

CITY OF CORAL GABLES
LOCAL PLANNING AGENCY (LPA)/
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
HYBRID FORMAT
WEDNESDAY, APRIL 10, 2024, COMMENCING AT 6:00 P.M.

Board Members Present at Commission Chamber:

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

City Staff and Consultants:

Jennifer Garcia, Planning Official
Arceli Redila, Zoning Administrator
Craig Collier, Special Counsel
Emilee Aguerrebere, Principal Planner
Jill Menendez, Administrative Assistant, Board Secretary
Hermes Diaz, Public Works Director
Melissa De Zayas, Transportation Division Manager
Paul Rodas, City Engineer, Permit Section Manager
Kevin Kinney, Parking Director
Juan Calderon, CALTRAN, Traffic Engineer

THEREUPON:

(The following proceedings were held.)

CHAIRMAN AIZENSTAT: I'd like to call the meeting to order. I would like to ask everybody to silence their phones, and if they have any beepers.

Good evening. This Board is comprised of seven members. Four Members of the Board shall constitute a quorum and the affirmative vote of four members shall be necessary for the adoption of any motion. If only four Members of the Board are present, an applicant may request, and be entitled, to a continuance to the next regularly scheduled meeting of the Board. If a matter is continued due to a lack of quorum, the Chairperson or Secretary of the Board may set a Special Meeting to consider such matter.

In the event that four votes are not obtained, an applicant, except in the case of a Comprehensive Plan Amendment, may request a continuance or allow the application to proceed to the City Commission without a recommendation.

Pursuant to Resolution Number 2021-118, the

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Also Participating:

Laura Russo, Esq., on behalf of Items E-1 through E-6
Eric Riel, Planning Consultant, Items E-1 through E-6
Eric Leath, Landmark Properties
Javier Font, Architect, Items E-1 through E-6
Betty Mortenson
Jim Berlin
Maria Cruz
Denise Carvalho
Roger Kogan
Daniel Millay
Laura Millay
David Henderson
Janet Tralins
Janel Vidal
Henry Pinera
Kyle Pineda, via Zoom
Gabriela Bolado, via Zoom
Valerie Howell, via Zoom

City of Coral Gables has returned to traditional in-person meetings. However, the Planning and Zoning Board has established the ability for the public to provide comments virtually.

For those members of the public who are appearing on Zoom and wish to testify, you must be visible to the court reporter to be sworn in. Otherwise, if you speak, without being sworn in, your comments may have not evidentiary value.

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

As Chair, I now officially call the City of Coral Gables Planning and Zoning Board Meeting of April 10, 2024 to order. The time is six o'clock.

Jill, if you'd please call the roll.

THE SECRETARY: Robert Behar?

MR. BEHAR: Present.

THE SECRETARY: Julio Grabiell?

MR. GRABIELL: Here.

THE SECRETARY: Sue Kawalerski?

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1 MS. KAWALERSKI: Here.
 2 THE SECRETARY: Felix Pardo?
 3 MR. PARDO: Here.
 4 THE SECRETARY: Javier Salman?
 5 MR. SALMAN: "Presente."
 6 THE SECRETARY: Chip Withers?
 7 MR. WITHERS: Here.
 8 THE SECRETARY: Eibi Aizenstat?
 9 CHAIRMAN AIZENSTAT: Here.
 10 Notice Regarding Ex Parte Communication,
 11 please be advised that this Board is a
 12 quasi-judicial board, which requires Board
 13 Members to disclose all ex parte communications
 14 and site visits. An ex parte communication is
 15 defined as any contact, communication,
 16 conversation, correspondence, memorandum or
 17 other written or verbal communication, that
 18 takes place outside of a public hearing,
 19 between a member of the public and a member of
 20 a quasi-judicial board, regarding matters to be
 21 heard by the Board. If anyone made any contact
 22 with a Board Member regarding an issue before
 23 the Board, the Board Member must state, on the
 24 record, the existence of the ex parte
 25 communication and the party who originated the

1 communication.
 2 Also, if a Board Member conducted a site
 3 visit specifically related to the case before
 4 the Board, the Board Member must also disclose
 5 such visit. In either case, the Board Member
 6 must state, on the record, whether the ex parte
 7 communication and/or site visit will affect the
 8 Board Member's ability to impartially consider
 9 the evidence to be presented regarding the
 10 matter. The Board Member should also state
 11 that his or her decision will be based on
 12 substantial competent evidence and testimony
 13 presented on the record today.
 14 Does any Member of the Board have such
 15 communication or site visit to disclose at this
 16 time?
 17 MR. GRABIEL: No.
 18 MS. KAWALERSKI: No.
 19 CHAIRMAN AIZENSTAT: Swearing In, everyone
 20 who speaks this evening must complete the
 21 roster on the podium. We ask that you print
 22 clearly, so the official records of your name
 23 and address will be correct.
 24 Now, with the exception of attorneys, all
 25 persons physically in the City Commission

