

1 CITY OF CORAL GABLES
2 CITY COMMISSION MEETING
3 VERBATIM TRANSCRIPT
4 CORAL GABLES CITY HALL
5 405 BILTMORE WAY, COMMISSION CHAMBERS
6 CORAL GABLES, FLORIDA
7 TUESDAY, DECEMBER 8, 2015, COMMENCING AT 4:00 P.M.

8 CITY COMMISSION MEMBERS:

9 Mayor Jim Cason
10 Vice Mayor Frank C. Quesada
11 Commissioner Patricia Keon
12 Commissioner Vince Lago
13 Commissioner Jeannett Slesnick

 ORIGINAL

14 City Staff and Consultants:

15 Cathy Swanson-Rivenbark, City Manager
16 Ramon Trias, Planning Director
17 Craig E. Leen, City Attorney
18 Walter Foeman, City Clerk
19 Craig H. Collier, Esq., Special Counsel

20 Also Participating:

21 Tucker Gibbs, Esq.,
22 on behalf of the Riviera Neighborhood Association
23 Jeffrey Bass, Esq.,
24 on behalf of the Applicant
25 Laura Russo, Esq., Co-Counsel for the Applicant
Jorge Navarro, Architect
Brent Reynolds, Applicant

2015 DEC 22 PM 12:34

CITY OF CORAL GABLES
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1 Public Speakers:
2 Mark Trowbridge
Todd Eldred
3 Chip Withers
Dorothy Thomson
4 Jack Thomson
Albert Ray Lyons
5 Jose Rene Infante
Joe Vaughn
6 Jorge Rios
David Doheny
7 Valerie Grandin
Madeleine Van Wallghem
8 Alicia Vinas
Jose Portuondo
9 John Fisher
Patricia Guarch
10 Max Ferrarati
Donald Hicks
11 Parker Thomson
Maria Cruz
12 Ignacio Granda
Larry Puyanic
13 Rachel Bixby
Paul Van Walleghem
14 Georgina Prats Shelton
Jerry Marcus
15 Jesus Cabrera
Elizabeth Marcus
16 Ricardo Pita
Gilbert Beauperthy
17 Patricia Abril
Stefan Zachar
18 Aramis Alvarez
Beno Schechter
19 Joyce Newman
Carmen Ortiz
20 Michael Genden
Marlin Ebbert
21 Richard Wood
Jennifer Garcia
22 Ann Goodman
Wayne Adams
23 Rosanna Weber
Gordon Sokoloff
24 Hagen Taudt
Fernando Garcia-Chacon
25 Alice Goldhagen
Ira Silver

- 1 Brooks Miller
Tracy Kerdyk
- 2 Alicia Fernandez
Jorge Arrizurieta
- 3 Lucien Gordon
Valerie Quemada
- 4 Patrick Nolan
Daniel Diaz Leyva
- 5 Elsie Miranda
Heidi Roth
- 6 Sue Kawalerski
Steve Diener
- 7 Debra Register
Stuart Rich
- 8 Sandra Levinson
Christopher Zoller
- 9 Henry Pinera

- 10 Gigi Citarella

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1 (Thereupon, the following proceedings were
2 held.)

3 MR. LEEN: Item 1 is an Ordinance of the
4 City Commission of Coral Gables, Florida,
5 requesting an amendment to the Future Land Use
6 Map of the City of Coral Gables Comprehensive
7 Plan pursuant to Zoning Code Article 3,
8 "Development Review," Division 15,
9 "Comprehensive Plan Text and Map Amendments,"
10 and Small Scale amendment procedures, Section
11 163.3187 Florida Statutes, from "Commercial
12 Low-Rise Intensity" to "Commercial High-Rise
13 Intensity" for the property legally described
14 as a Portion of Tract A, Riviera Section Part
15 8, 1350 South Dixie Highway, Coral Gables,
16 Florida; including required conditions;
17 providing for a repealer provision, providing
18 for a severability clause, and providing for an
19 effective date. The legal description is on
20 file at the City.

21 Item Number 2, also on Second Reading, is
22 an Ordinance of the City Commission of Coral
23 Gables, Florida, providing for text amendments
24 to the City of Coral Gables Official Zoning
25 Code, by amending Appendix A, "Site Specific

1 Zoning Regulations" Section A-83, "Riviera
2 Section, Part 8," by removing provisions
3 restricting FAR, height and setbacks for the
4 property legally described as Tract A, Riviera
5 Section Part 8; including required conditions;
6 providing for a repealer provision, providing
7 for a severability clause, codification and
8 providing for an effective date. The legal
9 description is on file at the City.

10 Item Number 3 is an Ordinance of the City
11 Commission of Coral Gables, Florida requesting
12 review of a Planned Area Development pursuant
13 to Zoning Code Article 3, "Development Review,"
14 Division 5, "Planned Area Development," for the
15 proposed project referred to as "Paseo de la
16 Riviera" on the property legally described as a
17 portion of Tract A, Riviera Section Part 8,
18 1350 South Dixie Highway, Coral Gables,
19 Florida; including required conditions;
20 providing for a repealer provision, providing
21 for a severability clause and providing for an
22 effective date. The legal description is on
23 file at the City. This is also on Second
24 Reading.

25 In addition, there's a resolution,

1 Mixed-Use Site Plan Review. A resolution of
2 the City Commission of Coral Gables, Florida,
3 requesting Mixed-Use Site Plan Review pursuant
4 to Zoning Code Article 4, "Zoning Districts,"
5 Division 2, "Overlay and Special Purpose
6 Districts," Section 4-201, "Mixed-Use
7 District," for the proposed project referred to
8 as the "Paseo de la Riviera" on the property
9 legally described as a Portion of Tract A,
10 Riviera Section Part 8, 1350 South Dixie
11 Highway, Coral Gables, Florida; including
12 required conditions; providing for a repealer
13 provision, providing for a severability clause
14 and providing for an effective date. The legal
15 description is on file at the City.

16 All four of these items are being
17 consolidated for purposes of public hearing
18 today. They'll each receive a separate vote at
19 the end of the proceedings.

20 In addition, at this time, I will go over
21 the procedure. For the hearing today, I will
22 first begin by reading the item titles, which I
23 have, the Rules of Procedure and Decorum and
24 Standard Review.

25 At that point, the City Staff, Ramon Trias,

1 our Planning and Zoning Director, will speak
2 for about two minutes to introduce the items.
3 The Applicant, then, will receive up to 30
4 minutes to speak. At that point, City Staff
5 can complete any further presentation. Then
6 Mr. Gibbs will have up to 30 minutes to speak.
7 Then there will be a period of public comment.
8 Then Mr. Gibbs, if his presentation was not
9 completed prior to the public comment, will be
10 able to finish.

11 The reason I say that is because at 5:01
12 precisely, we intend to start the public
13 comment. So if Mr. Gibbs isn't over, he'll be
14 able to finish afterwards.

15 At that point, the Applicant will receive a
16 rebuttal of 15 minutes. Then the Commission
17 will review the matter and make their decision.

18 Please note, in the public hearing, the
19 Mayor will first recognize members of the
20 public who did not speak during First Reading.
21 The Mayor retains discretion to set time limits
22 in order to finish by 9:00 p.m., City Code
23 Section 2-74.

24 At this point, and I read them last time --
25 actually, at this point, I would like to,

1 Mr. Mayor, incorporate the entire First Reading
2 and also the Planning and Zoning Board hearing
3 into this hearing today in Second Reading, if
4 that's okay.

5 MAYOR CASON: That's fine. That's fine.

6 MR. LEEN: Thank you.

7 MAYOR CASON: As well as any letters or
8 documents, e-mails that have come in.

9 MR. LEEN: Everything that's been presented
10 in the record, you're accepting, Mr. Mayor,
11 correct?

12 MAYOR CASON: Yes.

13 MR. LEEN: Okay. Now I will go over the
14 rules of public participation and decorum for
15 City Commission and Board meetings. I will not
16 go over these, as I did last time, one by one,
17 but I will say that the City encourages public
18 participation. Anyone who wishes to speak on a
19 public hearing item or other matter or comment,
20 as required by law or permitted at the
21 discretion of the Chair, should fill out a
22 speaker card. Please sign the speaker card.

23 When your name is called, you're required
24 by our Code to provide your name, your
25 residence or business address and whether

1 you're speaking on behalf of a group or third
2 party. If you're here today speaking on behalf
3 of a company or an organization, there are
4 certain times when you might have to be a
5 lobbyist and you need to register. And if you
6 have a question about that, you can come talk
7 to me or the Deputy City Attorney.

8 The remarks of each speaker will be limited
9 to two minutes, according to the Mayor. Once
10 everyone has spoken, who has not had a chance
11 to speak, he will determinate how much time
12 there will be for people who have already
13 spoken one time. No speaker or other member of
14 the public shall refuse to obey the orders of
15 the Chair or of the Commission or the Board,
16 when it's an acting body.

17 I am the parliamentarian. I've been asked
18 to assist with enforcement of the rules today.
19 All that means is that you're going to be
20 speaking, for example, and you're going to have
21 a light. It's going to turn yellow and then
22 red. After about a second or two, I'm going to
23 ask you to please stop speaking. You really
24 should stop speaking at that moment, under the
25 law. And I do that respectfully. We want to

1 hear from you, but we also want to hear from
2 everyone.

3 At that point, if you don't stop speaking,
4 the Mayor will basically order you to stop
5 speaking, and at that point, you would be asked
6 to leave the room.

7 No person, other than a member of the
8 Commission or Board and the speaker having the
9 floor may be permitted to enter into any
10 discussion without permission of the Chair. No
11 question may be asked, except through the
12 Chair. The other ones are all basically common
13 sense.

14 Please, Coral Gables is special because of
15 our decorum. We're very excited to have the
16 residents here today. We ask that you follow
17 decorum. Please do not engage in direct
18 argument with the Applicant or with a speaker
19 or between speakers. Please direct all
20 comments to the Chair.

21 Based on Roberts Rules of Order, there
22 should not be any clapping. I know many of you
23 feel very strongly, but it really is against
24 the rules. You're not supposed to clap.
25 You're supposed to listen, and then each of you

1 will have the opportunity to speak in time.

2 Now, with that, I will go to the rules
3 regarding each item. A couple of the items
4 today are legislative in nature, and a couple
5 are quasi-judicial. Items 1 and 2, the Comp
6 Plan Amendment and the Zoning Code change, are
7 being treated as legislative items. What that
8 means is that the Commission has a substantial
9 amount of discretion as to what to do. They're
10 basically governed by a fairly debatable
11 standard. Obviously they cannot act in an
12 arbitrary or capricious way, and whatever they
13 do needs to make rational sense. And, of
14 course, our Commission makes rational sense.
15 But that's the standard. So I just have to
16 tell you that. That's the standard a court
17 would look at.

18 3 and 4 have a different standard of
19 review, and that's why we're reading to you all
20 of these rules. It's similar to a Court
21 proceeding, 3 and 4. You're going to hear
22 testimony today, and in a second, I'm going to
23 ask each of you, who wants to speak, including
24 the Applicant, to swear in, so that you can
25 provide testimony.

1 The Commissioners are going to be acting as
2 Judges. Any decision they make has to be based
3 on competent and substantial evidence in the
4 record today or in the record that's been
5 provided to them in paper. Any decision they
6 make has to follow the law. They cannot depart
7 from the essential requirements of law. And,
8 Three, they have to provide due process, both
9 to the Applicant and to any party, which
10 includes residents within a thousand feet.

11 Now, if you're outside a thousand feet,
12 you're still going to be able to speak, but our
13 Code gives special protection to those living
14 within a thousand feet, and you're a party
15 today, as well. And Mr. Gibbs, I understand,
16 is representing a number of people today that
17 would fall within that area, which is why he's
18 being given special time to speak.

19 I would just like to emphasize, before I
20 turn it over, that the City Commission has
21 recently passed what's called -- and this
22 applies to everybody. I'm not identifying
23 anyone in particular, everybody. The
24 Commission has passed a False Claims Ordinance,
25 that applies to presentations before the

1 Commission. So not only are you speaking under
2 oath, but anything you say, if the Commission
3 takes action based on that, and that can
4 include a condition of approval -- if you say
5 that there's some harm to you, and the
6 Commission takes an action based on that, and
7 that's false -- and I don't mean just a
8 mistake, but if you know that that's not true
9 and you tell the Commission that -- and this
10 applies to the Applicant and also to anybody
11 who speaks, and the Commission takes action
12 based on that, knowing that it's false, you are
13 potentially liable for those statements. You
14 have to understand that.

15 It's actually a Treble Damage Standard.
16 I'm not going to go into it. We expect
17 everyone to tell the truth, but I need to make
18 you aware of it, because it's a recent law that
19 was passed. Please feel free to say whatever
20 you think is appropriate, whatever you believe,
21 but it's under oath, and please make sure it's
22 true and that it is germane to the topic we're
23 discussing.

24 So with that, Mr. Mayor, I would turn it
25 over to City Staff to begin the discussion.

1 VICE MAYOR QUESADA: Actually, before we
2 begin, because a portion of this is
3 quasi-judicial, I just want to put out there
4 that I've spoken to residents who are in favor
5 of the project, residents who are against the
6 project, and before this hearing started, about
7 15 minutes ago, I spoke to Mr. Bass and
8 Mr. Tucker, and I asked them if there were
9 going to be any surprises, that I didn't want
10 to see any surprises, like we had last time,
11 just so that we follow the procedure. So I
12 want to put that on the record, that I had
13 those conversations.

14 MR. LEEN: Can you be fair in this
15 proceeding?

16 VICE MAYOR QUESADA: Absolutely.

17 MR. LEEN: One issue that I should put on
18 the record is, a large portion of this proposal
19 is legislative, because obviously there needs
20 to be a change in the law to allow the
21 quasi-judicial proceeding to proceed.

22 So much of the discussions are legislative,
23 and I've given an opinion that the Commission
24 can speak on legislative matters, including the
25 Comp Plan change, and that that's not subject

1 to the Jennings Rule. So I want to put that on
2 the record.

3 The other thing I should put on the record
4 is that the Commission did direct that there be
5 settlement discussions. I'm not going to get
6 into specifics of the settlement discussions,
7 but I will say, I did feel that they were
8 spirited discussions. We had a couple of them.
9 I do believe everyone came in good faith, but
10 we were not able to bridge a gap. There was a
11 gap between the parties, which I will not put
12 on the record, but -- so each party is here
13 today, and no commitments have been made, but
14 the parties did come two times, and we did
15 attempt to reach a resolution.

16 MAYOR CASON: Ramon Trias, would you come
17 forward and try, in one or two minutes --

18 MR. TRIAS: Thank you, Mayor, Vice Mayor,
19 Commissioners. Very briefly, we've had 21
20 letters -- they have been distributed to all of
21 you -- since Friday. Friday is when we posted
22 everything on the web. So this is new
23 material. I think the most recent one is from
24 3:00 p.m. this afternoon. So that's there, on
25 the record.

1 The Applicant, since the last meeting,
2 provided some new drawings and some new
3 materials that were also posted on the web.
4 And they have some changes to the design, as
5 proposed.

6 The Commission memo outlines the changes,
7 and the Applicant will explain them. And this
8 is what they told us before the meetings.
9 Basically, they are that the apartment building
10 height is reduced to 122 feet, and that is to
11 the top of the habitable space, which is the
12 way that height is measured in this City, 122.

13 COMMISSIONER LAGO: Ramon, a quick
14 question.

15 MR. TRIAS: Yes. In reference to the 122,
16 is that just strictly parking or does that
17 include FAR, also?

18 MR. TRIAS: The 122 includes parking and
19 includes residences, both.

20 COMMISSIONER LAGO: Okay.

21 MR. TRIAS: Okay. Then the parking garage
22 podium was reduced to 46 feet in the back. The
23 ground floor commercial space was increased and
24 re-designed so it works better. The ground
25 level works better, from the point of view of

1 the use. The unit count of the apartments was
2 reduced from 234 to 218. So there are a few
3 less apartments in the apartment building.
4 Parking was reduced from 838 to 636, and the
5 liner space was provided along Madruga.

6 And all of those were ideas that were
7 discussed by the Commission.

8 Now, the Neighborhood Association has also
9 provided a document, which they will present, I
10 assume, which proposes some of the ideas that I
11 believe they would support, and, generally,
12 they're recommending that the Land Use should
13 be Mid-Rise, which would allow 97 feet of
14 height, that the specifics -- the Site
15 Specifics should be deleted, that the Mixed-Use
16 approval should comply with the different
17 setbacks, as required by Code, and they also
18 had some recommendations about the setbacks for
19 the PAD design.

20 So I believe that both, the Applicant and
21 the neighbors, are ready to explain all of
22 this, and if you have any questions, I'll be
23 available later.

24 MAYOR CASON: Okay. Thank you, Ramon.

25 COMMISSIONER LAGO: Thank you, Ramon.

1 MAYOR CASON: Starting off with the
2 Applicant -- is that our agreement? Go ahead,
3 Mr. Bass.

4 So you'll have until a quarter 'til.

5 MR. LEEN: Yes.

6 MR. BASS: If I may just have a moment to
7 get the easels set up. Is over here --

8 MAYOR CASON: Wherever you want.

9 MR. BASS: Mr. Mayor, Members of the
10 Commission, it's nice to see you all again.
11 Jeffrey Bass is my name. 46 Southwest First
12 Street is my address. And it's my privilege to
13 be representing the Applicant this evening
14 before you, asking for your approval for each
15 and every one of the applications that are
16 before you.

17 My goal this evening, I hope, will make you
18 happy. My goal is to simplify the evidence
19 that has already been presented to you, and to
20 crystalize, to the most elemental level, the
21 decisions that this Commission needs to make.

22 Now, it's been a long day for you all, so
23 I'd like to start this evening with what I will
24 call a relaxation technique, to put us in the
25 mood -- work with me -- because this will help

1 show you how simple the decision you will make
2 tonight is, when you consider what evidence is
3 relevant and what evidence is not relevant.

4 So each and every one of you knows about
5 running a campaign. Each and every one of you
6 knows about the precinct polling places. And
7 each and every one of you knows about the
8 Supervisor of Elections and the Canvassing
9 Board and the accuracy that takes place when
10 you conduct an election on an important issue.

11 So imagine with me, if you will, that you
12 all wanted to base your decision about Paseo,
13 up or down, on an election, and you wished that
14 those election results were rock solid,
15 accurate and dependable, and asked Mr. Foeman
16 and his team to put on an election. And you
17 asked the people to come in and vote, up or
18 down, on Paseo.

19 What you would be doing would be violating
20 Florida Law, because although the right to
21 express yourself is very important, the Florida
22 Legislature has adopted a statute. It's
23 163.3167. And it says, you shall not conduct a
24 referendum about a Future Land Use Map
25 Amendment -- that's one of the issues that's

1 before you this evening -- and you shall not
2 conduct a referendum about a development order.
3 And the applications before you this morning
4 (sic) are for Future Land Use Map Amendments
5 and for development orders.

6 Now, if you were to conduct a lawful
7 election, in a lawful way, on these questions,
8 to determine the sentiment of the public, that,
9 itself, would be an unlawful act. So there's
10 been a lot of discussion about this map and
11 these petitions, and the expression of the
12 neighborhood.

13 And what we're here to say to you is, if
14 you did it the right way, it would be unlawful,
15 but doing it in this home cooked way, where we
16 have a statement under oath before you that
17 there were 770 signatures on a petition --
18 remember that, and you clarified, you asked the
19 witness, was he sure about that -- the next
20 day, the witness recanted. The next day, the
21 witness said, "No, I was wrong. I was off by a
22 hundred. It was 600 and something."

23 And now we have a petition before you all,
24 and we've taken a look at it, and I encourage
25 you to do so. Based on our review of it,

1 there's about 140 duplicate signatures on that
2 petition, and there are people who are marked
3 as opponents to the project, who are
4 supporters.

5 And as it relates to the map, you know,
6 because you read from the Honorable Juan
7 Ramirez and Josie Ramirez, that they are
8 supporters, and on the map they're not shown as
9 such. And you will hear from a very well
10 regarded lawyer in town, Mr. Joe Portuondo, who
11 I believe sent a letter to you all, he will
12 come here and say, "My name is on there, but I
13 am a supporter."

14 So if this petition gathering process were
15 to be done correctly and lawfully, you couldn't
16 consider it, as a matter of law. It's
17 irrelevant. And as it was done, it's
18 inaccurate. It's entitled to absolutely no
19 weight during your decision this evening.

20 I would like to make a point that in the
21 Land Use context, might does not make right.
22 The Legislature understands that no Applicant
23 can ever stand before a mob of the people who
24 live there and expect to be able to martial an
25 equal mob in support of the application, which

1 is why they adopted that statute. It's a
2 fairness statute. It's designed to strip the
3 emotion and the prejudice and the rhetoric and
4 the vile things that neighbors say about each
5 other out of consideration, when you have a
6 fundamental Constitutional property right
7 before you.

8 So the map, it's unlawful to consider it,
9 and it was inaccurate to begin with.

10 There was a report -- and I only have three
11 points to make, because I want to be brief. If
12 I have extra time, I'll save it for rebuttal.

13 There was a report that was submitted.
14 Again, I'm trying to simplify your decision.
15 The report is very long, but the report is not
16 based on things that are relevant to you or
17 that are lawful for you to consider when you
18 base your decision this evening.

19 The report spends a lot of time talking
20 about transect. The City of Coral Gables does
21 not have transect in its Land Development
22 Regulations to apply. The report talks about
23 Miami 21. George Merrick did not participate
24 in the drafting of Miami 21. You are not City
25 of Miami Commissioners. Miami 21 is not a Land

1 Development Regulation adopted by you. It is
2 fundamentally irrelevant to the conversation
3 that we're having here this evening.

4 What is relevant is, Mr. Merrick drew a
5 plan, and under Mr. Merrick's plan, Mr. Merrick
6 said, 150 feet in height was appropriate at
7 this location, and if you look at the report,
8 they don't dispute that fact. They don't.
9 There's some quibbling about to what depth, but
10 the height, the fundamental height, 150.
11 There's no dispute, according to the report
12 submitted, that the Merrick plan ordained 150
13 feet.

14 But there's a very fundamental problem with
15 the report. The report confuses two opposite
16 things. And their base, the difference between
17 a maximum FAR and a minimum FAR, because in
18 arguing the TOD standards, the report argues
19 that in the suburban TOD, the maximum FAR
20 should be 4.0, but that's not what the chart
21 says. If you read the chart, the chart says,
22 "The minimum FAR should be 4.0." And, clearly,
23 we are well within that.

24 The FAR that we are seeking is no different
25 than the FAR that any other commercial property

1 owner, with commercially designated property,
2 has. We're not asking -- we are not asking to
3 go beyond, in terms of FAR, what the normal
4 customary commercial FAR is in this City. To
5 highlight, the minimum FAR -- the Minimum FAR
6 Table is at Page 54 of 88, in the report, if
7 you care to look.

8 The report also argues, mistakenly, that
9 Paseo is at the edge of a transit shed. They
10 argue that we're not within the core, but we're
11 at the edge of the transit shed. But they make
12 a mistake when they make that argument. And
13 all you need to do is look at the very first
14 page, and the very first paragraph of the very
15 first page of the FDOT TOD Manual that they
16 cite, because what it tells you is, within a
17 TOD, you should increase density within, not
18 the quarter mile; within a half mile. That's
19 what the handbook says.

20 So let's be straight up here. A half a
21 mile is 2,400 feet. Within 2,400 feet of a
22 station, you should be increasing density.
23 We're far closer than that. We're 1,000 feet.

24 And the argument that we should not be
25 increasing density here is unsustainable, under

1 your Comprehensive Plan, for the reasons I
2 previously expressed. Your Comprehensive Plan
3 has an expressed mandate to increase density
4 within areas proximate to transit and
5 employment centers, specifically singling out
6 the University of Miami.

7 So it's very easy to see that the
8 conclusion from the report doesn't follow from
9 the premise of the FDOT Handbook, because it's
10 a half a mile, not a quarter mile. We're not
11 at the edge. We're within the core.

12 Point 3, traffic. I read 88 pages of that
13 report. I didn't see a peep about traffic.
14 This case started as a traffic case, with
15 neighbors circulating all sorts of flyers and
16 saying all sorts of horrible things about the
17 traffic that this project would generate, but
18 the truth of the matter is, and the evidence is
19 quite clear, this is not a traffic case.

20 Mr. Plummer, a professional traffic
21 engineer, testified, and you'll recall his
22 testimony, that from a traffic perspective,
23 this is a very gentle application, that would
24 generate 100 percent fewer p.m. trips -- 100
25 percent fewer p.m. trips than an as-of-right

1 commercial project would, 60 percent fewer
2 trips than a morning peak commercial project
3 would.

4 We're within the GRID. You know that. So,
5 as a matter of law, concurrency is exempted.
6 And Mr. Plummer testified, and I think you all
7 recall, that in addition to being very gentle
8 on the traffic, there are two physical
9 barriers, the Mahi Waterway and the Gables
10 Waterway, that serve to project the nearby
11 neighborhood from cut through traffic. And we
12 talked about it, and if you recall, we showed
13 you an illustration on the PowerPoint, that
14 there would be no reason for any trip to exit
15 our project on US-1 and double back through the
16 Riviera Neighborhood for any reason, that it
17 would be relatively few, maybe six or seven
18 trips, additional, during the hour, is what
19 Mr. Plummer testified. I don't have the
20 specifics, but it's in the record. It was a de
21 minimis traffic effect. So this is not a
22 traffic case.

23 Tonight is Hanukkah, so Rabbi Mendi Felig,
24 who stood before you, could not be here, but he
25 did write a letter, and it's in the record, and

1 I am not one who likes to take the precious
2 time of everybody to read a letter, and I
3 won't, but I would like to emphasize that but
4 for the holiday, Rabbi Felig would be here.

5 And when you look out into this audience
6 and you look through your inbox, and consider
7 who's been expressing what opinion to you,
8 please pause to recall that the person who
9 lives categorically closest, Rabbi Felig, is a
10 strenuous supporter of this project, because it
11 will make his life better. The alley, which is
12 Madruga, in front of him, will be transformed
13 into a street. A derelict surface parking
14 area -- and recall, under the current
15 conditions, you can come and go -- will be
16 closed, that Madruga will be improved, that the
17 intersection at Hardee will be improved, that
18 the park will be improved.

19 And I think, personally, of paramount
20 importance, the Developer and the team have
21 dealt responsibly, courteously, with Rabbi
22 Felig, to address his concerns every step of
23 the way.

24 I had three points. I made them briefly.
25 I would like now to turn it over to

1 Mr. Hernandez, to walk you through some of the
2 studies we have done, that really crystalize
3 the decisions before you, between what we're
4 proposing, what could be done as-of-right, and
5 the plan that the neighbors have recently
6 argued for, none of which provides the City
7 with a fraction of the public realm, public
8 benefits, that our project does.

9 I wanted to be brief. I was. I'll reserve
10 the balance of my time, Mr. Leen, if I could,
11 to be added on to my rebuttal, if necessary.

12 MR. LEEN: Yes.

13 Mr. Hernandez needs to be sworn in.

14 MR. BASS: Yeah.

15 (Thereupon, Jorge Hernandez was sworn.)

16 MR. LEEN: What we're going to do is, we'll
17 swear in speakers as they come in, and, then,
18 when we do the public hearing, we'll swear in
19 everybody at once.

20 But we just want to make sure each of the
21 main speakers does swear in.

22 MR. HERNANDEZ: Jorge Hernandez, 337
23 Palermo Avenue.

24 MR. LEEN: Could you swear him in?

25 (Thereupon, Jorge Hernandez was sworn.)

1 MR. HERNANDEZ: I do.

2 MR. LEEN: And one comment for the
3 audience. The reason why Mr. Bass did not
4 swear in and the reason why Mr. Gibbs will not,
5 is because typically attorneys don't, because
6 what they're saying is not testimony, it's
7 argument, but these are -- Mr. Hernandez will
8 be providing testimony, so he's going to be
9 sworn in.

10 MR. HERNANDEZ: Good evening, again. Jorge
11 Hernandez, 337 Palermo Avenue. It's a pleasure
12 to be here with you tonight, and to present, on
13 behalf of the NPI Group, for Paseo
14 International.

15 It's been about a month since we were
16 together, and as you have received in your
17 packet, we have been diligently working to
18 address your concerns and your requirements of
19 the design. We have lowered, as you heard from
20 Mr. Trias, the height of the residential
21 building, by 20 feet. That's been done by
22 taking one floor of the parking deck out, and
23 one floor of the apartment out, and the hotel
24 has predominantly remained the same.

25 We also lowered the height of the parking

1 deck towards Madrugá to that same number, one
2 floor of the parking deck. And I will present
3 these to you right now.

4 So the boards, which you have seen -- which
5 you see before you, show, on the left, an
6 elevation of the project from US-1, the new
7 heights of the project. And you see a red
8 field on the left. That is a height of 77
9 feet. As has been testified before you
10 previously, by your own Planning Director, 77
11 feet is the as-of-right height, with Med Bonus,
12 which is memorialized in your Code.

13 And then there's a lighter band above the
14 77 feet, and that is a ten-foot -- that's the
15 height of a ten-foot parapet, which the Code
16 requires, to conceal minor equipment. It would
17 be unsightly to drive around the City and view
18 equipment. So the parapet is to conceal minor
19 equipment. As has been said today by Mr.
20 Trias, the heights are measured to the top of
21 the habitable floor.

22 On the right is the same US-1 elevation,
23 with a kind of red line that enframes or
24 outlines the height of the project, and you see
25 the differences in massing between the two.

1 The 77 feet is a kind of monolithic static
2 mass. The height or silhouette of the project
3 is a dynamic silhouette.

4 If you take that red line, and you average
5 that height of the project as submitted, you
6 have an average height of 93 feet eight inches,
7 because, of course, due to the public realm
8 benefits that we have sculpted from the
9 beginning into the project, much of the ground
10 floor of the project surface is at zero. So if
11 you believe in dynamic sculpting, then we
12 really have an average height that's 93 feet.

13 Now I'm going to step aside and just draw a
14 line for you. One second. Please excuse me.

15 VICE MAYOR QUESADA: Feel free to use the
16 microphone to walk around.

17 MR. HERNANDEZ: Oh, thank you.

18 Thank you. Can you hear me?

19 MAYOR CASON: Yes.

20 COMMISSIONER LAGO: Yeah.

21 MR. HERNANDEZ: So the solid line is a line
22 at 100 feet, which, as you know, from the
23 report that you received from the opponents of
24 the project, is the new height that we're
25 talking about, and the dotted line is the

1 parapet of that hundred foot height. So
2 everything above the dotted line is the gap
3 that we're talking about tonight.

4 And, as you see, that gap is a little more
5 than one story, and it's infinitely less than
6 the height of a single family house in the City
7 of Coral Gables. That's the difference we're
8 talking about.

9 VICE MAYOR QUESADA: Didn't you just say
10 that the -- I'm sorry, I'm not an architect --
11 the parapet -- is that what you called it?

12 MR. HERNANDEZ: Yes.

13 VICE MAYOR QUESADA: The parapet is that
14 light orange color?

15 MR. HERNANDEZ: Yes.

16 VICE MAYOR QUESADA: So what is the dotted
17 line, again?

18 MR. HERNANDEZ: This line, the solid line
19 here, is the hundred feet, and the dotted line
20 is the parapet.

21 VICE MAYOR QUESADA: In an as-of-right
22 situation?

23 MR. HERNANDEZ: No. This is the height in
24 the report that you received.

25 VICE MAYOR QUESADA: Oh, okay. I got you

1 now. Okay. I'm sorry, I misunderstood.

2 MR. HERNANDEZ: Yes. Yes. So the delta --
3 what I'm trying to do is map the delta or the
4 gap in the conversation, the delta or the gap.
5 The as-of-right remains the color. So the
6 delta or the as-of-right is essentially the new
7 line that I drew.

8 So this is the profile of the project from
9 Madruga. Same exercise, we are drawing a
10 profile of the varied heights of the project.
11 In this case, the average height of the project
12 is 39 feet three inches, as to the required 45
13 feet. And this notion of variety within a
14 profile is memorialized in your PAD ordinance.
15 It's a staple of the PAD ordinance.

16 For reasons that we all know, in Coral
17 Gables, we have, in fact, made legislation to
18 encourage articulated buildings, both
19 horizontally and vertically. That's in the Med
20 Bonus. That's it in the MXD. It's a staple of
21 what we want in Coral Gables. It's a staple of
22 classical and Mediterranean architecture.

23 So, again, in Madruga, it's 39 feet three
24 inches. Now, the difference is that, with the
25 board on the left, if you do the as-of-right 77

1 feet, in front of that orange or red triangle
2 is 125 feet of surface parking, which is a kind
3 of characteristic of strip malls, which we have
4 talked at length, and you all have talked at
5 length.

6 If you build, as-of-right, with Med Bonus,
7 you have 125 feet of parking in front of the
8 project and 50 feet of parking behind the
9 project. That's not what we are proposing, as
10 you know. That's why we're here before you
11 having this discussion.

12 So continuing with this idea of static
13 versus dynamic, this also is a conversation
14 about static and dynamic uses. The as-of-right
15 project is a monolithic commercial use, single
16 commercial use. That's the same orange
17 rectangle, at another scale. One use.

18 The quilt that you see here or the coat of
19 many colors on the profile is actually a
20 Mixed-Use project, which we are allowed to do,
21 by using the Mixed-Use Overlay. So the variety
22 of uses that gives us retails and restaurants
23 and the Paseo itself, a public open space of
24 about half an acre, and the residential and the
25 hotel, the liveliness of the color scheme talks

1 about the vitality of uses and the diversity of
2 occurrences and social communion in this
3 scheme.

4 I'm sorry, let me go back for one second to
5 this board of the Madruga elevation. What you
6 see on the right is the Madruga profile. On
7 the left is a line of sight which you have seen
8 before in your booklets. This is the line of
9 sight for the new heights. Rabbi Mendi Felig
10 would not see the project. This is taken from
11 his property. So this is his duplex, the
12 actual profile of his duplex, that's Madruga,
13 and that's the line of sight. At 46 feet,
14 Rabbi Felig would not see the property
15 whatsoever.

16 And the difference is that, as we know, the
17 122-foot portion is pushed back 80 feet. By
18 the way, the 80-foot that it's pushed back, is
19 almost the depth of a residential lot, as you
20 know. And, in fact, a duplex lot in Coral
21 Gables is allowed to be 34 feet in height. So
22 the difference between the average cornice
23 height at the neighborhood face of the project,
24 and a duplex height in Coral Gables, is five
25 feet. That's the delta. It's a five-foot

1 delta.

2 So these two diagrams talk about public
3 realm benefits, which we have obviously been
4 talking about, because it's a function of the
5 PAD approval. And what you see on the left is
6 sidewalks. It's a mapping of sidewalks. The
7 diagram on the left shows the existing sidewalk
8 condition. There is a 10-foot wide strip of
9 sidewalk on US-1. That's it. There are no
10 sidewalks on Caballero. And there are no
11 sidewalks on Madruga. That's what exists. And
12 that's what the as-of-right project could
13 produce, with Med Bonus.

14 On the right are the sidewalks we're
15 producing. You can call them Paseos, covered
16 colonnades, pergolas, loggias, lanes, et
17 cetera, but they are essentially public places
18 for communion, and that is nearly a half
19 acre -- I mean, I'm sorry, that's nearly a full
20 acre of sidewalks. As you can see, it's 46,000
21 square feet.

