

1 MR. GRABIEL: Yes.

2 THE SECRETARY: Sue Kawalerski? Sue?

3 MS. KAWALERSKI: Yes.

4 THE SECRETARY: All right. Felix Pardo?

5 MR. PARDO: Yes.

6 THE SECRETARY: Eibi Aizenstat?

7 CHAIRMAN AIZENSTAT: I'm going to say, no,

8 and the reason I'm going to say no is because

9 of the fence. It doesn't make a difference,

10 but it's always been my policy, based on

11 properties and so forth -- it's not going to

12 make a differences to you, but I want to be

13 consistent.

14 MR. PARDO: I don't think there's a fence

15 there.

16 CHAIRMAN AIZENSTAT: There was a fence

17 there that was all of the way around.

18 MR. BEHAR: No, but you don't -- I mean,

19 you can't tell from that. You cannot tell from

20 that.

21 MR. PARDO: That --

22 CHAIRMAN AIZENSTAT: Was there no fence?

23 If there was no fence, then I'm a yes. I just

24 need clarification.

25 MR. PARDO: The "X"s that are drawn on this

1 old survey, it does -- first of all, a chain

2 link fence is not allowed in the front. So

3 that's not a chain link fence.

4 CHAIRMAN AIZENSTAT: Okay.

5 MR. PARDO: The one in the back is. So if

6 there were a fence and it was a legitimate

7 fence, I would be voting against it.

8 CHAIRMAN AIZENSTAT: Okay. So given that

9 there was no fence, I'm a yes, also, but I just

10 want to be clear, with any other properties

11 that come before me for lot splits, you know,

12 if there's anything that was in the past that

13 was dividing it or so forth, it's always been a

14 certain way. So if there's no fence, then,

15 yes.

16 MR. BEHAR: I agree. And, look, you know,

17 Felix brought up a good point. This was

18 intended, because by dimension it was intended

19 to be two lots.

20 CHAIRMAN AIZENSTAT: I agree with the

21 intention, it's just the practice that we've

22 always had.

23 MR. PARDO: Without a doubt. And if they

24 would have put something like a pool or a fence

25 or something like that or if the building would

1 have straddled, there's no doubt it's not a lot

2 split --

3 CHAIRMAN AIZENSTAT: I agree.

4 MR. PARDO: At least I wouldn't have voted

5 in favor of it all --

6 MR. BEHAR: Okay. The application --

7 CHAIRMAN AIZENSTAT: It passed.

8 MR. BEHAR: Passed.

9 MR. COLLER: Mr. Chairman, are we taking a

10 break at this point, five minutes?

11 CHAIRMAN AIZENSTAT: Sir, it sounds like

12 you would like to take a break. Yes. Let's

13 take a five-minute break.

14 MR. COLLER: Well, you can read it.

15 MR. BEHAR: How many more items do we have?

16 THE SECRETARY: Two more items.

17 MR. COLLER: Mr. Chair, did you say it was

18 a five-minute break?

19 CHAIRMAN AIZENSTAT: Yes.

20 (Short recess taken.)

21 CHAIRMAN AIZENSTAT: If everybody is here,

22 let's go ahead and resume, please.

23 Mr. Coller, please read Item G-7.

24 MR. COLLER: Item G-7, an Ordinance of the

25 City Commission of Coral Gables, Florida,

1 amending Ordinance Number 2014-05 to increase

2 the maximum student enrollment from 140 to 195

3 students at the Margaux Early Childhood School

4 at Temple Judea located at 5500 Granada

5 Boulevard, Coral Gables, Florida; all other

6 conditions of approval contained in Ordinance

7 Number 2014-05 shall remain in effect, and

8 providing an effective date.

9 Item G-7, public hearing.

10 CHAIRMAN AIZENSTAT: Thank you.

11 Mr. Guilford.

12 MR. GUILFORD: Good evening, Mr. Chair and

13 Members of the Board. Sue, welcome to the

14 Board, and, Felix, welcome back.

15 MS. KAWALERSKI: Thank you.

16 MR. PARDO: Thank you.

17 MR. GUILFORD: For the record, my name is

18 Zeke Guilford, with offices at 400 University

19 Drive. I'm here with Juan Espinoza, David

20 Plummer and Associates, if you guys have any

21 questions on their parking analysis.