1 Chambers, who will speak on agenda items before
 2 us this evening, please rise to be sworn in.
 3 (Thereupon, the participants were sworn.)
 4 CHAIRMAN AIZENSTAT: Thank you.
 5 Zoom platform participants, I will ask any
 6 person wishing to speak on tonight's agenda
 7 item, to please open your chat and send a
 8 direct message to Jill Menendez, stating that
 9 you would like to speak before the Board and
 10 include your full-time. Jill will call you
 11 when it's your turn. I ask you to be concise,
 12 for the interest of time.
 13 Phone platform participants, after Zoom
 14 platform participants are done, I will ask
 15 phone participants to comment on tonight's
 16 agenda item. I will also ask you to please be
 17 concise, for the interest of time.
 18 First we have the approval of the minutes
 19 of March 13, 2024. Has everybody had a chance
 20 to read those?
 21 MR. BEHAR: I have, and I have a comment.
 22 On Page 116, Line Item 2 -- Number 22, I'm
 23 sorry, Ms. Kawalerski made a statement that
 24 says, "Yes. I want to put on the record that
 25 we have three Board Members -- three Members of

1 this Board that arbitrarily and subjectively
 2 are moving the CBD boundary. That is what this
 3 vote is all about. I want to put that on the
 4 record." But -- and, then, Mr. Chairman, you
 5 say, "I would disagree with you, but that's
 6 your choice."
 7 I want to state that this Board did not
 8 move the CBD boundary whatsoever. We don't
 9 have the authority to move the boundary.
 10 That's a false statement, with all due respect,
 11 and we need to make sure that whatever this
 12 Board Member -- any Member of this Board makes,
 13 are correct and factual. At no point was the
 14 CBD line boundary moved.
 15 I'm a little bit surprised, because I may
 16 not know much about it, but Mr. Pardo does. I
 17 wish he would have, you know, maybe answered
 18 you, because he's very -- much more such, than
 19 I think all of us, and Mr. Salman, too, but we
 20 did not move the boundary line whatsoever.
 21 MS. KAWALERSKI: Well, first of all, you
 22 weren't present at that vote, correct? You
 23 were not here. You had to recuse --
 24 MR. BEHAR: It doesn't matter.
 25 MS. KAWALERSKI: You had to recuse yourself

1 from that vote.
 2 CHAIRMAN AIZENSTAT: Sue, if I may, what I
 3 ask is, Robert has made a statement, which he's
 4 entitled to --
 5 MS. KAWALERSKI: And I'm commenting.
 6 CHAIRMAN AIZENSTAT: It doesn't -- you are.
 7 I understand. But what I ask is, let him
 8 speak, let him finish. Once he's done, please
 9 do so, but I do want to point out -- and, in
 10 fact, my understanding is that the member does
 11 not have to be present to make a statement on
 12 the minutes.
 13 MS. KAWALERSKI: Excuse me. When he says,
 14 "We," and he wasn't even here, that is an
 15 inaccurate statement.
 16 MR. BEHAR: That's not correct. I read the
 17 minutes, that I'm entitled to read, as a Board
 18 Member, and I see that there is a mistake. You
 19 know, it's a false statement, and I want to
 20 make the correction, for the record, so the
 21 record is set correctly, that we did not --
 22 this Board did not move the boundary -- the CBD
 23 boundary line.
 24 MS. KAWALERSKI: Okay. Are you done,
 25 because I'd like to comment? Are you done?

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1 MR. WITHERS: I can you hear you fine. I
 2 don't know what their problem is.
 3 MR. PARDO: All right. Getting back to the
 4 approval of the minutes.
 5 CHAIRMAN AIZENSTAT: Yes, sir.
 6 MR. PARDO: The minutes are the minutes.
 7 CHAIRMAN AIZENSTAT: Correct.
 8 MR. PARDO: What was said was said.
 9 CHAIRMAN AIZENSTAT: Correct.
 10 MR. PARDO: This is not -- I don't think
 11 this is the appropriate place to debate a
 12 comment, whether it's plus or minus. The thing
 13 is, it's basically a transcript of what was
 14 said.
 15 CHAIRMAN AIZENSTAT: Correct. Would you
 16 like to move on --
 17 MR. PARDO: And I wanted to go ahead and
 18 move them. I think you can always -- Robert,
 19 you could always bring up those comments as New
 20 Business or whatever, but the point is that,
 21 the minutes are just a transcript of what was
 22 said that day, whether you agree or disagree,
 23 whether it's false or it's not false. This is
 24 not the appropriate thing. I'm just making a
 25 motion to approve the minutes as stated.

11

1 CHAIRMAN AIZENSTAT: Go ahead, please.
 2 MS. KAWALERSKI: Okay. First of all, the
 3 statement that I made was that this Board
 4 subjectively and arbitrarily was trying to
 5 change the CBD boundary. That is a statement
 6 of fact. I didn't say that this Board has the
 7 purview to do that or not. I said, that's
 8 apparently what was happening with the three
 9 votes on this Board.
 10 MR. PARDO: Mr. Chairman --
 11 CHAIRMAN AIZENSTAT: Yes, sir.
 12 MR. PARDO: -- if I may.
 13 CHAIRMAN AIZENSTAT: Mr. Pardo.
 14 MR. PARDO: Getting back to the approval of
 15 the minutes, I don't think this is the right
 16 forum to debate this. What was said was said.
 17 It's not a matter of fact whether -- is this
 18 on?
 19 CHAIRMAN AIZENSTAT: It's on. Yes, sir.
 20 MR. PARDO: Okay. So I think, if we get
 21 back --
 22 CHAIRMAN AIZENSTAT: Agreed.
 23 Would you like to --
 24 MR. PARDO: I would like to make a motion
 25 to approve the minutes -- did you hear me?