22 On the right is a diagram that shows how
23 many cars are visible in the project, if we
24 don't approve it, and how many cars would be
25 visible in the project if we do approve it. So

1 on your left is a diagram showing the 125 feet
2 setback of parked cars on US-1 and the 50-foot
3 setback of parked cars on Madrugá. That
4 happens to be the same amount of space we're
5 producing as Paseos, covered colonnades,
6 pergolas, sidewalks, fountain, public art, et
7 cetera.

8 So the space of parked cars and fenders and
9 leaking oil in the as-of-right project, visible
10 from the public right-of-way, US-1, Caballero
11 and Madrugá, have been changed into spaces of
12 social communion, as required by the PAD and
13 encouraged in your Code, and from which the
14 project gets its namesake. It's the Paseo and
15 all of the other public realm ground floor
16 spaces.

17 And so the white rectangle on the right
18 simply is how many cars you'd see if you drive
19 around the project, if we built the project,
20 which is none. There's not one car that's
21 visible, not one fender, not one leaking oil
22 spot on the surface of the earth, because
23 they're all put in a garage and the oil is
24 contained, and it's not a sprawled development.

25 COMMISSIONER SLESNICK: Jorge, on this

1 space with the color, the white is the parking?

2 MR. HERNANDEZ: Yes. The white is the
3 parking deck, the portion of it that is visible
4 above the commercial. So that's why the
5 commercial is red below it.

6 So just to go over it one last time, this
7 is a list of the benefits of the project. It's
8 a mixture of residential uses, like the diagram
9 we saw. It has 40 percent open ground floor
10 space, which is over an acre. The Paseo
11 itself, which is half an acre, is the length of
12 two Olympic swimming pools. It has the Paseo,
13 which is the namesake of the project. It's not
14 a Paseo like your Code allows, which is a
15 covered passageway, an urban passageway, which
16 has a building over it. It's open to the sky.
17 It's a half acre open to the sky, for people to
18 enjoy. It's a public space, almost like
19 Giralda will be, when they close it off for
20 Friday nights, after the streetscape investment
21 is made.

22 It's not an insignificant public realm
23 benefit. There are a thousand linear feet of
24 arcades and loggias. There's a vastly improved
25 sidewalk systems. We saw diagrams about all of

1 that, and we've been speaking about it. There
2 is restricted controlled -- and Mr. Bass was
3 speaking about traffic. There is restricted
4 controlled vehicular access on Madruga and
5 Caballero Boulevard, and this is what is
6 ensuring the neighborhoods, aside from the
7 gentle traffic impact, that we have done much
8 to mitigate even whatever impact of traffic
9 this project creates.

10 There is a re-alignment of the geometries
11 of the streets towards the neighborhood, for
12 better turning radii, for visibility, for
13 safety. An as-of-right project would not have
14 to do any of this list that I'm reading you.
15 There is a narrowing of Madruga, which turns
16 Madruga from an asphalt, from property line to
17 property line, alleyway -- I'm sure you all
18 have seen it. It's full of dumpsters and trash
19 cans and loading docks, and doesn't have hardly
20 a blade of grass on it -- it turns it into a
21 rightful front, for Rabbi Felig, who lives
22 there. The Rabbi lives there. And for the
23 rest of the citizens, too, not just for him.

24 There is a roundabout for safety of kids
25 crossing over to the park. An as-of-right

1 project does not have to provide that. And
2 there are improvements to the park itself and
3 contributions to the Underline.

4 The project has many other virtues, and
5 we've talked about it. I don't need to take
6 additional time today. But the delta for the
7 project is that line I drew. We're talking
8 about, essentially, a one story delta, for all
9 of these benefits to our citizens.

10 I have always spoken professionally when I
11 was before you with regards to this project.
12 Tonight I would like to speak personally. I
13 moved back here from Virginia 29 years ago.
14 I've lived in this City, thankfully, ever
15 since. I couldn't afford to live in the City
16 when I was a child. My parents were
17 immigrants.

18 I have participated in public Charrettes,
19 multiple ones, for this City. I have toured
20 dignitaries throughout Coral Gables, and opined
21 about the beautiful of its planning. I have,
22 and continue, to measure the space of the
23 loggia behind you, and all of the other public
24 fountains throughout the City with thousands of
25 students, which I have taught over that time.

1 I have served on three City Boards. I love
2 this City.

3 You are public servants. I am a servant of
4 the public realm. That is what an architect
5 does. We craft beautiful public realm spaces,
6 so that the public and the servants of the
7 public can enjoy their lives. This does not
8 happen accidentally. You can't take a pill and
9 produce it. You can't inject it into the
10 world. It happens with a lot of study, a lot
11 of care, a lot of commitment, and a lot of
12 love.

13 This is what I have infused into this
14 project. It's exactly what I've done for the
15 last 29 years. I have known some of you for
16 that amount of time, as we have cared for this
17 City together. I would hope, that like many
18 other august public boards, this Board finds a
19 way to approve all of these public benefits for
20 this City we love so much, when the gap is
21 really so narrow. Thank you.

22 MAYOR CASON: Thank you.

23 COMMISSIONER LAGO: Thank you.

24 MAYOR CASON: Mr. Attorney, do we --

25 MR. LEEN: I received a request from

1 Mr. Gibbs, that he be able to speak after the
2 public hearing, because his time will be split
3 in two. So, you know, in my view, you could
4 begin the public hearing now, if you'd like.

5 MAYOR CASON: Is Mark Trowbridge here? He
6 wanted to speak on behalf of the Chamber of
7 Commerce. I don't know if he --

8 MR. LEEN: You'll still have your
9 additional time for rebuttal.

10 MR. BASS: I would just say, respectfully,
11 if you advertised it for 5:01, starting before
12 that time could perhaps be problematic. I'm
13 okay with it.

14 MR. LEEN: The reason why I don't think it
15 is, is because it's certainly going to go past
16 5:01. So anyone who comes at 5:01 could still
17 speak.

18 MR. BASS: I'm okay with it, and I'm okay
19 if Mr. Gibbs --

20 MAYOR CASON: Mr. Gibbs --

21 MR. LEEN: Mr. Gibbs, are you okay with
22 that, starting --

23 MAYOR CASON: That gives us a chance to --

24 MR. LEEN: Why don't we hear from
25 Mr. Trowbridge and I think Mr. Trias wanted to

1 say -- did you want to say anything further at
2 this time? No?

3 MAYOR CASON: Mr. Trowbridge.

4 We'll have a chance for us to go back and
5 ask questions of both lawyers later on, and the
6 Staff.

7 So, Mark.

8 MR. TROWBRIDGE: Sorry about that, Mr.
9 Mayor. I was swimming upstream. A lot of
10 folks outside.

11 Well, once again, thank you very much for
12 the opportunity for the Chamber of Commerce to
13 step forward and share our thoughts with you
14 today, as you deliberate on the Second Reading
15 for the Paseo de la Riviera project that is
16 currently seeking approval.

17 Today I'm joined by our Chairman, Wayne
18 Eldred, who is the owner and operator of Tarpon
19 Bend Raw Bar and Grill, and a few of our other
20 Board Members are --

21 MR. LEEN: I'm sorry for interrupting. We
22 should swear them in.

23 MR. TROWBRIDGE: Oh, okay.

24 (Thereupon, Mr. Trowbridge and Mr. Eldred
25 were sworn.)

1 MR. TROWBRIDGE: We do. I do. I'll let
2 him speak for himself.

3 MR. ELDRED: I do.

4 MR. TROWBRIDGE: Very good. And, for the
5 record, Mark Trowbridge, President of the Coral
6 Gables Chamber of Commerce. We're located at
7 224 Catalonia Avenue.

8 So I'll pick up, if that's all right.

9 MR. LEEN: Certainly.

10 MR. TROWBRIDGE: Our organization has been
11 a part of the Chamber -- or a part of the Coral
12 Gables community for 90 years. And throughout
13 that time, our mission has been to develop
14 business and build community, while fostering
15 the economic interests and financial prosperity
16 of our businesses.

17 We do not often get involved in projects of
18 this scope, but we felt it was critical that
19 our voice was included in today's conversation.
20 We know that your decision today will lead to
21 greater prosperity for Coral Gables and send a
22 message to the business community that you
23 stand behind them and our future.

24 As a Chamber, we highly believe that the
25 Paseo de la Riviera project is an ambitious

1 one; however, we also see this project as a
2 catalyst for the current and future
3 redevelopment of the US-1 commercial corridor,
4 an often forgotten part of our business
5 community, the part of the Gables that needs
6 our attention. And this project is the tipping
7 point for the future.

8 We are excited to see energy around this
9 part of the City Beautiful. These
10 opportunities don't come around very often, and
11 if we send a message that we are not open to
12 embracing a future, they may not come again.

13 Mr. Chairman.

14 MR. ELDRED: Thank you, Mr. Mayor,
15 Commissioners, City Manager. As a
16 businessowner and Chairman of the Chamber of
17 Commerce, we believe that the Paseo de la
18 Riviera is one of those catalyzing projects,
19 the beginning of a true Renaissance for the
20 US-1 corridor.

21 As you know, our Chamber has always sought
22 to strike a balance between new development and
23 responsible growth in Coral Gables, with the
24 goal of keeping our historic City Beautiful's
25 business community vibrant, exciting, and, yes,

1 competitive.

2 In this case, we have kept our eye on the
3 bigger price, a vibrant prosperous commercial
4 corridor that invites consumers, catalyzes
5 development and brings to life a forgotten part
6 of the business community, a community that
7 helps contribute nearly 50 percent of the
8 City's bottom line through taxes and fees.

9 We are keenly interested in the success of
10 this project, as the Paseo de la Riviera
11 represents -- is something more grand,
12 something more significant. It's the beginning
13 of the next 90 years as a City and community.

14 And, lastly, I think it goes without
15 saying, nobody wants to a BJ's Wholesale there.

16 So thank you for allowing us to speak.

17 Thank you.

18 MAYOR CASON: Thank you.

19 COMMISSIONER LAGO: Thank you.

20 MAYOR CASON: All right. We're going to
21 start the public comment. Two minutes. Keep
22 an eye on the light. I'm going to start with
23 Chip Whilters, Former Commissioner.

24 MR. LEEN: Mr. Mayor, before we begin, we
25 need to swear in the audience.

1 MAYOR CASON: Okay. Everybody who plans to
2 speak, inside and outside, please stand and
3 raise your right hand and the Clerk will swear
4 you in.

5 (Thereupon, the participants were sworn.)

6 MR. WITHERS: Good evening. My name is
7 Chip Withers. I live at 1104 Hardee Road. I
8 have lived there for years. Let's just say,
9 the house was built 25 years after the City was
10 founded, and I've lived there the whole time.

11 I do have some extra cards, Mr. Mayor, so I
12 think I've got an extra couple of minutes,
13 but --

14 MAYOR CASON: I'm going to have them speak
15 on their behalf. I want everybody to speak for
16 themselves.

17 MR. WITHERS: Well, one of the guys had a
18 surprise birthday party, who didn't know about
19 it, and he couldn't show up. So is he excused?

20 MAYOR CASON: One of the problems we're
21 going to have is, a lot of people, like last
22 time, have come with cards for people who
23 didn't show up, and I think that what I want to
24 do this time is, everybody speaks for
25 themselves, and if he can come later, we'll be

1 going on probably --

2 MR. WITHERS: Okay. So I'm limited to two
3 minutes?

4 MAYOR CASON: Two minutes.

5 MR. WITHERS: Okay. I'm against this
6 project. I think the process has been flawed.
7 I wasn't going to plan on saying this. I had a
8 nice six-minute speech planned. You know, I
9 really take offense at the Chamber. I'm a
10 member of the Chamber. They never asked me how
11 I felt about it.

12 As far as the discussion about 100 homes,
13 someone said 900 people against it, there's 850
14 people against it, I understand what Jeff was
15 saying, but, guys, at the end of the day, this
16 corridor has been studied six times. When I
17 was on the Commission, it was studied four
18 times. It's been studied two times since then.

19 The last time it was studied, it cost these
20 neighbors the tuition of a local school and
21 private school, and I was part of that group
22 that did it. I would knock on doors, and this
23 is why I'm involved in this project. I wasn't
24 going to get involved, but when I met with
25 George, and I met with Laura, and I met with

1 Brent, who wanted my endorsement, I said,
2 "Guys, it's a neighborhood issue." I said,
3 "I'm not going to get involved."

4 But I had to get involved, because the
5 conversation went like this, "Hi, I'm Chip
6 Withers. I'm your neighbor." I was upset that
7 a lot of them didn't recognize me, but I got
8 over that very quickly. And I said, "You know
9 what, I want to talk to you about the Paseo
10 project. And their first remark, out of their
11 mouth, was, "Oh, there is no way the City is
12 going to even let this thing come close to
13 passing. What are we worried about?"

14 I said, "No, it's gone through this, this,
15 this and this."

16 And they said, "Well" -- the next thing out
17 of their mouth was cynical, and said, "Well,
18 does the City need the money?" Then they had a
19 nice few things to say about some of the
20 elected officials, which hurt me, because you
21 never heard those things in Coral Gables. I
22 quickly dismissed those.

23 The last thing they said, which really
24 struck home with me, was, "How do we get
25 involved?" I've been on this Commission for 20

1 years. I've gone through things that the
2 City's done right. The street closings, I
3 think, went right. The South Fire House went
4 right. The Youth Center went right. The
5 University of Miami Master Plan went right.
6 The Doctors Hospital renovation went right.
7 The Youth Center lights went right.

8 All of those issues were controversial
9 neighborhood issues and the City got it right.
10 There's one thing the City's gotten wrong, and
11 that's the monstrosity that's on US-1 right
12 now. That's the one thing the City got wrong.
13 Why do we want to repeat that?

14 Six studies have said, four to seven
15 stories. Why change it at this point?

16 Thank you very much.

17 MAYOR CASON: Thank you, Chip.

18 MR. LEEN: Thank you, Commissioner.

19 MAYOR CASON: Next will be -- again, in
20 deference to Dorothy and Jack Thomson, I'll let
21 you come next.

22 MS. THOMSON: Good afternoon, Commission.
23 I'm Dorothy Thomson, and I served as a
24 Commissioner for over 16 years or for 16 years.
25 Let me preface my remarks -- I know only two

1 minutes is allowed, and it's a lot to be said
2 in a very short time, so I'll try to be as
3 brief as I can.

4 Number One, I do want to preface my remarks
5 by saying that it's a big, big item, big issue,
6 that you all are discussing and deciding on,
7 and certainly I've been there, too, and it's
8 very, very difficult. I'm not here to
9 pre-judge or really, in truth, trying to ask
10 you or to tell you how to vote, one way or the
11 other.

12 I am here to tell you a little bit of the
13 history. And I think I might say that I'm the
14 only one left still living from the era when
15 all of this started out 30 years ago -- 35
16 years ago, actually.

17 When I first ran for the Commission in
18 1979, this was the very issue, US-1, the IRE
19 building, now the big building that UM owns.
20 That was really my biggest platform at that
21 time, because I lived in that neighborhood for
22 over 28 years, south of the Highway, and the
23 people were very much upset, because that one
24 big building suddenly sprung up.

25 So we wanted to see what we could do to

1 stop other big buildings from springing up
2 along US-1, and that was at the very same time
3 that the Metrorail stations -- they started to
4 break ground on the Metrorail, and, at that
5 time, a lot of people came out, too, because
6 people were concerned about buildings along
7 both, the north and the south side of US-1.

8 And it was promised back then, by the
9 County and all of that, at that time, "No,
10 there will be no buildings on the north side.
11 This would leave Coral Gables as it is right
12 now," and it still is.

13 Then, when I came on the Commission -- I
14 was elected on the very issue -- we declared a
15 moratorium on any building on US-1, for six
16 months, and the whole Commission was right on
17 top of that, and they very much involved and
18 wanted to make sure that the City did a good
19 job.

20 See, two minutes go up too fast.

21 MAYOR CASON: Jack can pick up for you.

22 MS. THOMSON: Yeah, but I need to just give
23 you a little bit of history very quickly.

24 MR. LEEN: Well, there needs to be a
25 ruling. Are you okay extending? She's the

1 Former -- as a Former Mayor?

2 MAYOR CASON: You're not going to speak,
3 Jack?

4 Okay. Finish up for Jack.

5 MS. THOMSON: Yes. So the City did a very
6 thorough job of vetting out what the Zoning
7 Code was along US-1, which was three stories at
8 the time, and we ended up, after six months of
9 very, very thorough investigating and
10 decision-making and all of these things put in
11 together, to allow four stories on US-1. And
12 the four stories has remained to this very day,
13 since 1980. So it's 35 years and we've enjoyed
14 that.

15 I don't see any difference now -- any
16 reason, in my own mind, anyway, why there's any
17 change in the need for any High-Rise buildings
18 along US-1. We have a beautiful neighborhood
19 right behind there, on both sides of US-1,
20 actually, and they don't need to have a canyon
21 of buildings going up and down US-1.

22 From Douglas Road to Red Road, you have a
23 beautiful space of your Highway, that's so
24 unique to Coral Gables. Coral Gables is
25 unique, and once you start this, what you might

1 call spot zone, don't think it won't happen all
2 along the rest of the Highway in times to come.

3 We've gone through a lot of lawsuits in the
4 City's history, when you did a spot zoning. So
5 please don't go into that trap, because that's
6 what's going to happen. It may sound beautiful
7 to you right now, but it will not. It will be
8 like a cancer spreading along US-1.

9 That's all I have to say. My two minutes
10 -- I want him to speak on the history, as well.

11 MR. THOMSON: Okay. Jack Thomson, at 2600
12 Cardena, Number 3. I'd like to add to that
13 that the vetting of the Zoning Law, in that
14 corridor from Douglas Road to 57th Avenue, was
15 to make sure that the quality of life in our
16 neighborhoods, both sides of the Highway, were
17 maintained, because we knew that Metrorail was
18 coming in, and that those stations would create
19 a lot of development, but we stopped it at that
20 point. Up to that point, we lived in a
21 three-story zoned City.

22 MR. LEEN: Time's up. Are you going to
23 extend the time, Mr. Mayor?

24 MR. THOMSON: Give me one thing. They
25 might say the IRE building, the 13-story

1 building or 12-story building that's already
2 been built there, that was a mistake of a prior
3 Commission spot zoning --

4 MR. LEEN: He conceded his time. He
5 conceded his time.

6 MR. THOMSON: -- back in Center Gables,
7 that blew our Zoning Code, and we had several
8 High-Rise buildings that were built before we
9 got control over it again in the early 1960s.
10 So that building was just an abortion that
11 should not have happened.

12 MAYOR CASON: Thank you. Thank you both.

13 MR. LEEN: Thank you.

14 COMMISSIONER LAGO: Thank you.

15 MAYOR CASON: Albert Roy Lyons.

16 MR. LEEN: I would like to say something to
17 the Clerk first. When people start speaking,
18 remember to say your name and your address, and
19 start the time -- Mr. Clerk, start the time
20 once those are said. I think that's the
21 practice, but just to emphasize.

22 We'd ask that you structure your comments
23 to fall within two minutes. It's difficult to
24 tell you to stop speaking, but we are trying to
25 maintain order and make sure everyone gets

1 treated fairly.

2 MAYOR CASON: Go ahead.

3 MR. LYONS: Good evening. My name is
4 Albert Roy Lyons. I live at 6300 Caballero
5 Boulevard. That's about 400 feet from the
6 proposed project, across from the Jaycee Park.
7 It's the first lot that's on the waterway --
8 residential lot on the waterway.

9 Just, my wife, Paula, and I, are in favor
10 of this project. And I was at a previous
11 hearing testifying, as well, and I haven't
12 heard too many people today, but really I
13 haven't heard anyone talk about alternatives.

14 From our point of the view, the Holiday Inn
15 is going to be sold, and the owners obviously
16 don't want to keep that. And so if it's not
17 this project, what is going to be there?
18 That's how we've approached this.

19 And I would see, maybe, since there has
20 been so much discussion about this project,
21 maybe a right-of-way -- or right-of -- I can't
22 remember the term.

23 MAYOR CASON: As-of-right.

24 MR. LYONS: As-of-right -- thank you --
25 project might come in, so there isn't -- then

1 the new owners would not have to go through
2 this type of a process, so what does that leave
3 you? You know, another strip mall, a
4 supermarket, a hardware store? Those are the
5 alternatives that I think might come in, if
6 this project does not go forward.

7 I've also watched a lot of the other
8 speakers at the previous hearings, and I go to
9 Jaycee Park almost every day with my two
10 children, a five-year-old and a two-year-old.
11 I haven't seen those people at Jaycee Park and
12 I'm there almost every day.

13 I live 400 feet away. We're going to be
14 definitely impacted by this project, and I
15 think that the Developer has done a good job
16 addressing the concerns that we've had, which
17 were the height and traffic. I would think
18 that the traffic study that was done was by a
19 professional, competent person. I'm not going
20 to dispute those studies. That's not my area
21 of expertise. So I've got to go with what the
22 expert says will happen. I'm satisfied with
23 that study.

24 On the height side, I think -- as I walk
25 out of my driveway, I've really got to try to

1 look and see the large building that's already
2 there for the University of Miami. There are
3 trees in the way. Line of sight is not an
4 issue for us.

5 I think we would really enjoy having this
6 project, and I hope the Commission votes in
7 favor of it. Thank you.

8 MAYOR CASON: Thank you very much.

9 COMMISSIONER LAGO: Sir, what's your full
10 name, again?

11 MR. LYONS: Albert Roy Lyons, L-Y-O-N-S.

12 COMMISSIONER LAGO: Thank you, sir. I
13 appreciate that.

14 MR. LYONS: Thanks.

15 MAYOR CASON: Jose Rene Infante.

16 MR. INFANTE: Good evening. My name is
17 Jose Rene Infante, 5900 Granada Boulevard. I
18 want to thank you for the opportunity you all
19 have given me.

20 This is the first time -- I've been living
21 in Coral Gables since 1961, when I came from
22 Cuba, in the Peter Pan Program.

23 It's been very hard to see the changes that
24 I've seen in Dade County. For the first time,
25 in Coral Gables -- I have never come here in

1 front of you. But I have never seen an
2 attorney present so many things of the law
3 trying to prevent us, in a way, of speaking
4 ourselves, but I'm here against this project
5 for the following reasons:

6 For the past 30 years, I have owned a flea
7 market in South Dade. I make a living out of
8 open spaces. And this particular project is
9 relying on open spaces. That open spaces turns
10 around trips, visiting trips, faster than any
11 other retail use.

12 The traffic, I don't think has been -- the
13 traffic count, I don't think have been
14 correctly done. Consider that into the
15 equation.

16 I'm against this project, because it will
17 change the character of my neighborhood. I
18 already have my grandkids -- my son lives next
19 door to me, at 5920 Granada Boulevard. My
20 grandkids, we have to watch them, because at
21 certain times of the day, Granada, Hardee, is a
22 racetrack.

23 So I think this project is going to really
24 impact our way of life negatively. So I please
25 urge you to vote against it. Thank you.

1 MAYOR CASON: Thank you.

2 COMMISSIONER LAGO: Thank you, sir.

3 Joe Vaughn.

4 MR. VAUGHN: My name is Joe Vaughn. My
5 wife, Bonnie, and I, live at 1222 Manati
6 Avenue. We've been there since 1973.

7 I'm against this project for one reason.
8 If you're thinking about voting for it, what
9 you're doing is you're taking \$150,000 out of
10 my retirement account, because like many people
11 in our neighborhood, we think of the equity in
12 our home as part of our retirement money.
13 Would you buy a house next door to the Marlins
14 Stadium? Would you want to be two blocks from
15 the Dadeland Shopping Center?

16 What you're doing and what you may do is
17 reduce the value of our homes, in this area,
18 by, in my opinion, 10 to 15 percent. If the
19 house is worth a million dollars, that's
20 \$150,000.

21 You have one of the best real estate
22 brokers in Coral Gables on your Commission. If
23 you think I'm overstating the case, ask her.
24 I'll defer to her opinion.

25 I heard the attorney for the Applicant make

1 a number of statements. I think -- if I
2 remember the old movie, it was, you're going to
3 believe me or your lying eyes? We have a
4 600-space parking garage, and somehow the
5 traffic is reduced. We don't count the height
6 of the building, we average that with the floor
7 height. So 100 feet really is 50 feet.

8 I heard the attorney read out all of the
9 objections and all of the things you all have
10 to go through to approve this project.

11 Remember Occam's razor. I think it's a little
12 bit too complex. Keep it simple. Follow the
13 rules, like I have for the past 43 years.

14 I painted my house one of the 150 approved
15 shades of beige. I've paid my taxes. I did
16 everything right. I just ask you to follow the
17 rules. Thank you.

18 MAYOR CASON: Thank you.

19 Jorge Rios. Is Jorge Rios outside?

20 MR. RIOS: My name is Jorge Rios, and I
21 reside, with my family, at 1251 South Alhambra
22 Circle. I've lived there over 21 years. I
23 also own other homes, 1244 South Alhambra
24 Circle, 1240 South Alhambra Circle. The
25 latter, the RNA has designated as opposed, and

1 I would like it marked in favor of the project.
2 I have tenants renting from me in these homes.
3 I also own a house at 6900 Portillo, 1255 South
4 Alhambra. Yes, I pay a lot of property taxes
5 in Coral Gables.

6 I can see the Gables One Tower from my
7 house, the top of it. I would love the Paseo
8 project to just cover a part of that building.

9 Okay, also, my brother-in-law, Manuel
10 Matos, he owns four properties on Cotorro.
11 They have all been incorrectly marked as red on
12 the RNA map. So, for the record, I would like
13 the following addresses to be marked as green,
14 1120 Cotorro, 1122 Cotorro, 1124 Cotorro and
15 1126 Cotorro Avenue.

16 My wife and I, again, own multiple
17 properties, and we all support the Paseo de la
18 Riviera project.

19 I'm quite shocked to hear people, who live
20 so far away or who will be so unaffected by
21 this project, complaining about the height and
22 the traffic. My home faces the project, and I
23 will see it directly.

24 Very few people see this project from their
25 property, due to the thick canopy of trees. I

1 believe the Paseo will be a great improvement
2 to my view of the Gables One Tower.

3 My home also faces three stop signs,
4 probably the busiest three-way stop sign in
5 Coral Gables, the one at South Alhambra and
6 Nervia. This is the prime intersection from
7 people coming and going to and from US-1 to
8 Publix. Probably everyone in this room passes
9 in front of my house just to get to Publix.

10 Okay. If anyone should be against this
11 project, it should be us, but we are not,
12 because the Paseo will greatly benefit the area
13 and Coral Gables. Thanks.

14 MAYOR CASON: Thank you very much.

15 Dave Doheny. Dave Doheny. Dave.

16 MR. DOHENY: My name is David Doheny, 915
17 Alava Avenue, Coral Gables, 16-year resident of
18 Coral Gables, speaking only for myself and my
19 wife.

20 I've lived in Miami for 50 years. I came
21 down here in 1965, spent -- been a lawyer
22 practically all of my working career.

23 Spent 15 years as the general counsel for
24 General Development Corporation, which, in
25 those days, was the biggest Developer in the

1 State of Florida. So I know something about
2 the dynamics of what you're dealing with here.

3 I went up to Washington for 12 years.
4 Worked for the National Trust for Historic
5 Preservation. Had a different view of how
6 development should be handled in communities
7 like Coral Gables. So I've seen both sides of
8 the picture.

9 And when we came back to Miami in 1999,
10 having lived in Miami for 20 years, we decided
11 we did not want to go back to the City of
12 Miami. We chose Coral Gables, because of its
13 reputation for strict Code Enforcement, its
14 laws, its protection of the lifestyle of the
15 community. That's why we came here.

16 We've been here and we've been active
17 participants in the community. We voted in
18 every election. I know each and every one of
19 you, some well, some not so well, but in my
20 recollection, each and every one of you
21 campaigned on a promise to maintain the
22 lifestyle of Coral Gables.

23 And I ask you, on behalf of people like me,
24 to reject a project which does not fit within
25 the strict guidelines of the existing Zoning

1 Regulations. That's the law. That, I think,
2 is your obligation to protect and maintain,
3 unless there's a very good reason to go outside
4 of it.

5 Thank you very much.

6 MAYOR CASON: Thank you, Dave.

7 COMMISSIONER LAGO: Thank you, sir.

8 MAYOR CASON: Valerie, looks like, Grandin.
9 Did I pronounce that right?

10 MS. GRANDIN: Yes. It's Valerie Jan
11 Grandin.

12 MAYOR CASON: Okay.

13 MR. GRANDIN: Thank you.

14 I live at 1805 Ponce de Leon, in the
15 Gables. I was born in Coral Gables, grew up on
16 Country Club Prado, own homes on Ledo Avenue
17 and on Cotorro.

18 Before moving to Winter Park, Florida,
19 where I lived 'til 1999 -- I was there -- I
20 mean, I moved there in '99. Spent 15 years
21 there. And moved back here two years ago.

22 I used to brag in Winter Park, which is
23 quite a nice town, that Coral Gables eclipsed
24 them. "Fabulous town, amazing place to live."

25 However, what greeted me when I returned to

1 my beloved hometown was a City that I always
2 considered without peers, suddenly it had been
3 eclipsed by Winter Park, by Palm Beach, by
4 Delray Beach, by Hyde Park in the Tampa area.

5 We've fallen behind, guys. Instead of
6 being buoyed to further greatness by the
7 presence of a world class university, numerous
8 international corporate headquarters and a
9 commuter rail on our doorstep, we are mired in
10 the glory of a bygone day. Memories of what
11 used to be was wonderful. Let's make it
12 better.

13 We now stand on the precipice of what could
14 be a spectacular future. With the approval of
15 Paseo we take that first step.

16 I have two daughters, one a college grad,
17 one embarking on her law school career. Where
18 are they to live? Certainly not Coral Gables.
19 They have Dadeland or Brickell. They have to
20 bypass this fabulous community. There's no
21 options. Where can they start their reside,
22 start careers, put down roots, and become, you
23 know, part of our future in Coral Gables?

24 This project affords young professionals,
25 as well as many empty nesters, opportunities

1 for a spectacular residential location, within
2 walking distance of tremendous amenities.

3 This project connects its residents with
4 the larger community, the Miami region, through
5 Metrorail and the Underlined proposed path.
6 And it gives these residents life-long learning
7 opportunities through its proximity to UM.

8 Please do what is right for all of the
9 citizens of Coral Gables. Vote, yes, to
10 approve this project. Vote, yes, for a
11 sparkling future. Thank you.

12 MAYOR CASON: Thank you.

13 COMMISSIONER LAGO: Thank you very much.

14 MAYOR CASON: Madeleine Van Walleghem.

15 MS. VAN WALLGHEM: I'll concede my time,
16 please.

17 MAYOR CASON: Okay. Alicia Vinas. Is she
18 outside? I think -- I'm not sure if it's Vinas
19 or Vinas.

20 MR. LEEN: No, I don't think -- Mr. Mayor,
21 I think, when she said, "Concede," I think she
22 meant seed her time, but I don't know if the
23 Mayor is allowing that.

24 MAYOR CASON: No. I mean, you can speak
25 for yourself.

1 MR. LEEN: So do you want to speak?

2 MAYOR CASON: If you want to speak -- why
3 don't you come back after Alicia and we'll have
4 you speak?

5 COMMISSIONER LAGO: How are you?

6 MS. VINAS: Thank you for letting me be
7 here. My name is Alicia Vinas. I live at 726
8 Granada Boulevard. I live in Coral Gables
9 since 1961. So I know Coral Gables very well.
10 I always loved this City. I believe in
11 historic preservation of this City, as much as
12 anyone else.

13 I also know that US-1 is a Highway that is
14 in great need of new direction. I believe we
15 need a beautiful hotel for the City on this
16 neighborhood. I believe that, with all of the
17 amenities, I will support the Riviera project
18 completely, without any doubt. Thank you.

19 MAYOR CASON: Thank you very much.

20 COMMISSIONER LAGO: Thank you.

21 MAYOR CASON: And Madeleine.

22 MS. VAN WALLEGHEM: I checked that I was
23 not going to talk.

24 I oppose the project --

25 COMMISSIONER KEON: Your name and address.

1 COMMISSIONER LAGO: Your name and address.

2 MS. VAN WALLGHEM: Madeleine Van Wallegghem.

3 MR. LEEN: And your address.

4 MS. VAN WALLGHEM: 1111 South Alhambra

5 Circle.

6 MR. LEEN: Thank you.

7 MS. VAN WALLGHEM: I oppose the project,
8 because I think that the rules that we have now
9 in the books work very nicely, and I think that
10 the corridor that this would create on US-1
11 would be an eyesore, and because I feel more
12 comfortable when the Codes that are in place
13 are respected, instead of changing them on a
14 whim. Thank you.

15 MAYOR CASON: Thank you.

16 COMMISSIONER LAGO: Thank you very much.

17 MAYOR CASON: Joe Portuondo.

18 MR. PORTUONDO: Good evening. My name is
19 Joseph Portuondo. I live at 501 Hardee Road,
20 since 1989, and my offices are also in Coral
21 Gables. I'm an attorney.

22 I'm here to speak on behalf of the project.
23 I'll confess that when I first heard about the
24 project was when someone came to my door and
25 asked me to oppose it, and I signed the

1 petition. And the reason why I signed the
2 petition at that time opposing it was because a
3 good argument was made that it would increase
4 traffic on Hardee Road, to the point that it
5 would hurt the neighborhood.

6 I don't have the sophistication to deal
7 with the traffic issues, obviously. I'm not a
8 traffic engineer. But I have an open mind
9 about things, and if that issue is resolved
10 adequately, to the Commission and to the other
11 members of the neighborhood, I'm thrilled with
12 the project. I think it's an elegant project.
13 I think the City needs it.

14 When we look at that project, and we look
15 at the rest of the buildings on US-1, do we
16 really want something like a Tire Kingdom
17 there? And I'm not opposed to Tire Kingdom. I
18 use the services. But an elegant hotel and
19 apartments that look the way these do, next to
20 a park, is an ideal thing for that project, and
21 I wholeheartedly endorse this project.

22 I have no interest in it whatsoever, other
23 than the fact that I think I'm going to go down
24 there, use the place, and enjoy it, and it's an
25 elegant project. I highly recommend it.

1 MAYOR CASON: Thank you.

2 COMMISSIONER LAGO: Thank you, sir.

3 MAYOR CASON: John Fisher.

4 MR. FISHER: My name is John Fisher. I
5 live at 306 Fluvia. I'm not in that
6 neighborhood, but I am in another threatened
7 neighborhood.

8 I am opposed to the project, and I am
9 opposed to the philosophy of this group, the
10 Commissioners; that is, that development is
11 needed and wonderful here. Development is not
12 necessary in Coral Gables, if we end up losing
13 the beauty that is Coral Gables.

14 I think we have achieved the point of
15 development that Mr. Merrick talked about and
16 even mentions on this statute out there. We
17 have developed Coral Gables. I think we are
18 now going over the edge, and we are losing what
19 Coral Gables really should mean to us.

20 And the philosophy that says development is
21 good, because they pay our tax rates; that is,
22 these businesses and these apartment owners pay
23 our tax rate, gentlemen and ladies, we can
24 afford to pay our own taxes. As residents
25 here, we can afford to pay our own taxes. And

1 if, in fact, there's a strain financially, I'm
2 sure, really, when faced with the alternative
3 of more development or maintaining the true
4 Coral Gables beauty that we have left, I will
5 pay more taxes, and I think most residents
6 will.

