 2022.

But, I mean, in order to swap a piece of property, I mean, it would have to be the same value, of the same property, in the same location. I mean --

CHAIRMAN AIZENSTAT: Or greater to your client, to where it's worthwhile.

MR. NAVARRO: Yeah, and we don't know if that is even feasible or what property that would mean, right. But, I mean, it's a very difficult thing, to find a property that you would swap. I mean, I think, you know, my client purchased this property knowing what it was zoned, and intending to build something, I mean, this is a very experienced and qualified developer, who has done many beautiful projects

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in Coral Gables. As you can see, we have a very boutique project.

I mean, this was the idea for this site, when it was purchased. I don't think it's -- you know, I don't even know if the City would have something, and I think, for purposes of this discussion, you know, you could see that we have been working with the Police Department as much as possible.

I mean, you know, if we'd acquired the lot next door, these uses would be allowed by right. We would build parking and that would be allowed. And it would be a worse situation. You know, from our end, we're trying to make the better of a bad situation. We understand that we didn't choose to have the --

MR. PARDO: It's not your fault.

MR. NAVARRO: Yeah. Yeah. We didn't choose to have it here. You know, it was not our intention -- our intention is to do something beautiful that matches what's in this area, that matches the zoning. We're not asking for an upzoning.

It's one of the situation that we're just dealing with, you know, something that was

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created well before us.

MR. PARDO: So is there any way -- anything you -- you know, let's say if this was just the sun hitting, you know, the glass there on this side, on the south side, is there anything that you can think of, that could be done on the fenestration there, where it can minimize or mitigate the issue of, you know, a potential sniper on that roof, on that elevation?

In other words, you know, you have a situation where it's not that you sold the condo to someone that you know them.

CHAIRMAN AIZENSTAT: Well, it's not just going to be a condo. It's going to be short-term.

MR. PARDO: No. No. In other words, because of the movement, anybody could go anywhere. I'm just asking a question, because I think --

MR. BEHAR: You're saying to relocate -- redesign that top area? What exactly --

MR. PARDO: No, it's not the top area. It maybe is really the facing over here. I don't think it's so much the top area.

Sorry.

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MR. BEHAR: Look, the problem that I -- not a problem. I mean, I'm trying to address the Chief's concern, but, I guess, the problem that we're facing with is that this a buildable lot.

MR. PARDO: Yeah, as a matter of right.

MR. BEHAR: Okay. Ideally, absolutely, before, you know, Jose Boschetti bought the property, the City should have, you know.

MR. WITHERS: Absolutely.

MR. BEHAR: That's the problem. And then we're going to come in and try to penalize something that they have the right to do as of right. I mean, really, the only thing that we're giving them is the remote parking. I agree a hundred percent with the Chief's concern. I wish this was not there. I wish it was a park, so we could avoid all the possible consequences that could come out, but I don't know, what we can do.

MR. GRABIEL: I think there's two issues here -- two issues, and they're completely separate. One is the security issue that the Chief rightly pointed out, but that's not for this Board to decide. The City decided to buy this lot, and then the City decided to allow

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this building to go there, did not make the park. The developer has a right to develop a building of this size, and, yes, there's a security issue, but it's not for this Planning Board to make a decision on.

So I think we should look at this as a Planning and Zoning issue, and then make our decision based on what we think is the best thing for this lot, and the issue of security has to be decided between the Chief and the Administration.

MR. PARDO: What say you, sir?

MR. NAVARRO: So there's not much we could do with the upper level, but in terms of security, one thing -- and, obviously, like I said, we will continue to work with the Police Chief. We've had a relationship with him for years. I know our team, as well. I live in Coral Gables, so I want to make sure I have a good relationship with the Police Chief --

CHIEF HUDAK: Not anymore.

MR. NAVARRO: One of the things --

MR. BEHAR: What's your address, again?

CHIEF HUDAK: I already have it. Don't worry about it.

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MR. NAVARRO: I'm not making it home today.

MR. PARDO: You're doing okay, because he's got his hands in his pockets, not on his side jacket.

MR. NAVARRO: So we could find a way -- I know that we've done this with other projects, where we can put some sort of a camera that is looking at that side of the rooftop, that we can potentially connect with the Police Station, so they have some, you know, surveillance of what's going on, on the rooftop, knowing that that's a concern.

MR. PARDO: I mean, it's all a matter of -- you know, the Chief is the expert.

MR. NAVARRO: I'm sure we can work that out. Yeah.

MR. PARDO: You know, Number One, I think that the issues that have to do with the streets, which is intolerable, is not the developer's decision, it was the City's decision. And, then, on top of that -- and, also, justifying the decision, you know, back in the day they had certain constructs and certain reasons why all of these deals were being made, to be able to build the new

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facility and still keep the other facility operational.