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1 CHAIRMAN AIZENSTAT: Okay.
 2 MR. BEHAR: But you're asked for a motion
 3 to approve. If there's a clarification, this
 4 is the moment --
 5 MR. PARDO: Right.
 6 MR. BEHAR: -- this is the place and time
 7 to do that, not in a discussion a month from
 8 today.
 9 MR. PARDO: And, Robert, I think it's not a
 10 motion to agree. It's a motion to approve what
 11 was said. It's not a motion -- just because
 12 the motion is to approve the minutes, doesn't
 13 mean that you may agree with the statements
 14 that were made. It's that clear enough,
 15 Mr. Chairman?
 16 CHAIRMAN AIZENSTAT: We have a motion to
 17 approve. I'd like to move forward.
 18 MS. KAWALERSKI: I second.
 19 CHAIRMAN AIZENSTAT: We have a second.
 20 Now I would ask, actually, if there's any
 21 comments, and I guess that would have been a
 22 time possibly for Robert to go ahead and make
 23 his comments that were on it, which he has
 24 already made, and they're on the record.
 25 MR. PARDO: There we go.

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1 CHAIRMAN AIZENSTAT: Any other comment?
 2 MR. WITHERS: Yeah. I just -- obviously,
 3 we have a Board Member that is upset about
 4 something, and I don't quite totally understand
 5 your -- let's say, you know, the basis. What's
 6 your basis of the complaint?
 7 MR. BEHAR: Chip, because I wasn't here for
 8 that vote.
 9 MR. WITHERS: Right.
 10 MR. BEHAR: But the rest of the Board
 11 Members did not move the CBD line. That did
 12 not -- that did not take place in that meeting.
 13 And what the statement clearly says is, there
 14 are three Board Members that are arbitrarily
 15 and subjectively moving the CBD line. You
 16 didn't do that. And I just want to set the
 17 record straight, that that did not take place.
 18 MR. WITHERS: Right.
 19 MR. BEHAR: You, who was here, should have
 20 been, you know, concerned about it, because you
 21 did not move the CBD line.
 22 MR. WITHERS: Right. Right.
 23 MR. BEHAR: There was no vote to move the
 24 CBD line.
 25 MR. WITHERS: I got it.

13

1 MS. KAWALERSKI: And as I said in my
 2 statement, the vote -- apparently, the
 3 intention of that vote, from three members, was
 4 to arbitrarily and subjectively move the CBD
 5 line. I never said that this Board had the
 6 purview or didn't have the purview to do that.
 7 I said, three Members of this Board, on their
 8 own.
 9 CHAIRMAN AIZENSTAT: Sue --
 10 MR. BEHAR: Do you want me to read it back
 11 to you?
 12 CHAIRMAN AIZENSTAT: Robert.
 13 MS. KAWALERSKI: Subjectively --
 14 subjectively -- tried to move the boundary.
 15 CHAIRMAN AIZENSTAT: Sue, if I -- I'd like
 16 to move the meeting forward.
 17 We have a motion. We have a second. Can
 18 we take the roll, please?
 19 THE SECRETARY: Julio Grabiél?
 20 MR. GRABIEL: Yes.
 21 THE SECRETARY: Sue Kawalerski?
 22 MS. KAWALERSKI: Yes.
 23 THE SECRETARY: Felix Pardo?
 24 MR. PARDO: Yes.
 25 THE SECRETARY: Javier Salman?

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1 MR. SALMAN: With the proper record of the
 2 meeting that we have, yes.
 3 THE SECRETARY: Chip Withers?
 4 MR. WITHERS: Yeah.
 5 THE SECRETARY: Robert Behar?
 6 MR. BEHAR: No.
 7 THE SECRETARY: Eibi Aizenstat?
 8 CHAIRMAN AIZENSTAT: Yes.
 9 Before the first item is read into the
 10 record, Mr. Behar?
 11 MR. BEHAR: Mr. Chairman, I will request to
 12 be -- recuse myself. The item coming up is a
 13 project -- is an item from my office;
 14 therefore, I will ask to be -- you know, step
 15 out.
 16 CHAIRMAN AIZENSTAT: Okay. Thank you, sir.
 17 MS. KAWALERSKI: And Mr. Chair --
 18 CHAIRMAN AIZENSTAT: What I'd like to do,
 19 if I may, is, Jill needs a chair. Can I ask
 20 Javier to come sit to my right, please, and,
 21 then, if everybody shifts down one chair, Jill,
 22 you can take Chip's chair.
 23 MS. KAWALERSKI: Okay. But I do have a
 24 comment on the recusal. Did Mr. Behar ever
 25 fill out one of these forms when he recuses