7 The idea to sell us on development as
8 cutting down our tax bill is fallacious, and I
9 oppose this project.

10 And the Agave project, for example, is
11 enormous. We have yet to see its benefits. I
12 know what the outside benefits will be, if it
13 ever gets built, and that is a lot more traffic
14 on the Ponce area, for instance.

15 So thank you.

16 MAYOR CASON: Thank you.

17 COMMISSIONER LAGO: Thank you, sir.

18 MAYOR CASON: Javier Vizoso.

19 UNIDENTIFIED MALE VOICE: Mayor, he had to
20 leave. Can I have --

21 (Inaudible.)

22 MAYOR CASON: No. I think we decided that
23 we weren't going to -- people have to be here
24 to speak. And if he comes back, I'll be happy
25 to put him at the end.

1 Rosalia Alea.

2 Okay. Probably not here. Then I will do
3 Patricia Guarch. Patricia Guarch, Coconut --

4 COMMISSIONER LAGO: She's right here.

5 MAYOR CASON: Here you go. Hi.

6 MS. GUARCH: My name is Patricia Guarch. I
7 live at 3110 Coconut Grove Drive. Good
8 afternoon. Before I start, I think it's
9 appropriate to disclose that I did a small
10 copywriting job for the Paseo de la Riviera
11 project, but I'm here tonight as a homeowner.

12 I've lived in Coral Gables my whole life,
13 and two years ago, I was lucky enough to
14 purchase a home, at 24 years old, in Coral
15 Gables.

16 I work as a blogger and I think a lot about
17 the future of Miami. My blog is called Miami
18 Nice. It's a perspective on authentic local
19 Miami, and I've spent a lot of hours thinking
20 about what the lifestyle of the future should
21 look like for young people like me.

22 I see Coral Gables as a historic
23 neighborhood, with the potential to remain as
24 elegant, beautiful and relevant a place as its
25 always been for the next generation of

1 homeowners, but Coral Gables needs to let
2 thoughtful progress come into the City.

3 I believe in the George Merrick vision of
4 Coral Gables, a City that's planned and
5 preserved and beautifully thought about. I
6 believe that the Paseo de la Riviera project is
7 a forward thinking project, that respects what
8 Coral Gables has always been aesthetically and
9 conceptually. It's an attractive project.

10 It's attractive to young people looking to
11 make decisions about where to put down their
12 roots and where to make their homes. It will
13 bring much needed aesthetic upgrades to the
14 US-1 corridor. It will draw young
15 professionals, attracted to an urban life,
16 that's connected to public transportation and
17 walking distance from the future Underline.

18 The research on Millennials supports that
19 these things are important, but I don't need to
20 tell you that. I think everybody knows that in
21 any major city across the world urban
22 development is important for young people, and
23 it's the way the world is growing. It's the
24 way that Coral Gables should grow.

25 The real threat here to me is the

1 as-of-right development. If this development
2 is not approved, they could build the kind of
3 underdesigned buildings that plague other parts
4 of the US-1 corridor. This ambition by the
5 Developer should be rewarded and not penalized.
6 They brought on a smart, capable team, who
7 understands Coral Gables.

8 They've designed something that's Site
9 Specific and reverent and to the Coral Gables
10 architectural history. To me, it comes down to
11 a simple equation, the alternative, the
12 as-of-right, is worse. It's more traffic
13 dense, less community oriented. It's ugly. It
14 could be ugly. This proposal is appropriate.

15 And, lastly, I'd like to say that I was a
16 victim of a pedestrian accident, and I think
17 that these -- going above and beyond what's
18 asked for, for the pedestrians in this
19 neighborhood, should be overwhelming approved
20 by the people that live in this neighborhood,
21 as well as other Coral Gables residents. Thank
22 you.

23 MAYOR CASON: Thank you very much. Thank
24 you very much.

25 George, looks like, Chesrow.

1 COMMISSIONER LAGO: Chesrow.

2 MAYOR CASON: Chesrow.

3 Leticia Valdes. Is not speaking?

4 Looks like Gillian Gaggero.

5 COMMISSIONER LAGO: Alvaro Gazzolo.

6 MAYOR CASON: Gillian and Alvaro Gazzolo,

7 G-A-Z-Z-O-L-O.

8 Max Ferrarati. Not here?

9 MR. LEEN: Here he is, Mr. Mayor.

10 COMMISSIONER KEON: Here is somebody.

11 MR. FERRARATI: Good afternoon. Max

12 Ferrarati, 1111 Alfonso Avenue. We're in favor

13 of the project. I think that it will bring an

14 interesting new dynamic to that neighborhood.

15 We need a mini center, to -- and that's why we

16 are in favor of that project.

17 I don't think there's anything wrong with
18 the thought of developing that corridor. I've
19 been doing that corridor for the past 20 years.

20 And as I've heard before, somebody thinks that

21 it's something to be maintained, I think it's

22 pretty ugly to drive through. So we're in

23 favor.

24 MAYOR CASON: Thank you.

25 COMMISSIONER LAGO: Thank you.

1 MAYOR CASON: Donald -- looks like Donald
2 Hicks. Donald Hicks.

3 Parker Thomson.

4 COMMISSIONER LAGO: Mr. Hicks.

5 MR. HICKS: Ladies and gentlemen, I moved
6 back to Coral Gables in 1961.

7 MR. LEEN: State your name and address.

8 MR. HICKS: Oh, Donald Hicks, 6007 Granada
9 Boulevard.

10 MR. LEEN: Thank you, sir.

11 MR. HICKS: I moved back here in 1961.
12 I've been very fortunate to raise my family
13 here, on Granada Boulevard, one -- three houses
14 up from Hardee Road.

15 The most serious thing that's happened to
16 us was the inclusion of the circles at the
17 corner of Hardee Road and Granada Boulevard.
18 At six o'clock, you cannot get through there,
19 if you're on Granada Boulevard. You can't get
20 through there.

21 Please don't allow an increase in traffic
22 that we both -- all know is going to occur with
23 the approval of this project.

24 Please decline it. Thank you.

25 MAYOR CASON: Thank you.

1 COMMISSIONER LAGO: Thank you.

2 MAYOR CASON: Parker Thomson.

3 MR. THOMSON: Thank you.

4 Parker Thomson. My wife and I reside at
5 1010 Hardee Road, where we've lived for four
6 years, but I've been a resident of Coral Gables
7 for 50 some years.

8 I come to speak in favor of the project. I
9 recognize concerns about traffic. 45 years
10 ago, I brought the lawsuit that kept the
11 Biltmore Hotel in Coral Gables. And there were
12 concerns about the fact that, that would
13 increase traffic. It may have, but nobody
14 could conceive of Coral Gables without the
15 Biltmore Hotel.

16 Much as I love Coral Gables, nobody could
17 love US-1, which may be the most ugly straight
18 in all of the Miami area. And this project is
19 the kind of dynamic project that will make an
20 asset out of US-1, and, therefore, I'm in favor
21 of it.

22 MAYOR CASON: Thank you.

23 COMMISSIONER LAGO: Thank you.

24 MAYOR CASON: Maria Cruz.

25 MS. CRUZ: Good afternoon. Maria Cruz,

1 1447 Miller Road, and I'm here, once again, to
2 ask this Commission to uphold our rules. We
3 set rules and then people come with new ideas,
4 we change rules. So why do we have rules?
5 What's the purpose of coming up with rules,
6 when the first person that wants to do
7 something different, can come in and request
8 changes?

9 It's very interesting how we can forget why
10 we set up the rules. That ugly building on
11 US-1 caused the rules to be voted on, and
12 that's why we set it. We cannot have this
13 repeated.

14 I know that, of course, we've heard from
15 our traffic consultant, we're going to have
16 hundreds of more parking spaces, but traffic is
17 not going to be affected. The cars are going
18 to come in by helicopter, they're not going to
19 use our roads? Once again, this happens.

20 My experience -- and I have a little
21 experience about dealing with traffic
22 engineers. My experience is, whoever pays for
23 the study, gets the result that he wants. I'm
24 sorry, but I'm going from previous experience.
25 There is no way that anyone can tell me that we

1 can put more traffic on US-1. If you have
2 driven it, you can see that there is not room
3 for one more car.

4 If you live behind this Holiday Inn, you
5 certainly would not want that humongous project
6 in front of you.

7 You know what, the project looks beautiful.
8 Maybe we should find a better place for it.
9 Maybe there's another area, whether it's City
10 of Coral Gables or City of Miami, that can
11 afford to have that humongous, monstrous
12 project. I beg you to please deny it.

13 MAYOR CASON: Thank you.

14 COMMISSIONER LAGO: Thank you.

15 MAYOR CASON: Ignacio Granda. Ignacio
16 Granda.

17 MR. GRANDA: Good afternoon. My name is
18 Ignacio Granda, 510 Bianca Avenue. I've been a
19 resident of Coral Gables since 1985, where I
20 grew my three daughters.

21 First of all, I'd like to express my
22 opinion that this project has been beautifully
23 designed and well thought out, by an
24 outstanding local architect, who cares about
25 this community.

1 The fact that it is being developed around
2 a transportation hub or Metrorail, I think is a
3 major plus, and will encourage dwellers to use
4 Metrorail, and thus alleviate US-1 traffic.

5 So I think, for the young professionals, as
6 the recent lady was here, that work Downtown,
7 this will be a beautiful opportunity to be part
8 of our community, pay taxes in Coral Gables,
9 and go work Downtown. So I strongly urge you
10 to vote in favor, as I am in favor of a
11 beautifully designed project.

12 Thank you very much.

13 MAYOR CASON: Thank you.

14 COMMISSIONER LAGO: Thank you.

15 MAYOR CASON: Larry -- can you read this?
16 Looks like Puyanic. 535 Hardee. I can't read
17 it.

18 COMMISSIONER LAGO. Puyanic. Larry
19 Puyanic.

20 MAYOR CASON: Is that you? Okay.

21 COMMISSIONER KEON: So how do you say that
22 name?

23 COMMISSIONER LAGO: How do you say your
24 last name?

25 MR. PUYANIC: Larry Puyanic.

1 MAYOR CASON: Oh, not too bad.

2 COMMISSIONER LAGO: Close.

3 MR. PUYANIC: Not too bad.

4 Anyway, listen, I'm against the project.

5 MR. LEEN: Name and address.

6 COMMISSIONER KEON: Your name and address.

7 MR. PUYANIC: Oh, yeah, 535 Hardee Road.

8 Larry Puyanica. I think we got that.

9 I have to be against it, because I think
10 that the traffic situation in our neighborhood
11 is bad already.

12 Another reason I think that I would be
13 against it, is because I went out and I got
14 some petition signed. Ten out of ten people
15 who answered the door signed the petition to be
16 against it.

17 So, in my opinion, you don't need to be a
18 statistical genius to figure out that if ten
19 out of ten signed, no, that the neighborhood is
20 probably against it.

21 And I guess that's all I had to say.

22 MAYOR CASON: Thank you.

23 COMMISSIONER KEON: Thank you.

24 MR. PUYANIC: All right.

25 COMMISSIONER LAGO: Thank you, sir.

1 MAYOR CASON: Rachel Bixby. Rachel Bixby.

2 MR. LEEN: Here she is, Mr. Mayor.

3 MS. BIXBY: Hi. My name is Rachel Bixby,
4 and I've lived with my family at 1132 Hardee
5 Road for 15 years. Our home is a block away
6 from Jaycee Park.

7 I'm not given to public speaking, and I've
8 never stood here before, but I feel I must do
9 everything I can to express concern about plans
10 for a High-Rise structure that is an ill-fit
11 for our community.

12 I do support the reduced density structure
13 proposed by the RNA. The 1100 and 1200 Blocks
14 of Hardee are generally quiet resections of the
15 road, where you commonly find children and
16 families walking and riding bikes to the park.

17 I'm concerned about the safety of these
18 neighbors, as there's little doubt that the
19 section of Hardee will become a Highway, as
20 residents of this rental tower frequent the
21 route when returning to Paseo from Coconut
22 Grove and other popular destinations.

23 In addition, the limited parking now
24 available to those using Jaycee Park will soon
25 be gobbled up by Paseo patrons, residents and

1 visitors, limiting the neighborhood access to
2 this important community resource.

3 Insufficient parking provisions at Paseo will
4 put a burden on the surrounding community and
5 impact quality of life and enjoyment of
6 property.

7 In addition, overuse of neighboring
8 Madrugá, Mariposa, Hardee and Maynada to access
9 US-1, near the entrance to Paseo, would become
10 commonplace, as occupants seek alternate routes
11 to congested US-1. Much of this activity will
12 congest around the neighborhood park.

13 As residents of this community, we have
14 always felt we have a covenant with our City.
15 We, as citizens, pay our taxes, observe City
16 Codes and Laws, vote in City elections and
17 support our local schools and institutions. In
18 turn, we look to our City leaders to fulfill
19 their part of the contract, by managing our City
20 effectively and respecting the Zoning Plan that
21 was established as a framework for community
22 growth.

23 Thank you very much.

24 COMMISSIONER LAGO: Thank you very much.

25 MAYOR CASON: Thank you.

1 Paul Van Wallegghem, if I did that right.

2 MR. VAN WALLEGHEM: Not even close.

3 MAYOR CASON: Not even close. Close enough
4 so you recognized it, so --

5 MR. VAN WALLEGHEM: It's a Finnish name.
6 You can translate to Spanish. It's del
7 Castillo.

8 MAYOR CASON: Oh, okay.

9 MR. VAN WALLEGHEM: Paul Van Wallegghem,
10 1111 South Alhambra Circle. I've been a
11 resident of Coral Gables for over 20 years, and
12 I was instrumental in working with the City in
13 convincing you guys to put up the traffic
14 circles, which most people hate. And the
15 reason they hate it is because they work.

16 And I believe that a project like this, of
17 which I am opposed, would be the initiation of
18 future similar projects on US-1. And it's
19 almost a given that you're going to get --
20 they're going to be using Granada, Riviera,
21 South Alhambra Circle, and all of these avenues
22 and streets, as feeder lines for US-1, either
23 coming or going, and we're totally opposed to
24 that.

25 Thank you.

1 COMMISSIONER LAGO: Thank you, sir.

2 MAYOR CASON: Thank you.

3 Georgina Prats Shelton. Georgina Prats
4 Shelton.

5 MS. SHELTON PRATS: Good afternoon. Hello,
6 Mr. Mayor. I live in the Gables since 1961,
7 when I arrived from Cuba.

8 MR. LEEN: Name and address, please. I'm
9 sorry.

10 MS. SHELTON PRATS: Oh, I'm sorry. My name
11 is Georgina Shelton Prats. I've lived in the
12 Gables since 1961.

13 MR. LEEN: Thank you. And address?

14 MS. SHELTON PRATS: I'm sorry?

15 MR. LEEN: Your address, please. Where you
16 live.

17 MS. SHELTON PRATS: Oh, 1400 Salzedo
18 Street, Apartment 305.

19 MR. LEEN: Thank you.

20 MS. SHELTON PRATS: I've lived in the
21 Gables since 1961. I used to be a member of
22 the Property Advisory Board here at the City of
23 Coral Gables, I think, about 30 years ago. I
24 was a Past President of the Board of Realtors
25 and used to have my company in Coral Gables,

1 called Prats & Associates, a real estate
2 company.

3 I love Coral Gables. I attended, also,
4 Coral Gables Senior High.

5 I think this is a great location. It's a
6 beautiful project. I can see myself living
7 there. I own, right now, a school in Doral. I
8 can take the Metrorail across the street, go to
9 the Doral station, and take the trolley to the
10 school, and coming back. It's a great
11 opportunity.

12 Really, for someone like me, who, right
13 now, the ideal will be renting an apartment in
14 a nice building, next to a hotel, where any one
15 of my grandchildren, when they come to visit,
16 they can stay over, it's an ideal thing. I
17 think it's beautiful.

18 And I understand that people are afraid
19 sometimes of changes, but that's life, and I
20 can assure you that, at the end, everyone is
21 going to love it. So I'm in favor of it.

22 Thank you.

23 COMMISSIONER LAGO: Thank you very much.

24 MAYOR CASON: Thank you.

25 Jerry Marcus. Jerry Marcus.

1 MR. MARCUS: My name is Jerry Marcus, 6401
2 Caballero Boulevard. I've lived in the Gables
3 for nearly 50 years. I'm against the project.

4 MR. LEEN: Did he state his address?

5 COMMISSIONER KEON: Yes.

6 MR. LEEN: Oh, he did? I'm sorry.

7 MR. MARCUS: And to borrow a couple of
8 words that the City Attorney told us on what we
9 should say, I think he said that we should use
10 rational sense when we make our statement.

11 Well, I think the Commission, if they vote
12 for this project, is definitely making
13 irrational sense. And such a bogus story,
14 we've been told that there would be no upgrade
15 in traffic. I try to walk every day down
16 Caballero, and the speed limit is 25 miles an
17 hour. And I've called the City. They've got a
18 traffic guy, who I don't know why they're
19 paying him. But, anyway, cars go there at 50,
20 60 miles an hour, and there's a park right near
21 there. So I can't even get through.

22 But I know these Developers want to get
23 money. I know the City Commission wants to
24 bring more money into the City. And, you know,
25 I'd just suggest that maybe the Developers

1 could fix all of the potholes throughout the
2 City of Coral Gables. There are very, very
3 many potholes, and maybe put some new sidewalks
4 along Miracle Mile, and maybe get a whole new
5 Commission, because they're certainly not
6 voting or doing anything in our favor if they
7 vote for this project.

8 And I certainly hope you'll use rational
9 sense when it comes to the vote. Thank you.

10 COMMISSIONER LAGO: Thank you, Mr. Marcus.

11 MAYOR CASON: Jesus Cabrera. Jesus
12 Cabrera.

13 MR. CABRERA: Good afternoon, and thank you
14 for the opportunity to speak before the
15 Commission. I live on 7550 Old Cutler Road.
16 I've lived there for 15 years, and my office --

17 MR. LEEN: Could you state your name, again?

18 MR. CABRERA: Jesus Cabrera.

19 MR. LEEN: Thank you.

20 MR. CABRERA: I lived at 7550 Old Cutler
21 Road. Have lived there for fifteen years. And
22 I also have my office in the City of Coral
23 Gables.

24 Now, for brevity of my comments, I, like
25 everyone else in this community today, is

1 concerned about developments in the City of
2 Coral Gables, but I believe that this project
3 will serve our community well into the future.

4 I look at -- as I listened to the
5 complaints and the objections, I believe
6 that -- I fear that people are confusing height
7 with density and the traffic that comes along
8 with it. You can certainly build a building
9 within the height of the Zoning requirement,
10 that will be two to three times as dense, and
11 will produce two to three times the traffic,
12 and that needs to be taken into consideration.

13 That is only height. It should only be one
14 factor of the equation.

15 So when I look at developments, I look at
16 how does this development improve my lifestyle
17 and the economy of Coral Gables. The current
18 proposal, if not that one, what is the
19 alternative? I certainly don't want a very
20 dense project. And I certainly don't want a
21 Walmart or a Home Depot near my community.

22 This proposal, I believe, is quite unique
23 and very distinguishing in many ways. It is
24 designed around the community that it serves,
25 rather than a complete isolation, usually

1 driven by Developers, which is the
2 profitability or the return on investments.

3 Certainly, community is a rare business
4 principle for South Florida construction.
5 Unfortunately, it's something that we're all
6 too familiar with, right here, in South
7 Florida, and in the City of Coral Gables.

8 I support the vision and the design of this
9 development. I support the Mixed-Use. More
10 important of all, the public realm benefits,
11 with the use of landscaping, Paseos, and
12 30-foot sidewalks. I challenge anyone to find
13 30-foot sidewalks in this City.

14 It offers affordable housing to young
15 professionals. Something that is very
16 important to me. Affordability is an issue in
17 this country and in this community. I would
18 like our children to have an affordable
19 housing, in this community, in the community
20 that they grew up, in order to be able to
21 prolong our values well into the future.

22 MAYOR CASON: Thank you very much.

23 COMMISSIONER LAGO: Thank you, sir. Thank
24 you.

25 MAYOR CASON: Elizabeth Marcus.

1 MS. MARCUS: My name is Elizabeth Marcus,
2 and I live at 6401 Caballero Boulevard. I'd
3 like to talk a little bit about expectations.

4 I was born in Coral Gables. I've lived
5 here most of my life. I've been in my present
6 home since 1973. My husband and I have raised
7 four sons there. And I plan to stay in Coral
8 Gables, unlike some of my friends, who have
9 gone off to North Carolina, various places
10 further north.

11 So I feel -- one of the reasons I stay in
12 this community and one of the reasons I admire
13 it is that I feel, and I think others feel,
14 that I can rely on our Zoning Code, and that I
15 will be protected, for the City to remain as it
16 always has been.

17 I see threats to that, and -- with the
18 present project. I've been given
19 justifications. They've been interesting ones.
20 "We're on the GRID. We're by the Metrorail.
21 It's the new urbanization." I like that word.
22 And, then, lastly, "That it's a well designed
23 project."

24 In my opinion, the well designed project is
25 just too big. It's going to increase traffic.

1 It will bring more cars into the neighborhood.

2 As far as the Metrorail, it's limited in
3 use. I use it, but it only takes me north and
4 south. And US-1 is a tragedy. I don't think
5 that -- and I don't know what the answer for
6 US-1 is.

7 It seems to me that approval of this
8 project would in no way be a thoughtful choice,
9 and that it would be a real violation of our
10 present neighborhood.

11 And use rationality, I don't think it makes
12 rational sense.

13 MAYOR CASON: Thank you.

14 COMMISSIONER LAGO: Thank you very much.

15 MAYOR CASON: Ricardo Pita. Ricardo Pita.

16 MR. PITA: Thank you, Mr. Mayor,
17 Commission. I'm here today to speak on behalf
18 -- oh, I apologize. My name is Ricardo Pita.
19 My address is 8120 Southwest 52nd Avenue.

20 I live and work in the neighborhood, and
21 I'm here on behalf -- to speak on behalf -- not
22 on behalf, but in favor of the project.

23 Frankly, I find it kind of appalling on the
24 accusations that I've heard. This is my first
25 City Council Meeting, and I'm very much

1 impressed, but, you know, I think that Ms.
2 Guarch said it very eloquently, when she said
3 that we, young professionals, in the
4 neighborhood, we want to be in a City that
5 embraces growth, that is ready to capitalize in
6 every opportunity to move it forward, and I
7 want to make sure that, you know, the
8 Commission and the Mayor understand that.

9 We're here. We might not be in this room.
10 And if you look around, you know, I probably
11 would have gotten carded to get in here. I'm
12 definitely on the younger side of the crowd.
13 But I want to assure you that we are out there
14 and we very much are in favor of this proposal.

15 I personally believe -- and I ask you to
16 reject calls to uphold rules to stifle
17 innovation, and I think this project is very
18 much one of the few very good examples of this
19 kind of movement. I really want to see more
20 projects of these, and, you know, I hope that
21 you consider this as part of your decision.

22 I hope the City keeps moving forward, as it
23 has, and I know it's your duty to uphold the
24 principles and the history of the City. It's
25 one of things that makes it special, but I hope

1 that you will, in the end, opt for options that
2 remain faithful to these principles, but
3 acknowledge that the City must continue to
4 grow.

5 And, for that much, that is my two cents,
6 and thank you so much for your time.

7 COMMISSIONER LAGO: Thank you, sir.

8 MAYOR CASON: Thank you.

9 Sheldon Segel. Sheldon Segel.

10 Gilbert Beau -- I wish the handwriting were
11 better. Can you read this for me?

12 Anybody with the first name Gilbert.

13 MR. BEAUPERTHUY: Gilbert Beaupert Huy.

14 MAYOR CASON: Okay.

15 MR. BEAUPERTHUY: I live at 6464 Caballero
16 Boulevard, just down the road from the project.
17 I'm against the project. I think there are
18 rules and regulations that have been set in the
19 City. We all have to follow them. And I think
20 this Developer should have to follow it, also.

21 Either he didn't do his due diligence or he
22 felt that he could change the rules as he saw
23 fit.

24 I don't think anybody in the neighborhood
25 is against developing that property, and while

1 the proposed project is beautiful, it doesn't
2 fit the neighborhood.

3 So, I would say, you go ahead and develop
4 the project, develop the property, but follow
5 the rules, just like every other citizen in the
6 City of Coral Gables has to abide by.

7 We went through this with Publix several
8 years ago. And they tried to break the rules,
9 and we stopped them. And if this goes through,
10 I can tell you that, that EWM property right
11 there on the Mahi Waterway is the next thing
12 that's going to go up. There's already an
13 illegal marina in there, and we've done nothing
14 about that, either.

15 So I ask you guys to please play by the
16 rules. The rules are set. They're there for a
17 purpose. And I would hope that you guys would
18 follow it.

19 Thanks.

20 MAYOR CASON: Thank you.

21 COMMISSIONER LAGO: Thank you, sir.

22 MAYOR CASON: Patricia Abril. Patricia
23 Abril.

24 MS. ABRIL: Yes, thank you. Good
25 afternoon. My name is Patricia Abril. I live

1 at 6312 Leonardo. Thank you for the
2 opportunity to address you today.

3 I've lived in Coral Gables most of my life.
4 I work in Coral Gables. And I live near the
5 project.

6 If the project is built, in fact, I will be
7 able to see it from the second floor of my
8 house, and I will be happy to see it.

9 I've reviewed the project. I believe that
10 it's elegant, it's well designed, it's
11 pedestrian friendly, and it's responsible.
12 It's reflective of how people want to live and
13 work in 20th Century, but still remains true to
14 Coral Gables sensibilities.

15 Moreover, I think it's an appropriate
16 supplement and balance to what's going on
17 across the street in the Lennar Health Center.
18 I think we can't forget that this City was
19 built by intrepid and forward thinking
20 visionaries who cared deeply about aesthetics.

21 I also believe that the development team
22 has proven that they care about aesthetics and
23 careful 21st Century design. I don't think we
24 should oppose development just because it
25 represents change.

1 I urge you to approve this project, because
2 it's thoughtful, it's appropriate, and it's
3 forward thinking. Thank you.

4 COMMISSIONER LAGO: Thank you.

5 MAYOR CASON: Thank you.

6 Stefan Zachar.

7 MR. ZACHAR: Hi, Stefan Zachar, 1229 Aduana
8 Avenue. I oppose the project. I'm third
9 generation from Miami and Coral Gables. I
10 oppose it, because of the increased traffic,
11 which we've already seen, that has increased
12 over the last five years, just because of
13 population growth, and it's dangerous, and it's
14 a lack of quality. We are losing our quality
15 of life, because of the traffic, in terms of
16 being outside riding bikes, walking dogs.

17 Also, that if we do this project, it's
18 going to set the precedent, just like the BMI
19 building set the precedent, and they're going
20 to come back and they're going to start
21 developing more down US-1, and we don't need
22 that.

23 Also, the fact that it's going to reduce,
24 what I'm told, is property taxes, and -- I'm
25 hearing 100 to \$150,000, right off the bat. So

1 for those young professionals that want to move
2 in, here's an opportunity to get a cheap buy.

3 The other thing is, I'm a young
4 professional, and when I was even younger, I
5 was able to figure out how to live in Coral
6 Gables, and there are a lot of other choice,
7 other than this one building.

8 Now, I just moved my son into the
9 University of Virginia, and for next year's
10 housing, he's basically living at Paseo at the
11 University of Virginia. There's three projects
12 that, to me, look exactly like Paseo. They're
13 turn-key. You just bring your towels.
14 Everything -- furniture, everything, is there,
15 and every college student is in there.

16 It's great. It's a party place. They do
17 keep it up. They're very clean. But it's a
18 party place. We were there in the weekend, and
19 it's a lot of that.

20 So the University of Miami solves their
21 problem with student housing and kids can have
22 everything right there, and it's not going to
23 be expensive for them, because I'm paying a lot
24 of money, and when you have your kid in
25 college, and you don't have any other option,

1 you just do it.

2 And -- and that's it. I'm out of time.

3 MAYOR CASON: Thank you.

4 COMMISSIONER LAGO: Thank you.

5 MAYOR CASON: Aramis Alvarez. Aramis
6 Alvarez. Not there?

7 MR. ALVAREZ: Good evening. My name is
8 Aramis Alvarez. My residence is 1237 South
9 Alhambra Circle.

10 I want to say that I have been part of this
11 neighborhood since 1972. My first home in the
12 Gables was 1110 Aduana Avenue. My children and
13 grandchildren used to play in Jaycee Park.
14 And, to this day, the second or third
15 generation, are still going there. My home is
16 on the waterway, with a clear view over where
17 this project will stand. I can walk to this
18 site when it's developed, and I consider this
19 project a very high quality project.

20 As a member of the Board of Architects, I
21 was part of the Board when it was presented in
22 December of last year. We had an opportunity
23 to hear the presentation made by the
24 architects, the Developers and everybody that
25 had contribution.

1 The traffic study that was presented by the
2 office of Mr. Plummer, to me, was satisfactory
3 evidence that the concerns that could be
4 happening as a traffic flow is really diverted
5 in a manner that is not conflicting with the
6 main traffic in the core of this neighborhood.

7 I think the immediate access for entering
8 and exiting on US-1 is a significant element of
9 consideration in deviating traffic from the
10 inner part of that neighborhood.

11 I agree, as a professional, that this
12 project is a high quality project, and I
13 consider that high quality projects, in any
14 neighborhood, are an enhancement, not a
15 negative.

16 I would be very happy to endorse and make
17 my testimony in favor of this project. Thank
18 you for your attention.

19 MAYOR CASON: Thank you.

20 Martin Rosen. Martin Rosen.

21 Beno Schechter. Beno Schechter.

22 MR. SCHECHTER: Good afternoon. Beno
23 Schechter, 1139 Alfonso Avenue. Lived here, on
24 that address, for 20 years.

25 The City Beautiful, that's the name that we

1 have for this beautiful City, but that doesn't
2 mean just having a building or the aesthetics
3 of how high a building is. The beautiful part
4 of our City is what the character of the people
5 and the way it's been projected.

6 If you take just a quick picture from
7 Caballero, Hardee and Maynada, down to Alfonso,
8 you find about 176 plus homes. You're actually
9 putting a whole neighborhood right on top of
10 that neighborhood.

11 Forget about the height of a building.
12 What are you doing to that particular
13 neighborhood? You're squashing it unfairly.
14 Now, the quality of the people that you're
15 going to be bringing in, that's what makes a
16 good neighborhood.

17 When you're going to have rentals or people
18 that are going to be more transient, you cannot
19 determine what neighborhood you're going to
20 have. You're not going to get votes. You're
21 not going to get taxes. So what you're doing
22 is actually creating a situation that is going
23 to haunt you for the rest of -- for the
24 character of the City in a whole.

25 People of the Commission, it's in your

1 hands right now the future of Coral Gables as
2 we know it. It's that serious. It's not
3 profits. It's not votes. It's the entire
4 future of Coral Gables.

5 Thank you.

6 COMMISSIONER LAGO: Thank you, sir.

7 MAYOR CASON: Thank you.

8 Javier Vizoso. He's not coming back? Okay.

9 Karen Lee.

10 MS. LEE: Hi, my name is Karen E. Lee, and
11 live at 6501 Leonardo Street. I'm a CPA, that
12 lives and works in the Gables. I have lived in
13 Coral Gables for 18 years. I do everything in
14 Coral Gables. My kids go to school at Sunset
15 and Carver, and at the same time, I do all I
16 can to avoid using Sunset Drive and US-1.

17 I frequented Jaycee Park when my kids were
18 small. We would ride bike there. Even then,
19 it was dangerous to ride our bikes on or near
20 Hardee and Maynada. This project would only
21 make the traffic and congestion much worse.
22 You cannot, with a good conscious, approve this
23 project.

24 And as for these twenty somethings who are
25 for the project, they need to have a couple of

1 kids, and then come back and give their opinion
2 about the future.

3 I live in a great neighborhood, with
4 families and kids, not Downtown Gables. Thank
5 you.

6 COMMISSIONER LAGO: Thank you.

7 MAYOR CASON: Thank you.

8 Daniel, looks like, Gindy. Daniel Gindy.

9 Georgina Marquez.

10 COMMISSIONER LAGO: Let me see the last
11 name of the previous one.

12 MAYOR CASON: Georgina Marquez.

13 COMMISSIONER LAGO: 1018 Aduana.

14 MAYOR CASON: Richard Newman. Dr. and Mrs.
15 Richard Newman. I guess one of the two will be
16 speaking.

17 All right. Salvador Matus.

18 Okay. Yes.

19 MS. NEWMAN: I'm Joyce Newman, Mrs. Richard
20 Newman, and I reside at 1212 South Alhambra.
21 And I strongly oppose this. And I oppose it,
22 first, because many people have said that we
23 have a Code. I was with the RNA when we worked
24 endless hours on the Zoning Code Re-write, and
25 I know it cost the City a fortune to do the

1 re-write.

2 It cost us, me and other people, hundreds
3 of hours. So I can't understand why it doesn't
4 count. It wasn't that long ago.

5 Also, I think -- I like beautiful
6 buildings. It's the height. You know, we
7 don't want a condo canyon. You know, redoing
8 the corridor there along US-1 is inevitable,
9 but it should be according to Code, the Code
10 that we worked so hard on not that long ago.
11 So thank you.

12 MAYOR CASON: Thank you.

13 COMMISSIONER LAGO: Thank you very much.

14 MAYOR CASON: Salvador Matus.

15 Gordon Gregory. Gordon Gregory. Gordon
16 Gregory. Not here.

17 Has Jorge Rios surfaced? Done. Okay.

18 Carmen Ortiz.

19 MS. ORTIZ: I'm here.

20 Good evening. I'd like to thank you for
21 having the time to listen to my complaint. I
22 have lived -- I'm a doctor --

23 MS. SWANSON-RIVENBARK: Excuse me, ma'am.
24 I'm sorry, but you'll need to put your name and
25 your address into the microphone.

1 MS. ORTIZ: I did.

2 MS. SWANSON-RIVENBARK: The address.

3 MS. ORTIZ: Oh, okay. Yes, ma'am.

4 I live at 6305 Caballero Boulevard, a block
5 from the project. For a minute, I want you to
6 visualize that you're swimming in Venetian
7 Pool, and you look over, above Venetian Pool,
8 and you see a 14-story violation of a Zoning
9 Law.

10 What you're trying to do now is you're
11 trying to change a law that has been on the
12 books, it has been voted and thought about.
13 It's going to ruin the character of Coral
14 Gables. It's going to ruin the character of
15 our neighborhood. It actually is not
16 well-developed, because you have to turn the
17 trucks into that narrow parking alley. It's
18 got to be impossible. It's going to create
19 havoc on US-1, car accidents and deaths, and
20 also it will increase traffic through the
21 neighborhood, where there's a park that's used
22 by all of the children, not just in our
23 neighborhood, but also at the Riviera School,
24 and the children from Sunset Elementary.

25 I think it is your responsibility to make

1 sure that you uphold the rights of the citizens
2 of this City, and you uphold the laws that we
3 have for Zoning, and not allow such a tall
4 building to be built. I think the objection we
5 have is the height. Thank you.

6 MAYOR CASON: Thank you.

7 COMMISSIONER LAGO: Thank you very much.

8 MAYOR CASON: Jeanette Horta. Jeanette
9 Horta.

10 All right. That takes care of those that
11 have not spoken before. We're going to take a
12 five-minute break and then come back and we
13 will take one minute from people who have
14 already spoken before, before we finish up.

