

1 LOCAL PLANNING AGENCY (LPA)/.
2 PLANNING AND ZONING BOARD MEETING
3 VERBATIM TRANSCRIPT
4 HYBRID FORMAT
5 WEDNESDAY, JANUARY 15, 2025, COMMENCING AT 6:02 P.M.

6 Board Members Present:

- 6 Eibi Aizenstat, Chairman
- 7 Julio Grabiell
- 8 Wayne "Chip" Withers
- 9 Sue Kawalerski
- 10 Felix Pardo
- 11 Javier Salman
- 12 Robert Behar

13 City Staff and Consultants:

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

19 Also Participating:

- 19 Suzanne A. Dockerty, Esq., On behalf of Item E-1
- 20 Michael Ehrling, Architect
- 21 Father Manny Alvarez
- 22 Sister Rosalee
- 23 Barbara McPhillips
- 24 Jim McPhillips
- 25 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

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

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

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

19 As Chair, I now officially call the city of
20 Coral Gables Planning and Zoning Board Meeting
21 of January 15, 2025 to order. The time is
22 6:02.

23 Jill, please call the roll.

24 THE SECRETARY: Robert Behar?

25 MR. BEHAR: Present.

1 THEREUPON:

2 (The following proceedings were held.)

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

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

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

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

3 MR. BEHAR: Here.

4 THE SECRETARY: Julio Gabriel?

5 MR. GRABIEL: Here.

6 THE SECRETARY: Sue Kawalerski?

7 MS. KAWALERSKI: Here.

8 THE SECRETARY: Felix Pardo?

9 MR. PARDO: Here.

10 THE SECRETARY: Javier Salman?

11 Chip Withers?

12 MR. WITHERS: Here.

13 THE SECRETARY: Eibi Aizenstat?

14 CHAIRMAN AIZENSTAT: Here.

15 Notice Regarding Ex Parte Communications,
16 please be advised that this Board is a
17 quasi-judicial board, which requires Board
18 Members to disclose all ex parte communication
19 and site visits. An ex parte communication is
20 defined as any contact, communication,
21 conversation, correspondence, memorandum or
22 other written or verbal communication, that
23 takes outside of the public hearing, between a
24 member of the public and a member of the
25 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

5

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

7

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

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

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

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

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 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

19

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

18

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

20

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

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

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

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

13 MR. EHRLING: Thank you.

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

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

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

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

21

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

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

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

23

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

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

12 Next slide.

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

22

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

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

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

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

24

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

26

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.

27

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

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

4 Thank you.

5 CHAIRMAN AIZENSTAT: Thank you.

6 Jill, how many speakers do we have in
7 Chambers?

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

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

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

15 Let's see here, Barbara McPhillips.

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

25 We are the residents on -- our house is at

29

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

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

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

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

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

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

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

30

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

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

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

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

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

25 MR. MCPHILLIPS: James McPhillips.

32

1 CHAIRMAN AIZENSTAT: Thank you, sir.
 2 MR. MCPHILLIPS: Basically, we have
 3 congestion at, you know, pick-up and delivery
 4 times. I can barely get out of my garage,
 5 because people are coming in, on the eastern
 6 side of Palos, and I can't back out, and I've
 7 had to encounter traffic -- I've almost run
 8 into a couple of accidents. So the traffic
 9 situation, for me, is very concerning and I
 10 would like this to be addressed.
 11 Now, one thing that I have not seen is what
 12 is being done for noise abatement on the east
 13 side. We're always talking on the Indian Mound
 14 side, but we are not talking about the noise
 15 abatement on the eastern side of Palos Street,
 16 and I would like that to be addressed.
 17 So I'll let you --
 18 MS. MCPHILLIPS: Okay. Our next concern is
 19 landscaping and aesthetics. As you know,
 20 Almeria Avenue, the McPhillips family has owned
 21 their property since the 1950s. We love the
 22 neighborhood. We love the school. However,
 23 the current proposal does not mention the
 24 landscaping on the east side of the project.
 25 The school must revise the plans to include

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1 trees, shrubbery and an appropriate perimeter
 2 wall for sound abatement and to enhance the
 3 beauty of your historic neighborhood.
 4 If I'm not mistaken, Virginia Lovaton's
 5 house, at 1228 Valencia, was one of the first
 6 five buildings in Coral Gables, and across the
 7 street, at I believe it's 1220 Almeria, which
 8 just sold, was also one of the first buildings
 9 in Coral Gables. It's a beautiful
 10 neighborhood.
 11 Other private schools in Coral Gables, for
 12 example, St. Thomas Episcopal, that's one
 13 example, have beautiful walls around their
 14 sports fields. Why not St. Theresa? I drive
 15 by Coral Gables High. They don't have a chain
 16 link fence on Riviera. They have a metal
 17 fence, which does nothing for sound, but I
 18 think it is an upgrade. I think it's time for
 19 the east side of St. Theresa to be upgraded to
 20 what our neighborhood expects and demands,
 21 because of its historic value.
 22 What are the commitments to maintain green
 23 spaces and create the visual barriers -- sound
 24 is something but also visual barriers -- around
 25 the new expansions and especially the fields?

34

1 The next concern we have is lighting and
 2 nighttime use. I believe that is covered. I
 3 hear just weeknights. What about weekdays?
 4 Will the school -- what kind of schedule will
 5 they have for those weekend games, Saturdays
 6 and Sundays?
 7 The fifth one is property value and
 8 community impact. Has the school and local
 9 government assessed the potential impact on our
 10 neighboring properties if we don't take care of
 11 some of our concerns?
 12 I think we've addressed the construction
 13 time line compliance and we understand the
 14 workers are going to be parking inside.
 15 They're not going to be using Palos Street as a
 16 staging ground, for example.
 17 Will there be a Conditional Use permit or
 18 legally binding document or agreement that
 19 outlines the specific conditions, no night
 20 games, traffic mitigation, moving fields,
 21 penalties for non-compliance, because I don't
 22 think it's fair to the residents to say, "Oh,
 23 we didn't know." I don't think I can say, you
 24 know, about, "I didn't know I can't have such
 25 and such on my property or a chain link." I