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1 himself from these meetings? This is part of
 2 the law, and I have never seen him fill out one
 3 of these, nor has it been made available to
 4 this Board.
 5 CHAIRMAN AIZENSTAT: We'll ask the Legal
 6 Department to take a look at what has been
 7 filed out.
 8 MR. COLLER: The Clerk has those forms.
 9 Anybody that recuses themselves, has a
 10 conflict, has to file that State form.
 11 MS. KAWALERSKI: I understand that, but it
 12 has to be made available to the Board. We've
 13 never received a recusal form.
 14 MR. COLLER: Well, I believe that you just
 15 simply get it from the Clerk's Office. It's
 16 available to you.
 17 MS. KAWALERSKI: Well, it doesn't say that
 18 we have to ask for it. It's supposed to be
 19 given to us. It says, right here, what the
 20 rules are.
 21 MR. COLLER: Well, I'll ask the Clerk to
 22 provide copies, so that you have them available
 23 to you, so that if and when you need a recusal,
 24 you'll have the form.
 25 MS. KAWALERSKI: Yeah, but, I mean, the

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1 filled out form is what we need, per the rules.

2 MR. COLLER: No, you have to --

3 MS. KAWALERSKI: These aren't my rules.

4 MR. COLLER: No.

5 MS. KAWALERSKI: This is the rules set
6 forward in this form.

7 MR. COLLER: Right. You're to fill out
8 that form.

9 MS. KAWALERSKI: I'm not saying, if I want
10 to recuse myself. Any Board Member that
11 recuses himself or herself --

12 MR. COLLER: Has to fill that form.

13 MS. KAWALERSKI: -- has to fill out a form.

14 MR. COLLER: Correct.

15 MS. KAWALERSKI: And it has to be made
16 available to the Board Members. We've never
17 received this.

18 MR. COLLER: Well, my understanding, in the
19 matter of course, is that if you do recuse
20 yourself, you go to the Clerk's Office, you get
21 the form, but for convenience for the members,
22 I will ask the Clerk's Office to distribute
23 copies of the form, so if and when there's an
24 occasion where you need to recuse yourself,
25 rather than having to go down to the Clerk to

17

1 get the form, you'll have the form available to
2 you.

3 MS. KAWALERSKI: Okay. But Mr. Coller, I'm
4 saying, whoever fills out this form, I know it
5 should be on the record, but this form, it says
6 it has to be distributed -- the completed form
7 has to be distributed to the Board.

8 CHAIRMAN AIZENSTAT: He will do that.

9 MS. KAWALERSKI: Okay. But he's saying if
10 we want to recuses ourselves. I'm saying, if
11 somebody recuses himself, that form, completed,
12 must be provided to the Board. We've never
13 gotten one from Mr. Behar.

14 CHAIRMAN AIZENSTAT: It comes from the
15 Clerk.

16 MS. KAWALERSKI: Whoever it comes from, we
17 never got it.

18 CHAIRMAN AIZENSTAT: Mr. Coller will look
19 into it --

20 MS. KAWALERSKI: Okay.

21 CHAIRMAN AIZENSTAT: -- to make sure the
22 Board gets it.

23 MS. KAWALERSKI: Thank you.

24 CHAIRMAN AIZENSTAT: Okay. Can I ask,
25 Javier, would you mind, please, just moving

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1 over?

2 Thank you. And if everybody just shifts
3 one down, Jill will be able to have a chair.

4 MR. PARDO: Everybody move, please.

5 CHAIRMAN AIZENSTAT: Thank you. I
6 appreciate everybody's cooperation.

7 While we're shifting down, Mr. Coller --

8 MR. COLLER: Yes.

9 CHAIRMAN AIZENSTAT: -- can you go ahead
10 and read -- sorry about that -- can you go
11 ahead and read the first agenda item into the
12 record?

13 MR. COLLER: Okay. Well, the first agenda
14 item consists of six items. I'm going to read
15 all items in, and then we'll have a hearing --
16 a single hearing -- on all of the items, and
17 then we'll vote separately on each of the
18 items.

19 Item E-1, an Ordinance of the City
20 Commission of Coral Gables, Florida amending
21 the Future Land Use Map of the City of Coral
22 Gables Comprehensive Plan pursuant to Zoning
23 Code Article 14, "Process," Section 14-213,
24 "Comprehensive Plan Text and Map Amendments,"
25 and Small Scale Amendment Procedures, (Section

19

1 163.3187, Florida Statutes) from "Commercial
2 Low-Rise Intensity" to "Commercial Mid-Rise
3 Intensity" for a Portion of Tract A and Lots 27
4 through 31, Block 156, Riviera Section Part 8
5 (1250 S. Dixie Highway), Coral Gables, Florida;
6 providing for a repealer provision,
7 severability clause, and providing for an
8 effective date.

9 Item E-2, an Ordinance of the City
10 Commission of Coral Gables, Florida making
11 Zoning District boundary changes pursuant to
12 Zoning Code Article 14, "Process," Section
13 14-212, "Zoning Code Text and Map Amendments,"
14 from Mixed Use 1 (MX1) to Mixed Use 2 (MX2) for
15 a Portion of Tract A and Lots 27 through 31,
16 Block 156, Riviera Section Part 8 (1250 South
17 Dixie Highway), Coral Gables, Florida;
18 providing for a repealer provision,
19 severability clause, and providing for an
20 effective date.