You know, having something where you address the Chief's concern, which are real concerns, you know, we see it every day on the news, I think that's the only thing we could ask for, but I really believe that Julio is a hundred percent right, that, you know, this is beyond our purview, but I would hope that you could work with the Chief and get this thing resolved.

MR. NAVARRO: Yeah. Our goal is to continue to work were the Police Chief, and, you know, like you've seen us do, make the best of the cards that have been dealt with what's, you know, existing around us.

MR. PARDO: And, again, I can't stress enough, thank you for going through all of our comments and putting it the right way, and I also think that the loading -- the loading zone that you have now is actually longer than what would be required, which is, I think, 35 to 45 feet, and it's also not enclosed, so it should help, at least on this particular --

MR. NAVARRO: Yeah. I know that was a big

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1 item last time, and we committed to get one
2 truck in there. We were able to fit two. So
3 that was a great suggestion.

4 CHAIRMAN AIZENSTAT: Because of the time
5 constraints that we're under, Javier, is there
6 a comment that you'd like to make?

7 MR. SALMAN: No, but can I make a motion to
8 approve?

9 MR. WITHERS: I'll second.

10 CHAIRMAN AIZENSTAT: Well, is there anybody
11 else that has a comment on this?

12 MR. PARDO: With the conditions of the
13 proffered site plan, et cetera, as revised?

14 MR. NAVARRO: With the covenant.

15 MR. PARDO: With the covenant.

16 MR. SALMAN: With the covenant, as
17 provided, and the site plan, as revised.

18 CHAIRMAN AIZENSTAT: So we have a motion.
19 We have a second by Mr. Withers. Any
20 discussion?

21 THE SECRETARY: We do have to do two
22 separate motions, correct?

23 MS. SUAREZ: Correct, because we have two
24 items.

25 CHAIRMAN AIZENSTAT: Let's do the first

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1 one.

2 MR. WITHERS: The approval of the TDR transfer.

3 MS. SUAREZ: So that's E-4.

4 CHAIRMAN AIZENSTAT: So first we're going
5 to ahead and do the TDR transfers, which is
6 E-4. We have a motion and we have a second on
7 E-4. Any discussion? No?

8 Call the roll, please.

9 THE SECRETARY: Julio Grabiell?

10 MR. GRABIEL: Yes.

11 THE SECRETARY: Sue Kawalerski?

12 MS. KAWALERSKI: Yes.

13 THE SECRETARY: Felix Pardo?

14 MR. PARDO: Yes.

15 THE SECRETARY: Javier Salman?

16 MR. SALMAN: Yes.

17 THE SECRETARY: Chip Withers?

18 MR. WITHERS: Yeah.

19 THE SECRETARY: Robert Behar?

20 MR. BEHAR: Yes.

21 THE SECRETARY: Eibi Aizenstat?

22 CHAIRMAN AIZENSTAT: I'm going to vote,
23 yes, because of everything that they have done,
24 but I would urge the City to look at trying to
25 figure out if there is a resolution with that

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1 property next door. Yes.

2 Next is Item E-5, which would be the remote
3 parking. Is there a motion?

4 MR. SALMAN: So moved.

5 MR. GRABIEL: Second.

6 CHAIRMAN AIZENSTAT: We have a second by
7 Julio. Any discussion? No?

8 Call the roll, please.

9 THE SECRETARY: One second, please.

10 Chip Withers?

11 MR. WITHERS: Yes.

12 THE SECRETARY: Robert Behar?

13 MR. BEHAR: Yes.

14 THE SECRETARY: Julio Grabiell?

15 MR. GRABIEL: Yes.

16 THE SECRETARY: Sue Kawalerski?

17 MS. KAWALERSKI: Yes.

18 THE SECRETARY: Felix Pardo?

19 MR. PARDO: Yes.

20 THE SECRETARY: Javier Salman?

21 MR. SALMAN: Yes.

22 THE SECRETARY: Eibi Aizenstat?

23 CHAIRMAN AIZENSTAT: I'd like to
24 incorporate the same comments into E-5, as I
25 did on E-4. Yes.

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1 MR. BEHAR: I agree with you.

2 MR. GRABIEL: We all agree.

3 MR. NAVARRO: I want to thank the Board for
4 extending the meeting this evening to
5 accommodate us. We worked very hard to get to
6 this point from the last meeting.

7 MR. BEHAR: We've got to stop. Thank you
8 very much.

9 I'll make a motion to adjourn.

10 MR. SALMAN: I second.

11 CHAIRMAN AIZENSTAT: Everybody in favor
12 say, aye.

13 (All Board Members voted aye.)

14 (Thereupon, the meeting was adjourned at 9:55

15 p.m.)

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C E R T I F I C A T E

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 26th day of January, 2025.



-----NIEVES SANCHEZ-----