35

1 just think I have a duty to know what the laws
 2 are to live and have the privilege of living in
 3 this beautiful City.
 4 So the McPhillips, Lovaton, Bunge and Elias
 5 families, we're all long-time residents. By
 6 raising these questions and concerns, we insist
 7 that St. Theresa and the Coral Gables Planning
 8 and Zoning Board recognize our objections and
 9 concerns as valid, in order to maintain our
 10 property values and the peaceful use of our
 11 properties and take the appropriate action.
 12 We really appreciate it. We love Coral
 13 Gables. And thank you for the opportunity to
 14 speak tonight.
 15 MR. MCPHILLIPS: Thank you.
 16 CHAIRMAN AIZENSTAT: Thank you.
 17 Next speaker.
 18 THE SECRETARY: Mr. Elias. He's on Zoom.
 19 CHAIRMAN AIZENSTAT: We have nobody else in
 20 Chambers?
 21 THE SECRETARY: No.
 22 Oh, I'm sorry, Mr. Banos. Javier Banos,
 23 please.
 24 MR. BANOS: Good evening, everyone. Javier
 25 Banos Machado. I live at 1253 Anastasia

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

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

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

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

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

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

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

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1 have that put back on, I would appreciate it.

2 So what happens is, in the morning, from
3 about 7:20 okay, to about 7:45, all of the kids
4 have to be there. There's two bells, one at
5 7:42 and one at 7:45, that the kids have to be
6 inside the school. So you do get a line of
7 cars, that come from Palermo, in front of
8 Indian Mound Trial, in front of the church, and
9 into the school. That happens for that window
10 of time only.

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

25 The McPhillips are on the other side, on

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

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

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

24 MS. MCPHILLIPS: They have one, but --

25 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 accommodate 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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1 would not be visible from the community. And,
2 of course, the school is very amenable to
3 working with the community on landscaping,
4 intensifying areas, in order to beautify the
5 overall neighborhood, which is really the
6 intent of what they are also trying to do here,
7 besides a safe facility for the students.

8 CHAIRMAN AIZENSTAT: Thank you.

9 MR. WITHERS: Can I just --

10 CHAIRMAN AIZENSTAT: Yes.

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

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

19 FATHER MANNY ALVAREZ: Good evening,
20 everyone. Father Manny Alvarez, resident of
21 1270 Anastasia Avenue and Pastor of the Church
22 of the Little Flower and St. Theresa Catholic
23 School.

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

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

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

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

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

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

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

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

12 CHAIRMAN AIZENSTAT: Thank you.

13 Chip, anything further?

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

16 CHAIRMAN AIZENSTAT: Felix.

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

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

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

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

25 So I would hope that you could work

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

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

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

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

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

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1 inside, will ameliorate the issue of the noise
2 outside.

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

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

25 I think that, unfortunately, the cuing

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

7 That's all, Mr. Chairman.

8 CHAIRMAN AIZENSTAT: Thank you, Felix.

9 Sue.

10 MS. KAWALERSKI: Thank you.

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

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

22 MR. PARDO: No.

23 MS. KAWALERSKI: No? It's not?

24 MR. PARDO: The tallest one is the
25 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 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 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 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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1 sports.

2 CHAIRMAN AIZENSTAT: Thank you.

3 MS. KAWALERSKI: Okay. Thank you.

4 CHAIRMAN AIZENSTAT: Thank you.

5 MS. KAWALERSKI: But I think you've heard

6 from three of us now, the wall would go a long

7 way in helping the neighbors, and, again, I

8 encourage the walkability and bikeability to

9 school efforts for the traffic congestion.

10 That's all. Thank you.

11 CHAIRMAN AIZENSTAT: Thank you.

12 Robert.

13 MR. BEHAR: Thank you.

14 I'm going to start with the increase in

15 students from 1992, where you had 881 students,

16 today you're looking for 945. That's an

17 increase of 64 students. Felix, seven percent.

18 Over thirty years, that's nothing. That is

19 nothing.

20 So I think that you're right, over thirty

21 years, I think -- I don't have an issue

22 whatsoever. On the contrary, I think that

23 probably I would have asked for more, but when

24 it comes --

25 FATHER MANNY ALVAREZ: We don't want more.

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1 MR. BEHAR: No, I understand. You know,

2 what I'm trying to say, it's a minimal

3 increase. Seven percent is nothing in thirty

4 years -- over thirty years.

5 When it comes to addressing the noise, you

6 moved the soccer fields -- to the architect,

7 you moved the soccer fields all of the way to

8 the east, and just -- for the benefit -- I

9 think I know the answer, I'm an architect, as

10 well, but for the benefit of the neighbors that

11 spoke on the noise, is it feasible to flip the

12 soccer field back to the center, next to the

13 building, and put, I guess they're baseball

14 fields, a diamond there, on that side? I don't

15 think it's feasible, but is that something that

16 can be done or no?

17 MR. EHRLING: What we did in placing the

18 soccer field there -- and, in part, it's

19 striped and shown as a soccer field, but it is

20 a general playing field for the kids during the

21 day. They are not really playing organized

22 soccer at school. It's just a general

23 recreation space for the kids to run around.

24 What we did is, we completely lowered the

25 intensity of those fields by moving the

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1 basketball courts, which are twice as close, to

2 some degree, to the neighbors to the east in

3 that area, into the gymnasium, and they had

4 bleachers there for having organized stuff. By

5 moving it, our challenge would be flipping with

6 the baseball. We could look at that, but,

7 again, we were trying to keep the baseball

8 closer to the building itself, and we don't

9 believe -- and we know the intensity will be

10 much less now in the future.

11 MR. BEHAR: And logistically, it makes

12 sense to keep the baseball field next to the

13 building. You know, there's no question.

14 MR. EHRLING: Yeah. Yeah.

15 MR. BEHAR: All right. Thank you.

16 When it comes to the north barrier wall, I

17 think I agree with my three previous colleagues

18 on their comments, and I'm thinking the wall

19 that is -- that the University of Miami did

20 along 57th Avenue, that is part solid, a little

21 bit of open finestrations, and then landscaped

22 heavily on that. I think that would be -- for

23 me, it will be a requirement that you put the

24 wall, when you do this venture, and in addition

25 to that, I think -- and I haven't seen the

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1 landscape plan. I think that you have to go an

2 extra step to put much more additional

3 landscaping, including, to me, shade trees that

4 are along Valencia and Indian Mound almost to

5 buffer the building a little bit more from the

6 adjacent neighbors. The landscaping and the

7 wall, I think, are, in my opinion, necessary

8 when you do this project.