21 Item E-3, an Ordinance of the City
22 Commission of Coral Gables, Florida providing
23 for a text amendment to the City of Coral
24 Gables Official Zoning Code, Appendix A, "Site
25 Specific Zoning Regulations," Section A-83,

20

1 "Riviera Section Part 8" to remove Lots 27
2 through 31, Block 156 from the Floor Area Ratio
3 (FAR) and building height limitations to allow
4 for an increase in FAR and building height
5 provided by the underlying zoning, Riviera
6 Section Part 8 (1250 South Dixie Highway),
7 Coral Gables, Florida; providing for a repealer
8 provision, severability clause, and providing
9 for an effective date.

10 Excuse me.

11 Item E-4, an Ordinance of the City
12 Commission of Coral Gables, Florida approving
13 the vacation of a public alleyway pursuant to
14 Zoning Code Article 14, "Process," Section
15 14-211, "Abandonment and Vacations" and the
16 City Code Chapter 62, Article 8, "Vacation,
17 abandonment and closure of streets, easements
18 and alleys by private owners and the city;
19 application process," providing for the
20 vacation of the forty-five foot wide alley
21 which is approximately one hundred and
22 twenty-five feet in length lying between Tract
23 A and Lots 27 through 31, Block 156, Riviera
24 Section Part 8 (1250 South Dixie Highway),
25 Coral Gables, Florida; providing for a repealer

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1 provision, severability clause, and providing
2 for an effective date.

3 Item E-5, an Ordinance of the City
4 Commission of Coral Gables, Florida approving a
5 Planned Area Development (PAD) pursuant to
6 Zoning Code Article 14, "Process," Section
7 14-206, "General Procedures for Planned Area
8 Development" for a proposed mixed-use project
9 referred to as "The Mark" on the property
10 legally described as a Portion of Tract A,
11 together with Lots 27 through 31, and together
12 with that portion of the 45-foot platted alley,
13 Block 156, Riviera Section Part 8, (1250 South
14 Dixie Highway), Coral Gables, Florida;
15 providing for a repealer provision,
16 severability clause, and providing for an
17 effective date.

18 Item E-6, a Resolution of the City
19 Commission of Coral Gables, Florida approving a
20 mixed-use site plan review pursuant to Zoning
21 Code Article 14, "Process" Section 14-203,
22 "Conditional Uses," for a proposed mixed use
23 project including live/work units referred to
24 as "The Mark" on the property legally described
25 as a Portion of Tract A, together with Lots 27

22

1 through 31, and together with that Portion of
2 the 45-foot platted alley, Block 156, Riviera
3 Section Part 8 (1250 S. Dixie Highway), Coral
4 Gables, Florida; providing for a repealer
5 provision, severability clause, and providing
6 for an effective date.

7 Items E-1 through E-6, public hearing.

8 CHAIRMAN AIZENSTAT: Thank you.

9 Is the applicant here?

10 Ms. Russo.

11 MS. RUSSO: Good morning, Mr. Chairman,
12 Members of the Board. For the record --

13 CHAIRMAN AIZENSTAT: Good morning.

14 MS. RUSSO: Did I say, "Good morning?" Oh,
15 God. Long day. Sorry.

16 Good evening, Mr. Chairman, Members of the
17 Board. For the record, Laura Russo, with
18 offices at 2334 Ponce de Leon Boulevard. I am
19 here this evening representing LCD
20 Acquisitions, Inc., the applicant, before you
21 today.

22 I'd like to introduce the team. On behalf
23 of LCD Acquisitions, I have Mr. Eric Leath and
24 Mr. Brian Boyles, our Planning Consultant,
25 Mr. Eric Riel, of EPlanning, our architect,

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1 Javier Font, of Behar Font & Partners, and our
2 landscape architect, Jeremy Todaro of Witkin,
3 Hults & Partners, and our traffic engineer,
4 Juan Espinoza, of David Plummer & Associates.

5 We are here this evening to present a
6 mixed-use project for the redevelopment of the
7 University Shopping Center, located at 1250
8 South Dixie Highway.

9 I will now turn the podium over to Eric
10 Riel, and during his presentation, to
11 Mr. Javier Font, to take you through the
12 project.

13 CHAIRMAN AIZENSTAT: Thank you.

14 MS. RUSSO: Oh, I'm sorry.

15 Before, I'm going to ask Mr. Eric Leath to
16 give you just a little bit of background on the
17 applicant, so you have a little feel for the
18 applicant.

19 Mr. Eric Leath.

20 MR. LEATH: Hi, I'm Eric Leath, Landmark
21 Properties, which is the owner of LCD
22 Acquisitions. Thank you so much for having us
23 here this evening. We're very excited about
24 this potential project.

25 Landmark is a national developer and owner

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1 of rental housing. We're a full service
2 company, meaning that not only are we a
3 developer, we're also a property manager,
4 general contractor, and a long-term holder of
5 our assets.

6 We currently own and manage The Standard at
7 Coral Gables. So we are already active in this
8 community, and we hope to expand that with this
9 project, as well.