15 (Short recess taken.)

16 MAYOR CASON: All right. We're going to
17 start again. We still have a few people that
18 have not spoken before. We're going to start
19 with Michael Genden.

20 MR. LEEN: Judge Genden, it's your turn.

21 MR. GENDEN: I think we're missing a
22 Commissioner.

23 MAYOR CASON: We'll go ahead.

24 MR. GENDEN: Okay. Good evening. My name
25 is Judge Michael Genden. I'm a Circuit Court

1 Judge here in Dade County. I'll give you
2 personally, for those people that are talking
3 about their background here, this Saturday, I'm
4 going to turn 70, and I was born here 70 years
5 ago and lived here my whole life.

6 I'm in the fairness business. That's what
7 I do for a living. I have had many of these
8 lawyers sitting behind me, including Mr. Bass,
9 Mr. Gibbs, Mr. Portuondo in front of me. What
10 I have to do every day is listen to cases and
11 make decisions.

12 I also had the City of Coral Gables lawyer
13 in front of me, Liz Hernandez, when they came
14 to me and said, "The ordinance allowing people
15 to park their trucks in a driveway which wasn't
16 covered is an Unconstitutional infringement on
17 my right to use my property."

18 And I looked at the rules, and I looked at
19 the law, and I decided the City was right, and
20 the Third District Court of Appeal affirmed me.
21 They said, "Judge Genden was right when he said
22 we should uphold the City's ordinance." You
23 all changed it eventually, and that was your
24 call.

25 I've also listened to many, many cases

1 involving experts. I came here tonight -- I
2 couldn't come last time, because I was in
3 court -- and I heard that there was traffic
4 studies and expert testimony. I've listened to
5 tobacco cases, roll-over cases, medical
6 malpractice cases, and there's one thing they
7 all have in common, they all had experts.

8 And I had one expert for Ford Motor Company
9 saying that their Bronco was not designed
10 dangerously, and one saying it was designed
11 dangerously. This doctor did not commit
12 malpractice; this doctor did. It goes on and
13 on.

14 I had the tobacco companies in front of me.
15 I have a two-week tobacco trial, where somebody
16 died of lung cancer. "Nothing wrong with
17 tobacco. Yes, tobacco is bad." So expert
18 testimony is the buzz word of litigation.

19 There's one thing we learned, and I've been
20 on the bench going on 24 years, you don't leave
21 your common sense at the door when you listen
22 to a case. And when I instruct a jury, before
23 they're ready to leave, I say, "The law says
24 use your common sense and experiences when you
25 make decisions in this case."

1 So I'm asking you to do that. And you ask
2 yourself, do you really believe we're not going
3 to have significant traffic on these roads? If
4 you really believe that, then go ahead and
5 approve this. But if you don't, then you
6 should consider how we feel living there, where
7 we live. Thank you.

8 MAYOR CASON: Thank you, Judge.

9 COMMISSIONER SLESNICK: Judge, your
10 address?

11 MR. GENDEN: ****

12 MR. LEEN: No. No. Don't give the
13 address. Don't give the address. Is your
14 address within a thousand feet?

15 MR. GENDEN: Yes. And my address is
16 protected under State Statute.

17 MR. LEEN: Don't put the address in the
18 transcript.

19 MAYOR CASON: Marlin Ebbert.

20 MR. LEEN: Is he within a thousand feet?
21 He testified he was.

22 MS. EBBERT: Good evening. For the record,
23 my name is Marlin Ebbert, and I live at 6935
24 Almansa Street, and, yes, it's on the eastern
25 fringe of the Riviera Neighborhood Association,

1 of which I am a member.

2 I attended the Friday Night Visioning
3 Session. I attended both Planning and Zoning
4 meetings. I attended the Commission Meeting
5 when the Visioning Report was given. I was
6 here at the First Reading, and I'm here
7 tonight, and this is the first time I have
8 spoken.

9 I am here tonight to let you know that I am
10 against this project in its present state. You
11 all know me very, very well, all of you, and
12 you all know that I have been an active
13 contributing member of this community, wearing
14 many, many hats, over the past 27 years. And I
15 cared so much about Coral Gables, that I ran
16 for a Commission seat a couple of election
17 cycles ago.

18 And when I was getting ready to run, I
19 agonized, as I'm sure all of you did, over your
20 campaign literature and what you were going to
21 be sending out to the community and what you
22 were going to be saying in that. And one
23 statement that I made, that I'm sure each and
24 every one of you said, in some way, was that
25 you pledged to preserve and protect the

1 neighborhoods of Coral Gables.

2 If there was ever a time that you need to
3 keep that campaign promise, it is now. This
4 neighborhood has let you see how important this
5 is to them. I mean, this has been six months
6 of meetings, nighttime meetings, Saturday
7 meetings, walking the neighborhoods. I ask you
8 to please think about your campaign promises.

9 Last night, I happened to watch part of
10 last month's Commission meeting, and it was an
11 issue about someone on the waterway wanting to
12 build a gazebo. And he wanted a variance to
13 build this gazebo, and the next door neighbor
14 was objecting to it.

15 And the attorney for the neighbor that was
16 objecting brought up a good way of expressing
17 himself. He said -- I'm sorry, he said that he
18 wanted to go 55 miles an hour in a 35-mile an
19 hour zone.

20 We have a Developer that wants to go 140
21 miles an hour in a 45 --

22 MR. LEEN: Times up.

23 MAYOR CASON: Thank you.

24 MR. LEEN: Mr. Mayor, I just want to say,
25 for purposes of the record, the reason why we

1 did not want the Judge's address in the record
2 is, it's protected by State Statute.

3 Now, I could see that the Applicant is
4 contesting whether he's within a thousand feet.
5 We'll look at that and I'll make sure it's
6 recorded in an appropriate way in the record.
7 We can talk about that after.

8 But his address can't be in the record,
9 under State Law.

10 MAYOR CASON: Right.

11 Richard Wood.

12 MR. WOOD: My name is Richard Wood. I live
13 at 6500 Cellini Street. I've been a life-long
14 resident of the Gables. I was actually born in
15 Doctors Hospital, so, I mean, literally
16 life-long.

17 First, I want to say, I'm not opposed to
18 re-development of this site. I'm actually in
19 favor. The Holiday Inn is tired. I don't have
20 a problem with a small variation to allow
21 additional development. I actually am involved
22 in some development myself.

23 I think the process, though, should be that
24 all of you -- as elected officials, I'd like to
25 see you enforce our Zoning Code. If the

1 Applicant wanted to have a variance and could
2 show an undue hardship as to why they'd be
3 entitled to that, so be it.

4 But this property, the way the project is
5 proposed, it is out of scale, it's too dense,
6 and it abuts a residential neighborhood, one of
7 the most desirable neighborhoods in the South
8 Gables.

9 I was at the last meeting. Many of you, or
10 several of you, a few of you, said that if the
11 project density didn't come down, you'd vote,
12 no, on the Second Reading. And my
13 understanding is, the density has not come
14 down.

15 So this project is just too large. It will
16 be only the second High-Rise tower south of
17 Brickell Avenue, until you get to the corner of
18 Dadeland Boulevard and US-1. I've driven it
19 twice. There are High-Rises, but they're not
20 on US-1, they're just off of US-1. This will
21 only be the second one, with its abutting
22 neighbor, which we all know was a mistake.

23 Also, one of the comments was made, that
24 the Zoning next door was a reaction. I think
25 that one of the individuals who spoke earlier

1 pointed out that the Gables Zoning Code was
2 rewritten approximately 10 years ago. A lot of
3 thought went into that. This Zoning wasn't
4 changed. After careful consideration, the
5 Commission, at that point in time, decided that
6 the Zoning should stay in place, as it had
7 been, with the overlay.

8 Your Planning Board didn't give you a
9 recommendation. I respectfully request you all
10 consider all of the comments that have been
11 made against the project and bring it into
12 scale.

13 MAYOR CASON: Thank you.

14 COMMISSIONER LAGO: Thank you, sir.

15 MAYOR CASON: Jennifer Garcia. Jennifer
16 Garcia. Not here?

17 MS. GARCIA: Yes.

18 Good evening. My name is Jennifer Garcia.
19 I'm a resident and property owner at 20
20 Alhambra Circle, and I've come to show my
21 support for this project. I believe it's a
22 good step forward to allowing density on US-1,
23 which is basically the only access that we have
24 to a transit system in the region.

25 I think that the architects did a good job

1 in scaling down to the neighborhoods behind it.
2 I do think that they could take a look at the
3 liner or the area in the back of the parking
4 garage, and have maybe some units or some
5 smaller liners in the back to front that park
6 in the back, but I think allowing density on
7 US-1 is a great way to consolidate the density
8 that we want to have in Coral Gables for that
9 corridor, so we can allow it to have lesser
10 density and lower scale in our neighborhoods.
11 Thank you.

12 MAYOR CASON: Thank you.

13 Ann Goodman.

14 MS. GOODMAN: Hello. My name is Ann
15 Goodman. And I reside -- I was born and raised
16 in South Gables, and I reside at 6818 Corsica
17 Street.

18 First of all, I respect the architect. I
19 know the architect personally, and he's been
20 very much helpful to the historic preservation
21 community. He's very sensitive. And I respect
22 the elegance and the quality of the project.

23 But I'm a realtor of over 25 years, and the
24 homes in the area are valued at one to three
25 million dollars. The lot sizes are large. The

1 taxes, I'd say the average taxes are 10 to
2 \$20,000 per property. And the residents that
3 chose to live there, again, chose for the
4 quality of life, the peace and the quiet and
5 the green, and I don't believe any of us want a
6 High-Rise rental building in our backyard.

7 So I'm just asking you to please respect
8 the existing Zoning Codes. Thank you.

9 MAYOR CASON: Thank you.

10 COMMISSIONER LAGO: Thank you very much.

11 MAYOR CASON: Wayne Adams.

12 MR. ADAMS: My name is Wayne Adams. I live
13 at 4845 Campo Sano Court. I've heard many
14 discussions about why this project would be
15 good for the City. I've heard many objections
16 as to why this project would not be good for
17 the neighborhood.

18 But I think the real question is, we have
19 Zoning Ordinances and Zoning Regulations in
20 this community, and the question is, are we
21 going to live with those or are we going to
22 change? If there's a problem with the
23 regulations, we should change those. If not, I
24 think we should adhere to them, and I think the
25 project should be opposed.

1 MAYOR CASON: Thank you.

2 COMMISSIONER LAGO: Thank you, sir.

3 MAYOR CASON: David Bixby. Did he speak
4 already?

5 COMMISSIONER LAGO: Yeah.

6 COMMISSIONER KEON: I think so.

7 MAYOR CASON: Oh, was that the spouse?

8 COMMISSIONER KEON: I think he wasn't here
9 when you called him earlier.

10 MAYOR CASON: Okay. Spoke already.

11 Rafael Acevedo and Monica Parra. I'm not
12 sure which of the two will be speaking. Rafael
13 Acevedo and Monica Parra.

14 Rosanna Weber Rivera.

15 No, Rosanna Weber, excuse me.

16 MS. WEBER: Hello. My name is Rosanna
17 Weber. I live at 1132 Placetas Avenue. First
18 of all, I thank the RNA and its Board for
19 everything they have done. The RNA is made of
20 just neighborhood people, trying to do the
21 right thing, in order to maintain our way of
22 life.

23 I'm not on the board of the RNA, but I was
24 one of the people that walked around the
25 neighborhood trying to find out how people felt

1 about the project. And I walked the 1100 and
2 1200 Block of Placetas Avenue, and almost
3 everybody that I spoke to was opposed to the
4 project.

5 I recognize that the Board of the RNA is
6 not a scientific study. It, by no means, can
7 be, because we didn't pay anybody to make that
8 board for us. We made it ourselves, in order
9 to show to you guys how much we are opposed to
10 the project.

11 We are just trying -- I feel that the
12 board, the way that it is, shows you, in an
13 overwhelming way, how opposed the neighborhood
14 is to the project.

15 The neighborhood welcomes development to --
16 we want development in the neighborhood, but we
17 want it to be under the rules that exist
18 currently. We don't want any more -- we don't
19 want height, we don't want density, and
20 somebody made a point that putting it on US-1
21 is good, because then the density will be on
22 US-1, but we know that everybody is going to
23 cut through the streets in order to get any
24 place. It's not like you build it on US-1 and
25 they're just going to stay on US-1.

1 There's no sidewalk in that area, because
2 it was never intended for it to have as much
3 density and these many people living there.

4 So I'm here to tell you that I'm opposed to
5 the project, and almost everybody that I spoke
6 to in my block was opposed to it. Thank you.

7 MAYOR CASON: Thank you.

8 COMMISSIONER LAGO: Thank you very much.

9 MAYOR CASON: Thank you.

10 Gordon Sokoloff.

11 MS. SOKOLOFF: Hi. I'm Gordon Sokoloff. I
12 live at 225 Alesio Avenue, which is another
13 neighborhood down the street from the Agave
14 project, which did get slipped in under the
15 radar.

16 I attended Commissioner -- so quick?

17 MR. LEEN: Restart that.

18 MR. SOKOLOFF: Thank you. I know, you
19 might not like what I have to say --

20 MAYOR CASON: Time passes.

21 MR. SOKOLOFF: I attended Commissioner
22 Slesnick's Workshop at the Biltmore, and I
23 think, if you put your finger in the pulse of
24 the population of the City of Coral Gables,
25 you're going to find that most of the people

1 that live here and reside here do not want to
2 change the quality of life, they want to see it
3 get worse, and definitely it is.

4 It is, with the construction. And if this
5 City wants to remain great, I think it has to
6 buck the trend of overbuilding, which you see
7 in every other community in Miami, including
8 Aventura, Brickell.

9 We're going -- we're heading in that
10 direction. And I live here. I work here.
11 I've lived here all of my life. Born at
12 Doctors Hospital, also. And I used to work on
13 Miracle Mile and Ponce, and I had to move,
14 because, frankly, patients were having a hard
15 time getting to my office without waiting for
16 lights to get to the parking garage, and that's
17 the trend that we're on.

18 So I think you need to contain development,
19 and this is a great place to start. I hope you
20 veto the scale of the project. Thank you.

21 MAYOR CASON: Thank you.

22 Hagen Taudt.

23 MR. TAUDT: My name is Hagen Taudt. I
24 reside on 5105 Granada Boulevard. I have lived
25 in this community almost for 41 years. I have

1 business in Coral Gables. And the stretch of
2 US-1, in Coral Gables, is a business section,
3 but what has been built so far or is
4 established there right now does not really fit
5 the City of Coral Gables.

6 The Paseo project, I think, will add to the
7 City. And, after all, it's a commercial area.
8 I understand the concerns of the residents
9 behind it, but I've checked it out, and I must
10 say, you can't really see it. There's a park
11 in between.

12 And I fully, what is there right now, is a
13 Holiday Inn, which nobody would like to go to,
14 but the Paseo project is something that we all
15 can go to, which we can use, which is
16 complementing of the area. And, I think, for
17 that stretch of US-1, in Coral Gables, would be
18 a very beautiful project, and it should be
19 approved, and I totally support it. Thank you.

20 COMMISSIONER LAGO: Thank you.

21 MAYOR CASON: Thank you.

22 Fernando Garcia-Chacon.

23 Alice Goldhagen.

24 COMMISSIONER LAGO: Mr. Chacon.

25 MR. GARCIA-CHACON: Good evening. My name

1 is Fernando Garcia-Chacon. I reside at 1211
2 Alfonso Avenue.

3 I'm opposed to this project. I think the
4 issue at hand here is the Coral Gables Zoning
5 Regulations, which the City is famous for. You
6 know, when I renovated my home, I had to invest
7 significant dollars in meeting these
8 guidelines, you know, color, window sizes. And
9 to see now, it's difficult to reconcile how a
10 project that's going to triple the size of
11 what's allowed is being considered.

12 I look at, I think it was the Old Gables
13 Inn, the corner of Dixie and Riviera, there was
14 a hotel. It was renovated into residential. I
15 mean, I don't know the exact densities, but
16 certainly it didn't go triple. So I think we
17 need to respect Zoning.

18 And, lastly, as a professional hotel
19 consultant, I really question the feasibility
20 of a full service hotel in this location.
21 There's been significant additions to supply
22 here, the Four Points and Aloft under
23 construction, and I just don't see the room
24 rates being achieved that's going to make this
25 an economic feasible project. Thank you.

1 MAYOR CASON: Thank you.

2 COMMISSIONER LAGO: Thank you, sir.

3 MAYOR CASON: Alice Goldhagen.

4 MS. GOLDHAGEN: Good evening. My family
5 has had a presence on Maynada Street -- I live
6 at 6395 Maynada Street, since 1967. I went to
7 Ponce, Gables High, and University of Miami,
8 and I'm opposed to the scale of this project.

9 If anybody drives from US-1 to Sunset, and
10 from Le Jeune to Red Road, everyone can see the
11 amount of development that's been happening up
12 and down those streets in this part of Coral
13 Gables. And I think that this project, the
14 scale of it, is only going to continue the
15 trend. So I'm opposed to it. Thank you very
16 much.

17 MAYOR CASON: Thank you.

18 Ira Silver.

19 MR. SILVER: My name is Ira Silver. I'm a
20 native of Miami. I've lived in Coral Gables
21 for 30 years.

22 MR. LEEN: Your address?

23 MS. SILVER: I'm sorry?

24 MR. LEEN: Could you state your address,
25 where you live?

1 MR. SILVER: 1129 Hardee Road, which is
2 right behind this proposed development.

3 MR. LEEN: Thank you.

4 MR. SILVER: And I want to tell you, this
5 is the first time I've ever had to come down to
6 the City of Coral Gables at a hearing. I love
7 my City. This is the best City in the world.

8 But I'm not going to let you ruin my City.
9 I am not going to let you build a project that
10 is totally stupid and ridiculous, that no one
11 should ever even consider this. If any of you
12 vote for this, I promise you, I will do
13 anything I can to make sure that you don't make
14 any more decisions for me, as a citizen and
15 taxpayer of this community.

16 MR. LEEN: You can't consider it.

17 MR. SILVER: I will consider it. I promise
18 you --

19 MAYOR CASON: I think you're out of order.

20 MS. SWANSON-RIVENBARK: Excuse me.

21 MR. SILVER: I am not out --

22 MAYOR CASON: You're out of order.

23 MR. LEEN: That's a threat and its
24 inappropriate.

25 MAYOR CASON: It's a threat and it's out of

1 order.

2 MR. SILVER: It's not a threat.

3 MAYOR CASON: And thank you very much.

4 Brooks Miller is next.

5 MR. SILVER: I hope you have the ethics and
6 the common sense to vote against this project.

7 Thank you.

8 MAYOR CASON: Thank you.

9 Brooks Miller.

10 COMMISSIONER LAGO: Thank you, sir.

11 MR. SILVER: This is just stupid.

12 MR. MILLER: Good evening, Mayor,
13 Commissioners. My name is Brooks Miller. I've
14 communicated to you by e-mail before, and most
15 recently, today, you received --

16 COMMISSIONER KEON: It's nice to put a face
17 with a name.

18 MR. MILLER: Here you go. Nice to meet you.

19 COMMISSIONER KEON: It's nice to meet you.

20 MR. MILLER: I live at 920 Andora Avenue.
21 I've lived there since 1991. I was born and
22 raised in Miami. Went to Ransom with
23 Mr. Gibbs, and, actually, Mr. Newman was a
24 prior graduate.

25 I'm opposed to the project. I think my

1 memorandum sets out, in large detail, the basis
2 for my objection.

3 In addition, you heard the issues regarding
4 traffic. I'm not going to go into that.
5 Certainly we understand that there's huge
6 issues associated with Jaycee Park, which right
7 now, walking to or biking to, is frankly
8 dangerous. I won't take my children there, if
9 I can possibly avoid it. With this, it's only
10 going to get worse.

11 But I'd like to address some of the points
12 that have been raised by the Developer today,
13 which I happen to know a little bit about,
14 because I'm a lawyer.

15 Mr. Bass, I think, misrepresented what
16 Florida Statute 163.317 says. He doesn't want
17 there to be a referendum. And the reason why
18 the Developer doesn't want there to be a
19 referendum is because, if there was a
20 referendum, that referendum would reach the
21 same result as the RNA survey did, which showed
22 that 94 percent of those within the zone of
23 influence oppose this project.

24 And that's very important, because in the
25 memorandum I sent you, part of what I cited was

1 the purpose of the City of Coral Gables Zoning
2 Law, one of which is -- and this is, for
3 purposes of the record, Section 1-103, Subpart
4 G, "Provide for efficiency and economy in the
5 process of stable and orderly development, for
6 the appropriate and best use, not necessarily
7 the most economic use of land, in accordance
8 with standards established by the will of the
9 residents, while protecting property rights."

10 Those are the words that need to guide the
11 Commission in its decision tonight as it
12 stands.

13 There's a couple of other things that were
14 said that I have a few -- well, I'm about out
15 of time. Got one out.

16 The point is, this project should not be
17 allowed to proceed as it stands. Thank you.

18 MAYOR CASON: Thank you.

19 COMMISSIONER LAGO: Thank you, sir.

20 MAYOR CASON: Tracy Kerdyk.

21 MS. KERDYK: They're going to get something
22 out. I thought it would have already been
23 presented. A minute.

24 Does somebody have the map on a disk drive
25 that can be shown on the TV screens?

1 COMMISSIONER SLESNICK: I think Ms. Kerdyk
2 brought this in for the TV to show, too, so
3 that everybody could see.

4 MS. KERDYK: Okay.

5 COMMISSIONER KEON: There. It's up.

6 COMMISSIONER SLESNICK: There it is.

7 MAYOR CASON: The TV can see it.

8 MS. KERDYK: Thank you.

9 Okay. My name is Tracy Kerdyk, and I live
10 at 935 South Alhambra. After listening to this
11 meeting so far, there seems to be something
12 really unnerving. Today you are here to vote
13 on a change to the existing Zoning, that will
14 severely alter the character of our
15 neighborhood, and, more importantly, the City
16 Beautiful.

17 How is it possible that this project is
18 even being considered, based on existing Codes,
19 that have been analyzed and written to prevent
20 what we is being discussed today.

21 It seems as though the desires of the
22 residents are being totally ignored. As you
23 can see, throughout the meeting, there's
24 overwhelming evidence that the Zoning changes
25 being proposed are greatly against the wishes

1 of the residents, and by a wide margin.

2 I personally took this map and went to the
3 Property Appraiser's Website, and looked at the
4 market values of these homes. Of course, we
5 all know that the market value is much less and
6 a very conservative number.

7 I looked at who was for it and who was
8 against it, and I know some people say, "Well,
9 I was for it," and some people say, "I was
10 against it, and the map doesn't reflect." But,
11 all in all, generally, it reflects an idea.

12 And the results are stunning. \$453,934,000
13 in property values are against this project,
14 compared to the approximate \$35,133,000.

15 During recent campaigns, there have been
16 statements made publicly, as well as in
17 campaign materials, and traditionally door to
18 door visits, stating the quality of life for
19 the residents would remain the same.

20 Certainly, this project does not fall into
21 that category. So I ask each of you, what are
22 the extraordinary circumstances that may be
23 prompting you not to honor your campaign
24 promises to the residents?

25 In closing, I again ask, why are the voices

1 of nearly a half a billion dollars in property
2 values, which includes personal savings --

3 MR. LEEN: Time is up.

4 MS. KERDYK: -- and dreams of living in
5 this great neighborhood being discounted?
6 Thank you.

7 MAYOR CASON: Thank you.

8 COMMISSIONER LAGO: Thank you.

9 MAYOR CASON: Alicia Amaya Fernandez.

10 MR. LEEN: Just for members of the public
11 and for the Commission, because she testified,
12 he is allowed to cross-examine her and you
13 cannot hold that against them. It's a right.

14 MR. BASS: Just a quick question.

15 Good evening, Ms. Kerdyk.

16 MS. KERDYK: Good evening.

17 MR. BASS: Did you prepare that map?

18 MS. KERDYK: I did not.

19 MR. BASS: Thank you.

20 MAYOR CASON: Okay. Thank you.

21 Alicia Amaya.

22 COMMISSIONER KEON: I think you need to
23 take it down, though, so people can see.

24 MAYOR CASON: Yeah.

25 MS. FERNANDEZ: Good evening, Mayor,

1 Commissioners. My name is Alicia Fernandez. I
2 live, with my daughter, at 6000 Granada
3 Boulevard. I've lived there for the past 31
4 years. I've lived in the City of Coral Gables
5 for over 50 years.

6 I would like to say that I am very much in
7 favor of the Paseo project, and I look forward
8 to being able to bring my daughter to enjoy the
9 beautiful public amenities.

10 While sincere, I don't believe that the
11 opposition is well recent (sic). It is a
12 beautiful project, that will greatly add value
13 to our neighborhood. Maybe my voice is not the
14 loudest, but I stand here as a proud Coral
15 Gables resident, in support of Paseo de la
16 Riviera. Thank you.

17 COMMISSIONER LAGO: Thank you.

18 MAYOR CASON: Thank you.

19 Roberta Neway.

20 Jorge Arrizurieta.

21 MR. ARRIZURIETA: Good evening, Mayor,
22 Members of the Commission. My name is Jorge
23 Arrizurieta. I live at 1118 Placetas Avenue,
24 and I've been a resident since June of 2000.
25 I've been living in this home, with my family,

1 since June of 2000.

2 I will take this incredibly tastefully
3 designed quality project, with courtyards,
4 paseos and public spaces, along with a
5 neighborhood restaurant and coffee shop I can
6 walk to with my family, instead of the
7 unsightly and unsafe eyesore that the Holiday
8 Inn has been for too many decades.

9 Another strip retail center, such as its
10 neighbor to the east, or a big box retail
11 operation that can be built on this site
12 as-of-right, would be a very tragic result to
13 this process, both of which are likely outcomes
14 should this project not be approved.

15 For me, that is the real risk for our
16 neighborhood. Missing the opportunity of a
17 quality project, with a quality Developer, that
18 has gone out of his way to include a
19 neighborhood and adapt their recommendations
20 like I've never seen a Developer do.

21 This property sits on US-1, across from
22 Metrorail. Be assured that many of the tenants
23 of this building will be mass transit users,
24 others will be UM faculty and executives, as
25 will be a lot of hotel customers. By design,

1 this will not be a full service hotel. It does
2 not have the facilities, like banquet halls, to
3 host big events, like weddings. It's intended
4 to serve the local neighborhood, University of
5 Miami and the surrounding businesses.

6 I believe we must embrace inevitable
7 change. A quality development, that improves
8 the quality of life of the neighborhood and the
9 City, in addition, increases property values.
10 I urge you to reject bogus arguments preaching
11 the contrary.

12 For those worried about traffic, frankly,
13 I'm not sure why some of my neighborhoods chose
14 to buy their homes in an area that sits right
15 off of the Highway --

16 MR. LEEN: Time's up.

17 MR. ARRIZURIETA: -- that US-1 has always
18 been and will always be, whether this project
19 is approved or not.

20 COMMISSIONER LAGO: Thank you.

21 MAYOR CASON: Thank you.

22 Lucien Gordon.

23 MR. GORDON: I'm Lucien Gordon. I live at
24 1020 Andora Avenue. This is not the Italian
25 Riviera or the French Riviera. It is the

1 Riviera section of Coral Gables. These are
2 your constituents. They voted for you and hope
3 that you push and promote their sentiments.

4 More than 80 percent of the inhabitants of
5 this section oppose the project for various and
6 sundry reasons that you've heard. If you also
7 want to support another constituent, which is
8 the University of Miami, that's admirable and
9 should be forthcoming. That should be done on
10 the west side of US-1, not on the east,
11 encroaching upon residential areas that will
12 suffer.

13 There is land west of Granada Avenue, east
14 of the Business School, that can support a
15 lovely hotel and dorms, if that is the view of
16 the future.

17 Thank you very much for your consideration.

18 MAYOR CASON: Thank you.

19 COMMISSIONER LAGO: Thank you, sir.

20 MAYOR CASON: Valerie Quemada.

21 MS. QUEMADA: Good evening. My name is
22 Valerie Quemada. I reside at 10 Aragon Avenue,
23 but I'm speaking here on behalf of two clients
24 of mine, who live in the community or own
25 property in the community. So I'm just going

1 to go ahead and read to you the e-mails that I
2 had received.

3 The first is at 1265 South Alhambra. "Ike
4 and I discussed this and we believe that this
5 would be a beneficial project, that would
6 enhance property values along US-1. We are
7 confused as to why this new development would
8 create traffic issues. It would certainly
9 create no more than a Holiday Inn would."

10 The second property address was going to be
11 for 1205 Mariposa Avenue, for Villa Capri, and
12 that's Unit 307.

13 MR. LEEN: What? It doesn't matter. She
14 can read it, as long as she stays at two
15 minutes.

16 MAYOR CASON: Go ahead.

17 MS. QUEMADA: "Dear Commissioners, as a
18 condominium owner in the immediate area, on
19 Mariposa Avenue, I strongly support and urge
20 you to pass the Paseo de la Riviera Development
21 plan.

22 "I bought my condo ten years ago, when my
23 daughter was a student at the University of
24 Miami. We loved the area when she arrived, and
25 I, therefore, kept it after her graduation.

1 However, the area has degraded significantly
2 over the last 10 years. Improvements with an
3 eye to the future, not merely replicating the
4 past, is vital to maintaining property values
5 in the area and to enhancing the quality of
6 life for the residents.

7 "Nationwide, the most successful trend has
8 been pedestrian oriented areas, with multi-use
9 buildings and businesses, which allows for
10 residents and commuters to use public
11 transportation and walking exclusively. Fewer
12 cars. No pollution.

13 "I look forward to a lovely residence and
14 businessowner area, with beautiful open spaces,
15 and businesses which will best serve the
16 community.

17 "If we fail to do this now, this area will
18 continue to lose value due to lack of forward
19 thinking vision. This would be irresponsible
20 to your present and future owners and
21 investors.

22 "Please do what is best for our community
23 and pass the Paseo project."

24 And that was signed by Michelle Curtin.

25 And then the first people, if you needed a

1 name, was Connie and Ike Hill.

2 MR. LEEN: Time's up.

3 MAYOR CASON: Thank you.

4 COMMISSIONER LAGO: Thank you.

5 MS. QUEMADA: Thank you.

6 MAYOR CASON: Pat Nolan.

7 MR. NOLAN: Good evening.

8 COMMISSIONER LAGO: Good evening. How are
9 you?

10 MR. NOLAN: Patrick Nolan, 915 South
11 Alhambra Circle. I'm President of the RNA
12 Board, and I'm speaking tonight for me -- also
13 the Board, but mainly for me.

14 Let's step back and examine the current
15 situation that the residents face, the
16 residents of the RNA, the neighborhood. We
17 face a project at least three times bigger in
18 height, density and intensity than the current
19 Zoning Laws allow. It's huge.

20 By the way, the current laws -- the current
21 Zoning Laws are as a result of citizen outcry
22 when the IRE building was built. They can
23 build now up to 77 feet, with Mediterranean
24 Bonus, but they can't build a High-Rise. We
25 don't need a High-Rise. We don't need a wall

1 of concrete going down the US-1 corridor.

2 It's amazing to me that this project has
3 gotten this far. The Board of the RNA and I
4 hope that it ends here tonight.

5 We would embrace a decent sized
6 development, that fits in size and scope with
7 our neighborhood, not one that overwhelms it.
8 And I strongly urge you to think seriously
9 about the traffic issues, and just the
10 increase -- just trying to make trailer trucks
11 turn anywhere around Caballero, or now that
12 we've lost one lane, if you try to go to the
13 Bagel Emporium, you're going to have trouble
14 making that turn.

15 I'd also like to point out, it was
16 mentioned, I think, by Mr. Bass before, that
17 the waterway -- the Mahi Waterway creates a
18 natural break for traffic, so that's not a
19 problem for us.

20 Well, I would point out that we do have two
21 bridges, one at Riviera and -- excuse me, one
22 at Granada and one at Maynada.

23 MR. LEEN: Time's up.

24 MR. NOLAN: That will create traffic
25 problems. Thank you.

1 MAYOR CASON: Thank you.

2 Daniel Diaz Leyva.

3 MR. DIAZ LEYVA: Mr. Mayor, Commissioners
4 and Staff, thank you guys for giving me the
5 opportunity to speak to you today. My wife,
6 Christine, and I recently purchased a home at
7 1232 Manati Avenue, on June 1st, 2015.

8 As an owner directly in the line of sight,
9 and one standing to be immediately impacted by
10 the development, I believe it's important to
11 voice my opinion.

12 I have previously submitted, for the
13 record, a letter in support, dated June 19th.

14 We learned about the project while we were
15 considering making our purchase. We took the
16 time to learn more about it, from the scope and
17 use, to the traffic impact, and beautification
18 efforts for the neighborhood.

19 We came to the conclusion that the project
20 will be a positive transformation for the
21 neighborhood and enhance its value. We
22 appreciate that the Developer, MP
23 International, will put in place the necessary
24 traffic calming devices to create flow for the
25 hotel's valet parking, to substantially limit

1 the impact to the neighborhood.

2 Additionally, the Developer will build an
3 access point for ingress and egress, to and
4 from US-1 only, for the apartment building.
5 This should substantially mitigate the concern
6 for increased traffic from the development of
7 the project to the neighborhood.

8 We also learned that the Developer will
9 implement beautification initiatives to enhance
10 not only Jaycee Park, but Madrugá Avenue, which
11 currently appears as an unkempt alley running
12 behind the commercial properties along US-1.

13 Finally, we look forward to a more
14 urbanized feel to the neighborhood when the
15 project is complete, including having high
16 quality restaurants and cafes walking distance
17 from our home and proximate access to a transit
18 center for Metro and Trolley service. It is for
19 these reasons that we support the project.

20 I also want to express my gratitude for the
21 manner in which MP International has conducted
22 itself. As the record reflects, multiple
23 public hearings discussing the project, beyond
24 the ordinary course of business, were
25 organized. It's my opinion that MP

1 International has made every effort to engage
2 our local area residents most impacted by this
3 development and the City as a whole.

4 More importantly, not only did they engage
5 the community, but they also listened,
6 ultimately reducing the height and unit number
7 of the apartment complex in response to the
8 concerns of some of the neighbors.

9 As a resident, not only of the City of
10 Coral Gables, but one standing to be
11 immediately impacted by the project, I
12 respectfully request that you vote in favor.
13 Thank you for your consideration.

14 MAYOR CASON: Thank you.

15 COMMISSIONER LAGO: Thank you.

16 MAYOR CASON: Elsie Miranda.

17 MS. MIRANDA: Good evening. My name is
18 Elsie Miranda. I live at 1114 Aduana Avenue.
19 I've lived in my home since 1992. I am
20 delighted that we have a democratic process and
21 I'm able to come here again tonight to speak to
22 this Commission.

23 I voted for some of you, and I hope that in
24 the future you continue to have my support and
25 the support of so many other residents in the

1 City of Coral Gables.

2 I think that what we have heard tonight,
3 almost ad nauseam, is that people want you to
4 uphold the Zoning Code and the expectations
5 that we all have for why we moved into this
6 City.

7 We differ on opinions about this project,
8 but at the end of the day, the beauty of the
9 project is not in question, but, rather, its
10 appropriateness in the place in which it is
11 being proposed.