9 Other than that, I think it's a beautiful

10 building. I think you're doing a great job. I

11 think it's -- you know my kids never went

12 there, but I think -- I've been there many

13 times, and I think you're a great asset to the

14 community. So I'm in support of the project.

15 CHAIRMAN AIZENSTAT: Thank you.

16 Javier.

17 MR. SALMAN: I like the project. I think

18 that the baseball fields next to the building

19 make more sense, 'cause you don't want to have

20 the stands next to the residents. I mean, that

21 just makes sense.

22 I'm going to make it a condition of

23 approval -- I'm going to make it that, in

24 addition to whatever motion gets made here,

25 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 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 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 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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1 MR. BEHAR: That's their own people
 2 maintaining it.
 3 MR. PARDO: You pull your fence in a little
 4 bit. You have the landscaping on the outside.
 5 And they walk around the outside through some
 6 type of gate.
 7 CHAIRMAN AIZENSTAT: Okay. I just --
 8 myself, I don't see that as being very
 9 feasible, but maybe I'm wrong.
 10 MR. PARDO: Well, what I'm saying is, if
 11 this is the property line, and you move it in a
 12 little bit --
 13 CHAIRMAN AIZENSTAT: I understand the
 14 concept.
 15 MR. PARDO: -- you have landscaping
 16 outside, and that's usually really on their
 17 land, and they have to maintain the
 18 landscaping. I mean, we do it all of the time.
 19 CHAIRMAN AIZENSTAT: Is there a reason you
 20 wouldn't have the landscaping on the inside?
 21 MR. PARDO: Because the inside is toward
 22 the ball fields and it doesn't do anything for
 23 the neighbors.
 24 MR. BEHAR: Yeah. I agree. Felix is
 25 correct. If you move it in, you are going to

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1 be able to landscape the outside. It's going
 2 to be a buffer, you know, for the neighbors.
 3 MR. PARDO: It's done all of the time --
 4 MR. BEHAR: Leave it to the architects.
 5 MR. WITHERS: Sometimes.
 6 MR. PARDO: Yeah. Just can't do the math.
 7 And, then, I saw what counsel was talking
 8 about with the high tension power on Valencia,
 9 but I would suggest additional landscaping with
 10 some type of shade trees. There are shade
 11 trees that are allowed by Florida Power & Light
 12 to grow underneath in easements like that.
 13 They have their own landscaping division and
 14 they have their recommended trees that are
 15 acceptable under those things, and I think that
 16 would go a long way to bring that, and at the
 17 same time, we're not asking for a solid wall on
 18 Valencia. This is to specifically provide more
 19 aesthetics, you know, and also a little more --
 20 if you will, a little more relief, you know,
 21 from the building and the magnitude of it, when
 22 you're driving down Valencia, where you have
 23 a long shot of it.
 24 Those are all of the conditions,
 25 Mr. Chairman.

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1 CHAIRMAN AIZENSTAT: What about the
 2 condition that was spoken about, no outside
 3 receptions in the facility?
 4 MR. PARDO: Outside --
 5 CHAIRMAN AIZENSTAT: Reception or use for
 6 the facility, except for the school itself.
 7 MS. KAWALERSKI: Well, in addition to the
 8 outside, the inside facility also, no --
 9 CHAIRMAN AIZENSTAT: That's what I meant,
 10 no outside vendors or no outside gatherings,
 11 that are not part of the school, to be held in
 12 the gymnasium.
 13 MR. PARDO: Okay. I thought I covered it
 14 when I said, only St. Theresa uses.
 15 MS. KAWALERSKI: For the field.
 16 MR. PARDO: No. No. No. I said, "And for
 17 the field."
 18 CHAIRMAN AIZENSTAT: Okay. As long as it's
 19 there.
 20 MR. PARDO: Yes, any uses and for the
 21 field.
 22 MR. SALMAN: Okay. I will second that
 23 motion, but I'd like to make two friendly
 24 amendments.
 25 MR. PARDO: Okay.

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1 MR. SALMAN: Number One, with this
 2 approval, the applicant agrees to make a yearly
 3 submittal of the student station count.
 4 MR. PARDO: That condition is already in
 5 Staff's report. So I accepted Staff's report.
 6 That's why I didn't add it.
 7 MR. SALMAN: And the second one is that we
 8 define the wall to be built, should be along
 9 the property line of Palos, so there's no
 10 question that it's not going to Valencia, it's
 11 just for the length of Palos, from the service
 12 entrance north.
 13 MR. PARDO: Yes. If you could add the
 14 location as parallel to Palos Street.
 15 CHAIRMAN AIZENSTAT: I'd like to ask a
 16 question. What about stating also that no
 17 lighting will be placed in the future for
 18 intramural games or any type of games within
 19 that --
 20 FATHER MANNY ALVAREZ: Yeah, we're amenable
 21 to that. We do not want it to be night.
 22 CHAIRMAN AIZENSTAT: So would that be a
 23 covenant, Cristina, that would be done --
 24 MS. SUAREZ: So all of these conditions
 25 will be in covenant ultimately, yeah.

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1 CHAIRMAN AIZENSTAT: Would you agree to
 2 also no lighting?
 3 MR. PARDO: Absolutely. Thank you.
 4 CHAIRMAN AIZENSTAT: Yes, sir.
 5 MR. GRABIEL: I have a concern with the
 6 height of the wall. That's one of the few open
 7 spaces that we have in that neighborhood. A
 8 six-foot wall I know will make it quieter for
 9 the neighborhood, but the neighborhood loses
 10 then the open space that is there. So I was
 11 wondering if we could lower the requirement of
 12 six-foot fence to a four-foot-six, so that you
 13 still keep the sense of open space.
 14 CHAIRMAN AIZENSTAT: Well, we have a
 15 motion. We have a second, friendly amendment.
 16 Sir, would you agree to lower it to four feet?
 17 MR. PARDO: I'd like to have this as part
 18 of the discussion. The only reason -- I think
 19 a four-foot high fence would not accomodate the
 20 sound issue. I understand your concern. I
 21 think that the only reason I was saying to pull
 22 it in from the property line a little bit is,
 23 there is a swale area there. I'm looking at it
 24 now on the map, and there is a swale area.
 25 What I was hoping to do is to just bring it

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1 in enough to be able to heavily landscape it,
 2 you know, so it doesn't look like there is a
 3 loss of the perception of landscaping, if
 4 that's okay with you, Julio.
 5 MR. SALMAN: Julio, if I can add, Palos is
 6 really the side street for the properties that
 7 face Valencia or Almeria or to the street on
 8 the south. There are no door entrances off of
 9 Palos. They're all driveway entrances into
 10 garages and whatnot. It's not a place that
 11 you're going to be looking for a vista or open
 12 space, if you follow what I'm saying, and there
 13 is a green space in the middle, which increases
 14 the depth of the actual right-of-way between
 15 the church property and the nearest neighbors.
 16 And what we're looking for is to reduce the
 17 sound into the neighborhood along Almeria, into
 18 those houses to the east.
 19 So I would not like to see it at four feet.
 20 I would like to see it at six feet, because
 21 it's a proven strategy for reflecting that
 22 sound back and away from the neighborhood.
 23 MR. BEHAR: And I think -- I agree with
 24 both, Javier and Felix, I think the idea was --
 25 Felix mentioned, put it in a little bit.