22 You all probably know where Temple Judea

23 is, but just in case, it's on the west side of

24 US-1. To the north is the Baptist Church of

25 Coral Gables. To the south is Ponce Middle

1 School. Obviously, across Dixie Highway, is
2 the University of Miami, and behind the Temple
3 is single-family residential.

4 In 2014, we applied for and was granted an
5 expansion of the building, which allowed
6 additional classrooms to be added. Those
7 completions have already taken place, and to
8 kind of regress a little bit -- and I don't
9 know if back then Staff asked the wrong
10 question or if we answered the wrong question,
11 because before the expansion, they asked, how
12 many students do you have, not how many
13 students can you have. So we answered
14 honestly, we have 140. Well, now, with the
15 expansion, we can have more children, and
16 that's the reason we're asking for this
17 modification today.

18 And what's also important is not really the
19 number of students, but what effect do those
20 students have on the infrastructure, parking,
21 traffic, and through David Plummer's analysis,
22 is -- what we found out, there are 37 a.m. peak
23 trips -- additional trips and there are 34 p.m.
24 trips -- additional trips. And to be honest
25 with you, the p.m. is kind of misleading,

145

1 changing text that's in an adopted ordinance,
2 Ordinance 2014-05. So that ordinance limits
3 the amount of students to 140, and they're
4 requesting to have 195. So right now they have
5 140, and they're capped at that limit -- and,
6 actually, right now, they have 124, but they're
7 going to slowly -- if approved, they're going
8 to slowly increase that to 129, to be the new
9 cap.

10 So they went through DRC back in April of
11 this year, a neighborhood meeting in May that
12 was not very well-attended, and here we are for
13 Planning and Zoning in July.

14 Letters were sent to the property owners
15 within a thousand feet twice, a neighborhood
16 meeting, MPCP. It was posted twice, and the
17 website was also posted twice, and the
18 newspaper advertisement was one time.

19 So Staff determined it's consistent with
20 the Comprehensive Plan and satisfies all of the
21 standards and recommends approval, with all of
22 the conditions that are already in the
23 ordinance to remain in effect.

24 That's it.

25 CHAIRMAN AIZENSTAT: Thank you.

147

1 because the way traffic is reviewed, we look
2 at -- we look at -- peak period is really 4:00
3 to 6:00. The school ends at 3:00. So we're
4 really not getting into that peak, peak
5 traffic.

6 So Staff is recommending approval of this
7 application. Really, if there's any
8 questions -- this is a nominal request that
9 we're asking of the Board today. So we ask
10 that you follow Staff's recommendation.

11 Thank you.

12 CHAIRMAN AIZENSTAT: Thank you.

13 Jennifer.

14 And, Zeke, you reserve time for rebuttal?

15 MR. GUILFORD: Sure.

16 MS. GARCIA: Jennifer Garcia, City Planner.

17 Could I have the PowerPoint, please?

18 Okay. So we know where we are. We're just
19 southeast of US-1, between Granada and Marius
20 Street. Here's an aerial showing the
21 development around the area. This is across
22 the street from UM. The land use is Religious
23 and Institutional and the zoning is Special
24 Use.

25 So what we're doing today is, we are

146

1 Do we have anybody here that would like to
2 speak on this item, Jill?

3 THE SECRETARY: No, no one on Zoom or the
4 phone.

5 CHAIRMAN AIZENSTAT: Thank you.

6 At this time, I'd like to go ahead and
7 close it for public comment.

8 Sue.

9 MS. KAWALERSKI: No one showed up for
10 public comments in the neighborhood meeting?

11 MS. GUILFORD: That is correct. We waited
12 a half an hour past the starting time and
13 nobody showed.

14 MS. KAWALERSKI: Wow. That's incredible.

15 I have a couple of questions on the traffic
16 study, the Plummer study.

17 MR. GUILFORD: Sure.

18 MS. KAWALERSKI: So if you have 37 more
19 a.m. trips and 34 more p.m., but you're adding
20 55 more students, why wouldn't there been 55
21 back or forth trips?

22 MR. ESPINOZA: For the record, Juan
23 Espinoza, with David Plummer and Associates,
24 1750 Ponce de Leon Boulevard.

25 So this is based on data from different

148

1 schools. So this is just in one hour --
2 CHAIRMAN AIZENSTAT: If I can ask, you were
3 sworn in?