12 And as Tracy Kerdyk said in her
13 presentation, there's an overwhelming amount of
14 money supporting the preservation of our way of
15 life, the integrity and dignity of the mission
16 of the City, and, in general, the future of the
17 City.

18 So I ask that you oppose this project as it
19 is being proposed, simply because its scale is
20 completely out of scope with reality. Thank
21 you.

22 MAYOR CASON: Thank you.

23 Heidi Roth.

24 MS. ROTH: Hello. My name is Heidi Roth.

25 I reside at 5105 Granada, and I've been a long

1 time resident of Coral Gables even before that.
2 I've spoken at the prior meetings. I've
3 written letters. And I promised I would not
4 repeat myself.

5 So we know the Holiday Inn is coming down.
6 This project is such a beautiful replacement.
7 It's something the City needs. It will enhance
8 the whole area. And, you know, the Holiday Inn
9 is really a travesty along US-1, and since I've
10 been in the Gables, I have never said, "Hey,
11 let's go to the Holiday Inn tonight." But you
12 know what, I can see saying that about the
13 Paseo de la Riviera.

14 I remember one of the prior meetings, and I
15 believe it was the architect, he mentioned the
16 concept of connectivity, and it's really true.
17 This project will connect the community. And I
18 just think it's a wonderful destination place,
19 and would fit in line perfectly with the
20 concept of our City Beautiful. So I'm here to
21 speak in favor of the project. Thank you.

22 MAYOR CASON: Thank you.

23 COMMISSIONER LAGO: Thank you.

24 MAYOR CASON: Sue Kawalerski.

25 MR. LEEN: Before she starts, just show

1 Mr. Bass what was provided to the Commission.

2 COMMISSIONER KEON: Here you go. It's a
3 copy of the signatures.

4 MR. LEEN: Just let him take a look at it.

5 MAYOR CASON: I want to ask, were these
6 signatures introduced before? Is this the
7 first time --

8 MS. KAWALERSKI: I can answer that.

9 MAYOR CASON: Okay.

10 MS. KAWALERSKI: By the way, my name is Sue
11 -- I hope this doesn't count towards my two
12 minutes.

13 MR. LEEN: Don't start the time until this
14 is clarified.

15 MS. KAWALERSKI: My name is Sue Kawalerski.
16 I'm a resident at 6830 Gratian Street. I am a
17 Board Member of the Riviera Neighborhood
18 Association.

19 MR. LEEN: So before the time starts, just
20 let's clarify this issue.

21 COMMISSIONER KEON: Can you speak to
22 whether or not these had been submitted before?

23 MS. KAWALERSKI: Some had been submitted,
24 and there are also additional new submissions
25 from us.

1 MR. LEEN: Okay. Well, we'll talk later
2 about how you have to treat signatures. And
3 you can lodge an objection. Do you want to do
4 it now?

5 MR. BASS: Yeah.

6 MR. LEEN: Okay. Well, make your
7 objection.

8 MR. BASS: I'll lodge the objection that
9 they are hearsay, and they have been shown to
10 be unreliable. They have not been verified.
11 But I understand that hearsay rules are not
12 strictly applied here. So let me politely
13 preserve my objection, and we can move on. I
14 just don't believe it's entitled to any weight
15 whatsoever.

16 MR. LEEN: Okay.

17 MAYOR CASON: Sue.

18 MS. KAWALERSKI: Thank you, Commission,
19 Mayor, Vice Mayor, Commissioners, City Manager,
20 City Attorney. Thank you, again, for this
21 opportunity to address this very, very
22 important situation. It is very vital -- your
23 vote is very vital tonight in the future of our
24 City.

25 I'm going to present some evidence tonight

1 for you, evidence that you've already seen --
2 some of which you've already seen. Part of the
3 evidence I want to re-introduce tonight is the
4 Visioning Workshop Report, the summary of the
5 report, which states, as you are all familiar
6 with by this time, two days' worth of sessions
7 that the residents have had as a result of
8 Commissioner Keon and Commissioner Lago getting
9 us all together in visioning our neighborhood.

10 The results of this survey say that what
11 the residents want for this neighborhood is
12 Low-Rise. It's in the summary. It's evident
13 throughout this entire Visioning Report, that
14 I'm sure you're familiar with.

15 Commissioner Slesnick also had almost 400
16 people attend a Biltmore Hotel session, also
17 another kind of Visioning. In her recent
18 journal, it also describes the commonality of
19 the comments of the residents who attended the
20 session, almost 400 residents. Some of them
21 include, overdevelopment and Zoning Variances
22 will destroy the quality of life, and that's
23 what we're here for tonight.

24 We're here to talk about the Zoning
25 variances, the Land Use, the destruction,

1 basically, of our current Code, for the sake of
2 a Paseo project, in a residential area.

3 And the residential area that I'm
4 addressing tonight can be seen partially on
5 this map. I wish I had a bigger map. I wish I
6 had more homes on here, because Riviera
7 includes more than the homes just on this map.

8 But this map represents something that
9 needs to be said. And let me explain the
10 methodology of obtaining the red, the green and
11 the white on this map.

12 There was literally an army of residents in
13 the Riviera neighborhood, that went out and
14 spent hours, spent weekends, rainy days,
15 knocking on residents' doors, not to shove a
16 petition in their face, to have them sign a
17 petition, but, rather, to inform them about the
18 project that they did not know about, and after
19 all of those many hours --

20 MR. LEEN: Time's up.

21 MS. KAWALERSKI: -- and many knocks on the
22 door, 94 percent -- 94 percent of the surveyed
23 homes, said, "We do not want this Paseo project
24 in our neighborhood."

25 MR. LEEN: Okay. Time is up. It speaks for

1 itself. It says it. It says it. I think it's
2 in the record.

3 MS. KAWALERSKI: Right, and homes surveyed
4 were 548, not 30, not 50, but a significant
5 number.

6 MR. LEEN: Mr. Mayor, the time is up.

7 MAYOR CASON: Time is up, Sue.

8 MS. KAWALERSKI: We hope you consider this
9 in your decision.

10 MR. LEEN: The time is up.

11 MS. KAWALERSKI: The residents should be
12 your only consideration --

13 MR. LEEN: The time is up.

14 MS. KAWALERSKI: -- for your decision.

15 Thank you.

16 MAYOR CASON: Steve Diener.

17 MR. DIENER: My name is Steve Diener, and I
18 live at 10 Aragon Avenue. And it's almost
19 funny, I'm mirroring what the last few people
20 said, and without being factitious. I'm
21 looking at this in a whole different way.

22 I almost wonder why this meeting is taking
23 place tonight, because I would assume -- and I
24 know some of the people -- the research that
25 they did, you know, on the street, the whole

1 thing, probably has less variances than your
2 mathematical calculations is based on. They
3 had no ulterior motives.

4 Now, what I don't understand, if that is
5 true, how 94 percent of the people, who have
6 everything they own in these homes, and it's
7 their primary residences -- we're not talking
8 about factories down in Homestead. We're not
9 talking Oil Well Tax Shelters. We are changing
10 the lives of people who told you, almost to a
11 man, they don't want it.

12 And I don't understand, like if doing this
13 construction meant like we had a health problem
14 or an environmental problem. Coral Gables will
15 live with the Holiday Inn or without the
16 Holiday Inn. And what you have here -- you
17 know, I've moved around. So, you know, I've --
18 you have a very compact demographic in this
19 town. They're not stupid people.

20 So when this 94 percent says, "We came here
21 for our way of life," maybe that's what this
22 whole place was about. And the people who
23 don't like it, maybe they get in their car and
24 go 15 miles up the road to another community.
25 But I don't see how you don't get past the

1 facts. How can we decide -- if I was sitting
2 here, how do you decide on a thousand homes,
3 which may represent three and a half -- you
4 know, 3.5, 4,000 people, and maybe close to, I
5 think, with the stuff that wasn't, you know,
6 calculated, maybe close to three quarters of a
7 billion worth of assets. How did this happen?

8 And I'll tell you one last thing before I
9 leave, because, as you can see, I'm emotional
10 about this, it sounds like someone did
11 something enormous, and, then, as a strategy,
12 decided to negotiate it down. You know what
13 I'm saying.

14 Oh, put 40 stories, 100 stories, and, you
15 know, we'll fit it in with 25. I've heard a
16 lot of this in the halls here.

17 MAYOR CASON: Thank you.

18 MR. DIENER: The results. I'm only one
19 guy. Okay, I'm gone. But you got a message.
20 You've got a whole community that you're voting
21 against.

22 MR. LEEN: Time is up. Thank you.

23 MAYOR CASON: Debra Register. Debra.

24 Stuart Rich.

25 Oh, coming.

1 MS. REGISTER: Hi, my name is Debra
2 Register. I live at 1240 Placetas Avenue, and
3 I purchased my home in October of 1984. My
4 husband and I own a CPA practice, and we've
5 been practicing in the Gables since 1988.

6 I am against this project for various
7 reasons. One is the traffic, which everybody
8 says is not a problem.

9 We moved our office to Santana Corners. I
10 cannot access US-1, in the morning, when I go
11 to the office, and go out Caballero. I'm one
12 of the ones that cuts through the neighborhood,
13 goes down to Maynada, cross the bridge to South
14 Alhambra, and then to Santana, to get to my
15 office three blocks away on US-1.

16 So whatever the traffic study says, we can
17 find a way that's quicker. So that's the first
18 thing.

19 The next one is the parking situation.
20 Right now UM has the old BMI building or IRE.
21 They park in our streets. They don't have
22 enough parking as it is. And with the
23 Underline, it's going to take all of the
24 parking that they now use. So where are they
25 going to go? They're going to go to our roads.

1 This particular building is going to bring
2 more cars. If there's not enough parking for
3 the residents or the students whoever may live
4 there or whatever, they're going to, again, be
5 on our streets.

6 This project has an entrance to a
7 commercial building right across from a park.
8 We have no sidewalk. We walk our dogs. They
9 walk their children. And my brother-in-law is
10 one of the tragedies that had a head-on
11 collision at the corner of Caballero and
12 Hardee. Luckily, he lived, but he is now
13 disabled.

14 So I am against this project for many
15 reasons.

16 MR. LEEN: Time's up.

17 MAYOR CASON: Thank you.

18 Stuart Rich.

19 MR. RICH: How much time do I have?

20 MAYOR CASON: Two minutes.

21 MR. RICH: Two minutes. More than I thought.

22 My name is Stuart Rich, R-I-C-H, address
23 1222 Aduana Avenue, and I have a little more
24 time than I had figured, but, unfortunately,
25 I'm going to have to sort of focus on the

1 negative. There are positives about our
2 neighborhood, if you'd would like, but if you
3 listen to the proponents, and they're all here,
4 and you dig under the surface just a little
5 bit, you're going to find out who they really
6 are, and who they represent. And it's not the
7 neighborhood. It's the Developers, planners,
8 architects, designers, lawyers, lobbyists,
9 consultants and others seeking favor from the
10 above-mentioned.

11 And my advice, for myself and everybody
12 else, pay attention to the 94 percent. Trust
13 me. I walk around the neighborhood. I never
14 hear anybody that says they think this is a
15 great idea, okay.

16 Just to clarify, and I won't use all of my
17 time here, but the question floated around
18 before about whether you can see the UM tower
19 from Aduana. Well, yes, I open my front door,
20 that's exactly what I see, the UM building.
21 And it's not pretty, and this is not going to
22 block that, regardless of what they do.

23 And just to make matters even worse, about
24 three-quarters of the way up the building is a
25 neon sign, with a green and orange letter on

1 it, which is on from dusk to dawn, and it's
2 just -- it's time we got some sanity back into
3 the neighborhood.

4 This whole project is ridiculously
5 oversized. Thank you.

6 MAYOR CASON: Thank you.

7 Sandra Levinson.

8 MS. LEVINSON: My name is Sandra Levinson.
9 I live at 918 Alfonso Avenue, and we've owned
10 our home since 1989. I'm here as a resident of
11 the area surrounding Paseo de la Riviera.

12 Our residents have undertaken the very
13 difficult task of trying to convince City Hall
14 what's good for the neighborhood. We've had to
15 fight high priced attorneys, attorneys that we,
16 as residents, paid for, at 50 bucks a whack.
17 Our help has been from our worker bees, who go
18 out and spend hours, for someone else to say
19 that we've submitted fraudulent evidence, that
20 we haven't knocked on a thousand doors, which
21 we have. I know we have. We all know the
22 drill.

23 A Developer puts a piece of property under
24 contract, hires a very reputable architect, and
25 wants what is the absolute maximum permitted to

1 be built on that property.

2 I will also say, too, that our traffic
3 engineer, that testifies quite often, always
4 comes out on the side of the Developer.

5 Oh, I have so much more, that I can't say
6 it. That's it. That's enough.

7 MAYOR CASON: Thank you.

8 MR. LEEN: Thank you.

9 MAYOR CASON: Chris Zoller. Is he here?
10 Chris Zoller.

11 Amanda Rich.

12 Chris, you're up.

13 MR. ZOLLER: It's hard to hear you out
14 there, Mr. Mayor.

15 Good evening, Commissioners, Mr. Mayor,
16 City Manager. My name is Christopher Zoller.
17 I reside at 900 Bayamo Avenue. I've lived
18 there since 1991.

19 There's no doubt in my mind that something
20 better than the Holiday Inn has to go on this
21 property. Unfortunately, in my opinion, the
22 proposed project is way too big. I believe, at
23 the First Reading, some of the Commissioners
24 asked for a reduction in the size and the scope
25 and the density of this project from the

1 Developers upon their return.

2 I was not able to attend any of the
3 mediation meetings, but I understand that there
4 was no concessions made. If there have been
5 any made recently, they're probably too small,
6 at least in my opinion.

7 There's a couple of fallacies about this
8 project. As I said, I've lived in the
9 neighborhood since 1991. I see a great deal of
10 activity from the University of Miami students.
11 They don't walk across US-1. If they want to
12 go to CVS, they get in their cars and they
13 drive over. If they wanted to go to Miami's
14 Best Pizza, which we all dearly miss, they
15 drive there. If they want to go to Starbucks,
16 they drive there and take up the parking lot,
17 and sit there for hours so other people can't
18 get in. They don't walk anywhere.

19 Secondly, this project is not near or in
20 decent walking distance to any Metrorail
21 station. So how you can call it a pedestrian
22 friendly or, you know, mass transit friendly
23 development, I can't imagine, because you will
24 not see hoards of University of Miami students
25 walking to the Metrorail station. You won't

1 even see their parents, who stay in the hotel,
2 walking to the station.

3 And, lastly, there is absolutely no
4 evidence whatsoever that there will be any high
5 end restaurant or cafe on the property. There
6 is nothing that says that if you build it, they
7 will come. We have a lot of vacancies in this
8 town already, where restaurants could and
9 should be, but they're not here.

10 I just think that, ladies and gentlemen,
11 this project is too big for the size of the
12 property, and for its location. I urge you to
13 once again ask the Developer to come back with
14 a more reasonable plan. Thank you very much.

15 MAYOR CASON: Thank you. Henry Pinera.

16 MR. PINERA: Hi, my name is Henry Pinera.
17 I live at 1215 Aduana. I have spoken with you
18 guys before. I would like to apply for the
19 double points, because I am in the thousand
20 foot radius, so I know that, that was a
21 concern. If I can get the double points, all
22 the better.

23 Despite the new math that Mr. Hernandez
24 tried to introduce, since the First Reading,
25 the Developer has not scaled down the project

1 in any significant way.

2 The reduction in 16 apartments from the
3 last reading represents a less than seven
4 percent reduction in the apartment count, and a
5 3.3 percent reduction in the total number of
6 units associated with both towers. That's how
7 much has changed from the First Reading.

8 I want to get on the record that the
9 current -- with the current Site Specific
10 Zoning, a big box retailer would not be
11 commercially viable. As someone else pointed
12 out, effectively, a big box retailer would be
13 limited to around 47,000 square feet. I think
14 the other gentleman for the project said 46,000
15 feet. The average size of Costco, BJ's, Target
16 and Home Depot are all over a hundred thousand
17 feet. A big box retailer, limited to this
18 square footage, would not be a commercially
19 viable option, unless you, the Commissioners,
20 vote to make it happen.

21 With the current Zoning in place, the real
22 limiting factor for development becomes the
23 parking associated with the development, and
24 that acts as a bottleneck. So unless you guys
25 vote for the changes, the Mixed-Use Plan and

1 the PAD, a big box retailer is not commercially
2 viable in this space.

3 Something that might be more viable would
4 be something along the lines of a Publix. I
5 just wanted to -- I want to get that on the
6 record.

7 Please ignore this false choice and drive
8 the Developer toward a more reasonable project.

9 MR. LEEN: Time's up.

10 MAYOR CASON: Thank you.

11 COMMISSIONER LAGO: Thank you, sir.

12 MAYOR CASON: Gigi Citarella.

13 This was the last person that had submitted
14 a card.

15 MS. CITARELLA: Hello. Thank you for
16 having us here this evening and giving us an
17 opportunity to speak. My name is Gigi
18 Citarella. I live at 1225 Aduana Avenue. I am
19 one of those homes that is within the
20 perimeter. I see the UM building. I see the
21 lights. I see the green and the orange every
22 night from my backyard and my pool.

23 This is not really about what I see or
24 don't see with the lights. I grew up in
25 Kendall, and my dream growing up in Kendall was

1 to be able to live in Coral Gables, because
2 Coral Gables represents Commissioners and
3 government which protects the people. Right
4 now Dadeland is a crazy place to live.
5 Brickell is a crazy place to live.

6 When I bought my home here 10 years ago, I
7 was hoping that I would have a community that's
8 going to project my rights as a homeowner. My
9 property taxes would be lowered -- my property
10 -- sorry, I don't like to speak, but I have the
11 urge to speak, because I think that what's
12 happening here is not appropriate for our
13 neighborhood.

14 I was one of the people that walked door to
15 door, in the sun, in the rain, in my weekends.
16 My daughter, who is 10 years old, helped me do
17 some of the coloring on that map, when I told
18 her, "Color the red, color the green."

19 I'm going to tell you something, my
20 daughter sat with me -- Sunday nights, after
21 church, we went to Chicken Kitchen. I bought
22 drive thru, and I went door to door to speak to
23 all of the representatives in our neighborhood,
24 all of the homeowners and all of the people in
25 our neighborhood, who are opposed to this

1 project.

2 The reason we're opposed to this project is
3 because it is too dense. It is too intense.
4 It is too much for our neighborhood. My
5 daughter, as it is, barely is able to ride
6 bike, barely is able to walk the streets to our
7 neighbor's house, because of the traffic as it
8 is.

9 When I leave Caballero, the traffic is
10 intense. Mariposa now, the traffic is intense,
11 because of that overpass that's going to be
12 built.

13 Frankly, we are not a walking community
14 anyways. We are -- my daughter is in a school.
15 I'm not going to take her on Metromover to the
16 car. I use my car. The University of Miami
17 students are going to use their car. I'm going
18 to use my car.

19 I'm asking you to do your job. I'm asking
20 you to do the right thing for the residents.
21 The residents have spoken. I worked on that
22 map. It is not hearsay. It is something that
23 I worked on with other members, and we walked,
24 rain or shine. Homeowners invited us to the
25 house. Many of them did not know of the

1 project, and many of them are not in favor of
2 the project.

3 Please vote in favor of the residents, the
4 homeowners. Thank you.

5 MAYOR CASON: Thank you very much.

6 All right. Everybody that wanted to speak
7 has spoken and have gotten two minutes each.
8 So that ends the public input. We're going to
9 have a five-minute break and then ask Tucker
10 Gibbs to come back for his up to 30 minutes,
11 and then we will go into --

12 MR. LEEN: And we'll hear from the Applicant.

13 MAYOR CASON: We're going to try to finish
14 the presentations by 8:00, so that we can
15 deliberate and be out of here by 9:00.

16 MR. LEEN: Mr. Gibbs will speak for 30
17 minutes, and the Applicant will speak for 15
18 minutes.

19 MAYOR CASON: Right.

20 (Short recess taken.)

21 MAYOR CASON: Everyone, please come and
22 have a seat, so we can continue. Everybody,
23 please have a seat. We're just waiting for the
24 City Manager and the City Attorney to come back
25 in.

1 Okay. Craig, will you, again, go over
2 what's going to happen next?

3 MR. LEEN: Yes. At this time, for 30
4 minutes, we're going to hear from Mr. Tucker
5 Gibbs, and he's going to be presenting
6 evidence, and, I believe, an expert.

7 Also, I would just remind Mr. Gibbs, we are
8 incorporating the entire First Reading into
9 this hearing. So that evidence has been
10 presented. But you have the same opportunity
11 as the Applicant to present again.

12 At that point, the Applicant will receive a
13 15-minute rebuttal. And then the matter comes
14 to the Commission. You're allowed to ask
15 either side questions, obviously, and then --

16 MAYOR CASON: Let me, for the record, say
17 that we had 87 people that spoke, and I want to
18 thank all but one person for being very civil,
19 non-threatening, in addressing the issues,
20 which is important.

21 I don't think it does anybody any help for
22 their cause when they come and start
23 threatening the Commission.

24 Mr. Gibbs.

25 MR. GIBBS: My name is Tucker Gibbs. My

1 office address is 3835 Utopia Court, and I
2 represent the Riviera Neighborhood Association,
3 and tonight I'm going to be followed by
4 Mr. Mark Alvarez, who is our expert witness as
5 to the Planning and Zoning aspect of this
6 project.

7 As you know, my client objects to this
8 application which abuts a long established low
9 density residential neighborhood, and our
10 position stance for future development along
11 US-1, in Coral Gables, and that is a problem.

12 And what we want to talk about tonight,
13 also -- this is not about design and
14 architecture. This is about protecting -- this
15 is about good planning and the proper
16 application of Zoning Regulations. And that's
17 what you all are deciding tonight.

18 You are looking at this issue as a Planning
19 and Zoning issue, in terms of the Land Use
20 changes, in terms of the Zoning Code, in terms
21 of the MXD, in terms of the PAD proposals that
22 are before you.

23 Now, this is also about protecting the
24 Coral Gables quality of life, and that's
25 something you heard about tonight. Coral

1 Gables is a special place. There is a Coral
2 Gables quality of life, and this neighborhood
3 exemplifies it, and the quality of life that
4 these neighbors of this property expected when
5 they bought their homes in here.

6 This application, as revised by the
7 Applicant, is fraught with issues that warrant
8 its denial and it's unclear -- Number One, it's
9 unclear exactly what is being proposed. The
10 original application that was put on file with
11 the City of Coral Gables presented a very clear
12 picture of the proposed development. In
13 particular, it showed the basis of the parking
14 calculations, including the specific uses, the
15 spaces required and provided, and the square
16 footage for each use.

17 The revisions, the latest revisions, do not
18 provide this information. And you can't
19 extrapolate from the original application and
20 the original plans, to these plans, exactly
21 what the square footage is, because it has
22 changed. And Mr. Alvarez will speak to that
23 issue.

24 The revisions do not provide, for example,
25 all of this information regarding the spaces

1 required, specific uses provided, and the
2 square footage for each use. And it makes it
3 impossible to verify the generalized
4 information in the revised plans. And I'll
5 give you just one example.

6 The revised plans show on -- I don't know
7 what pages it is -- it says here, "Parking
8 spaces 636," and it has a double asterisks next
9 to it. It's in the Zoning information. And
10 then you look at the double asterisks, and it
11 says, "Through shared parking."

12 COMMISSIONER LAGO: Tucker, excuse me.
13 What exhibit are you looking at, if don't mind?

14 MR. GIBBS: I think it's Exhibit H. Ramon
15 -- it's H and it's the last page of Exhibit H.
16 Sorry, I don't have the exhibit numbers on
17 here.

18 So it says, "Use of shared parking," but
19 there's no explanation, no basis for showing
20 the basis of that shared parking, and I can
21 find no basis in the Code. There's no
22 provision in the Code relating to shared
23 parking. And I asked Mr. Trias, and he
24 explained to me that there is something, I
25 guess, in the pipeline, that is a shared

1 parking ordinance of some kind, I think, that
2 may be coming up sometime in the future, but
3 the fact is, I want to know how this Commission
4 can approve a project that includes a
5 calculation of parking, that takes part of it
6 as shared parking, which doesn't even exist.

7 You all are going to be voting on a
8 project, with a parking count that is based on
9 something that you all don't do. You may do it
10 in the future, after a public hearing, when
11 people will get up and speak to it, but you're
12 not doing it now. So I don't understand how
13 this project can go forward, because it's
14 incomplete. The parking numbers don't match.

15 MR. LEEN: Do you want me to respond or do
16 you want me to wait?

17 MAYOR CASON: And I think we can ask Ramon
18 Trias to come back and address that when --

19 MR. LEEN: Do you want me to wait or do you
20 want me to respond?

21 MR. GIBBS: No, I'd like you to respond to it.

22 MR. LEEN: Well, you know, as I mentioned
23 in the First Reading, it's because of the PAD
24 Ordinance.

25 MR. GIBBS: So the PAD Ordinance, you can

1 create basically an ordinance through a PAD?

2 MR. LEEN: If the Commission makes the
3 appropriate findings.

4 MAYOR CASON: It was done for the Agave
5 project.

6 MR. LEEN: And it's done -- and it meets
7 the equivalent needs of the Zoning Code and
8 it's done for a purpose and they find it's in
9 the best interest of the City.

10 MAYOR CASON: We'll have Mr. Trias talk to
11 that later.

12 MR. LEEN: I thought part of the purpose of
13 that was to reduce the height, which was one of
14 the goals.

15 MS. SWANSON-RIVENBARK: Mr. Mayor, since
16 this is a timed talk, would you like Ramon to
17 talk after or how do you want to do that?

18 MAYOR CASON: Let's talk afterwards. Just
19 put that on your list.

20 MR. LEEN: I just want you to be aware of
21 what the reason is and then you can respond to
22 that.

23 MR. GIBBS: I understand. And for that
24 reason, I won't go any further, but I still
25 think it's improper, and it's ad hoc -- it's ad

1 hoc legislation, based on a Site Specific
2 project, and I understand the whole issue of
3 the PAD district, but as we said at the last
4 hearing, I've got a fundamental disagreement
5 with your interpretation on it.

6 MR. LEEN: I understand.

7 MR. GIBBS: Okay. And I'm glad it's being
8 -- all of that is incorporated into the record
9 tonight.

10 MR. LEEN: It is.

11 MR. GIBBS: Okay. The application, also,
12 is inconsistent with numerous goals, objectives
13 and policies -- as stated in Mr. Alvarez's
14 revised and amended analysis -- that you all
15 have in front of you, that Mr. Alvarez prepared
16 and it's in your record.

17 The elimination of the Site Specific
18 provisions in the context of the revised
19 application also eliminates neighborhood
20 protection from large massive, dense and
21 intense projects, such as this, and those Site
22 Specific provisions are being proposed to be
23 eliminated for this particular project.

24 The PAD, as proposed, properly waives, as I
25 said last time, Zoning Code provisions

1 regarding height, setbacks and step backs. The
2 removal of the protected step back and setback
3 provisions negatively impacts the adjacent
4 residential neighborhood, and that's even in
5 your City Staff report.

6 Your Staff report specifically says the
7 Paseo impacts the adjacent neighborhood, in
8 terms of its development, and there's some
9 issues in there, some solutions that they
10 propose, which basically say, keep the rear
11 setback and step back.

12 It is more, the project at 86 dwelling
13 units an acre, which does not include the hotel
14 or the extended stay facility, is too dense.
15 It is more than the density permitted in
16 Multi-Family High Density, and in that Land Use
17 category, which is 60 to 75 dwelling units an
18 acre. And approval of this project compounds
19 the mistake, as you've heard tonight, made in
20 the 1970s, by the City, when it approved the
21 Gables One, the IRE tower.

22 For all of these reasons, we oppose this
23 particular project, as it has been presented to
24 you tonight.

25 And one of things I did want to talk to

1 you, and it's the first page in Exhibit H, is
2 this project. This project has 141 feet for
3 the hotel, 122 feet six inches for the
4 apartments and the Paseo.

5 This Commission said, and maybe I'm getting
6 old and I didn't hear right, but I think I did
7 hear right, that you wanted a substantial
8 decrease. The City Staff, even though my group
9 disagreed with it, said 120, and I heard the
10 number 120 from this Commission. "Reduce the
11 size to 120."

12 This has not been reduced to 120. 141 or
13 122 does not equal 120. It doesn't even
14 average out to 120. But the point was, a
15 building here or two towers that were 120. Not
16 that my clients agree to 120. But I'm what I
17 saying is, they never even reached that point,
18 and that's a concern.

19 But we support a scaled down version of
20 this project, based on the following: This
21 property should not have a High-Rise Commercial
22 Land Use. That's the most intense Commercial
23 Land Use in the Comprehensive Plan, and that is
24 a critical issue for my clients. Why is it a
25 critical issue? Because it's the foot in the

1 door.

2 You approve a commercial High-Rise
3 Intensity for this -- or Land Use for this
4 piece of property, and what about the shopping
5 center? What are they going to say, when they
6 come in and want to put in something with a
7 Commercial High-Rise Land Use, which allows for
8 up to 190, even though you all have limited the
9 height under that to, let's say, 97 feet, which
10 is what the height is for that intense Land Use
11 category -- that Mid-Rise Intense Land Use
12 category. That is the problem. So that's the
13 first thing, Mid-Rise.

14 New urbanism and smart growth principles
15 say the appropriate height in areas around
16 transit stations, such as the UM station,
17 should be up to eight stories. And Mr. Bass
18 said, "Well, transect has nothing to do with
19 Coral Gables."

20 Absolutely right. They have nothing to do
21 with Coral Gables, except if you're looking at
22 how new urbanism, which everybody was spouting
23 at the peer review and at the visioning
24 process, when it suited them, they cited all of
25 these concepts, so we're going to talk about

1 the concepts.

2 Miami 21, which is the excellent example of
3 a new urbanism and smart growth Zoning Code --
4 forget about what it's called, transect or
5 whatever -- it establishes an eight-story
6 maximum across US-1 from their Metrorail
7 stations, except for the Vizcaya station,
8 because there's a park across the street from
9 the Vizcaya station.

10 The South Miami Zoning Code doesn't call it
11 transect, but they have a TOD district, and
12 it's an eight-story maximum. I know, because I
13 represent clients there all of the time, and my
14 latest client was two weeks ago, for a
15 development in the TOD district, eight stories,
16 and that's with a bonus. Is not eight stories
17 as-of-right.

18 Entities that support the implementation of
19 Transit Oriented Districts recommend that
20 subzoning districts around transit stops, such
21 as the UM station, should allow structures with
22 height between three and eight stories, and
23 that's also important.

24 The FTOD TOD guidelines say, four to seven
25 stories. The TOD Institute, which -- at the

1 last hearing, you all heard all about the TOD
2 Institute and how it gave this project an
3 award. But you know what that TOD Institute
4 also says, their guideline say, for height,
5 three to eight stories. That's what their
6 guidelines say.

7 So, yeah, it's a pretty project. We don't
8 disagree that it's a pretty project. It's just
9 too big.

10 The neighborhood deserves protection.
11 Historically this City has recognized this when
12 it adopted the Site Specific Regulations, after
13 the Gables One tower was built. This proposal
14 eliminates those protections and eliminates
15 setback protections in the Code.

16 They say that that's okay, because they're
17 giving amenities back to the City. My clients
18 live in this neighborhood. They're concerned
19 with this project's impact on their
20 neighborhood, and amenity doesn't do it. What
21 does it is going to be the height, the
22 setbacks, and the intensity, and the density
23 all being substantial reduced.

24 So here is what my clients would support.
25 My clients would support a change in the Land

1 Use Map from Low-Rise to Mid-Rise Commercial
2 Land Use. And that's 70 feet in height, with
3 97 feet, with a Mediterranean Bonus, providing
4 eight stories of habitable space. Delete the
5 Site Specific Regulations, because we believe
6 that certain PAD conditions that we support
7 would help the neighborhood and would be able
8 to protect the neighborhood.

9 We'd approve the MXD request, except for
10 the requested setbacks, step back and height
11 relief. When I say, "The height relief," I
12 mean, the relief on the back end of the
13 project, relating to the 45 feet or 40 feet or
14 I think it was 42 that was mentioned tonight.

15 Approve the PAD, except for, again,
16 setback, step back and height waivers, with the
17 setbacks to accomodate a 15-foot pedestrian
18 path on Caballero and Madruga. And the numbers
19 need to be crunched a little bit, because, I
20 know, for example, on Caballero, there's a
21 great deal of public right-of-way, and the
22 public right-of-way may be used for that, but
23 the bottom line is, the Paseo is not the only
24 access from US-1 into the neighborhood.

25 If you want to talk about pedestrian

1 connectivity, you want the 15-foot sidewalk on
2 Caballero and on Madruga, as well. The
3 setbacks to accommodate a 20-foot pedestrian
4 path on US-1.

5 Now, they've added some and took off some,
6 so we'll figure out the numbers there, but the
7 bottom line is, you need a 15-foot sidewalk and
8 you need five extra feet for the utilities,
9 because we all know what happens with utility
10 poles. They all get stuck in the middle of a
11 sidewalk and render sidewalks virtually
12 useless.

13 We'd also ask that the 45-foot height at
14 Madruga, the 100-foot step back to towers on
15 Madruga, that also is what the City Staff has
16 recommended, and we do support that.

17 We also like -- oh, excuse me, I forgot one
18 thing. Limiting the FAR to 2.6, which would be
19 consistent with the reduction in height that
20 we've proposed. We'd ask for a traffic circle
21 at Hardee Road and Giralda Avenue. We'd ask
22 for the proposed configuration of the two
23 towers, with the Paseo, remain. We have no
24 problem with the Paseo. We have no problem
25 with the two towers. It's the height, and it's

1 the intensity.

2 And, finally, we believe -- and we also
3 would say, if there's no construction within a
4 reasonable period, let's say, 18 months, the
5 property would revert back to its original
6 Zoning, because if this project isn't approved,
7 if this project is just sitting there with an
8 approval on it, that says a lot about this
9 community, and it says that this thing is just
10 sitting there. We want it to go back to its
11 original Zoning, which protects the
12 neighborhood.

13 We believe this compromise will provide the
14 best balance between the Developer's desire to
15 maximize its development opportunity and the
16 neighbors' desire to protect their
17 neighborhood. And we understand this. And we
18 urge you to approve the project based on the
19 proposed compromised conditions.

20 One thing I would like to add, that I
21 should have added in the beginning, I had two
22 responses to a couple of issues that were
23 brought up by Mr. Bass and by some of the
24 people who spoke.

25 Mr. Bass started off by talking about

1 Florida Statute 163.3167, which deals with
2 referendum. And I get it, you all are elected
3 officials. You understand referenda and you
4 understand elections. This isn't a referendum.
5 This isn't an election. That has nothing to do
6 with your decision. And to bring something
7 like that up, I think, does nothing more than
8 muddy the waters.

9 In addition, the big myth -- I call this
10 the big myth -- this is, "Oh, my God, you're
11 going to put a BJ's here. You're going to put
12 a Walmart here. You're going to put a Home
13 Depot here." As-of-right is more than just a
14 drawing. It's more than a line on an
15 elevation. Yes, it's subject to City
16 Regulations, like height, setbacks, step backs,
17 FAR, density, landscape and open space. All of
18 those deal with what you can actually put on a
19 piece of property.