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1 Maybe, I don't know, five feet, so you could do
 2 some landscaping, so you could buffer that wall
 3 a little bit.
 4 MR. SALMAN: That's the way it is now. The
 5 chain link fence is like five or six feet away
 6 from the sidewalk.
 7 MR. PARDO: That's correct, and the whole
 8 point was to be able to have enough area to,
 9 you know, have the hedge, have trees, you know,
 10 give them canopies, and with the six feet, that
 11 solid will mitigate a lot of the thing.
 12 The other thing that will mitigate a lot
 13 is, because they're building the gymnasium,
 14 they're going to be eliminating those
 15 basketball courts, I would think --
 16 MS. DOCKERTY: Yeah.
 17 MR. PARDO: -- and that's the whole thing.
 18 Now the sound not only goes away from the
 19 neighbors, but the sound of the basketball, you
 20 know, it goes into a building.
 21 FATHER MANNY ALVAREZ: And excuse me, if I
 22 can -- it's not just the basketball. Our
 23 entire PE program takes place there throughout
 24 the day. That will be going indoor.
 25 MR. PARDO: Right. And that's why a lot of

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1 the sound mitigation --
 2 FATHER MANNY ALVAREZ: A lot of the sound
 3 will be going indoors, yeah.
 4 Now, the only thing that isn't changed and
 5 will affect our neighbors is the -- the top
 6 part -- no, no, that's on the corner -- where
 7 the banyan trees is, which is something you and
 8 I, we don't want be touching those trees,
 9 because they're the crown jewel of the
 10 property, you know, other than want it touching
 11 the street (Unintelligible) that's the only
 12 thing that I worry about.
 13 MR. BEHAR: So we have a motion. We have a
 14 second.
 15 CHAIRMAN AIZENSTAT: Excuse me, you have to
 16 speak into the microphone, for the court
 17 reporter.
 18 FATHER MANNY ALVAREZ: I'm sorry.
 19 CHAIRMAN AIZENSTAT: If we can, Father,
 20 just direct everything to the --
 21 FATHER MANNY ALVAREZ: No problem.
 22 CHAIRMAN AIZENSTAT: We have a motion. We
 23 have a second. Any other comments?
 24 MS. DOCKERTY: I just want to make sure
 25 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 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 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: 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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1 these things put together are very important,
2 and we're talking three dimensional, not
3 limited to two dimensional. So I disagree with
4 Staff comments there, and it could have been a
5 typo, but the whole point here is that -- the
6 way I see it is that if we take a look at
7 something, I would feel more comfortable that
8 the applicant, the developer that's coming in,
9 you know, has a better understanding of what
10 the Board of Architects can and cannot do, and
11 I think that's it, in a nutshell, Mr. Chairman,
12 and I just wanted to be a preamble to what Judy
13 was explaining.

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

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

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

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

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

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

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

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

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

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

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

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

15 MR. PARDO: Right.

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

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

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

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

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

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

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

22 MS. SUAREZ: Can I chime in?

23 CHAIRMAN AIZENSTAT: Yes.

24 MR. PARDO: And that's the reason we're
25 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 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 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 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 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 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 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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1 CHAIRMAN AIZENSTAT: Yeah.
 2 MR. PARDO: I think the model, you know,
 3 showing -- and I remember when that particular
 4 resident said, "And this is our house -- you
 5 know, this is my house and these are the houses
 6 next to it." All of a sudden, you were able to
 7 understand that.
 8 So the conceptual is not the conceptual
 9 that the Board of Architects looks at. The
 10 conceptual can be another type of concept. It
 11 could be from massing, to intensity, to all
 12 sorts of things like that.
 13 MR. BEHAR: I agree, but this Board is not
 14 a Board of Architects, so --
 15 MR. PARDO: No. I'm looking at it from a
 16 planning standpoint.
 17 MS. KAWALERSKI: Yeah, we're not looking at
 18 the design.
 19 MR. PARDO: So when you look from a
 20 planning standpoint and zoning, Robert, one of
 21 the first things you do is, what are the
 22 limitations? What is the limit that I'm
 23 allowed? And then you may have the client that
 24 says, "Well, you know, I want much more than
 25 that."

1 MR. BEHAR: You made a comment a little
 2 while ago where maybe part of the site could
 3 allow it to have higher massing or something to
 4 that effect. Well, should that not be first
 5 looked at by the Board of Architects, before
 6 us.
 7 MR. PARDO: Well, this is why I --
 8 MR. BEHAR: Is it more compatible than --
 9 MR. PARDO: This is why I said it was
 10 non-binding. Why? Because the applicant can
 11 come in and say, "You know what, I don't care
 12 what the you guys think. I want to go to the
 13 BOA," and the BOA now starts to hone in on that
 14 particular building, where now it starts to
 15 take shape and they may agree or disagree.
 16 Then it comes here.
 17 The problem that we have is that -- when
 18 you get into the upzoning, is that you're
 19 getting into an upzoning where you're only
 20 looking at a map that has a different color and
 21 a different designation. The problem that we
 22 have is that we're not looking into something
 23 from a compatibility standpoint, and the
 24 compatibility standpoint, it could be that you
 25 put a big building in an area that allows big