10 So, any questions from me, as this goes on,
11 I'm happy to answer them. Thank you so much
12 for having us.

13 CHAIRMAN AIZENSTAT: Thank you, sir.

14 Mr. Riel, welcome back.

15 MR. RIEL: Thank you.

16 CHAIRMAN AIZENSTAT: I guess this time's on
17 the other side of the podium.

18 MR. RIEL: I've been on both sides,
19 actually.

20 So, just for the record, Eric Riel,
21 Planning Consultant, for the team.

22 So I have a thorough presentation. It's
23 somewhat lengthy, but I want to make sure that
24 you get a good overview of the project this
25 evening.

25

1 I indicated, the US (sic) pedestrian bridge,
2 the Metrorail Station, and then, obviously, the
3 Underline Phase 3, then the University of Miami
4 campus.

5 On the Mariposa Court side, you have the
6 Citibank. You have the restaurant. The space
7 is actually vacant. TGI Fridays was in there,
8 but it's vacant at this time. And then you
9 have the drive thru, which is the back of the
10 bank area, and then this is just a view of
11 Mariposa Court and then the drive thru across
12 the street.

13 So, in terms of Madruga Avenue, which is
14 the rear of the property, this is a view -- all
15 right. This is a view looking from Mariposa
16 Court, obviously, the back of the center.
17 Preceding further south, these three
18 photographs, on the bottom, are the rear of the
19 Villa Capri Condominiums. They actually have
20 parking spaces that back into Madruga Avenue,
21 which is a 30-foot right-of-way. Also, their
22 entrance of their parking garage is -- their
23 parking garage, is in the rear, as well.

24 So, on the southwest property line, is the
25 University of Miami Office Tower. It's

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1 So I do have title slides. So I'm just
2 going to go -- I'm not going to go through each
3 title slide, but -- okay. The pointer is
4 working, okay.

5 So it's the University Center, retail
6 shopping center, 1250 South Dixie Highway. Let
7 me just orient you a little bit. Again, this
8 pointer is a little bit off. So Madruga
9 Avenue. This is the Villa Capri Condominiums.
10 What's shown in red is the project site.

11 Mariposa Court, the University Metrorail
12 Station, and then you, obviously, have the US-1
13 pedestrian bridge. Then you have the
14 University of Miami offices, high-rise offices.

15 So the University Shopping Center has been
16 around since like 1950. It's probably one of
17 the first retail strip shopping centers. If
18 you look on some of the old University of Miami
19 maps, it's the only thing you'll see on US-1.
20 So it's been around a long time. It's
21 currently occupied with restaurants, small
22 retail services. It has, obviously, a large
23 parking lot in front, and the site is about 3.1
24 acre in size.

25 So, in terms of the adjacent Land Uses, as

26

1 approximately 150 feet in height. Then, across
2 the street, as I indicated, is the Metrorail
3 Station. And this is just a view from Madruga
4 Avenue, back -- back of the University of
5 Miami.

6 So it's a mid-rise, mixed-use residential
7 project. Our request is for a change in Comp
8 Plan, Map -- Zoning Map Text, alley
9 abandonment, PAD Zoning, Conditional Mixed-Use
10 Site Plan, to also allow live/work units.
11 Eight floors is the proposal, 97 feet. We're
12 creating a garden paseo, which I'll go into
13 some more detail. It's actually between two
14 buildings, two separate buildings; 125 units an
15 acre, which is the allowable density per the
16 Zoning Code.

17 We're going to construct 393 -- hopefully
18 construct 393 residential apartments. They
19 vary -- one, two and three-bedroom. They vary
20 in size from 507 feet to the largest being
21 1,452.

22 In terms of the ground floor uses, there's
23 12 live/work units, about 20,000 square feet of
24 retail restaurant, and then some office space.
25 And the total number of spaces within the

28

1 garage is about, approximately, 700 spaces.

2 So to just kind of give you an idea, one
3 level underground parking, ground floor will
4 have the retail restaurant. Two through four
5 will be internal vehicle parking, and then the
6 apartments. Fifth floor has the apartments,
7 pedestrian bridge, again, within two
8 buildings -- within two separate buildings.
9 Floor six and seven are apartments. Eighth
10 floor will have the apartments, pool, spa,
11 outdoor rooftop amenities. And, then, Floors
12 two through eight will have the wrap
13 residential units.

14 Let me drink some water. I'm going to lose
15 my voice eventually.

16 So I want to go through, just in terms of
17 the land planning and architectural design, the
18 mobility and transportation improvements, and
19 there are six of those that I'm going to go
20 through in fairly -- detail, and also open
21 space green space.

22 So, in terms of the project design, we're
23 creating -- we're going to create four building
24 front faces, with Mediterranean architectural
25 features on all sides, numeral architectural

29

1 elements, balconies, step backs, and Javier's
2 going to go over that in a little bit.

3 And, again, the ground floor, the street
4 frontage and the paseo is wrapped entirely by
5 retail, restaurant and office uses, as well as
6 the live/work uses.

7 All on-site operations, all of the vehicle
8 parking, all of the loading, deliveries,
9 including deliveries for the residents, large
10 trucks, Amazon, FedEx, all internal. There's a
11 separate trash recycling room, fully enclosed
12 room, on the rear of the property, as well.
13 There's no rear back of house uses, which you
14 typically see in a development, and, then, we
15 obviously will be undergrounding all overhead
16 utilities.