20 But it's also subject to parking
21 requirements. Nobody wants to talk about that.
22 I know Mr. Pinera brought it up, but the fact
23 is, and it's true, parking limits development
24 many times more than FAR, more than height and
25 than setbacks, because it depends on the use

1 you put in there.

2 And we asked Mr. Alvarez to put together a
3 list of exactly what could go on that property,
4 without -- with surface parking, without
5 underground parking, because I have yet to see
6 a BJ's, a Home Depot or a Walmart have
7 underground parking, because it's all about the
8 money for them. They're not going to be buying
9 expensive pieces of property and digging into
10 the ground to build that kind of
11 infrastructure.

12 So an as-of-right, under the Site Specific,
13 under the current Land Use right now, with no
14 City Commission approval, on the ground floor,
15 you could fit 47,250 square feet of retail.
16 You could have -- on Level 2, you'd have 47,250
17 square feet of parking, which probably would
18 provide 149 spaces. Level 3, you'd have 38,400
19 square feet of office. The FAR would be
20 point -- zero point seven four. The front
21 parking, with the 125-foot setback, would be
22 able to fit 132 spaces. The rear parking,
23 because there's a 50-foot setback, would fit 36
24 spaces. That's what you can fit on that
25 property.

1 You want to dig a hole, you want to spend
2 the money? Mr. Hernandez talked about that,
3 when he was asked that. "Why didn't the Paseo
4 dig a hole and have underground parking?"

5 He said, "You'd hit the water table."

6 That's the concern.

7 So when we talk about as-of-right projects,
8 understand, it isn't just a picture saying,
9 "Here's the height. Here's the FAR. Here's
10 the Mediterranean Bonus."

11 Mediterranean Bonus doesn't give you
12 parking. It doesn't give you parking. So
13 you're not going to be able to do a lot of that
14 here.

15 So when my client gets up and says, "It's
16 45 feet," yeah, that's about all that can be
17 built right now, is 45 feet.

18 So when we talk about this proposal, this
19 eight stories, this 97 feet, my clients are
20 giving up. They're going from 45 feet to 97
21 feet. That is a compromise. They won't say
22 it, but that's the fact. And that's why we
23 think that this compromise provides something
24 for everybody, and it's a fair balance.

25 Thank you very much.

1 COMMISSIONER LAGO: Thank you.

2 MAYOR CASON: Thank you.

3 MR. LEEN: So, now, sir, have you been
4 sworn in?

5 MR. ALVAREZ: No, I haven't.

6 MR. LEEN: Okay. Could you swear him in?
7 This is the expert witness for Mr. Gibbs.

8 (Thereupon, Mark Alvarez was sworn.)

9 MR. ALVAREZ: Yes, I do.

10 For the record, my name is Mark Alvarez,
11 address 3109 Grand Avenue, Miami, Florida.
12 Good evening, Mr. Mayor and Commission. Thank
13 you for spending this much time.

14 I have a presentation. I'm not going to
15 use it. I think I don't have the time anymore
16 to do that. So I'm going to focus -- you have
17 the presentation. You have the report. I'm
18 going to just focus on a few comments.

19 The report -- and I want to address a
20 little bit of what Mr. Bass said.

21 The report is -- most of the report is
22 actually to a legislative matter, it's to the
23 Comprehensive Plan, which is the biggest and
24 most important recommendation that I have for
25 the Mid-Rise instead of High-Rise. And as

1 such, that report was about applying
2 quantitative reasoning and objective and fair
3 balanced reasoning to answer three questions.
4 One, should we increase the density, intensity
5 and height of this site. Two, if we should,
6 how much. And, Three, if we should, how much,
7 until it affects the quality of life and the
8 expectations of the neighborhood. That's what
9 that report did.

10 And everything is relevant, because it's to
11 a legislative matter, and I'm simply trying to
12 provide you all of the information possible,
13 wherever it's from, all of the best practices,
14 so that you can make that decision.

15 We spoke last time about that, and we went
16 through most of the report, and I have a few
17 additions this time.

18 We talked about how the Paseo then, and
19 still is now, would be the most massive project
20 in its context. We talked about Merrick's
21 vision. The reason why Merrick's vision came
22 up is because the Applicant brought it up in
23 support of their project.

24 And the 1930 Height Plan, if you're going
25 to use that to support it, you have to use it

1 exactly. Yes, it says 150 feet along US-1, but
2 it says that only goes back 125 feet, not for
3 the rest of the project. So if you want to use
4 the 1930 Height Plan, that's the way you have
5 to look at it.

6 We talked about the peer review, which
7 really doesn't say anything. The Applicant had
8 some statements, some aspirational statements
9 about density and intensity. The community
10 workshop, the Red Road/Sunset/US-1 Workshop and
11 the Riviera Neighborhood Workshop, both of
12 those have not been adopted by you. I
13 understand that. However, they're not
14 plebiscites. Those are processes to create
15 consensus. They were consensus building
16 processes. And they were to inform you -- both
17 of them were performed for the Commission.
18 They were to inform you of what the answers are
19 for development along US-1 and along the
20 corridors. And they came out with the answers
21 of Low-Rise, in the case of the most recent
22 one, five floors, and the Riviera Neighborhood
23 Workshop was a little more agreeable. The
24 consensus, at the end of that, was seven
25 stories, along the fronts of the commercial

1 corridor, tapering back to four stories, as it
2 went in towards the neighborhood.

3 We talked about smart growth, because it
4 came up in the peer review. It came up in a
5 number of places. And I discussed with you
6 that it would be T5, and T5 is a six-story
7 area.

8 Fair enough, transects don't count, that's
9 not your Zoning Code. Staff asked me, in a
10 written memo, to answer a question. They said,
11 "Well, what about when we look at Miami 21,"
12 which is the living implementation of this new
13 smart growth, "Don't we go higher next to a
14 Metrorail station?"

15 And the answer is, indeed, yes. Throughout
16 Miami, Miami 21 goes to T6-8. It does go one
17 step up. But eight means it's eight stories.
18 They only go to the 80, 60 and 36 stories in
19 the zones in the Downtown area. So only at the
20 center of the region, not the center of the
21 City, but the center of the region, the center
22 of the transit system, does it go higher. The
23 rest is T6-8, except for the Douglas Road
24 Station. Why? Which is 12 stories.

25 12 stories for Douglas Road, because

1 Douglas Road is in the Industrial District.
2 It's surrounded by Merrick Park -- the Village
3 of Merrick Park, by parking. It doesn't really
4 have much influence.

5 Also, the 12 stories at Douglas Road are
6 right adjacent to the station. They're not
7 across US-1. They're not a quarter of a mile
8 away. They are right there, at the station.
9 And that's important, because I presented to
10 you evidence from the Florida Department of
11 Transportation, which researched the issue of
12 Transit Oriented Development, and there are
13 four basic things.

14 First is about the transit itself and
15 having connections and other modes of transit
16 to connect to.

17 Second, it was good pedestrian design not
18 only at a site level, but also at a level,
19 also, that is continuous to the station. It
20 doesn't do you any good if there's a gap. And
21 Elizabeth Plater-Zyberk talked about that in
22 the peer review. She had a lot of statements
23 and a lot of concerns about the connectivity.
24 Even though this is good, we still have to
25 connect to the station.

1 The Mixed-Use, there has to be Mixed-Use
2 and it has to be vertical. It, too, has to be
3 continuous. In other words, you can't have a
4 Mixed-Use here, nothing going on, and then the
5 station. It has to be planned as a corridor.

6 And, finally, density, intensity and
7 height. And with that, all of the guidelines,
8 even the TOD Institute in Washington, D.C. used
9 the same method, we have to identify the type
10 of station -- in other words, where it is on
11 the regional system -- and then we look at
12 where the development is, in the transit area.

13 And Mr. Bass is right. There are two
14 rings. Actually, there are three. There's a
15 quarter mile ring, a half mile ring, and a one
16 mile ring. But in this type of station area,
17 which they refer to as a neighborhood station
18 area, the core is where we have more intensity.
19 If you were Downtown, in that area, then the
20 whole station area should be more intense, but
21 in this area, only the quarter mile should be
22 more intense.

23 And, further, that the intensity -- and the
24 books talk about this -- should be -- it can be
25 a little more right at the station, and then it

1 should taper off a little bit, as you go out.
2 Why? Because there has to be compatibility
3 with the neighborhoods around, the obvious
4 reason, but also another reason, because you
5 need continuity, continuity of development, and
6 they talk about this in the DOT.

7 Smart development and new urbanism talks
8 about this idea, that if you absorb too much
9 market in one place, you have a gap, at least
10 in the five to ten-year timespan, and you can't
11 have a gap. Otherwise, it doesn't work.

12 So for continuity and the neighborhoods, it
13 does taper off, and you don't try to implement
14 the most density and intensity you can. You
15 try to control it at the right level.

16 So with that, the DOT guidelines from DOT
17 state a range of 36 to 65 dwelling units per
18 acre. And to answer Mr. Bass' question, they
19 talk about an FAR of four to six. I didn't
20 talk about FAR very much. And the reason why
21 is, One, this project is primarily residential,
22 but the bigger reason is that residential
23 density is throughout this nation, and in any
24 jurisdictions, they do it pretty much
25 consistently; it's residential units -- whether

1 you include hotel or not, residential units per
2 acre -- gross acres, sometimes net acres.
3 That's it. It's a pretty good standard to use
4 and apply, whether it's from Washington or the
5 whole State of Florida, wherever.

6 But FAR, as many Zoning Codes are there
7 are, there's half as many ways to count FAR.
8 Some cities include the parking. Some cities
9 include every bit of floor area. Some don't
10 include parking. Some have the stairways, some
11 don't. Some include the lobby, some don't.

12 So FAR is a very confusing metric, and
13 that's why I didn't really talk about it much.
14 I used the density, because it gets us there,
15 when we compare something from the guidelines.

16 The TOD Institute also had consistent --
17 when the same analysis was done through their
18 guide books, came out to 20 to 100 units an
19 acre, and their FAR was 1.0 to 4 was appropriate
20 for this area, that kind of range. Same issue,
21 but comparing FARs is very difficult.

22 But the density, you get from 65 -- and I
23 didn't recommend anywhere in the middle of the
24 range. I took the top of the range in density.
25 I said, 65 to 100. And 65 units an acre is a

1 seven-story building. One floor of retail,
2 about two-and-a-half, actually, of parking, and
3 three of residential.

4 100 units an acre, that half goes away, and
5 we have one floor of retail, about three of
6 parking and four of residential.

7 So it comes down to seven or eight stories.
8 And that's based on approximately what the
9 Paseo has, about a 1,200 to 1,500 gross square
10 feet per unit, and about 75 percent coverage,
11 with 25 percent open space.

12 So at the end of the day, we come out to
13 the same answer coming up everywhere, every
14 place we looked, it's about five to eight
15 stories.

16 And so -- I'm running out of time --
17 Mr. Gibbs talked about -- he only told you the
18 recommendations. I'll just go through the most
19 important one, which is to implement an eight
20 stories maximum, so that we don't absorb the
21 market, so that we do create something for
22 continuity, so that we do control it for the
23 neighborhood, and that means that the Land Use
24 Amendment needs to be Mid-Rise, and it's very
25 important, because Mr. Hernandez talked about

1 100 feet; not 100 feet, 97. That's the one
2 that gets us there, because if we go to
3 High-Rise, it's 150 or 190.

4 We need Mid-Rise Commercial Density, which
5 is a 97-foot limit, which is a very generous
6 limit for eight floors.

7 And, lastly, there were some comments made
8 about the as-of-right. The as-of-right -- the
9 RNA did ask me to make a calculation. It
10 wasn't supposed to be part of my presentation,
11 but I'll give you the basic rundown on it.
12 Mr. Gibbs told you already, every property is
13 constrained by one of three things, density or
14 intensity, the setbacks and the height, or the
15 parking.

16 And on small properties, 2.6 acres or 2.7,
17 it's going to be the parking, for commercial,
18 especially. The most you could get there, with
19 the regulations, the as-of-right -- as-of-right
20 means the Site Specific Regulations, the
21 125-foot setback, the 50-foot setback, 15-foot
22 from the side road, and zero from the interior
23 side, 45-foot height, 1.5 FAR, but you can't
24 get to 1.45 FAR, because you can't park it.

25 So I did the most I could, which was to put

1 the approximately 45,000 square foot floor
2 plate in, the parking above it, and I still
3 couldn't get a full floor of office. All I
4 could get to was .74 FAR, doing that, which is
5 the same -- just about the same as the shopping
6 center just to the north.

7 So that's actually what's as-of-right,
8 without coming to the Commission, without
9 changing something, without a variance, without
10 changing the Zoning.

11 Thank you very much for this time.

12 MAYOR CASON: Thank you very much.

13 COMMISSIONER KEON: Could I ask a question
14 or no? Yes?

15 MAYOR CASON: Why don't we ask Ramon to
16 come back and address the question of the PAD
17 and the shared parking? And then we'll go to
18 the Applicant.

19 MR. TRIAS: Mayor, the City Attorney
20 addressed that issue the same way that I would.
21 So I don't have anything further to say.

22 MR. LEEN: Yes. First, I would note two
23 things. The PAD provisions are flexible, and I
24 gave the opinion last time, which is also the
25 opinion of the Planning and Zoning Director,

1 that shared parking is something that you could
2 do in a PAD.

3 MR. TRIAS: Right.

4 MR. LEEN: You have to make the appropriate
5 findings. It's a Conditional Use Review.
6 There's protections for that. But part of the
7 purpose is reducing the height, by having
8 shared parking, you're meeting an important
9 goal.

10 I'd also note that -- I'll just say it
11 now -- that, you know, there is a Land Use
12 Category for MXD. We sometimes forget that,
13 but if this is approved as an MXD, our Comp
14 Plan says that you look to the Zoning Code to
15 determine the height.

16 MAYOR CASON: Mr. Bass.

17 MR. BASS: Two quick questions of my old
18 friend, Mr. Alvarez.

19 MAYOR CASON: Okay.

20 MR. BASS: Mark, nice to see you again this
21 evening.

22 MR. ALVAREZ: Always a pleasure.

23 MR. BASS: Thank you.

24 Just a couple of quick questions. You
25 mentioned market absorption in your words?

1 MR. ALVAREZ: Yes, I did.

2 MR. BASS: You did not perform an analysis
3 of the market?

4 MR. ALVAREZ: I did not.

5 MR. BASS: You did not perform an analysis
6 of rate of absorption in the market?

7 MR. ALVAREZ: I did not.

8 MR. BASS: And you are offering no opinion
9 whatsoever to this Commission about market
10 forces or market absorption?

11 MR. ALVAREZ: I'm reporting that that's a
12 concern in the TOD guidelines.

13 MR. BASS: But you, yourself, are not
14 offering opinion this evening on that?

15 MR. ALVAREZ: That's correct.

16 MR. BASS: And you are not an architect?

17 MR. ALVAREZ: No.

18 MR. BASS: You did not prepare plans as an
19 architect?

20 MR. ALVAREZ: I do not sign and seal plans.

21 MR. BASS: But you prepared no plans, as an
22 architect, to form the basis of your opinion
23 before this Commission?

24 MR. ALVAREZ: I've prepared no plans as an
25 architect.

1 MR. BASS: Thank you.

2 MAYOR CASON: Okay. Did you want to ask
3 your question now or do you want to hear back
4 from the --

5 COMMISSIONER KEON: Well, I have two other
6 questions. One, I think, for maybe
7 Mr. Alvarez. You have that the 40-foot height
8 on Madruga, that you're looking at a hundred
9 foot setback. Is a 100-foot setback really
10 necessary?

11 MR. ALVAREZ: I'm going to say, I think the
12 most important thing to do tonight is the Land
13 Use Amendment.

14 COMMISSIONER KEON: No, I understand that,
15 but I'm asking, a 100-foot setback is a pretty
16 significant setback.

17 MR. ALVAREZ: What I stated in my report,
18 and I still maintain, is that there's no
19 rationale really offered to vary it. Whether
20 the difference between when it's 40 something
21 feet above the street, whether there's a bunch
22 of difference between a 79 feet setback and 100
23 feet, I can't tell you, because it's a close
24 call. However, there's no rationale offered to
25 support moving it. So without that, I said,

1 keep it where it is.

2 COMMISSIONER KEON: I mean, on a 90-foot or
3 a 97-foot building, when you go up 45 feet,
4 100 -- you know, the reason you have a setback
5 is to open up and give you more volume and it
6 looks like you're not as oppressive on whatever
7 is next to you.

8 So that's what I'm asking, is -- I mean,
9 just because 100 feet was there, that's not the
10 issue. What is the appropriate?

11 You're a planner. What's the appropriate
12 kind of setback that gives you the sense that
13 you want to create of not being -- of reducing
14 volume and massing and everything else on a
15 97-foot building? At 45 feet, what would you
16 say -- you're a planner, what would you --

17 MR. ALVAREZ: I would stick with what the
18 Code has asked. I think both, the Merrick's
19 vision and the current Code, focus on that kind
20 of a setback, with 100 feet. It does not
21 really constrain their development, because, of
22 course, as you know, the residential building
23 has a large hole in it, which spreads it out in
24 depth and width.

25 So, yes, I would stick with the 100-foot

1 setback.

2 MAYOR CASON: All right. Let's ask
3 Mr. Bass to come back and you have until 8:20.

4 COMMISSIONER KEON: I'm sorry, I wanted to
5 ask Craig, you said that under the MXD Zoning,
6 there was no height.

7 MR. LEEN: No. No. No. I didn't say
8 that. I said that it's governed by the Zoning
9 Code. I'll just read it. It says, "Additional
10 MXD or Mixed-Use Overlay District Development
11 Standards, including maximum densities,
12 intensities, and height, are provided in the
13 Zoning Code."

14 So I think it's being forgotten that this
15 is an MXD, and that's one of the items, it's to
16 approve an MXD.

17 MAYOR CASON: Mr. Bass.

18 MR. BASS: Mr. Mayor, Members of the
19 Commission, thank you for your patience and
20 thank you for conducting such a beautiful
21 meeting, regardless of the outcome. Everybody
22 behaved in an exemplary fashion. You were
23 punctual and you moved this through, and so
24 thank you for that.

25 I'd like to do the same with my closing

1 remarks, urging you to approve this application
2 in each of it's constituent parts.

3 A few things, Judge Genden spoke to you
4 about his frequent observation of the tobacco
5 expert and the smoker expert disagreeing in
6 their expert reports. That, unfortunately, or
7 fortunately for you, is not the case here,
8 because our expert, Mr. Tim Plummer, prepared a
9 report, and it was reviewed by your expert at
10 Atkins, and so, in this case, both experts
11 agree on the traffic issue.

12 Again, we can put the traffic aside. There
13 has been no competent evidence of a traffic
14 issue by any person who testified before you
15 this evening. And the only evidence is that
16 there is not a traffic issue.

17 I'd like to talk, just to put it into
18 context for you all, because the vocabulary is
19 so important, and it is frequently confused,
20 about two-thirds of the opponents who stood
21 before you, stood before you to say, "Don't
22 change the Zoning," but the expert planner for
23 the opponents just said, "We recommend that you
24 change the Zoning," because if you don't change
25 the Zoning, what you have is a strip mall, and

1 there seems to be a very strong sense, in this
2 and other communities, that we are in a
3 post-strip mall world.

4 The question about this project is really
5 one of a dynamic versus a static approach to
6 development. Do you want to have something
7 that is the same or do you want to have
8 something that is better? We submit to you
9 that you deserve something better, better than
10 what you can get as-of-right.

11 And the fact remains that as-of-right, and
12 even if Mr. Pinera's Publix scenario were to
13 come to fruition, you would be asking for 100
14 percent more traffic than the Mixed-Uses that
15 we have before you this evening.

16 There was a lot of talk about precedent.
17 Let me take a moment to talk to you about
18 precedent. I'm going to show you a board about
19 precedent. The only precedent that is
20 established by our application, is that if you
21 want to do something wonderful, you need to
22 come with a wonderful plan, with a wonderful
23 architect, with a wonderful design, and have
24 public realm improvements that merit the
25 consideration of your project.

1 And so the precedent that this application
2 would start, if it were to be approved, I would
3 say, would be that if you want to build in this
4 precinct of US-1, set aside 40 percent -- 40
5 percent, an acre, set it aside for the public,
6 give it up, don't overbuild it. Give us
7 connections, give us open space, give us a
8 sense of place.

9 And if you were to set that precedent of
10 requiring everybody who comes before you --
11 just stand it up here -- this is in our
12 submission -- if you were, just in this little
13 section, to demand that anybody who came before
14 you, demand that they give up 40 percent, as we
15 have, you would be creating 3.7 football fields
16 of open space, 218,000 plus square feet of open
17 space, in this little section of US-1.

18 And how does that resonate with the
19 community input? It resonates in perfect
20 harmony with what he heard at the Planning
21 Charrette, because people want a better US-1.
22 They want a more open US-1. They want a more
23 connected US-1. And the precedent that we are
24 establishing is exactly that.

25 We talked about TOD. I would dare suggest

1 to you that the TOD Institute in Washington
2 knows a little something about TOD, and the TOD
3 Institute in Washington cited this as an
4 exemplary example of development.

5 I'd also like to emphasis for you, in terms
6 of the significance of this project, that the
7 Miami Herald has commented that this is a
8 project of the variety that we need to see, and
9 we don't see that from them frequently.

10 So at the end of the day, as I promised, I
11 want to simplify it for you, the questions that
12 are your questions. Do you want Mixed-Use, yes
13 or no? If you want Mixed-Use, you need to vote
14 to approve our project. If you don't want
15 Mixed-Use, vote to deny it.

16 Do you want a reduction in traffic from
17 what could be built? If you want a reduction
18 in traffic, vote for our project. The evidence
19 establishes that. But if you want more
20 traffic, go ahead and see what you get
21 as-of-right.

22 Do you want functional lovely sidewalks, 40
23 feet wide, where you have no sidewalk? Do you
24 want sidewalks in this area of US-1, an acre of
25 them? If you want that, vote for our project.

1 But if you want to take that acre of sidewalks
2 and Paseos and arcades and you want to swap
3 that out for asphalt surface parking, vote
4 against our project.

5 Do you want a new hotel? If you want a new
6 hotel, you should vote for our project. If you
7 don't want a new hotel, you should vote against
8 it.

9 No person stood before you, on the issue of
10 height, to say that height impacted their life
11 in any way. What they simply expressed to you,
12 without showing any injury, was a desire that
13 they be protected. You're protected from a
14 harm. What the opponents case did not do was
15 to connect the dots factually, with evidence,
16 from the suggestion that the approval of this
17 project causes harm to any person, harm of a
18 legally cognizable nature. It doesn't stop
19 them from using their homes.

20 The Gables One Tower, most of the people
21 who spoke before you, and have filed their
22 letters in opposition, have bought their homes
23 with the Gables One tower standing. No person
24 stood before you to say, "The Gables One tower
25 has made my life so miserable, that I had to

1 move out of Coral Gables, because it bothered
2 me." You didn't hear that, because it didn't
3 happen.

4 No person has said, "The Gables One tower
5 throws a shadow on me and this will throw a
6 shadow on me, and that shadow will bother me."
7 Even if they did say that, that would not be
8 competent and substantial evidence of a
9 cognizable harm. But they didn't say it,
10 anyway.

11 This project is the right project, at the
12 right place, and the time is now. We have been
13 with your City, in this pipeline, for a very
14 long time. We have made this project better
15 during that time. We have lowered its height.
16 We have reduced the amount of parking.

17 While lowering the height and offering the
18 amenities, we didn't pinch the Paseo. We
19 didn't choke it. We didn't say, "Well, we're
20 taking the height down, so we've got to give up
21 some other stuff." We took the height down.

22 But you know what, at the end of the day,
23 we're talking about increments of ten feet.
24 You want to kill a project over ten feet? Do
25 you want to tell everybody that ten feet is

1 make or break? This is a ten-foot ribbon.
2 We're not talking about ten feet -- any ten
3 feet. We're talking about ten feet, 100 feet
4 in the air -- the perception of ten feet, 100
5 feet in air.

6 We're at 120. They're at 100, maybe 100.
7 Ten feet, twenty feet, nobody has stood before
8 you to say that at 100 feet, all of my problems
9 go away, because they don't have any problems
10 in the first place. And because they don't
11 have any problems in the first place, they'll
12 have no problems whether it's 110 or it's 120.
13 The time is now. You've been gracious with
14 your time. We would ask that you approve this
15 project. And I thank you for your very, very
16 thoughtful and careful consideration.

17 COMMISSIONER LAGO: Thank you, sir.

18 MAYOR CASON: Thank you. And I guess this
19 is a chance for us to ask some questions. I
20 have a couple of questions I want to start off
21 with.

22 The discussion of as-of-right, people were
23 guessing what the market might be. Do you all
24 have some -- assume this project is not
25 approved. What is it that you would be doing

1 as Developers with that property?

2 MR. BASS: There are a number of users,
3 sort of different type of format users, grocers
4 and other stores -- and I'm going to be very
5 careful. I'm not going to name names, because
6 you name names and then you start encouraging a
7 barrage of phone calls to tenants who would
8 rather not have a barrage of phone calls.

9 But we have looked at the project and we
10 are quite confident that there are as-of-right
11 commercial programs that would enable one to
12 build, without public hearing approval from
13 you, sufficient FAR, that we would generate 100
14 times more p.m. peak trips and 60 percent more
15 a.m. peak trips, than the, essentially,
16 residential uses that we're proposing.

17 MAYOR CASON: Second question. You've come
18 down from -- I forget what the original was --

19 COMMISSIONER LAGO: That was going to be
20 one of my questions.

21 MAYOR CASON: 140 something feet -- could
22 be -- 154 to 122 on one of the buildings.

23 MR. BASS: Correct.

24 MAYOR CASON: For you to go any lower, is
25 your project economically feasible? Can you

1 get -- I assume this is going to be financed by
2 banks. Is that something that would happen or
3 have you gone -- have you squeezed as much
4 juice out of the lemon, from the perspective of
5 an investor in a property?

6 MR. BASS: We believe we're at the bone.
7 This isn't Liposuction. By cutting, we're down
8 to the bone, and I would be remiss if I didn't
9 suggest to you that we did our level best to
10 come back with the reductions that we came back
11 with, but there's only so much juice in the
12 lemon, and the reductions that we've done
13 represent our best effort at that.

14 MAYOR CASON: There was another question of
15 somebody who referred to this as a party place.
16 Would you address --

17 MR. BASS: Since I don't go to many
18 parties, I feel somewhat unqualified to address
19 that, and I don't suspect I'll be inundated
20 with invitations from within the neighborhood,
21 so I'll make other plans with Netflix for New
22 Years.

23 MAYOR CASON: But I think what they were
24 trying to say is that somehow this would become
25 a low income rental for -- I don't know how you

1 hope to market this, but I think it's
2 worthwhile to discuss.

3 MR. BASS: It couldn't be further from the
4 truth. The project is designed to be marketed
5 to young professionals, who work either at the
6 University or in Downtown, who wish to walk or
7 take transit to one of those two employment
8 centers. It is absolutely not designed to be
9 student housing or a party setup in any way,
10 shape or form.

11 MAYOR CASON: Another question. The
12 allegations that close to a billion dollars of
13 property values will be lost if a high,
14 whatever that means, building is put in.

15 Historically, with the Gables One Building,
16 have property values gone down since that was
17 built?

18 MR. BASS: No. They have continued to
19 increase, and that wasn't even the suggestion
20 that was made. The suggestion was not made
21 that this would, in any way, alter that tax
22 base. The suggestion was made that, that
23 aggregate property value represents a force of
24 nature that is behind the kill shot for this
25 project. But there was no suggestion,

1 certainly no evidence, none whatsoever, from
2 any economist or appraiser, to show that
3 property values have been or would be affected
4 by the Gables One Tower.

5 COMMISSIONER LAGO: But if I may, Mr. Bass.
6 I mean, I imagine everyone here remembers -- I
7 think a certain lady spoke. She was a realtor.
8 I have her name written down. She estimated
9 around ten to fifteen percent reduction in the
10 value of the homes in the adjacent area.

11 Again, you asked a question. I don't know
12 if maybe, Madam City Manager, if you have any
13 insight or anyone on Staff that --

14 MS. SWANSON-RIVENBARK: I don't want to
15 pretend that we have that information, sir.

16 COMMISSIONER LAGO: Okay.

17 MR. BASS: If I can just offer a contrary
18 anecdote. Multiple people who spoke before
19 you, proponents, did identify themselves as
20 realtors or in the real estate business. And
21 you can't guess about this stuff. This is
22 science. Having someone come up there and just
23 state a conclusion, without having a fact-based
24 underlying chain of reasoning to support the
25 conclusion, is just a statement.

1 COMMISSIONER LAGO: The reason why I ask
2 the question is because it was not only -- you
3 know, I wasn't only asking you the question. I
4 was also asking the RNA the question; if they
5 maybe, at this point, had some facts that could
6 either discredit or could prove that statement,
7 because that's a very dire statement that
8 someone would make.

9 MR. BASS: And I would simply suggest to you --

10 COMMISSIONER LAGO: But it's my
11 responsibility to make sure, if there is
12 anything we need to flush out, I want to have
13 that discussion.

14 MR. BASS: No qualified opinion evidence
15 was granted or was presented to support the
16 contention that the approval of this project
17 will cause property values to fall.

18 COMMISSIONER LAGO: Thank you.

19 MAYOR CASON: Have you done any research --
20 there was a statement that many of the people
21 had bought their homes since 1970. Have you
22 done any empirical research on that, to come up
23 with -- is that true? I mean, what percent?

24 MR. BASS: We did.

25 MAYOR CASON: I'm asking that, because if

1 this ugly building that's there, that everybody
2 is against, that's higher, was -- somebody
3 moving in, that expected it was going to affect
4 their property values, well, did they disregard
5 it and move in? I don't know.

6 MR. BASS: We did look at that. If you can
7 give me one minute, I will give you the
8 percentage number of people who bought homes in
9 the area after that building was built, if
10 that's the question.

11 COMMISSIONER LAGO: Could you also do me a
12 favor, since you're going to, you know, have a
13 pow-wow for a second, I need you to find out
14 for me how many times this building has been
15 reduced, from 154, and what has been reduced?
16 Had it been density, parking? I want to see
17 exactly the steps that have been taken to
18 reduce the building to 122.

19 MR. BASS: And if I may, let me huddle up
20 and get the percentage for the Mayor. While I
21 do that, if I could have Jorge Hernandez
22 address that question, so we can keep this
23 moving, because he would be in a better
24 position than I to answer that.

25 COMMISSIONER LAGO: Perfect. Thank you,

1 sir.

2 MR. PINERA: Excuse me, may I address your
3 question regarding the --

4 MR. LEEN: It's up to the Mayor.

5 MAYOR CASON: Go ahead.

6 COMMISSIONER LAGO: You have to speak to
7 the Mayor.

8 MR. PINERA: Yeah, Mr. Lago asked if
9 anybody from the RNA could respond to that
10 question. I bought my house five years ago --
11 six years ago now, and I can tell you that if I
12 had the amount of traffic at the choke point --
13 what we're doing is, we're adding a large
14 amount of traffic at a choke point -- I would
15 not have purchased my house, in my
16 neighborhood, with that building overlooking
17 the park.

18 I know that this is not empirical data, but
19 I can tell you, I would not have purchased my
20 house, where I purchased. The things that
21 attracted me to that area were the park, and
22 overlooking these massive towers would not have
23 attracted to me that area.

24 So for what its worth -- I know you're
25 looking for empirical data, but I will state

1 that.

2 COMMISSIONER LAGO: And if I may, I'll be
3 brief.

4 MAYOR CASON: Go ahead.

5 COMMISSIONER LAGO: Henry -- Mr. Pinera, I
6 appreciate your response. You know, we've met
7 several times to discuss the project, and I
8 understand that this is something incredibly
9 important to you. You've done an incredible
10 job in reference to, you know, organizing and
11 preparing all of these documents.

12 But I just want to be very careful, when
13 you start throwing out numbers. When you start
14 throwing out numbers like a ten to fifteen
15 percent reduction in property values, that is
16 basically what I want to avoid and what I've
17 tried to avoid over the last two years, as
18 being an elected official. I deal in facts.
19 And you know it, because I've told you that.

20 I told you, when I met with you, that I
21 want to be very careful when you use numbers,
22 because those numbers, if you throw them out
23 enough, they become reality, because people
24 just start to believing that.

25 And so when someone made those comments, I

1 just want to give everybody the opportunity, on
2 the record, to really, you know, give some
3 actual factual backing to those numbers, and
4 that's why I wanted to make sure Mr. Bass and
5 also the representative for the RNA had their
6 time to answer those questions.

7 MR. PINERA: Okay. And I would like to
8 state on the record, and I was sworn in --

9 MR. LEEN: Yeah, we need to get this under
10 control, though, a little bit.

11 MR. PINERA: I'm addressing his question.

12 MR. LEEN: I understand, but she also is
13 trying to speak.

14 MR. PINERA: I, under oath, if I had known
15 that this project was coming up, I would not
16 have purchased my house. Thank you.

17 MAYOR CASON: Okay. Mr. Bass.

18 MR. BASS: And I must now, just because we
19 had testimony, remind the Commission that
20 Mr. Pinera testified under oath, at the last
21 hearing, that from his home, he cannot see the
22 Gables One Tower. So you can weigh that with
23 the credibility of the answer that he just
24 gave.

25 So, Mr. Mayor, to answer your question --

1 I'm superstitious.

2 To answer your question, we went through
3 the petition that was submitted on October 22nd
4 to this City. And 98.4 percent of the homes,
5 based on our evaluation of the signators to
6 that petition, purchased after 1973. At which
7 point, the Gables One Tower was standing.

8 MAYOR CASON: Factually, have property
9 values gone down or up? I would assume they've
10 gone up, as they have throughout the Gables?

11 MR. BASS: Property values have absolutely
12 gone --

13 MR. LEEN: You know, there needs to not be
14 public -- let's try to keep this civil.

15 MAYOR CASON: The tall building didn't
16 result in a reduction?

17 MR. LEEN: Not you. I mean, everybody.

18 MAYOR CASON: Do you have any more
19 questions?

20 COMMISSIONER LAGO: No, I have a litany of
21 questions.

22 MAYOR CASON: Go ahead.

23 MR. BASS: Can I make sure that Jorge
24 Hernandez answers the following one --

25 COMMISSIONER LAGO: Right. And my question

1 is based on, we had -- now, when I say, "We," I
2 mean, the City, the Applicant, and the RNA, had
3 two sit down meetings. And today we were
4 provided with a recommendation of 97 feet.

5 Again, like the Vice Mayor said at the
6 beginning of this hearing -- is hearing the
7 appropriate word? I'm not a lawyer so --

8 MAYOR CASON: Yes.

9 COMMISSIONER LAGO: At the beginning, he
10 made it very clear, he's met with both sides,
11 and I've met with both sides. Up to yesterday.
12 I was meeting with both sides. And I was told
13 that there was going to be a recommendation
14 coming. I wish this recommendation would have
15 come the first time, in the first meeting, that
16 we could have worked toward something. Not on
17 the last day, on Second Reading of an item
18 coming before the Commission for approval or
19 denial.

20 So that's why I want to find out, what has
21 the Applicant done, since those two meetings,
22 and during those two meetings, to get to 122?