1 buildings.
 2 Let's say, if you're in the middle of the
 3 CBD, you come in here with a conceptual,
 4 they're coming up for more height, that's fine.
 5 The problem that I have is that not all of the
 6 areas are like that. For example, on US-1. We
 7 all have discussed these enormous buildings
 8 that were built on US-1 in Coral Gables. It
 9 was not the Board of Architects' fault. That
 10 was a problem with the procedure, that this
 11 Board did not say --
 12 MR. BEHAR: No.
 13 CHAIRMAN AIZENSTAT: I disagree.
 14 MR. BEHAR: I beg to differ. I disagree,
 15 with all due respect. Every Board Member of
 16 this Board denied those projects.
 17 CHAIRMAN AIZENSTAT: We denied those
 18 projects.
 19 MR. PARDO: Every one of those projects?
 20 MR. BEHAR: Every single one, because we
 21 were here. I don't know if you were here at
 22 the time, but we denied those projects
 23 completely.
 24 MR. PARDO: All of them?
 25 MR. BEHAR: All of them, yes, sir. And go

1 back on record so you can see that.
 2 CHAIRMAN AIZENSTAT: And I actually think,
 3 Felix -- I actually think, with the Allen
 4 Morris project, whether he would have come here
 5 first, with the way he came in, and this was
 6 during COVID and I remember explicitly, whether
 7 he would have come in here first for conceptual
 8 or not, I think he would have come in the same
 9 way.
 10 MR. PARDO: It's possible.
 11 CHAIRMAN AIZENSTAT: I think what happened
 12 was that he was turned down so many times
 13 coming back, that he switched teams completely.
 14 MR. PARDO: Right.
 15 MR. BEHAR: But make sure, he came here and
 16 we denied that.
 17 CHAIRMAN AIZENSTAT: Correct. That's what
 18 I'm saying.
 19 MR. BEHAR: Remember? You were here with
 20 us.
 21 CHAIRMAN AIZENSTAT: His project was denied
 22 all of the way through.
 23 MR. PARDO: What was project near the
 24 University of Miami?
 25 MR. BEHAR: The Paseo.

1 MS. KAWALERSKI: The Paseo.
 2 MR. PARDO: The Paseo was denied by --
 3 MR. BEHAR: Yes.
 4 MS. KAWALERSKI: You denied the Paseo?
 5 MR. BEHAR: Yeah.
 6 CHAIRMAN AIZENSTAT: Yeah.
 7 MR. BEHAR: And the same with Gables
 8 Station. As a matter of fact, I had to sit out
 9 from the Gables Station, because the developer
 10 went to, at the time, the previous City
 11 Attorney's Office and conflicted me out, yes.
 12 But that received from this Board six-zero
 13 denial.
 14 MR. PARDO: So you think that this is a bad
 15 idea?
 16 MR. BEHAR: No.
 17 MS. CARTY: No. But can I say something?
 18 MR. BEHAR: I don't think it's a bad idea.
 19 MS. CARTY: I think it's the reverse,
 20 because if we had known you all would have said
 21 no, that would have given us a great
 22 foundation. We said, yes, because we were told
 23 we had no purview on size.
 24 MR. BEHAR: I agree with you there, but is
 25 it good to know that they come in with some

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1 sort of --
 2 MS. CARTY: Massing, yeah, maybe that makes
 3 sense.
 4 MR. BEHAR: Because, otherwise, what are we
 5 looking to be -- you know, we're going to be
 6 looking at just a spot zoning. I don't know.
 7 I mean --
 8 CHAIRMAN AIZENSTAT: Cristina.
 9 MS. SUAREZ: I just want to -- I'm trying
 10 to also manage expectations here. The Board of
 11 Architects, in reviewing the design, also
 12 should not -- if there's feedback from the
 13 Planning and Zoning Board as to the land use
 14 and zoning change, that really should not form
 15 the basis for your denial or approval, right.
 16 Your review, again, is based on the design.
 17 You can always consider the compatibility, the
 18 massing. You can always consider that, based
 19 on design.
 20 And when we say that there's an assumption
 21 that the zoning is there or the land use is
 22 there, it's because you're not looking at what
 23 the delta is between what they have and what
 24 they're asking for. It's, is it compatible,
 25 this design. And I know this is a conversation

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

10 CHAIRMAN AIZENSTAT: Chip.

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

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

25 CHAIRMAN AIZENSTAT: It has to go back.

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

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

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

10 So, let's say, again, we have an existing
 11 zoning that allows five stories in height, and
 12 an applicant is coming in with a change, where
 13 he wants now ten stories in height, and it's
 14 surrounded by these apartments that can only go
 15 45 feet, four stories in height.

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

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

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

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

18 CHAIRMAN AIZENSTAT: Correct.

19 MR. PARDO: Right.

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

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

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

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

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

24 MR. PARDO: Right.

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

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1 CHAIRMAN AIZENSTAT: That strikes me.

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

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

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

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

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

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

15 MR. PARDO: I did.

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

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

24 MR. PARDO: Yes.

25 CHAIRMAN AIZENSTAT: And not necessarily

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1 the step?
 2 MR. PARDO: No, it is a procedural problem
 3 with the Code.
 4 CHAIRMAN AIZENSTAT: Okay.
 5 MR. PARDO: And just so you know, only this
 6 subset of people that are asking for the change
 7 of zoning or the change of the Land Use Plan.
 8 Everybody else is under a matter of right under
 9 the Code. That's -- I don't know what the
 10 percentage would be, but it has to be a very
 11 high percentage.
 12 CHAIRMAN AIZENSTAT: That's everybody we
 13 see.
 14 MR. PARDO: Well, no, because then you
 15 have --
 16 CHAIRMAN AIZENSTAT: In reality, it's a
 17 hundred percent.
 18 MS. SUAREZ: There are some site plan
 19 reviews that aren't seeking any land use change
 20 or --
 21 MR. PARDO: That's what I was going to say,
 22 PADs and things like that, that come before
 23 this Board.
 24 And, again, this goes back to the City
 25 Attorney's Office having a difficult situation.