4 MR. ESPINOZA: No, sorry.

5 CHAIRMAN AIZENSTAT: Could you raise your
6 right hand?

7 (Thereupon, the participant was sworn.)

8 MR. ESPINOZA: I do.

9 CHAIRMAN AIZENSTAT: Thank you.

10 MR. ESPINOZA: So this is based on data
11 collected at different pre-schools, and what
12 happens is, there's carpooling. There's kids
13 that come in two cars. There might be kids
14 that walk to the site, bike to the site. So
15 the number of trips does not represent the
16 number of students.

17 The same way we're overestimating the p.m.,
18 like Zeke said, because a lot of day cares
19 usually extend past the 3:30. They usually end
20 at six o'clock. So we are overestimating the
21 p.m.

22 MS. KAWALERSKI: Okay. I just didn't know
23 that carpooling was so popular in Coral Gables.
24 So I was a little surprised that you wouldn't
25 show 55 trips.

149

1 MR. GUILFORD: You could also have two
2 children that go in the same car.

3 MS. KAWALERSKI: Yeah, I understand there's
4 different kinds of reasons.

5 MR. ESPINOZA: This is an hour. Say some
6 parents drop off at 7:30, another at 8:30, it
7 doesn't coincide in the same hour.

8 MS. KAWALERSKI: I'm sorry, I didn't catch
9 your first name.

10 MR. ESPINOZA: Juan.

11 MS. KAWALERSKI: Juan. What about the
12 stacking, did you consider the stacking of
13 cars, cars waiting to pick up the kids, cars
14 waiting to drop off the kids? Because that's
15 essentially -- if it's 37 and 34, that's 37
16 more cars in the morning stacking. Where are
17 they stacking?

18 MR. GUILFORD: So if I can answer that for
19 you. In the original traffic study, only nine
20 parents dropped off their cars. So less than
21 10 percent. Because we're going from 18 months
22 to four years old, what the original traffic
23 study found is, people don't want to drop off
24 their 18 month old. So what they're doing is
25 parking out in front, on the Miami Homestead

150

1 Avenue --

2 MS. KAWALERSKI: Uh-huh.

3 MS. GUILFORD: -- and walking them into the
4 classroom.

5 MS. KAWALERSKI: That's a pretty long walk.

6 MR. GUILFORD: It's right in front of the
7 Temple. You can't get any closer.

8 MS. KAWALERSKI: Yeah, that's true. Okay.

9 So the increase in the cars is not going to
10 increase more side streets on Marius, more
11 stacking on swales, parking on swale, idling?

12 MR. ESPINOZA: In traffic engineering,
13 anything less than a hundred trips an hour
14 doesn't affect the level of service on the
15 roadways. The City has the threshold of fifty,
16 so we don't even meet the threshold for a
17 traffic impact study.

18 MS. KAWALERSKI: And I'm not necessarily
19 talking about level of service, but I'm talking
20 about people parking on residential swales or
21 idling. They're in the travel lane, but
22 they're idling, they're not moving.

23 MR. GUILFORD: There are a lot of parking
24 spaces on both sides of the Homestead Avenue in
25 front of the Temple. I'm sure, and I'm just

151

1 going to throw out a number, I don't have it,
2 but it's got to be close to a hundred parking
3 spaces. I don't know -- Jennifer, I don't know
4 if you want to get back to the map or if you
5 have it, that shows the parking.

6 MS. KAWALERSKI: And the only reason I'm
7 bringing this up, because what was included in
8 the package was a survey from 2014. There's no
9 current survey, I don't think, in the package.

10 MR. GUILFORD: You're talking about the
11 traffic?

12 MS. KAWALERSKI: Yeah.

13 MR. GUILFORD: Yes, there was a traffic
14 analysis that was done for this.

15 MS. KAWALERSKI: I might have missed that.
16 I know there was a letter from 2014. I thought
17 it was a little outdated. It seemed like
18 everything was based off of 2014.

19 MR. GUILFORD: No. It was updated -- what
20 year -- August 16, 2022.

21 MS. KAWALERSKI: Okay. That's the Plummer
22 study and that shows the 37 and 34?

23 MR. GUILFORD: Yeah. David Plummer did
24 both studies, the original for the expansion,
25 and then once we had requested the additional

152

1 students.