23 MR. HERNANDEZ: Sure. Thank you. I'd be
24 happy to answer that for you.

25 COMMISSIONER LAGO: Thank you, sir.

1 MR. HERNANDEZ: If I may, I'll start before
2 the first Commission hearing, because -- is it
3 okay now? I mean, I'm not superstitious. I
4 can go over there.

5 Okay. Is there feedback here? No? Great.

6 Okay. As you all know, the clock for
7 public process starts when plans are submitted
8 to the Development Review Committee, and we did
9 that in October, more or less. So we've been
10 in the public process for about a year and a
11 half. October of the previous year, I meant.

12 And the project originally, as you just
13 heard, was 153 feet tall.

14 COMMISSIONER KEON: Both towers?

15 MR. HERNANDEZ: Both towers.

16 Okay. As a result of numerous public
17 meetings -- I'm sorry, not public. They were
18 not sponsored by the City. As a result of
19 numerous meetings with the neighbors, which
20 we've reported to you before, and you've heard,
21 there were numerous meetings with the
22 neighbors, that project was brought down from
23 154 to 142.6, both towers.

24 But what was suggested -- what was
25 submitted to the Board of Architects had the

1 residential tower at 142.6 -- I'm sorry,
2 forgive me. I made a mistake. What was
3 suggested to the Board of Architects had the
4 residential building at 154, okay. And the
5 project was approved by the Board of
6 Architects, for the purview that the Board is
7 granted, that is architecture and design and
8 aesthetics and reviewed for Mediterranean
9 Bonus, which, as you know, is a set of
10 requirements; is the project appropriately
11 articulated, do Paseos break it up, et cetera,
12 et cetera; are there colonnades, arcades?

13 That Board found that project to be -- it
14 was voted unanimously as a yes, and it was
15 given Mediterranean Bonuses 1 and 2, okay.

16 Since then, the project was taken down from
17 the 153 to the 142.6, which is when it came to
18 P&Z. And when you heard it, you already heard
19 one step down, from 154 to 142.6.

20 COMMISSIONER LAGO: Let me ask you a
21 question.

22 I'm sorry?

23 COMMISSIONER KEON: He was going to keep
24 going.

25 MR. HERNANDEZ: That's okay. That's all

1 right. I can be interrupted.

2 COMMISSIONER LAGO: Just to clarify, why
3 did the Developer, at that point, bring the
4 building down seven feet?

5 MR. HERNANDEZ: It's more than seven. From
6 154 to 142.6.

7 COMMISSIONER LAGO: Yes.

8 MR. HERNANDEZ: Because of numerous
9 discussions with the neighbors, that asked them
10 to take -- a floor was taken off, and the
11 Madruga elevation was notched.

12 COMMISSIONER LAGO: Okay.

13 MR. HERNANDEZ: Okay. So we notched the
14 Madruga elevation side of the project, and we
15 took a floor off of the project, okay.

16 So what you saw was 142.6. And what we
17 went to P&Z with, and what we came to you on
18 First Reading, was the 142.6.

19 The project is now at 122.6, and that was
20 accomplished by using the Shared Parking
21 Ordinance. In fact, it was suggested by a
22 number of you. I know it was suggested by you,
23 Commissioner Quesada, and you heard the City
24 Attorney opine -- yeah, but that's not what we
25 came in with. Well, let me just finish.

1 MR. LEEN: It wasn't an ordinance, though.
2 It was the PAD.

3 MR. HERNANDEZ: Right. Right. We used
4 your suggestion as a Board to use the Shared
5 Parking Ordinance, and we came down, using that
6 Ordinance, and taking another floor down, to
7 the 122.6 that we're at tonight.

8 And the hotel is at 141.

9 COMMISSIONER LAGO: And let me ask you a
10 question, at 122.6, to get that height, did you
11 reduce only parking or did you reduce also
12 density?

13 MR. HERNANDEZ: We reduced the density.

14 COMMISSIONER LAGO: And the intensity?

15 MR. HERNANDEZ: And the intensity. No,
16 correction, we did not reduce the FAR.
17 Intensity is FAR.

18 COMMISSIONER LAGO: Okay.

19 MR. HERNANDEZ: We reduced density and
20 height, which is bulk and mass, to come to that
21 height. Is that clear? I hope that was clear.

22 COMMISSIONER LAGO: No, it's clear, because
23 there were some comments made before on the
24 record that, you know, there wasn't a real
25 reduction, and I want to make sure that we put

1 that very clear, before we even start
2 discussion of where we're going to go from
3 here. I want to make sure that's solid and
4 clear on the record.

5 MR. HERNANDEZ: Thank you. I appreciate
6 that. I'm here, if there are questions. If
7 there are no more questions, then --

8 MAYOR CASON: Not on that.

9 MR. HERNANDEZ: Okay. Thank you.

10 MAYOR CASON: I would like to ask Mr. Bass.
11 We had roughly 50/50, in terms of speakers here
12 today, maybe a little bit more against, but at
13 this stage, what are your objections or your
14 disagreements with the -- I know the legality,
15 that you argued that it's not legal to do a
16 referendum, but do you dispute the results of
17 the survey of the neighbors and what are your
18 results within a thousand feet, for example,
19 which is the normal distance that we look at
20 for the most important target area?

21 MR. BASS: And so it's very difficult for
22 me to do this with precision, because of the
23 fluidity of the process, but let me begin by
24 saying, we had individuals come before you and
25 testify that they were errantly shown, on

1 numbers of properties that they own, as being
2 incorrectly marked.

3 We had testimony that a ten-year-old
4 participated in the coloring of the document.
5 We had testimony that an unidentified committee
6 of people worked on it, in a collaborative
7 setting, and we know, by looking at the
8 signatures, that there are a sizable number,
9 the number is approximately, from our quick
10 look, over 100 duplicates, closer to 140
11 duplicate, of one person at one address signing
12 multiple times at the same address. We've seen
13 the e-mails, that it was renters who signed,
14 where the owner is in support.

15 So I stand by my initial comment. The
16 document is irrelevant, as a matter of law, and
17 inaccurate and unreliable and unauthentic, as a
18 matter of fact. But when we looked at a closer
19 circle, and I'll confirm the radius that we
20 looked at, but we saw it with a significant
21 number of people in support within a thousand
22 feet, and I think the percentage was roughly --
23 let the record be clear, very rough here,
24 within 1,000, we had 25 percent of the people
25 in favor and three-quarters opposed.

1 And I might just emphasize for you that
2 that's not uncommon. Many times the people who
3 are most stridently against a project live the
4 furthest away, because it doesn't affect them,
5 one way or the other, but Rabbi Mendi Felig
6 stood before you and reiterated his comments,
7 as the most impacted person, he's in support.

8 VICE MAYOR QUESADA: You know, so this
9 issue is one that's really got me -- no,
10 Jeffrey, I think you should stay up here --
11 it's really got me looking at things here a
12 little differently.

13 I was under the impression, after the First
14 Reading, in line with what you're saying, that
15 some of the closer people were in favor of the
16 project. But when I look at this, and from
17 what I've heard today, I'm getting the exact
18 opposite impression, that the ones closest to
19 the project aren't in favor. I know there's
20 the one Jewish individual that you mentioned
21 that he couldn't be here tonight, and I'm
22 assuming that's the green one that you said was
23 the closest property, the closest affected.

24 Do you have any data on that, that within a
25 thousand feet, it was 25 percent?

1 And I guess, for purposes of the record,
2 you know, before the hearing started, I told
3 Mr. Gibbs and I told Mr. Bass, I asked them to
4 come to my office to discuss procedural issues,
5 also that, you know, I had a lot of questions
6 about the petition. And there's been a lot of
7 back and forth on the Statute that you cited,
8 and Mr. Brooks cited the statute, as well, and
9 so did Mr. Gibbs. And I looked it up for
10 myself, and I think I was looking at it in
11 Westlaw, as well, analyzing the interpretations
12 of it, just because I'm a little nerdy like
13 that.

14 MR. BASS: And the Armstrong case applied
15 it. It was loosely applied.

16 VICE MAYOR QUESADA: So my point is, it's
17 coming back to a factual point for me. I need
18 some real clarity on this, because, obviously,
19 I saw those e-mails of individuals saying that
20 they were marked red, when they were really
21 green. So it makes me question the veracity of
22 this, you know, and some of the duplicates.

23 But I guess what I'm trying to figure out
24 at this point is, within that 1,000 foot
25 radius, if there is a more reliable piece of

1 information that either side can give me or is
2 this it?

3 I think Mr. Pinera passed this up to us, or
4 Ms. Kawalerski, because that's still a question
5 in my mind.

6 MR. BASS: I have not prepared, nor timely
7 submitted any type of analysis of the nature
8 that you've just described. I don't believe
9 that, that is a relevant consideration. I
10 don't believe that that's a reliable document.
11 I don't believe it would be admissible in any
12 Court of Law. The signatures are hearsay.

13 And you can just look at them. They're in
14 the same handwriting. And you can see the
15 stacks. So I can give you some better numbers
16 on the amount of duplicates in that area, but I
17 haven't broken it out in any way that I could
18 reliably intend -- holding me to the same
19 standard that I'm holding them to, to tell you
20 it's a scientifically sustainable sample.

21 VICE MAYOR QUESADA: Any thoughts, Mr.
22 Gibbs?

23 MR. GIBBS: Through the Mayor, Commissioner
24 Quesada, what we have done is, and I have Sue
25 Kawalerski here, who will speak to it,

1 everybody who spoke today, she can explain --
2 and she was limited to what, one minute?

3 VICE MAYOR QUESADA: Two.

4 COMMISSIONER KEON: Two minutes.

5 MR. GIBBS: To two minutes. I'm sorry, to
6 two minutes, and she couldn't say everything
7 she wanted to say, and I'd like for her to have
8 the opportunity to respond to this issue.

9 She was the person who was mainly in charge
10 of putting everything together, and I think
11 she'll be able to clarify this issue.

12 But to Mr. Bass' statement, I don't
13 disagree with him, in terms of these petitions.
14 The petitions don't speak to whether or not
15 this application meets the requirements of law,
16 and it was never presented to this Board as
17 that. It was presented as an instrument to
18 explain, that in this neighborhood, a certain
19 number of people didn't want this project.
20 That's all it was established for.

21 It doesn't talk about the Code. It doesn't
22 talk about whether or not it meets the Code.
23 But it's informational for you all to look at
24 it. But with that, I'd like to at least let
25 Sue speak to the issue of the people who spoke

1 today.

2 MR. LEEN: If the Mayor will allow it.

3 MAYOR CASON: Yeah, go ahead.

4 MR. KAWALERSKI: Okay. Thank you. One
5 thing that's very important to understand about
6 how this map was put together, is that we went
7 to the residences. Numbers of those residences
8 were not actually the property owners, in some
9 cases, and I state that for a reason.

10 Mr. Jorge Rios came up here and testified
11 that he lived at 1251 South Alhambra, and that,
12 in fact, his house was marked red. In fact, it
13 is not marked red. Just for a point of
14 clarification here, it was not marked red.

15 However, he said he also owned properties
16 at 1120, 1122, 1124 and 1126 Cotorro, which
17 were marked red. They were marked red for a
18 reason. The renters, the leasers, or whoever
19 answered those doors, at that moment in time,
20 identified themselves as the residents, and
21 they signed the petition, as residents living
22 there, in opposition to the Paseo project. So
23 that's a point of clarification.

24 I also want to bring and put on the record
25 something that happened to one of our RNA

1 members in the past several days. This member
2 is Gigi Citarella. She testified -- she was
3 the one with the ten-year-old daughter, who
4 helped her color in the figures. And Gigi is
5 present.

6 In the past several days, and we're not
7 pointing fingers, but you should know what
8 happened -- in the past several days, a signed
9 petition was put in her mailbox, at her
10 residence, signed by a person allegedly living
11 on San Remo. Gigi Citarella knew that person
12 who lived at that residence. That resident has
13 been deceased. Leading us to some suspicion
14 that there is some hanky-panky going on to try
15 to discredit us.

16 We caught it. We never had it red on our
17 map, because we knew that, that person was
18 deceased. Who put that in the mailbox? We
19 don't know, but it certainly is suspicious.
20 And I can tell you, without a doubt, while
21 there were numbers of us working on this
22 survey, we all met several times, to go over
23 the petitions, the signatures, and relaying it
24 to the markings on the map.

25 What you see is representative of, although

1 maybe not a professional surveyor, but a
2 dedicated group of honest residents, who spent
3 hours putting this together. So I can testify
4 that the signatures that we obtained were not
5 put there by someone else, other than the
6 residents of the properties that we visited.

7 And, yes, in some cases, there were more
8 than one person that lived at the residence,
9 who happened to also be voters, in the case of
10 a husband and a wife, a husband and a wife and
11 an 18-year-old, and they did sign that
12 petition, but the one mark reflects only the
13 one mark, and that could also mean that there
14 have been several people that signed the
15 petition at that one residence.

16 MR. LEEN: Mr. Mayor, I have to say
17 something. When you consider this today, this
18 is not a plebiscite, and I have to say that, to
19 protect the process at this point, because
20 we're getting too far afield.

21 You can consider the community sentiment
22 and you should, but when you consider that,
23 you're considering the harms that they put in
24 the record, and the concerns that they put in
25 the record, and you're determining whether you

1 can address those through the quasi-judicial
2 portion, though conditions of approval, and
3 then the legislative portion, where you should
4 make this change, and you have to consider the
5 entire community and you have to make that
6 determination, but it can't be a plebiscite.

7 And I need to put in the record, when you
8 vote, to the extent I can instruct you, I'm
9 instructing you, you cannot consider simply, is
10 it a majority on this side or a majority on
11 that side. You do need to consider the people
12 who spoke today and the harms that they've
13 raised to you and make your best determination,
14 but ultimately it's an objective test.

15 For the legislative portion, it's whether
16 it's fairly debatable, whatever you do. And
17 for the quasi-judicial portion, it's whether
18 there's competent and substantial evidence in
19 the record.

20 MAYOR CASON: Well, I think you've
21 established that there are differences of
22 opinion, strong differences of opinions. Of
23 the people who came here, of the 87, roughly
24 50/50, maybe a little more of the opposition,
25 but, yes, your poll did make us aware that

1 there are strong feelings. And there are
2 people who answered the question -- I'm not
3 sure what the question was -- but who were
4 opposed. So we got that. Thank you.

5 MS. KAWALERSKI: Thank you.

6 MAYOR CASON: Mr. Bass, do you have
7 anything else you want to say on that?

8 MR. BASS: Not at this time.

9 MAYOR CASON: Okay. Questions. Pat.

10 COMMISSIONER KEON: Well, you know, it's
11 thoughts, as well as questions.

12 When the building that UM now holds was
13 built, that tract was designated as commercial,
14 but it's my understanding, from Planning, that
15 there were no designated heights, so whatever
16 apparently they applied for, they were given
17 the permit, and it was built.

18 I think, in reaction to that building being
19 built there, in 1980, the Site Specifics were
20 set for that Tract A, that set it at
21 four-story, and it wasn't even Low-Rise at that
22 time, it was four-story, with the setbacks of
23 125 in the front and 50 in the back, and all of
24 that was done in reaction to that particular
25 building.

1 So I don't -- I mean, not being there at
2 the time, I can't tell you whether that was
3 well-planned designations for that Land Use or
4 whether it was reactionary. My sense is, it
5 was probably a reaction to a large building.
6 You squash development to very little.

7 And it wasn't until '98 that it was
8 actually put in to identify it as Commercial
9 Low-Rise Intensity, in the Re-Write for the
10 Zoning Code. Before it was just Site Specific,
11 and whatever, and I think, in '98, I remember
12 sitting on the Planning and Zoning Board, and
13 we went through and looked at all of the Site
14 Specifics and tried to incorporate them into
15 the Zoning Code.

16 I mean, I think, you know, that property
17 has kind of sat out there for a long time, you
18 know, with different thoughts and ideas about
19 it, until, you know, we come to today.

20 I think that the Zoning that's on it, the
21 Low-Rise and the setbacks and whatever that are
22 on, really encourage development as a strip
23 mall. I do think we are beyond strip malls.

24 I don't think that a strip mall, in any
25 way, that huge blacktop surface, that is hot,

1 they're unsafe, they're unsightly, they haul
2 pollutants that end up washing into our sewer
3 systems and leak into our ground water, I don't
4 think that, that in any way, in any way, would
5 depict any vision that Merrick ever had.

6 I think, for us, right now, this is an
7 opportunity to look at our corridors and how
8 our corridors should develop, and the
9 sightliness of our corridor, and, you know, do
10 they follow that vision that Merrick, you know,
11 put forth? Do they provide us with, you know,
12 green space, gathering space?

13 You know, I like the tiered development of
14 this building. I like the Paseos. I like the
15 openness of it. I think the issue is, right
16 sizing this. You know, if it isn't -- you
17 know, if the numbers don't work for the
18 Developer, then that could be a risk that he
19 took at the time that he purchased the land,
20 but I do think that it is -- it provides us
21 with a very good opportunity to decide how we
22 want that US-1 corridor to develop, and,
23 particularly, that tract, because that's
24 really -- you know, that is a developable
25 tract.

1 The only other developable tract that may
2 come along is the one where Swensen is, that is
3 further south on the Highway, but this
4 particular tract, because of its size, because
5 of its depth, because of its size, you know, is
6 the one that is most -- now is most under
7 pressure for development.

8 And I think we have an opportunity to make
9 a decision here as to how we want this to go.
10 I'm really sorry that we didn't do it. When I
11 asked for a Visioning Study to look at it, it
12 was because I wanted the feedback, to say,
13 "This is how this should look. This is how we
14 need to respect the single-family residential
15 community, you know, that is to the east of
16 this."

17 You know, the thing that separates this lot
18 is a very narrow street. How wide is Madruga?
19 Can anybody tell me how wide Madruga is?

20 30 feet. Okay. There's a 30-foot space
21 between this development and three-story
22 apartments, and then you drop down into -- you
23 know, into a Single-Family residential
24 community.

25 So, you know, what is the appropriate

1 height, you know, how high should it be, how
2 big should it be, how dense should it be, how
3 mass should it be, when you are so close to a
4 Single-Family Residential community? Everyone
5 of us believes that protecting the integrity
6 and the values and the aesthetics and the
7 quality of life in our Single-Family
8 Residential communities are exceedingly
9 important, exceedingly important.

10 So what is it we put here? So, to me,
11 it's -- you know, you started this way, how
12 much you came down, how much you didn't come
13 down, you know, that's kind of your story.

14 My story is, what belongs there? What is
15 the best designation that we can use for this?
16 Sadly, our Code has Low-Rise, Mid-Rise, that
17 would go to with bonus at 97 feet, and then we
18 go to High-Rise. You know, we don't have
19 anything that goes between Mid-Rise and 150
20 feet, which I don't think serves us well, and I
21 think that going forward, it's something that
22 we should look at as to what we're going to do.

23 You know, I tend to agree with the people
24 within the Association or with Mr. Gibbs and
25 his suggestion that we look at, that it be

1 Mid-Rise. I think that -- I mean, because
2 that's the only designation we have.

3 But I would tell you that 100 feet, you
4 know, with the appropriate setbacks, you know,
5 would step down -- to me, would step down
6 appropriately into the apartments, and then
7 into the Single-Family Residential community.

8 I would also tell you that under no
9 circumstances would I allow any sort of signage
10 on the east side of those buildings, either, as
11 they face the residential neighborhood, but I
12 think that, you know, if this area is developed
13 as a PAD, if we make the determination of how
14 high should this be, and then we make the
15 determination that, yes, it should be developed
16 as a PAD, you know, I think that's when you
17 begin to look at the design and the
18 architectural elements, and you decide
19 whether -- for the sake of design, if you want
20 to retain that Paseo and you want to retain
21 that really beautiful open space, you're going
22 to have to give something back, and that's why,
23 you know, if you keep the residential at one
24 height, do you allow the tower in the hotel to
25 go to 120 feet or 125 feet?

1 You know, I think that's the conversation
2 that we need to have. It's like, what do you
3 give that doesn't harm? You know, how do you
4 make no one worse off? And that's the
5 discussion we need have. That's why I ask you,
6 you know, what is the appropriate setback? You
7 know, if I'm 30 feet across from a three-story
8 building, and I have a 100-story building, at
9 the first 45 feet, I'm going to step back, but
10 how far do I need to step back to achieve the
11 aesthetic that I want to achieve? How far is
12 that?

13 Ramon, how far is that? I mean,
14 architects, you know those things. You study
15 those things. You know balance. You know
16 lines of sight. That's why you do what you do.

17 MR. TRIAS: Yes, Commissioner, I think
18 Architect Hernandez has given a good
19 explanation of the reasoning.

20 COMMISSIONER KEON: Yes.

21 MR. TRIAS: And it has to do with the way
22 that if one is standing on the sidewalk, what
23 you would see.

24 COMMISSIONER KEON: Right. Okay. So how
25 far back? At 45 feet, how far do you step

1 back?

2 MR. TRIAS: I believe it was 70 or -- would
3 you like to see that?

4 MR. HERNANDEZ: I'll bring the board.

5 COMMISSIONER KEON: Right.

6 So it was a 70 feet; is that right, that
7 you step back?

8 MR. BASS: While we're running this down, I
9 just wanted to remind the Commission, it was
10 not stated here, but to reiterate that we had
11 proffered a covenant during the first hearing.
12 I wanted to restate that. So even if approved
13 to the High-Rise, we were limiting, via
14 covenant, within that designation.

15 COMMISSIONER KEON: Yeah, but, you know, my
16 interest tonight is that we would designate
17 that tract, Tract A, and, you know, I am not
18 prepared to support High-Rise. I'm not at all.

19 I mean, you may have three people here that
20 are, and if you do, okay, but I'm not.

21 MR. BASS: And I just want the record to
22 reflect that the High-Rise that we're seeking
23 is not true High-Rise. It's 120, which is 20
24 feet more than the outer limits of your --

25 COMMISSIONER KEON: I would rather give you

1 Mid-Rise and we'll talk about conditions of a
2 PAD. But --

3 MAYOR CASON: Mr. Hernandez.

4 MR. HERNANDEZ: If I may.

5 COMMISSIONER KEON: Yes.

6 MAYOR CASON: Yes.

7 MR. HERNANDEZ: So we showed you this board
8 earlier tonight, and this board shows that --
9 by the way, I forgot -- I'm sorry, I forgot to
10 answer -- we answered the reductions in heights
11 from US-1 that we had accomplished. I didn't
12 focus the answer on Madruga.

13 The Madruga height used to be 56, and it's
14 now at 46. So at 46 of height, you're standing
15 on private property. This is a person,
16 six-foot person, standing on private property.
17 Their line of sight at 79 does not include any
18 feature, not even -- I'm sorry, Commissioner
19 Slesnick -- not even the parapet nor the
20 equipment tower. And, in fact, that would be
21 true up to 65 feet.

22 You could slide this forward to 65 feet and
23 that line of sight would not include any of the
24 profile of the second part of the composition.
25 The part of the apartment building that's on

1 top of the parking plinth would not be visible
2 from that private property.

3 COMMISSIONER KEON: So you're telling me
4 that a 65-foot setback, at 45 feet, would be
5 appropriate?

6 MR. HERNANDEZ: That's what this diagram
7 shows. That's what I believe, yes.

8 COMMISSIONER KEON: Thank you.

9 MAYOR CASON: All right. Do we have --

10 VICE MAYOR QUESADA: Commissioner Keon, I
11 just have a question for you. I understand
12 your comments, but it seems like you were
13 focused on the procedural vehicle, and I guess
14 I'm just trying to get some clarity.

15 I think everyone in the crowd is thinking
16 the same way I am, so are you okay with the 120
17 or not?

18 COMMISSIONER KEON: I'm not sure that I'm
19 okay with the 120 either, no. I'm more
20 comfortable with 100, but, I mean, I would deny
21 the High-Rise, and I would set it at Mid-Rise.

22 COMMISSIONER LAGO: Let me ask you a
23 question, Commissioner. Would you be willing
24 to meet halfway? Because I echo a lot of your
25 sentiments in reference to Tract A, especially

1 about we should require that it have 40 percent
2 open space. My fear is a strip mall, all of
3 that asphalt, all of that heat island effect
4 which occurs when you have all of that asphalt.

5 So I agree with you, and I echo your
6 sentiments, but there has been to be something
7 between what was proffered today by the RNA,
8 which I wish -- I wish, like I mentioned
9 before, had not come today. I mean, that's
10 very -- to be honest with you --

11 MR. GIBBS: Through the Mayor. It did not
12 come today. It was delivered on Friday
13 afternoon. We were told that report was
14 done -- there are a few changes that were made
15 today, but that was it, but that whole issue of
16 the Land Use Category, that was out on Friday
17 morning. It was delivered and filed with the
18 City Clerk on Friday morning. And it was
19 delivered to you, by hand, that afternoon, is
20 what I was told.

21 COMMISSIONER LAGO: Let me correct myself.

22 COMMISSIONER KEON: No, I don't think it
23 was.

24 COMMISSIONER LAGO: Let me correct myself,
25 okay. It should have been discussed in the

1 second mediation between --

2 COMMISSIONER KEON: In the first.

3 COMMISSIONER LAGO: I'm giving you the
4 first. The second one.

5 MR. GIBBS: I appreciate what you're
6 saying, and I don't want to lose my temper or
7 anything, but the fact is that we were doing
8 the best we could do in that mediation, when
9 the mediator was the City Attorney himself. He
10 knew everything that was going on. And I don't
11 want to get into that issue. The fact is that
12 we presented this as a result of the mediation,
13 as a result of that mediation, and because of
14 Commissioner Quesada -- or Vice Mayor Quesada,
15 we made a point of trying to get this thing in
16 when it was required to get in. And it wasn't
17 even evidence. And the fact is, it's our
18 argument. That was our presentation to you.
19 And we didn't have to. We were doing the best
20 we could do, given our constraints.

21 I represent an organization. I've got to
22 go to meetings. I have an expert witness, who
23 puts things together. And I feel very
24 uncomfortable having to justify a compromise
25 position that my clients worked hard to

1 present, a compromised position that is
2 basically one that meets all of the
3 requirements of the TOD and it is comprehensive
4 in its application. It was not easy.

5 And so my concern about this is that we're
6 being put in a position of having to justify a
7 compromised position that my clients, who have
8 lived in this neighborhood for years, have
9 proffered. A compromise, that is a greater
10 compromise, in terms of what they have now and
11 what they're going to get with what you all
12 apparently want to provide. That's a concern.
13 And that's what our position is.

14 COMMISSIONER KEON: You know, Mr. Gibbs,
15 the problem with us being at this point with
16 that compromise is that we're sitting up here
17 tonight trying to find a solution to an issue
18 that we really should be weighed much more
19 thoroughly and through our Planning Department,
20 than thrown out by us here on this dais.

21 MR. GIBBS: And you're absolutely correct.
22 Commissioner, you're correct. And from the
23 first day -- from the first day that this
24 project came before the City, at the Planning
25 and Zoning Board, that's what we said. "Before

1 you approve this project, make a plan. Make a
2 vision for this community. And don't sit here
3 and approve a plan on an ad hoc basis, because
4 they need to get their plan in."

5 Because, as you said, they bought the
6 property and they wanted it done quickly.

7 The fact is that a Planning study should
8 have been done for this area. I don't know why
9 the City never did it. But the City didn't do
10 it. My clients are going to be paying for
11 that. When this thing is approved at a height
12 over 97 feet, I can guarantee you, my clients
13 are going to be paying for that.

14 And what they deserve, what every person in
15 Coral Gables deserves from this Commission, and
16 from the Planning Department, is they
17 deserve -- when you all make a monumental
18 change, like this is going to be, they deserve
19 a Planning study, because it isn't just about
20 this property. Don't kid yourselves.

21 MAYOR CASON: Well, I think what we have
22 before us is a specific --

23 MR. LEEN: Mr. Mayor, it's 9:00 p.m.

24 MR. GIBBS: It's about this property. What
25 I mean by that, it's not just about this

1 property, it's about other properties in this
2 area who are looking. The old Amase
3 property --

4 MR. LEEN: As a point of order, I'm sorry,
5 it's 9:00 p.m. You have to vote to extend the
6 time.

7 MAYOR CASON: I just want to say one thing.
8 I mean, we have before us a specific project,
9 at a specific height. I would like the
10 Applicant to testify whether or not, it can go
11 any lower. And if not, then that's all we need
12 to know.

13 MR. LEEN: But it is 9:00 p.m. You have to
14 vote or the hearing has to end immediately.

15 COMMISSIONER KEON: I'd like to make a
16 motion that we continue until 9:30.

17 COMMISSIONER LAGO: I'll second the motion.

18 MAYOR CASON: Okay. We'll go to 9:30.

19 MR. LEEN: Unanimous consent.

20 COMMISSIONER LAGO: Mr. Bass --

21 MAYOR CASON: Mr. Bass.

22 COMMISSIONER LAGO: -- my question was
23 geared towards what the Mayor just stated, in
24 reference to, is there any way that we can
25 squeeze any more height out of the project? In

1 reference to the hotel, can we squeeze the slab
2 to slab heights? Can we --

3 COMMISSIONER KEON: They can't say that now.

4 MR. LEEN: Well, I think the Applicant.

5 MAYOR CASON: On the record, to swear,
6 because this is -- I mean, we've --

7 MR. LEEN: I think he asked the Applicant.
8 You wanted the Developer to speak.

9 MAYOR CASON: The Applicant has told us, "I
10 cannot go any lower, because I can't get the
11 financing, and then I'll have to abandon the
12 project." And I would like, on the record, to
13 swear that.

14 COMMISSIONER LAGO: Just one last thing.
15 Is there any way to re-configure the pool deck,
16 in reference to the location of the pool, and
17 dealing with the setbacks? I want you to
18 analyze that. I want you to consider all of
19 that, because there's options there. I know
20 that it may affect the building aesthetically.

21 MR. BASS: Well, and let me answer that
22 question --

23 MR. LEEN: But wait. There's a point of
24 order. He's asked for the Developer to speak.
25 The Commissioner has the right to ask anyone in

1 the room to speak. He can be asked to speak.

2 You've been asked to speak, sir.

3 MR. BASS: I'm sorry, I first thought he
4 asked me to affirm.

5 MR. LEEN: No, he asked the Applicant to speak.

6 MAYOR CASON: I wonder if the Applicant
7 would be willing to, again, reiterate to us,
8 under oath, what more you could do -- could you
9 do anything more, in terms of the issue which
10 seems to be focusing down on height, that would
11 allow you to move forward with your project?
12 Or you cannot go any lower? That's what I
13 would like to know.

14 MR. BASS: Can we just take a two-minute
15 recess?

16 MAYOR CASON: Sure.

17 COMMISSIONER KEON: Yes.

18 MR. BASS: Maybe make it five minutes --

19 MAYOR CASON: Five minutes, that's fine.

20 COMMISSIONER SLESNICK: Mr. Bass, before
21 you go, you keep saying 120 or 122. The hotel
22 is still at 140 --

23 MR. BASS: The hotel has stayed at 142.

24 COMMISSIONER SLESNICK: 142.

25 COMMISSIONER LAGO: And that's what I'm

1 requesting. I'm asking for the Applicant --

2 COMMISSIONER SLESNICK: The hotel.

3 MR. BASS: 141.

4 MAYOR CASON: And, yeah, and I'm asking
5 this, because we have a specific project before
6 us that's been whittled down and we now
7 understand that you can't go any lower,
8 otherwise you have to abandon the project,
9 which means that we would then get something
10 else, whether you believe it would be a strip
11 mall or as-of-right, we don't know what it is,
12 but that, I think, is the issue before us, not
13 what we --

14 COMMISSIONER KEON: I think you should take
15 your five minutes and come back and we'll talk.

16 MR. BASS: I will. I just want to answer
17 you the one question on the pool deck. We did
18 study this exhaustively. Okay. We've been
19 working this non-stop. And if you move the
20 pool deck, you start to get into the position,
21 when you move it, you put your own pool in a
22 constant shadow of your own building.

23 COMMISSIONER LAGO: I know. Just speak to
24 your client.

25 MR. BASS: Okay.

1 MAYOR CASON: Because that's the issue.

2 COMMISSIONER KEON: The issue is, do your
3 numbers allow you to reduce this project by ten
4 percent? That's your answer -- and your
5 question.

6 (Short recess taken.)

7 MR. LEEN: Mr. Mayor, there needs to be an
8 extension or a continuance.

9 Mr. Mayor, there needs to be a
10 continuance -- pardon me, an extension of the
11 hearing, or a continuance.

12 MAYOR CASON: Okay. All those in favor?
13 We've got three votes, so --

14 MR. LEEN: How long? Until 10?

15 MAYOR CASON: Maximum -- ten o'clock, we're
16 out of here.

17 VICE MAYOR QUESADA: So moved.

18 COMMISSIONER SLESNICK: Second.

19 MR. LEEN: So, Mr. Mayor, what happened
20 was, I believe the Applicant is going to
21 propose new height levels right now, and --

22 VICE MAYOR QUESADA: Has the Applicant
23 discussed it with the Representative for the --

24 MR. LEEN: Yes.

25 MAYOR CASON: Yes. They're going to make

1 two options, and then they will make an
2 announcement.

3 VICE MAYOR QUESADA: So have those two
4 options --

5 MR. LEEN: They have not been agreed.
6 There's not been an agreement.

7 VICE MAYOR QUESADA: Okay.

8 MR. LEEN: But the Applicant is going to
9 testify or affirm that this is the best he can
10 do, as you've asked.

11 MAYOR CASON: So Is Commissioner Lago here
12 to hear this?

13 COMMISSIONER KEON: Commissioner Lago.

14 MAYOR CASON: Commissioner Lago. We're
15 needing his presence at this stage.

16 He's here. Okay.

17 MR. LEEN: And for those who are not in the
18 room, the Commission extended the hearing to
19 10:00, but the Mayor said it will not go past
20 10:00. At that point, it's automatically
21 continued, by the Code. The Code automatically
22 continues it.

23 MR. BASS: Understood.

24 So, Mr. Mayor, thank you for that
25 opportunity. It took longer, but we had a lot

1 of ground to cover. I'm in a very
2 uncomfortable position, because making these
3 changes on the fly is not easy.

4 COMMISSIONER KEON: I don't want them made
5 on the fly.

6 MR. BASS: But I'm going to do my best to
7 explain them, as clearly as I can, but I want
8 your promise, that if you don't understand
9 something that I'm saying, you give me an
10 opportunity to clarify it with our architect,
11 because this is something that we will be
12 living with, at a very significant consequence,
13 for a very long period of time.

14 So that said, let me lay out for you two
15 ways to get you the last that we can get you --
16 I'll have my client affirm that under oath --
17 on these conditions, which is to say, still
18 provide the public realm improvements and
19 benefits that we are providing, still have the
20 architecture we're providing, still have the
21 fountains, still have all of the good stuff,
22 and do this project -- I don't want there to be
23 any mistake. I'm not saying that you couldn't
24 come in here and fundamentally rethink what you
25 were doing, but to do this, this that we've

1 been living with, this is the last cut that we
2 can make.

3 And I'm going to lay it out. There are
4 three parts to it. The hotel, Commissioner
5 Lago, picking up on your suggestion, by
6 lowering the distance between the slabs, we can
7 drop the height of the hotel to 135 feet, from
8 its current 142.

9 Excuse me, if I misstate anything, I need
10 my team to back me up, because we were kind of
11 doing this like on the hood of a car.

12 So that's the hotel. And in both of these
13 scenarios that we are going to talk you
14 through, the hotel comes down to 135.