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1 They have to give some type of direction to the
 2 Board of Architects. And what's happened is
 3 you must assume this. I'm not making this up.
 4 They're all here and they can tell you, because
 5 they have to listen to the City Attorney say
 6 it.
 7 CHAIRMAN AIZENSTAT: But there's got to be
 8 a reason the City Attorney is saying that.
 9 MS. SUAREZ: Again, because they make that
 10 assumption, does not mean -- they can still
 11 reject a project. Even if they make that
 12 assumption, they can still reject the project,
 13 if they determine, on a case by case basis,
 14 that that design -- the architecture and the
 15 design, considering the massing, et cetera, all
 16 of those other criteria that are in the Zoning
 17 Code under their standards of review, they can
 18 still reject the project for those reasons.
 19 MR. PARDO: Let's talk about the massing.
 20 You're thinking the massing of only the
 21 project. I'm thinking of the massing and the
 22 relationship of the massing with the
 23 surrounding area for compatibility.
 24 MS. SUAREZ: Absolutely. They can consider
 25 the compatibility, absolutely, but -- so that

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

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

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

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

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1 It's not.
 2 MS. SUAREZ: Correct. That change.
 3 MR. PARDO: No. When you're looking at
 4 zoning, you look at setbacks, you look at floor
 5 area, you look at density and then you look at
 6 height and you look at many other factors, but
 7 when you say, "Land use," it's not like the use
 8 that this is an apartment building --"
 9 MS. SUAREZ: No, of course not.
 10 MR. PARDO: "-- and this is a shopping
 11 center."
 12 MS. SUAREZ: Of course, not.
 13 MR. PARDO: But I want to make sure that
 14 this is crystal clear, because they're being
 15 told specifically, and they have been told for
 16 a long time, that they cannot weigh in on
 17 certain factors and they can only look at the
 18 architecture and the aesthetics of the
 19 architecture. Very big difference between
 20 looking at a style of a window, compared to
 21 looking if it should be stepped down, when
 22 they're been told that they can't do that.
 23 MS. CARTY: And if I say, because -- and
 24 I'm not speaking for the Board. I don't know
 25 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?

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

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

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

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

5 MR. PARDO: Right.

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

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

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

25 What I'm saying is, get a recommendation

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

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

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

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

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

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

4 CHAIRMAN AIZENSTAT: Who makes the ultimate
5 determination?

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

9 CHAIRMAN AIZENSTAT: Right.

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

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

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

25 CHAIRMAN AIZENSTAT: Correct.

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

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

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

9 Any other speakers that have signed up
10 whatsoever?

11 THE SECRETARY: No.

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

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

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

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

22 MS. SUAREZ: The Commission basically asked
23 Staff to consult with the Board of Architects
24 and to bring this matter before you. Staff has
25 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 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 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 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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1 next to transit stations, as well. So those
2 still remain in the Comp Plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 MS. GARCIA: Yes.

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

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

12 MS. SUAREZ: Beginning at Page 26.

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

16 MS. SUAREZ: No. No. Beginning at Page
17 26.

18 CHAIRMAN AIZENSTAT: 26 to 36.

19 MR. PARDO: Okay. So on the FLU 1.19, from
20 2004, 2007, that strike-out, when was the last
21 Code re-write that we had?

22 MS. GARCIA: I mean, we had a Zoning Code
23 update, but didn't really change much of the
24 content of the Zoning Code. So we're still
25 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 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 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 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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1 This Board gave us some homework to do, and
2 we've been working with our design consultants,
3 and as a team, to address the comments. I went
4 back through the meeting minutes and I believe
5 I have all of the comments, and I want to walk
6 through what we've done to address those
7 comments. I know Staff put together a very
8 nice summary, but I think it's important to
9 show you.

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

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

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

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1 required spaces. So under the worst case
2 scenario, in your Code, of the residential
3 required parking, we'd be required to provide
4 52 remote parking spaces. We are providing 56
5 spaces. That's what we're committing to. So
6 we're providing four more spaces than are
7 required, in response to that last comment.

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

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

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

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

7 MR. SALMAN: 250 square feet.

8 MR. NAVARRO: 250 square feet less.

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

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

13 MR. WITHERS: That was good.

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

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

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

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

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

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

3 One other item that we have -- and Devon
4 has a copy that she can hand out -- this is a
5 project that's before you for remote parking
6 and the use of TDRs. Let's see if this thing
7 wants to work. And you're not really reviewing
8 the site plan, because the site is less than
9 20,000 square feet, but we committed to you at
10 the last meeting that we would tie ourselves to
11 a site plan. So we have proffered a covenant
12 that ties us to this site plan that you've seen
13 today, with the new loading area, and with the
14 additional sidewalk configuration.

15 Can you go to the next slide?

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

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

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

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

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

14 CHAIRMAN AIZENSTAT: Thank you.

15 Staff.

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

19 CHAIRMAN AIZENSTAT: Okay. Thank you.

20 Jill, do we have any --

21 THE SECRETARY: No speakers.

22 CHAIRMAN AIZENSTAT: We have no speakers
23 for this project.

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

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

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

25 So, you know, the IT Department was brought

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

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

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

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

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

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

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

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

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

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

18 CHAIRMAN AIZENSTAT: Is there a motion?

19 MR. BEHAR: I'll make assure to extend to
20 9:45.

21 CHAIRMAN AIZENSTAT: Sorry, Chief.

22 Is there a second?

23 MS. KAWALERSKI: Second.

24 CHAIRMAN AIZENSTAT: Everybody in favor say
25 aye.

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1 (All Board Members voted aye.)

2 CHAIRMAN AIZENSTAT: Thank you for
3 pointing it out.

4 Thank you, Chief.

5 CHIEF HUDAK: Thank you.

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

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

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

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

25 So we have done a lot of data on this.

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

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

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

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

4 So, other than that -- that's my only two
5 cents on this.

6 CHAIRMAN AIZENSTAT: Thank you.

7 Anybody else that we have here tonight?
8 No?

9 I'll close the public comment.

10 MR. NAVARRO: Yeah. I just wanted to --
11 and, obviously, the Chief is a friend and we've
12 been working with him and we continue to work
13 with him. You know, unfortunately, it seems
14 that the original circumstances have changed.

15 I just wanted to kind of highlight a couple
16 of points. Obviously, this police station is
17 built in a Downtown area, where you just
18 tractionally have congestion, and it's a
19 mixed-use area, where you're going to see
20 development, and that something will be built
21 there, whether it's this project. I think we
22 went through, at the last hearing, there are
23 other by right projects which are probably a
24 worse case scenario, and due to the size of
25 this lot, it is a by right process.

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

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

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1 What we've tried to do is make the best of
2 the situation. You know, there's no plans for
3 that to be a park. It's zoned commercial and
4 the owner has certain rights to develop. I
5 think one of the things that we've done is,
6 obviously, I think we established that the main
7 concern is the traffic on Minorca, and what
8 we've been able to do is remove the parking
9 garage, which is what generates the traffic,
10 and place it on this side, so that that area is
11 less congested.