17 So what I want to do is just go through
18 briefly, and then turn it over to Javier, to
19 talk a little bit about the architecture, to
20 just kind of orient you on the site.

21 All right. So the top is US-1, South
22 Dixie. This is the first building here. And
23 then you have the second building. It's
24 bifurcated by a garden -- what I'm calling a
25 garden paseo, 56 feet wide, 326 feet in length.

30

1 It's open to the sky. There's no ceiling or
2 anything like that. It's totally open to the
3 sky. Retail restaurant, on these two sides
4 here, and then we have office. And as you can
5 see, this is the ground floor plate, interior
6 parking, and, again, proceeding through the
7 paseo, and then these are the live/work units.
8 As you can see, they wrap around the back of
9 Madrugá, on both sides, and then the paseo kind
10 of flares out, when it gets towards the
11 residential. Again, this is the Villa Capri
12 Condominium, and these -- what you see, these
13 spaces here, are their spaces that back into
14 the street.

15 In terms of what I want to call back of
16 house, you know, FP&L vault, those are over
17 here -- you know, the electrical, and they're
18 over here -- but, again, the entire building is
19 wrapped. Everything is pretty much internal to
20 the development.

21 So, with that, I'm going to turn it over to
22 Javier, who's going to go briefly through some
23 of the architectural elements, and then I'm
24 going to come back up and finish my
25 presentation.

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1 MR. FONT: Good morning, apparently.
2 Javier Font, Behar Font & Partners, 4533 Ponce
3 de Leon Boulevard.

4 I want to take just a couple of minutes,
5 because Eric told me I don't have much time, to
6 explain to you the design intent behind the
7 building, and sort of the big strokes of what
8 we tried to do here.

9 So we're all familiar with this site. We
10 all know that it's probably one of the best
11 sites in Coral Gables and South Florida. So
12 the mandate from the ownership group was to
13 design a legacy property, that they could hold
14 for as long -- you know, see into the future,
15 and something that would become part of the
16 fabric of Coral Gables and contribute to the
17 fabric of Coral Gables. So that's what we
18 tried to do. We tried to be as true to the
19 Mediterranean Code as possible. And in doing
20 so, we did a lot of research and a lot of study
21 on, you know, historical Mediterranean
22 buildings, specifically the Biltmore. And I
23 don't want to compare ourselves or our building
24 to probably one of the most beautiful,
25 historical buildings in the world, but we did

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1 look at it in context and its style and what it
2 does, in terms of architecture.

3 So, I know that, after that introduction,
4 it's very hard to start a building talking
5 about parking, but that's exactly what I want
6 to do. One of the things that we tried to do
7 here, and one of the things that we noticed in
8 Mediterranean buildings, is that you don't see
9 the parking in Mediterranean buildings, right.
10 You don't see what we've become so accustomed
11 to, which is these podium buildings, where you
12 get a little bit of retail on the ground floor,
13 get three or four floors of parking right up
14 the street, you know, poorly screened, and then
15 you step back your towers, just because you're
16 so imposing on the property.

17 So we have concealed 700 parking spaces in
18 this building, where you don't see one parking
19 space, right. It's all internal. This has
20 forced us to do several things. We've got a
21 basement, and we ended up -- instead of ending
22 up with two or three floors of parking, we've
23 ended up with five levels of internalized
24 parking, but as Eric started to point out, it
25 is 100 percent lined by units.

33

1 talk about, and it is basically -- as you know,
2 in the Code, we need to provide a 20-foot paseo
3 from one street to the other. So we basically
4 go through our street -- through our property,
5 east to west, and what we've done is increased
6 that space to as much as 60 feet, so three
7 times the requirement, to try and get a true
8 public space there, to try and get a space
9 where we can open up restaurants, we can open
10 up our lobbies, and we could have activity in
11 that space, and connect the neighborhood to
12 whatever services we're going to use on US-1.

13 So that was a huge feature, which also
14 created some issues in our building, but --
15 that we were able to overcome. We do push up
16 to the setback on Mariposa and on the UM side,
17 but, you know, nobody's going to use that
18 space, on the UM side, between us and UM, that
19 space is obviously much better used within our
20 paseo.

21 And the last thing, I think you'll hear a
22 little bit about step backs and setbacks, and
23 this was one of things that we learned about
24 the Mediterranean buildings that we looked at.
25 Indeed, if you look at the Biltmore, let's say,

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1 So, you -- on the ground floor, you either
2 have a lobby, some sort of amenity, a
3 restaurant, a retail component, something of
4 that nature, that addresses the street and
5 brings eyes to the street and activity to the
6 street, and, then, the next seven levels are
7 apartments. So all eight facades are front
8 facades. There is no back facade. We tried to
9 be as sensitive to our neighbors as possible.
10 And if you look at our site, obviously, we've
11 got three streets, which we need to be
12 sensitive to, and we even got some comments as
13 to, you know, you can turn your back to the UM
14 building, but once you drive the site, you
15 notice that, as you come down US-1, that's
16 probably one of the most prominent facades,
17 because the UM building is stepped back, to the
18 point where that entire facade is visible, as
19 you're traveling northbound on US-1. So that
20 was sort of the biggest stroke in our design,
21 was how do we enclose this parking, how do we
22 turn our best face forward and how do we create
23 a building that has all facades.