15 So now let me address the height of the
16 residential building and the last cut that we
17 can make. We can make it in two flavors.
18 We'll talk about the two flavors.

19 I'm going to call this one Option A.
20 Option A would be, at US-1, the residential
21 building is 122 feet, at US-1, for the first
22 125 feet. We talked about this step down. I'm
23 going to show it to you. But here's the cut.
24 At 125 feet depth, we drop to 112 feet.

25 So the building will step down, the 122

1 feet will be on US-1. It will step down to 112
2 feet. It will continue at 112 feet for 65
3 feet -- up to 65 feet, and then it drops down
4 to 46 feet, so you have a step down.

5 I'll do it in the reverse order. It goes
6 from 46 to 112 to 122.

7 VICE MAYOR QUESADA: Can I stop you for one
8 second? Mr. Hernandez, if you don't mind, can
9 you get a black Sharpie and do a profile view
10 on the back of one of these boards?

11 COMMISSIONER KEON: Can you tell me what
12 the setbacks are, also?

13 VICE MAYOR QUESADA: Can you use the back
14 of one of the boards, and just like a profile
15 view, so it's a little bit easier for all of
16 us? Because I was going to draw it myself and
17 I know I was going to mess that up.

18 MR. HERNANDEZ: Can I just draw it and then
19 prop it up?

20 VICE MAYOR QUESADA: Please. I would
21 rather everyone understand, than --

22 MR. HERNANDEZ: Yes. A drawing is worth a
23 thousand words.

24 VICE MAYOR QUESADA: I'm sure, when you
25 woke up this morning, the last thing you

1 thought was that you were going to be drawing
2 in front of a quiet room of people at this
3 meeting.

4 MAYOR CASON: At 9:30.

5 MR. HERNANDEZ: One of the two flavors is
6 done. Do the other flavor.

7 Okay.

8 MS. SWANSON-RIVENBARK: Let's make sure
9 that the camera can watch, so they can see you,
10 they can see --

11 MR. HERNANDEZ: Hello. Okay. So this is
12 Option A, which I believe Mr. Bass was about to
13 describe, and this is Option B. And on the
14 left-hand side, that red line, is the US-1
15 property line, in both diagrams, there and
16 there. And on the right-hand side of the
17 board, in both diagrams, that red line is the
18 Madrugá property line, okay.

19 So Option A is, the building would go up to
20 122 feet on US-1, and then the depth of that
21 portion, the 122-foot portion, would extend
22 back 125 feet. That is what Mr. Alvarez said
23 was Merrick's vision, height on US-1 for 125
24 feet of depth, except it was 150, not 122.
25 We're at 122, at that depth, which was what

1 Mr. Alvarez said was Merrick's vision.

2 Then the building drops to 112 feet.

3 That's a 10-foot drop. And it extends back at
4 the 112 feet, until it drops down again, 65
5 feet, towards US-1, from the Madruga property
6 line. And then it drops down to Madruga
7 proper.

8 So there's three steps, 122 to US-1, back
9 to 125, down to the 112 -- this is not
10 proportional -- which is the majority of the
11 profile, and then down to 46 to Madruga. The
12 line of sight drawing we discussed before the
13 break shows that at 65 feet, you would not even
14 see -- you won't see the 112, and you'd nearly
15 see the 122, because at 65 feet, we were not
16 seeing the 122.

17 So in terms of the Madruga experience, none
18 of the two setbacks of the residential building
19 would be visible from Madruga.

20 Everybody got that? Any questions?

21 COMMISSIONER KEON: Yes.

22 MR. HERNANDEZ: Okay. That's Option A.

23 This is Option B, which is a much simpler
24 profile. In Option B, the building steps up,
25 from US-1, 112 feet, and comes straight across,

1 and drops down to 45 feet, 22 feet back from
2 Madruga. So this is a 65-foot setback from
3 Madruga, before the cervical rise above the
4 parking deck, and this is a 22-foot setback
5 from Madruga, before the 112 vertical rise.

6 Any questions on the second one?

7 MAYOR CASON: Yeah, could you explain -- I
8 was asking Mr. Reynolds, there's nothing you
9 can do at this stage, from your point of view,
10 to play with the depth of the Paseos or any of
11 the other elements that would allow you to drop
12 it any lower than that?

13 MR. HERNANDEZ: From the point of view of
14 the depth of the Paseo, no. At that point, we
15 might as well just eliminate it, because when
16 two buildings get too close to one another,
17 you're not letting in the light. It doesn't
18 look gracious at the height. It doesn't follow
19 any of proportional norms for composing public
20 space at this scale.

21 MAYOR CASON: Okay.

22 MR. HERNANDEZ: Yeah. No, no, we
23 cannot alter the -- this is what we can offer,
24 in terms of a profile. Remember, we testified
25 earlier, we started at 154, and this is what

1 we're discussing now. And this is what we can
2 offer in the way of a profile.

3 I don't want to speak -- I only want to
4 speak about the section from a point of view of
5 design. So if there are no questions, I'll
6 gladly pass -- happily pass the mike back to
7 Mr. Bass.

8 COMMISSIONER SLESNICK: Jorge, I'm just,
9 the 122 on the street, the height at 122, the
10 second line across, that looks more like a
11 hundred instead of -- no, the top. You said it
12 was 125, and that looks more like a hundred --
13 I mean, it's not proportion to --

14 COMMISSIONER KEON: It's not to scale.

15 COMMISSIONER SLESNICK: It's not to scale.
16 You're the architect.

17 MAYOR CASON: He doesn't have his
18 architectural tools.

19 COMMISSIONER KEON: It's not to scale.

20 MR. HERNANDEZ: We're trying to be flexible
21 and nimble and accommodating. So for 122, it
22 remains at that height, for a depth of 125
23 feet. And then it stays, -- and this is a much
24 longer line -- at 112, up until you're 65 feet
25 from Madrugá.

1 One second.

2 Okay. I'm going to sit down, unless they
3 ask me questions.

4 MR. LEEN: All right. Jeff, there was a
5 request. Okay.

6 MR. BASS: I know. I'm going to get to it.
7 Before I do, I just want to restate that we're
8 not asking for more than any other commercial
9 property owner under this program. I'm going
10 to ask Mr. Brent Reynolds to affirm that we
11 cannot, while providing this development
12 program, do any better, while giving you all of
13 the benefits, than the flavor -- Option A and
14 Option B that we've just huddled up on. So if
15 Mr. Reynolds --

16 MAYOR CASON: Mr. Reynolds.

17 MR. LEEN: Mr. Foeman, please swear him in.
18 (Thereupon, Mr. Brent Reynolds was sworn.)

19 MR. REYNOLDS: I do.

20 MR. FOEMAN: Thank you.

21 MAYOR CASON: The floor is yours.

22 MR. REYNOLDS: Mr. Mayor, I affirm. I affirm.

23 COMMISSIONER KEON: You affirm, what?

24 MR. REYNOLDS: That this program, as
25 presented, is the absolute bottom line.

1 COMMISSIONER KEON: Do you own this
2 property now?

3 MR. REYNOLDS: No, we do not own this
4 property now.

5 COMMISSIONER KEON: When are you intending
6 to close on this property?

7 MR. REYNOLDS: Early 2016.

8 MAYOR CASON: Okay.

9 COMMISSIONER KEON: So you can still
10 renegotiate your cost?

11 MR. REYNOLDS: No.

12 COMMISSIONER KEON: You can't?

13 MR. REYNOLDS: It's a binding obligation.
14 It's a binding obligation.

15 COMMISSIONER KEON: It's a binding
16 obligation?

17 MR. REYNOLDS: Yes.

18 COMMISSIONER KEON: Okay.

19 MAYOR CASON: Okay. Mr. Gibbs, what is
20 your reaction to this?

21 MR. GIBBS: It doesn't -- our position
22 remains the same. We have -- we thought we
23 presented a solid case and rationale for the
24 height that we had done. And I can tell you
25 that when we come in with the evidence we came

1 in, with about eight stories and 97 feet -- and
2 my clients cannot accept that. They just
3 cannot accept that.

4 MAYOR CASON: All right. And the Applicant
5 says he can't do it, so where are we?

6 MR. GIBBS: I understand.

7 COMMISSIONER KEON: Well, I would -- well,
8 you can't bring the front one, that's 122, down
9 to 112 and still -- on the top one? You can't
10 bring that down ten more feet and then go
11 back -- then dove back? If you lose that
12 little cap, how much do you lose?

13 COMMISSIONER LAGO: The step back.

14 MR. HERNANDEZ: The 125.

15 MR. LEEN: The 122.

16 COMMISSIONER KEON: Yeah, if you went to
17 112 at the street and then came back, all of
18 the way back to the 112 -- not the bottom one.
19 I don't even want to talk about the bottom one.

20 MR. HERNANDEZ: That's the bottom one.

21 COMMISSIONER KEON: No. How much do you
22 lose? How many square feet? What percentage
23 of your building to you lose? Yes. Yeah.

24 MR. HERNANDEZ: If we cut this off, I can't
25 tell you that now. Quite frankly. I'm sorry,

1 I can't answer that question.

2 COMMISSIONER KEON: Okay. I don't know
3 procedurally how we do this. I would like to
4 see us designate this as Mid-Rise. I would
5 like to -- you know, for the motions that are
6 before us, I would --

7 MR. LEEN: I should inform the Commission,
8 you know, I have given an opinion that --
9 there's two ways you can address this, if you
10 want to approve this.

11 Okay. First, you could approve it going to
12 high intensity, with a proffered covenant
13 setting all of these heights. That covenant
14 would go in our Comp Plan. And then you would
15 approve the PAD and everything, with these
16 conditions of approval.

17 The alternate that you could do, this is my
18 opinion, I'm the City Attorney, and I would
19 write an opinion to this effect, and I would
20 let both sides know, you can go Mid intensity.
21 You're designating this an MXD. The MXD is in
22 our Comp Plan, and it says that you apply the
23 heights that are in the Zoning Code.

24 Our Zoning Code has a PAD provision. The
25 PAD provision, in addressing height, says that

1 you apply the underlying Zoning District, but
2 it also includes a provision that says that you
3 can deviate from the provisions of the PAD, in
4 appropriate circumstances, and I'll read that
5 into the record, what it says, because I want
6 to get it precise. One second.

7 Let me read the actual -- forgive me. It
8 says, "That actions, designs, construction or
9 other solutions proposed by the Applicant,
10 although not literally in accord with these PAD
11 regulations, satisfy public benefits to at
12 least an equivalent degree." There's also an
13 alternative one, "That the PAD provisions do
14 not serve public benefits to a degree at least
15 equivalent to such general Zoning subdivision
16 or other regulations or requirements."

17 You'd be using the first one I mentioned,
18 "That actions, designs, construction or other
19 solutions proposed by the Applicant, although
20 not literally in accord with these PAD
21 regulations, satisfy public benefits to at
22 least an equivalent degree."

23 You would have to impose these heights
24 through the PAD, as a condition of approval,
25 and you'd have to make this finding, and then

1 you could use Mid intensity.

2 Frankly, you don't even have to change the
3 intensity, because the MXD designation allows
4 you to do this. However, I would suggest
5 changing it to Mid intensity, because Mid
6 intensity is the closest to what you're doing.
7 It's closer than high intensity and it's closer
8 than low intensity.

9 COMMISSIONER LAGO: And that would apply to
10 the entire Tract A?

11 COMMISSIONER KEON: But whatever we're
12 doing, we would apply it to the entire Tract.

13 MR. LEEN: That would apply to the entire
14 Tract A.

15 COMMISSIONER LAGO: Along with the
16 requirements of 40 percent open space?

17 MR. LEEN: Yes, all of that would be
18 imposed through the PAD and through the site
19 plan.

20 COMMISSIONER KEON: But that would be for
21 this tract. What we're looking at, how do we
22 impose it for the entire tract?

23 MR. LEEN: Oh, you're talking about Tract
24 A?

25 MR. BASS: It's not all of Tract A. It's

1 just our property.

2 MAYOR CASON: Just their property.

3 MR. LEEN: Well, it's titled Tract A.

4 COMMISSIONER KEON: It's titled Tract A.

5 MR. BASS: As it was previously modified --

6 MR. LEEN: Sure, but they have the option
7 to change it.

8 COMMISSIONER KEON: I would like to see it
9 Tract A.

10 MR. BASS: That's fine. I just want to
11 make sure, we weren't asking for it beyond --

12 COMMISSIONER KEON: No. I know you're not
13 asking. We would like to do it as Tract A or I
14 would like to do it as Tract A.

15 MR. GIBBS: Through the Mayor, could I ask
16 the City Attorney a question?

17 MAYOR CASON: Yes.

18 MR. GIBBS: If they have withdrawn all of
19 Tract A from this, can the City Commission then
20 go and expand their application, to include
21 Tract A, without it going back to First Reading
22 or even going back to the Planning Board?
23 You're increasing the intensity.

24 MR. LEEN: Yes. This was the scope of the
25 title. The title remained the same.

1 MR. GIBBS: Even though they withdrew that
2 aspect of it at the last meeting?

3 MR. LEEN: Well, I had interpreted it more
4 as the Commission approving it that way, with
5 agreement of the Applicant, but either way,
6 it's within the scope of the title. That would
7 be my opinion.

8 MR. GIBBS: That's one of my clients' big
9 issue.

10 MR. LEEN: Now, I think the idea behind --
11 just so you know, I think the idea behind that
12 was setting a precedent at Mid intensity, which
13 would ensure that this never be High intensity,
14 which I thought that that's what the residents
15 wanted.

16 COMMISSIONER KEON: The intent.

17 MR. GIBBS: I can just explain what my
18 clients have told me.

19 MR. LEEN: Okay.

20 MR. GIBBS: That their issue has been,
21 aside from the Mid-Rise issue, and that's -- we
22 brought it up at the last meeting, and Mr. Bass
23 or Ms. Russo confirmed that it wasn't going to
24 be Tract A anymore.

25 Tract A is a big issue, because of the

1 large size and the large depth, as Mr. Bass,
2 Mr. Hernandez, have talked about, that, that is
3 ripe for an even bigger development than this.

4 Putting in, even a Mid Rise, at that point,
5 creates the invitation for whoever owns that
6 property, to develop a rather large building on
7 it, utilizing the same technique that you have
8 offered, which is very convoluted, but I get
9 where you're going. So you can have Mid-Rise
10 and have something be a hundred and some odd
11 feet, and that is the concern.

12 My clients, when they proffered our
13 recommendation, their point was, this is it.
14 We don't want to travel down this road again,
15 but by doing all of Tract A, you all are
16 basically inviting development on that other
17 property. That's a concern of my clients.

18 MR. LEEN: Well, that's up to the
19 Commission.

20 COMMISSIONER KEON: What our intention is,
21 is to do all of Tract A, so we have dealt with
22 that issue now.

23 MR. GIBBS: Okay. I'm just going to say, I
24 don't think my clients are going to be very
25 happy with that. That's all I can say.

1 COMMISSIONER LAGO: Well, speak with them.

2 MR. GIBBS: No, I've already spoken to them
3 during the break and I can tell you that that's
4 something that is going to be very problematic.

5 MAYOR CASON: All right. Well, it seems to
6 me that we gave you another half an hour to try
7 to work something out. You had the arbitration
8 meeting --

9 COMMISSIONER KEON: I think, if we had
10 given direction -- I'm not comfortable
11 designing on the fly from the dais, and I know
12 that the Planning Director isn't, either, and I
13 would ask the Manager, what's your feeling on
14 that?

15 MS. SWANSON-RIVENBARK: If you want to
16 continue this item to next week, when the
17 Planning Director, the representatives --
18 narrow representatives from RNA,
19 representatives from the Developer, can really
20 plan this out, and you have a representative of
21 the Commission to facilitate it, we're happy to
22 schedule that.

23 MAYOR CASON: Let me ask, I asked the
24 Developer this in the break, and you want --
25 you basically mentioned to me that your

1 financing people say they can't wait, it's now
2 or never. Is that correct? So more time is
3 not going to result in anything, because of the
4 pressure you're under. Is that correct?

5 Bottom line -- so that's the bottom line.

6 COMMISSIONER KEON: Right, but I'm not
7 prepared to do that tonight. You know, we've
8 had this discussion. I will not design from
9 the dais.

10 MAYOR CASON: Well, the issue is --

11 COMMISSIONER LAGO: I don't think voting
12 right now is the best thing, Doctor. I
13 apologize. I mean, I hear you loud and clear,
14 but, you know, if we vote on it, I think you
15 may end up being very unhappy.

16 COMMISSIONER KEON: Yes.

17 COMMISSIONER LAGO: You want to vote on it?
18 I don't think it's in the best interest of the
19 City.

20 COMMISSIONER KEON: No, it's not.

21 COMMISSIONER LAGO: So why don't we be
22 rational and just maybe have a discussion over
23 the next week and we can sit down and discuss
24 it?

25 COMMISSIONER KEON: Mayor, is it

1 appropriate if you could poll the Commission as
2 to the Land Use, whether it be Mid-Rise -- or
3 that it is our intention to set this at
4 Mid-Rise or who would set it at High-Rise --

5 MAYOR CASON: And is it going to be under
6 the Mixed-Use --

7 COMMISSIONER KEON: It would still, under
8 Mixed-Use, with a PAD, all of these provisions,
9 but it's going to be set at Mid-Rise. Are you
10 comfortable with that or not?

11 MAYOR CASON: I don't mind, but I'm getting
12 the impression that the Developer says, you
13 would prefer just to walk. More time is not
14 going to resolve this. That's the key issue.

15 VICE MAYOR QUESADA: Hold on a second. I
16 think it's a semantics issue, the Mid-Rise or
17 High-Rise, if we're going to amend the Comp
18 Plan in a way -- am I correct or incorrect
19 about that, Mr. City Attorney? I'm not a Land
20 Use expert.

21 MR. LEEN: The issue is, if you go to
22 High-Rise, it allows potentially a building up
23 to 190 feet. However, they are proffering a
24 covenant. Now, if you approve something less
25 than that, they may not proffer the covenant.

1 You just have to be aware of that, and then if
2 this project doesn't go forward --

3 VICE MAYOR QUESADA: But the covenant would
4 achieve that goal of, it wouldn't be High-Rise
5 and it wouldn't be Mid-Rise. It would be
6 this --

7 MR. LEEN: The covenant that would only
8 apply as to the portion of Tract A that applies
9 to them.

10 VICE MAYOR QUESADA: Correct.

11 MR. TRIAS: Mayor, there may be a third
12 option, which is the Mixed-Use Land Use, which
13 is used in the Industrial District and nowhere
14 else, but it does exist and it may be a better
15 way to achieve the height.

16 So I'm just saying, we need to think about
17 that option, too, and I'm not ready to
18 recommend one at this point.

19 MAYOR CASON: Well, the best offer that the
20 Developer has told us, 135 feet on the hotel,
21 and either Option A or B, and that's the best
22 they can do. And they've told us that they
23 cannot -- having more time to discuss with the
24 RNA will not result in anything new, so either
25 they make a decision on what they're going to

1 do or we vote.

2 VICE MAYOR QUESADA: I think Commissioner
3 Keon's concern is similar to mine, of the
4 impact, and that takes additional
5 conversations.

6 So if I'm understanding Commissioner Keon
7 correctly, and I think Commissioner Lago, as
8 well --

9 COMMISSIONER LAGO: 110 percent.

10 VICE MAYOR QUESADA: Well, I haven't said
11 it yet, so I don't think --

12 COMMISSIONER LAGO: Listen, I know where
13 you're going so --

14 VICE MAYOR QUESADA: But is that -- you're
15 leaning towards the A scenario, is what I'm
16 understanding, but before you would want to be
17 comfortable with that, you'd want to hear
18 further from our Staff specialists?

19 So I understand the Developer needs a
20 decision now, and it's now or go home, and
21 that's it, we walk away, but what I would
22 submit is, so that we have it fully vetted on
23 all aspects is, what about Thursday, what about
24 Friday, you know? I know it's less than ideal,
25 but it still gives you a few days to flush the

1 idea out.

2 MAYOR CASON: What about Monday, Tuesday or
3 Wednesday? Is that still not --

4 MR. LEEN: I mean, one thing you should be
5 aware of, Mr. Mayor, at 10:00 p.m., according
6 to the Code, this hearing is automatically
7 continued to 9:00 tomorrow.

8 MAYOR CASON: He leaves Thursday, so he
9 won't be around after Thursday.

10 COMMISSIONER LAGO: Not this Thursday, but
11 the following.

12 MR. LEEN: But you have to understand, it's
13 automatically continued to 9:00 tomorrow at
14 10:00 p.m., according to the Code. You have to
15 waive that provision.

16 COMMISSIONER KEON: He can do it next --

17 MR. LEEN: There is no ability to extend
18 any further, unless you waive that provision.

19 MAYOR CASON: Do you see any advantage of
20 extending it until tomorrow before we --

21 COMMISSIONER KEON: No. They don't have
22 time to do that. You know, we have an
23 obligation to this community to employ the
24 planning skills and department that we have.

25 VICE MAYOR QUESADA: A procedural item, you

1 said we'd have to waive that provision?

2 MR. LEEN: Yes, you would have to waive it.

3 VICE MAYOR QUESADA: So I need to make a
4 motion to waive that provision?

5 MR. LEEN: Yes.

6 VICE MAYOR QUESADA: So moved.

7 COMMISSIONER KEON: I'll second it.

8 MAYOR CASON: Okay. City Clerk.

9 COMMISSIONER KEON: All in favor, aye.

10 MS. SWANSON-RIVENBARK: You know, I will
11 say one thing. As we talk about what happens
12 with this project and whether or not this
13 happens or something else happens on the site,
14 I've been going on the computer, while people
15 have been talking, and absolutely big box
16 retailers have moved to an urban model, and
17 I'll read just one paragraph, but there are
18 several of them that could easily accomodate --
19 based on the figures that your expert provided,
20 that could easily go onto this site
21 as-of-right.

22 Walmart, meanwhile, has opened 400 smaller
23 stores, ranging in size from 15,000 square feet
24 to 39,000 square feet. Your scenario was 45.

25 VICE MAYOR QUESADA: Madam Manager,

1 respectfully, it's almost like you're
2 submitting evidence in the proceeding.

3 MS. SWANSON-RIVENBARK: I'm sorry. I'm not
4 trying to. But that question of you asked from
5 the Developer, what stores are looking, and
6 they couldn't provide it. Anybody can go and
7 find that.

8 VICE MAYOR QUESADA: I don't think it's
9 appropriate.

10 COMMISSIONER LAGO: But Vice Mayor, I just
11 want to be clear, also I asked her in the break
12 to see if she could provide us with further
13 information, because she has a little bit more
14 knowledge, due to maybe some things that have
15 happened in Hollywood, when she was in
16 Hollywood. So that information, she was
17 providing it to me.

18 MR. LEEN: You know, there's a motion.
19 You're waiving the rules. It requires a
20 four-fifth vote. You should vote now.

21 MAYOR CASON: Now, explain again what we're
22 voting on.

23 MR. LEEN: In terms of the continuance
24 automatically to 9:00 a.m. tomorrow. In one
25 minute this hearing will be continued

1 automatically to 9:00 a.m. tomorrow.

2 COMMISSIONER KEON: You have to call the
3 roll, Walter.

4 MAYOR CASON: City Manager -- City Clerk,
5 would you call the roll?

6 THE CLERK: Vice Mayor Quesada?

7 VICE MAYOR QUESADA: Yes.

8 THE CLERK: Commissioner Slesnick?

9 COMMISSIONER SLESNICK: Yes.

10 THE CLERK: Commissioner Keon?

11 COMMISSIONER KEON: Yes.

12 THE CLERK: Commissioner Lago?

13 COMMISSIONER LAGO: Yes.

14 THE CLERK: Mayor Cason?

15 MAYOR CASON: Yes.

16 MR. BASS: Can we possibly return before
17 you on Friday?

18 COMMISSIONER KEON: No.

19 MAYOR CASON: This Friday?

20 COMMISSIONER KEON: No. I can come back
21 next Wednesday night.

22 COMMISSIONER LAGO: I'm available on
23 Wednesday night.

24 MAYOR CASON: I'm available at any time,
25 but he's leaving Thursday next week.

1 COMMISSIONER LAGO: The next day. So I'm
2 available on Wednesday night.

3 COMMISSIONER KEON: We can do it Wednesday,
4 and it gives him adequate time to redo this
5 issue.

6 COMMISSIONER LAGO: Tucker, how about you?

7 MR. TUCKER: Wednesday, I've got a hearing
8 at the City of Miami, starting at 6:30, at the
9 Planning Board.

10 COMMISSIONER SLESNICK: Can we make it in
11 the daytime?

12 MAYOR CASON: Yeah, make it at any time.

13 MR. TUCKER: Yeah. I mean, I'm fine before
14 that.

15 COMMISSIONER KEON: I mean, you need to
16 have -- these people need to be available.

17 MR. BASS: Monday, Tuesday?

18 COMMISSIONER LAGO: I'm available. I'm
19 available.

20 VICE MAYOR QUESADA: I'm available.

21 You have an issue Monday and Tuesday.

22 COMMISSIONER KEON: Monday, I kind of have
23 an issue. You know what, I can do Tuesday.

24 Monday I have an issue.

25 COMMISSIONER LAGO: Tuesday is fine with

1 me.

2 MAYOR CASON: Next Tuesday.

3 COMMISSIONER KEON: It's the 15th.

4 MAYOR CASON: Is that something you can
5 live with?

6 COMMISSIONER KEON: At five o'clock.

7 MAYOR CASON: Can you come back? It's kind
8 of important.

9 Actually, you don't need to come back,
10 because if we can continue the discussions --

11 VICE MAYOR QUESADA: You can attend by
12 phone and have your representatives here.

13 MR. BASS: Is there no option this week?

14 COMMISSIONER KEON: No.

15 VICE MAYOR QUESADA: I'm available.

16 MAYOR CASON: I'm available.

17 COMMISSIONER KEON: No, I'm not.

18 MAYOR CASON: Not at all? At any time?
19 We're only Tuesday. Can we do it on Saturday?

20 COMMISSIONER LAGO: If I have to.

21 MAYOR CASON: Is Saturday --

22 COMMISSIONER KEON: We can do it on
23 Saturday.

24 (Simultaneous speaking.)

25 MAYOR CASON: I'm willing to do it on

1 Saturday.

2 VICE MAYOR QUESADA: Same here.

3 MAYOR CASON: Let's do it Saturday.

4 COMMISSIONER LAGO: Okay. Let's get it
5 done.

6 MAYOR CASON: All in favor --

7 COMMISSIONER SLESNICK: Hold on. I can't
8 do it on Saturday.

9 COMMISSIONER KEON: You can't do it on
10 Saturday?

11 MR. LEEN: Commissioner Slesnick says she
12 can't do it on Saturday.

13 COMMISSIONER KEON: Okay.

14 MR. GIBBS: I'm going to be at a fundraiser
15 for the Thelma Gibson Foundation on Saturday.

16 VICE MAYOR QUESADA: Can we recess so we
17 can look at our calendars real quick?

18 MR. LEEN: Let's just get this set.

19 MAYOR CASON: Monday, Tuesday or Wednesday,
20 9:00 to 12:00.

21 MR. LEEN: In the morning, Wednesday morning.

22 COMMISSIONER KEON: I don't care. You
23 know, you need to accomodate an hour that these
24 people can attend.

25 MAYOR CASON: Monday, Tuesday or Wednesday

1 is an offer from Commissioner Slesnick. Any
2 time between 9:00 and 12:00.

3 VICE MAYOR QUESADA: Are you going to the
4 UM Development meeting on Thursday?

5 COMMISSIONER KEON: I was, yeah.

6 MAYOR CASON: Yeah, we have to.

7 VICE MAYOR QUESADA: What does your
8 schedule look after that?

9 COMMISSIONER KEON: I want to make sure
10 that Planning has enough time to deal with
11 this. I don't want to push it. Let me go get
12 my calendar, but I want them to have time.

13 MAYOR CASON: Okay. The clock has stopped.
14 It's not moving, so --

15 (Simultaneous speaking.)

16 MAYOR CASON: I will accomodate anybody's
17 schedule.

18 MS. SWANSON-RIVENBARK: Mr. Mayor, as
19 you're looking at dates, I did talk to Ramon,
20 and he said that he needs a couple of days, but
21 if you wanted it on Friday, we could figure out
22 how to do it on Friday.

23 MAYOR CASON: Okay. How about Friday?

24 COMMISSIONER LAGO: I'm available.

25 VICE MAYOR QUESADA: Can Mr. Trias

1 communicate that to Commissioner Keon, because
2 that was her concern?

3 MR. LEEN: You need to wait for
4 Commissioner Keon. She said she wasn't
5 available. Are you available on Friday,
6 Commissioner Keon?

7 MAYOR CASON: Everybody else is available
8 Friday in the morning. Can you --

9 VICE MAYOR QUESADA: Ramon Trias said that
10 it would be sufficient time.

11 MAYOR CASON: Can you do that? Ramon has
12 enough time if we do it Friday morning.

13 COMMISSIONER KEON: That's fine.

14 COMMISSIONER LAGO: What time is good for
15 you, Tucker?

16 MR. GIBBS: I just have to be in Fort
17 Lauderdale at 1:30 for a client meeting.

18 MAYOR CASON: Let's start as early as you
19 want. Eight o'clock.

20 MR. GIBBS: Other than that, I'm fine.

21 MAYOR CASON: Seven o'clock. We can start
22 at whatever time we have to, to resolve this.

23 COMMISSIONER LAGO: Ramon, I want to make
24 sure you feel comfortable about this, okay?

25 MR. TRIAS: Mayor, what I would feel

1 comfortable with is some clear direction, in
2 terms of what your expectations are. If you
3 can give me that direction, I'll work with the
4 Applicant.

5 MR. LEEN: I mean, I think what we need to
6 know is, do you want to go to High intensity,
7 which is what --

8 COMMISSIONER KEON: No.

9 MR. LEEN: No, we need to know that, Ramon,
10 because that is the simplest way to proceed,
11 but there's other ways to proceed, which are
12 similar to what Commissioner Keon said, and we
13 need to prepare those for you, if you're not
14 going to go to High intensity.

15 MR. TRIAS: I think there are three basic
16 ways, High intensity is one, the Mid-Rise is
17 the other one, and maybe there's a Mixed-Use
18 Land Use that we can use. Those are the three
19 basic options that I see, in terms of Land Use.

20 COMMISSIONER KEON: That's right, and
21 Mid-Rise, I think, for the benefit of this
22 community and for the planning that we want to
23 do, and what our vision is, Mid Rise is the
24 Land Use.

25 VICE MAYOR QUESADA: We need to understand

1 these two options, what the impact would be
2 under those three scenarios, for that location,
3 and the surrounding locations. That's the task
4 for you to come back to us --

5 MAYOR CASON: Can you be ready by Friday?

6 MR. TRIAS: Yes, I can be ready by Friday.

7 COMMISSIONER KEON: Can we meet at one
8 o'clock Friday?

9 MAYOR CASON: You can do it at any time, as
10 far as I'm concerned.

11 COMMISSIONER LAGO: Tucker, you have a
12 1:30 on Friday, right?

13 MR. GIBBS: Yes.

14 COMMISSIONER KEON: What do you have at
15 1:30? You can't change yours?

16 MR. TRIAS: As long as the Applicant's
17 architect --

18 MR. LEEN: What about 2:00?

19 MR. GIBBS: I'm in Fort Lauderdale. I've
20 got to be in Fort Lauderdale at 1:30 to be at a
21 client meeting, and it's dealing with just what
22 we're doing here --

23 MAYOR CASON: How about an early morning
24 meeting?

25 MR. LEEN: 8:00 a.m.?

1 COMMISSIONER KEON: You know, if we need
2 time --

3 MAYOR CASON: I propose eight o'clock
4 Friday. That way you have a chance to get to
5 Fort Lauderdale. Ramon has two full days to
6 work the options. And the Applicant is
7 stretching --

8 MR. TRIAS: Do you have any opinion on
9 those options that were proposed by the
10 Applicant?

11 MAYOR CASON: I like B.

12 COMMISSIONER LAGO: I like B, also.

13 COMMISSIONER KEON: Which is the lower one?

14 MAYOR CASON: Let's have a poll on this.
15 Who is in favor of B versus A?

16 COMMISSIONER KEON: Well, you know, I'm
17 very concerned with the setbacks. I like the
18 height of the 112. I like that it's not going
19 to go over, but those setbacks, I don't think
20 work, and that's why you can't say it here on
21 this dais.

22 They need to sit down and look at the
23 setbacks and draw the setbacks, so that you
24 know what that means. You can't do it from
25 here.

1 MR. TRIAS: Mayor, if I could say a couple
2 of things. This Applicant has been very -- not
3 very responsive, in terms of re-design, and so
4 unless they commit to really re-design and work
5 effectively the next couple of days, I cannot
6 promise that we can come up with a solution,
7 and my experience so far is that, that has gone
8 very slowly. So we need a commitment from the
9 Applicant.

10 COMMISSIONER KEON: Right.

11 MAYOR CASON: All right. Well, let's give
12 him a shot.

13 COMMISSIONER KEON: You know, at this
14 point, if Mr. Reynolds doesn't believe that he
15 can do this project, under the conditions that
16 we are setting forth, and he chooses to walk
17 away, that's a business risk that he takes.

18 MAYOR CASON: And you would tell us that on
19 Friday.

20 COMMISSIONER KEON: That's the decision
21 that he makes. Otherwise we will continue to
22 talk, as long as -- but, you know what, I, as a
23 Commissioner, will not be held hostage by what
24 your business plan is or what your -- any of
25 this. We will do what we believe is in the

1 best interest of this community.

2 I won't be held hostage by a community, a
3 neighbor, a group. I won't be held hostage by
4 a developer. So, you know what, everybody
5 better sit down and talk.

6 MR. BASS: And just to clarify, the public
7 hearing will be closed --

8 MAYOR CASON: No more public hearing.
9 That's finished. This will be your discussion,
10 with the lawyer with the RNA, and the City
11 Staff. Come back and tell us if you found a
12 solution, if you found any other options for
13 us. At that stage, you can tell us what you
14 plan to do. We can vote, if that's an option
15 for us.

16 Or if the Applicant says, no progress and
17 wants to walk, that's their option.

18 So eight o'clock on Friday. Everybody can
19 make it?

20 MR. LEEN: So, Mr. Mayor, you should do a
21 motion and a second and vote to continue to
22 8:00 a.m. on Friday.

23 VICE MAYOR QUESADA: So moved.

24 MAYOR CASON: Okay. So the Vice Mayor
25 makes the motion --

1 COMMISSIONER LAGO: Second the motion.

2 MAYOR CASON: Commissioner Lago second.

3 City Clerk.

4 THE CLERK: Commissioner Slesnick?

5 COMMISSIONER SLESNICK: Yes.

6 THE CLERK: Commissioner Keon?

7 COMMISSIONER KEON: Yes.

8 THE CLERK: Commissioner Lago?

9 COMMISSIONER LAGO: Yes.

10 THE CLERK: Vice Mayor Quesada?

11 MR. LEEN: Vice Mayor Quesada?

12 VICE MAYOR QUESADA: Yes.

13 THE CLERK: Mayor Cason?

14 MAYOR CASON: Yes.

15 Okay. Thank you very much. Meeting

16 adjourned.

17 (Thereupon, the meeting was adjourned at 10:10

18 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 17th day of December, 2015.


NIEVES SANCHEZ