12 So we are going to continue to work with
13 the Chief. We understand what his concerns
14 are, but, you know, these uses are allowed by
15 right here, whether it has parking or no
16 parking, and I think the request before you,
17 which is for remote parking, actually improves
18 the situation from what could otherwise be
19 built there.

20 So I just wanted to kind of highlight some
21 of the other items that we went through at
22 length at the last meeting.

23 I'm here to answer any questions. I know
24 you're probably eager to close the public
25 hearing.

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1 CHAIRMAN AIZENSTAT: Thank you very much.
 2 Go ahead.
 3 MR. PARDO: I've got a question for you,
 4 the applicant, and the Chief. So it occurs to
 5 me --
 6 CHAIRMAN AIZENSTAT: If you could speak
 7 into the mike, please.
 8 MR. PARDO: I'm sorry.
 9 So it occurs to me, you know, the applicant
 10 obviously has done your homework, so
 11 congratulations on that. You hit all of these
 12 different points. You went through the
 13 verbatim transcript, and that, I think, was
 14 important.
 15 The disturbing part here, though, is, you
 16 know, you've got to listen what the Chief says.
 17 Why? Because he protects the entire City. And
 18 we spent a ton of money on that building and
 19 the parking garage right now.
 20 One of the concerns is, if I look at Fire
 21 by itself -- I just looked at it on Google now,
 22 and it seems to me that, obviously, the
 23 applicant can't do this, but the applicant is
 24 making a contribution to the parking, right, of
 25 seven million dollars or something like that?

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1 parking there. That is a safety zone already
 2 and there is an emergency light that was placed
 3 in when we built the building.
 4 MR. PARDO: I'm sorry, all of the way to
 5 the --
 6 CHIEF HUDAK: To the entrance to the
 7 parking garage. So across the street -- it's a
 8 two-lane street, but across from the garage,
 9 when they come out of the truck or they come
 10 out of the garage, that's a safety zone there.
 11 So the only cars -- and when they got hit, they
 12 were actually authorized Fire Department cars.
 13 So the parking for the rest of that street
 14 goes father to the east, on the other side of
 15 that parking garage.
 16 MR. PARDO: So the east, all of the way to
 17 the end --
 18 CHIEF HUDAK: Yeah. From the east side of
 19 that garage, all of the way to Ponce, there is
 20 parking, but where the doors open for the fire
 21 engines themselves, is a safety zone. So
 22 there's no public parking there, across from
 23 the doors.
 24 And the issue isn't so much the parking
 25 coming out from that side.

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1 MR. NAVARRO: 700,000.
 2 MR. PARDO: 700,000.
 3 MR. NAVARRO: Our zeros are off today.
 4 MR. PARDO: Okay. Well, I'm not good at
 5 math. Robert does the math here.
 6 MR. BEHAR: Seven million.
 7 MR. PARDO: So, you know, again, I don't
 8 know, because it's very difficult to put this
 9 on the developer, but if Alcazar has an entire
 10 parking lane removed, Chief, wouldn't that --
 11 wouldn't that help? You know, with the Fire
 12 Department exiting onto that street, if cars
 13 park only on one side of the street, you know,
 14 it's the same as years ago, when we made
 15 certain streets, like Andalusia, one way, all
 16 of a sudden, that became a better traffic
 17 artery. And if we would take -- the City would
 18 take one of those lanes of parking out --
 19 CHIEF HUDAK: On the south side?
 20 MR. PARDO: No.
 21 CHIEF HUDAK: There is no parking.
 22 MR. PARDO: No. No. I mean, on Alcazar,
 23 where -- you know, one of the issues is, you
 24 have the fire trucks coming out.
 25 CHIEF HUDAK: Right, but there is no

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1 MR. PARDO: Oh, I see it. I'm sorry,
 2 Chief. On this photograph that I'm seeing, you
 3 could see the trucks are parked over the
 4 chevrons that are there.
 5 CHIEF HUDAK: Exactly. Yeah. I'll have to
 6 enforce that, as well.
 7 MR. PARDO: Okay.
 8 CHIEF HUDAK: But writing the Fire
 9 Department tickets is probably not a good idea.
 10 CHAIRMAN AIZENSTAT: I think, from what I
 11 hear, Felix, the big concern is security and
 12 safety.
 13 CHIEF HUDAK: It's security and safety and
 14 traffic, in that order.
 15 MR. PARDO: I was getting there, because
 16 the whole point is, these streets are so narrow
 17 that, here, you have this, and also on Minorca,
 18 you have the parking down that way.
 19 CHIEF HUDAK: You have two entrances to
 20 parking in the 300 Block of Minorca, which is
 21 between here and Le Jeune.
 22 MR. PARDO: Right.
 23 CHIEF HUDAK: You have -- there's four
 24 parking spaces on the north side. There's the
 25 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 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 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 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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1 MR. WITHERS: Why didn't the City buy the
2 park? What happened there?

3 CHIEF HUDAK: That's above my pay rate.

4 MR. BEHAR: That should have been what
5 happened, because -- I mean, in all fairness to
6 everybody, the property owner, you know.

7 MR. PARDO: You know what the sad part
8 about this is, that there's a park that they're
9 going to be putting in, on Salzedo, that was
10 part of all of this land swap stuff, down there
11 in front of Bill Ussery.

12 MR. BEHAR: That should have been here.

13 MS. KAWALERSKI: Maybe we can do another
14 land swap.

15 CHAIRMAN AIZENSTAT: Let me ask you a
16 different question.

17 Can't the City try to acquire the property
18 as a swap from the developers, to where it's
19 worthwhile for the developer to do that also?

20 MR. PARDO: I would imagine that the
21 developer -- that's a complicated, long --

22 CHAIRMAN AIZENSTAT: Jorge, has the City
23 approached your client about trying to do some
24 type of a swap deal to where it would be
25 beneficial to the developer to do something

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1 in Coral Gables. As you can see, we have a
2 very boutique project.

3 I mean, this was the idea for this site,
4 when it was purchased. I don't think it's --
5 you know, I don't even know if the City would
6 have something, and I think, for purposes of
7 this discussion, you know, you could see that
8 we have been working with the Police Department
9 as much as possible.