2 MS. KAWALERSKI: I was just concerned
3 about, you know, having people park on swales,
4 idling, you know, gas emissions, all of that --

5 MR. GUILFORD: Understood. I understood,
6 but with the number of actual parents dropping
7 off, versus parking out in front, they're not
8 even going to the residential street.

9 MS. KAWALERSKI: Okay. Thank you, Zeke.

10 MR. GUILFORD: Sure.

11 CHAIRMAN AIZENSTAT: Felix?

12 MR. PARDO: Mr. Chairman, I think one of
13 the things is that, what Mr. Espinoza was
14 talking about, is that, you know, he's
15 obviously using standards that they use as
16 traffic engineers, and that's why you don't get
17 a one-to-one ratio, and one of the things is
18 that, if this were, let's say, a school with a
19 church, in the middle of a single-family
20 residential area -- here, they're the buffer to
21 the single-family residential. The temple has
22 been wonderful over the years, because one of
23 the things that they do for the community is,
24 Mitch Kaplan, at Books & Books, will have signs
25 there, because they have ample parking, you

153

1 MS. KAWALERSKI: You need to hire Felix.

2 MR. GUILFORD: He's quite an advocate for
3 this application. Thank you.

4 MR. PARDO: No, I just think that this is
5 kind -- you know, of all of the applications I
6 saw, I thought this was kind of one of those,
7 you know, slam dunk kind of thing.

8 CHAIRMAN AIZENSTAT: Thank you.

9 Julio, no comment?

10 MR. GRABIEL: No comment.

11 MR. BEHAR: No. This application has taken
12 seven minutes longer than it needed to. I'll
13 make a motion to approve.

14 CHAIRMAN AIZENSTAT: If I can, I'd just
15 like to put a couple of comments. I was here
16 when the application -- when you guys came in
17 2014, and I think in 2003, when it was done,
18 also.

19 How are you going to deal with the
20 covenant, the restrictive covenant that's in
21 place?

22 MR. GUILFORD: What we'll do is, through an
23 amended restated covenant --

24 CHAIRMAN AIZENSTAT: Okay.

25 MR. GUILFORD: -- that will basically

155

1 know, on the road, and they've done that for
2 years and years and years, and we're talking
3 about hundreds of people that go to these book
4 signings and they're not parking on people's
5 swales. You know, it's very contained. They
6 have this.

7 So, for this, you know -- you have three
8 things for this application. Number One, they
9 haven't added one square foot to the building.
10 Number Two, they're within the compliance of
11 the State ordinance, you know, based on the
12 amount of students, based on what I read in the
13 report, and, Number Three, they have a traffic
14 study that shows that they happen to have the
15 increase.

16 And, actually, the other thing is, if
17 people were upset with Temple Judea, they'd be
18 here or they would send letters or whatever,
19 and you don't have any protestors. Of all of
20 the places here, the temple is facing basically
21 US-1 and it serves as a noise buffer to the
22 neighbors, and this additional amount of
23 students doesn't do anything in a negative way
24 to the existing community that is directly
25 behind it.

154

1 change that number.

2 CHAIRMAN AIZENSTAT: Okay. You've spoken
3 to the City based on that and so forth?

4 MR. GUILFORD: Yes.

5 CHAIRMAN AIZENSTAT: Okay. The other
6 thing, I'd just -- one of the comments that Sue
7 had made. The Temple actually has police
8 officers that are there, that not only are in
9 front outside, but also direct traffic when the
10 drop off -- ingress and egress and I think that
11 was part --

12 MR. GUILFORD: That was one of the
13 conditions of that one, as well.

14 CHAIRMAN AIZENSTAT: Correct. So it's
15 there.

16 MS. KAWALERSKI: 2014.

17 CHAIRMAN AIZENSTAT: Right. So it's there.
18 I mean, there is no reason -- so that was the
19 only comment. We have a motion. We have a
20 second.

21 MR. PARDO: Motion and a second.

22 CHAIRMAN AIZENSTAT: Motion by Robert,
23 second. Any discussion?

24 Call the roll, please.

25 THE SECRETARY: Julio Grabiell?

156

1 MR. GRABIEL: Yes.
 2 THE SECRETARY: Sue Kawalerski?
 3 MS. KAWALERSKI: Yes.
 4 THE SECRETARY: Felix Pardo?
 5 MR. PARDO: Yes.
 6 THE SECRETARY: Robert Behar?
 7 MR. BEHAR: Yes.
 8 THE SECRETARY: Eibi Aizenstat?
 9 CHAIRMAN AIZENSTAT: Yes.
 10 MR. GUILFORD: Thank you all very much.
 11 CHAIRMAN AIZENSTAT: Sorry, for taking
 12 eight minutes --
 13 MR. BEHAR: Ten minutes. It's going to
 14 ten.
 15 CHAIRMAN AIZENSTAT: All right. That was
 16 G-7. G-8, we have done already.
 17 MR. GRABIEL: 9 and 10.
 18 CHAIRMAN AIZENSTAT: G-9 and 10 are
 19 related. You're going to read them into the
 20 record?
 21 MR. COLLER: Yeah. I'll read them both.
 22 Item G-9, an Ordinance of the City
 23 Commission of Coral Gables, Florida granting
 24 approval of proposed amendments to the text of
 25 the City of Coral Gables Comprehensive Plan

157

1 Future Land Use Element, pursuant to expedited
 2 state review procedures and Zoning Code Article
 3 14, "Process," Section 14-213, "Comprehensive
 4 Plan Text and Map Amendments;" to provide for
 5 additional building height up to one hundred
 6 and thirty-seven feet and six inches with parks
 7 incentives if developed pursuant to the Design
 8 & Innovation District regulations; and
 9 clarifying the Design and Innovation District
 10 as a Transfer of Development Rights receiving
 11 area; providing for a repeater provision,
 12 providing for a severability clause, and
 13 providing for an effective date.
 14 Item G-10, an Ordinance of the City
 15 Commission of Coral Gables, Florida, providing
 16 for text amendments to the City of Coral Gables
 17 Official Zoning Code pursuant to Zoning Code
 18 Article 14, "Process," Section 14-212, "Zoning
 19 Code Text and Map Amendments," to create an
 20 incentive program within the Design &
 21 Innovation District to allow a maximum building
 22 height of one hundred and thirty-seven feet and
 23 six inches by providing a park open to the
 24 public, providing for repeater provision,
 25 severability clause, codification, and

158

1 providing for an effective date.
 2 Item G-9 and G-10, public hearing.
 3 MS. GARCIA: Okay. For the record,
 4 Jennifer Garcia, City Planner. Yes.
 5 CHAIRMAN AIZENSTAT: No. No. I said,
 6 thank you.
 7 MS. GARCIA: Oh, thank you, Craig.
 8 MR. COLLER: You're welcome.
 9 MS. GARCIA: I have some slides. If we can
 10 pull up the slides. Thank you.
 11 All right. So the Design and Innovation
 12 District is historically the industrial area of
 13 our City, and as you remember, it used to be
 14 the Public Works grounds. I'm sure a lot of
 15 you have been here probably a long time and you
 16 know what I'm talking about. And since then,
 17 it has been re-developed as a mixed-use center.
 18 So it's south of Bird Road, to the east of
 19 Le Jeune Road, and just north of Ponce of Leon,
 20 when it starts to angle down.
 21 So this is what it looks like now with the
 22 aerial. Most of the area is the Village of
 23 Merrick Park, with some mixed-used buildings
 24 surrounding it. And this is kind of looking at
 25 like the street and looking at open space that

159

1 there is right now. As you can see, it's
 2 lacking a little bit of the open space, the
 3 major open space. The heart of the district
 4 is, of course, the square, that courtyard
 5 that's inside the mall, and, then, of course,
 6 the Underline, which is the linear park to the
 7 south of Ponce de Leon.
 8 So what this text amendment is doing is --
 9 it's sponsored by a Commissioner -- in exchange
 10 for additional on-site, open to the air park
 11 space, open space, they -- a developer could
 12 increase the height past the 97 feet.
 13 I should go back. So the MX2 zoning, which
 14 is most of the zoning in this area, is capped
 15 at 70 feet, with Med Bonus, which is the
 16 requirement of the district, the maximum height
 17 is 97 feet. So, right now, a developer could
 18 come forward and request 120 feet, at ten
 19 stories, and go through the conditional use
 20 process of Planning and Zoning and to
 21 Commission for that approval.
 22 This would be an additional about three
 23 stories from the 97 feet, all of the way to
 24 137.5 feet, with a public park. So the way it
 25 is designed is that with each five percent

160