10 I mean, you know, if we'd acquired the lot
11 next door, these uses would be allowed by
12 right. We would build parking and that would
13 be allowed. And it would be a worse situation.
14 You know, from our end, we're trying to make
15 the better of a bad situation. We understand
16 that we didn't choose to have the --

17 MR. PARDO: It's not your fault.

18 MR. NAVARRO: Yeah. Yeah. We didn't
19 choose to have it here. You know, it was not
20 our intention -- our intention is to do
21 something beautiful that matches what's in this
22 area, that matches the zoning. We're not
23 asking for an upzoning.

24 It's one of the situation that we're just
25 dealing with, you know, something that was

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1 like that also, given the security concerns
2 that the Chief has.

3 MR. NAVARRO: And we understand the
4 security concerns. And like I think the Chief
5 mentioned, we were not part of those
6 discussions. I don't know the timing of those
7 discussions. I know this building was built in
8 2021, and I believe the park discussion was
9 with another developer. We actually purchased
10 that site in 2022.

11 But, I mean, in order to swap a piece of
12 property, I mean, it would have to be the same
13 value, of the same property, in the same
14 location. I mean --

15 CHAIRMAN AIZENSTAT: Or greater to your
16 client, to where it's worthwhile.

17 MR. NAVARRO: Yeah, and we don't know if
18 that is even feasible or what property that
19 would mean, right. But, I mean, it's a very
20 difficult thing, to find a property that you
21 would swap. I mean, I think, you know, my
22 client purchased this property knowing what it
23 was zoned, and intending to build something, I
24 mean, this is a very experienced and qualified
25 developer, who has done many beautiful projects

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1 created well before us.

2 MR. PARDO: So is there any way -- anything
3 you -- you know, let's say if this was just the
4 sun hitting, you know, the glass there on this
5 side, on the south side, is there anything that
6 you can think of, that could be done on the
7 fenestration there, where it can minimize or
8 mitigate the issue of, you know, a potential
9 sniper on that roof, on that elevation?

10 In other words, you know, you have a
11 situation where it's not that you sold the
12 condo to someone that you know them.

13 CHAIRMAN AIZENSTAT: Well, it's not just
14 going to be a condo. It's going to be
15 short-term.

16 MR. PARDO: No. No. In other words,
17 because of the movement, anybody could go
18 anywhere. I'm just asking a question, because
19 I think --

20 MR. BEHAR: You're saying to relocate --
21 redesign that top area? What exactly --

22 MR. PARDO: No, it's not the top area. It
23 maybe is really the facing over here. I don't
24 think it's so much the top area.

25 Sorry.

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1 MR. BEHAR: Look, the problem that I -- not
2 a problem. I mean, I'm trying to address the
3 Chief's concern, but, I guess, the problem that
4 we're facing with is that this a buildable lot.

5 MR. PARDO: Yeah, as a matter of right.

6 MR. BEHAR: Okay. Ideally, absolutely,
7 before, you know, Jose Boschetti bought the
8 property, the City should have, you know.

9 MR. WITHERS: Absolutely.

10 MR. BEHAR: That's the problem. And then
11 we're going to come in and try to penalize
12 something that they have the right to do as of
13 right. I mean, really, the only thing that
14 we're giving them is the remote parking. I
15 agree a hundred percent with the Chief's
16 concern. I wish this was not there. I wish it
17 was a park, so we could avoid all the possible
18 consequences that could come out, but I don't
19 know, what we can do.

20 MR. GRABIEL: I think there's two issues
21 here -- two issues, and they're completely
22 separate. One is the security issue that the
23 Chief rightly pointed out, but that's not for
24 this Board to decide. The City decided to buy
25 this lot, and then the City decided to allow

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1 MR. NAVARRO: I'm not making it home today.
2 MR. PARDO: You're doing okay, because he's
3 got his hands in his pockets, not on his side
4 jacket.

5 MR. NAVARRO: So we could find a way -- I
6 know that we've done this with other projects,
7 where we can put some sort of a camera that is
8 looking at that side of the rooftop, that we
9 can potentially connect with the Police
10 Station, so they have some, you know,
11 surveillance of what's going on, on the
12 rooftop, knowing that that's a concern.

13 MR. PARDO: I mean, it's all a matter of --
14 you know, the Chief is the expert.

15 MR. NAVARRO: I'm sure we can work that
16 out. Yeah.

17 MR. PARDO: You know, Number One, I think
18 that the issues that have to do with the
19 streets, which is intolerable, is not the
20 developer's decision, it was the City's
21 decision. And, then, on top of that -- and,
22 also, justifying the decision, you know, back
23 in the day they had certain constructs and
24 certain reasons why all of these deals were
25 being made, to be able to build the new

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1 this building to go there, did not make the
2 park. The developer has a right to develop a
3 building of this size, and, yes, there's a
4 security issue, but it's not for this Planning
5 Board to make a decision on.

6 So I think we should look at this as a
7 Planning and Zoning issue, and then make our
8 decision based on what we think is the best
9 thing for this lot, and the issue of security
10 has to be decided between the Chief and the
11 Administration.

12 MR. PARDO: What say you, sir?

13 MR. NAVARRO: So there's not much we could
14 do with the upper level, but in terms of
15 security, one thing -- and, obviously, like I
16 said, we will continue to work with the Police
17 Chief. We've had a relationship with him for
18 years. I know our team, as well. I live in
19 Coral Gables, so I want to make sure I have a
20 good relationship with the Police Chief --

21 CHIEF HUDAK: Not anymore.

22 MR. NAVARRO: One of the things --

23 MR. BEHAR: What's your address, again?

24 CHIEF HUDAK: I already have it. Don't
25 worry about it.

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1 facility and still keep the other facility
2 operational.

3 You know, having something where you
4 address the Chief's concern, which are real
5 concerns, you know, we see it every day on the
6 news, I think that's the only thing we could
7 ask for, but I really believe that Julio is a
8 hundred percent right, that, you know, this is
9 beyond our purview, but I would hope that you
10 could work with the Chief and get this thing
11 resolved.

12 MR. NAVARRO: Yeah. Our goal is to
13 continue to work were the Police Chief, and,
14 you know, like you've seen us do, make the best
15 of the cards that have been dealt with what's,
16 you know, existing around us.

17 MR. PARDO: And, again, I can't stress
18 enough, thank you for going through all of our
19 comments and putting it the right way, and I
20 also think that the loading -- the loading zone
21 that you have now is actually longer than what
22 would be required, which is, I think, 35 to 45
23 feet, and it's also not enclosed, so it should
24 help, at least on this particular --

25 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

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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-----