24 One of the other things that we tried to do
25 is create this public space, that Eric began to

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1 you've got six-story, eight-story,
2 twelve-story, fifteen-story components, but
3 they are all true to themselves. They all come
4 down to the ground. They all address the
5 street, and they come up vertically. They
6 don't step back. As I said before, that became
7 a very important part of our Code when we
8 started to see these buildings that had the
9 layer of parking that is so imposing. It
10 really doesn't allow itself for a true
11 Mediterranean building, which is, you know, a
12 more European feel building, where the entire
13 facade is active and it sits on the street and
14 creates that fabric for the street, and that is
15 what we're trying to create here.

16 So I hope that you see that, and I make
17 myself available for any questions you have.
18 Thank you very much.

19 CHAIRMAN AIZENSTAT: Thank you.

20 MR. RIEL: Thank you, Javier.

21 Well, while he was speaking, I was showing
22 these images. Let me go back to the last one.
23 I wanted to explain something.

24 So this is a view from, actually, the Villa
25 Capri Condominium that's behind. I wanted to

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1 show you that -- obviously, the tree cover
2 that's there and it's hiding the building. So
3 we did do a rendering that doesn't include the
4 trees. So I just wanted you to see that, so we
5 can get a good idea, in terms of what the
6 building looks like against the street.

7 So, proceeding onward, and, again, as
8 Javier talked about, architectural detailing.

9 So then we go into mobility and
10 transportation improvements. That's one of the
11 things that was very, very important to us from
12 the start, obviously, given the fact that we're
13 across the street from the Metrorail, a
14 regional transit system that has access to
15 literally anywhere in the State.

16 So just let me talk about some of the
17 improvements that, you know, promote mobility.
18 So, obviously, we have ground floor loggias,
19 protection of the elements. We have a 10 to 30
20 foot clear path for pedestrian sidewalk on all
21 four sides of the building. And, actually, the
22 frontage, on US-1, has a 20 to 30 foot
23 sidewalk, which is unheard of, of anywhere --
24 actually you won't find that anywhere on US-1.

25 Bicycle storage is very important to us.

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1 can tell you, it started in June of 2023. As
2 part of that, I think we have a better project
3 here. That collaborative effort really worked
4 on behalf of the project. So I'd like to go
5 through some of the improvements that, you
6 know, were from the neighborhood, as well as
7 from the team, as well as from City Staff, as
8 well.

9 So just showing you this pedestrian path,
10 bicycle pathway, just showing you kind of the
11 locations of the bicycle racks, strategically
12 located, obviously, in places where they'll
13 actually hopefully be used.

14 So one of the things that we're doing is,
15 we're creating what I'm going to call a
16 mobility boulevard. It's a ten-foot wide
17 mobility boulevard. This is in addition to the
18 eight-foot sidewalk that we have adjacent to
19 our building. So, essentially, it's eighteen
20 feet of pedestrian pathway, from Madrug
21 Avenue, all of the way up to, basically, the
22 pedestrian bridge. The idea is, obviously, to
23 provide safe, direct, ADA accessible, you know,
24 connection, bicyclists, inline skaters,
25 wheelchair uses, joggers, scooters, you know,

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1 So the ground floor has short-term parking.
2 There's numerous bicycle racks. A total of 136
3 bicycle spaces throughout the entire
4 development.

5 In terms of vehicle access to the property,
6 we're going to use the existing US-1 driveway,
7 and then creating two new driveways on the
8 Madrug Avenue side. One thing that we're
9 doing is eliminating the two existing Mariposa
10 Court driveways, which here's a photograph of
11 where they are located, and this is the US-1
12 access point. So just by removing that, we're
13 removing an unsafe, you know, vehicular turning
14 movement, because, as we know, when people are
15 waiting to get the traffic queue out of the
16 intersection of US-1, we're also eliminating
17 pedestrian conflicts with those individuals
18 that obviously are going to the pedestrian
19 bridge.

20 So, in terms of the outreach, we've done
21 input, what I call conversations. We've met
22 with, you know, all of the multi-family
23 properties behind, the neighbor residents,
24 interested parties. As a part of that whole
25 process, it was a really good process, and I

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1 to the pedestrian bridge, easy access to the
2 Underline, when it's finished, and, again, to
3 the regional -- you know, the regional
4 Metrorail system.

5 So I want to show you -- it's kind of
6 difficult to see, because, unfortunately, the
7 header from the City is blocking it. The
8 mobility starts right on this corner. I don't
9 know if they can remove the header. Oh, Thank
10 you.

11 So this is, basically, the mobility
12 boulevard. It starts right here, and it goes
13 right along the property edge, and, then,
14 obviously, it ends right in front of the
15 pedestrian bridge. And, then, you can see the
16 additional -- the eight-foot sidewalk -- it's
17 not working too well -- all right, down to that
18 point. So we have eighteen feet, essentially.

19 So this is a section view of it. This is
20 Madrug, and, then, obviously, this is Mariposa
21 Court, the beginning, here, and, then, this is
22 the side of the building, and, then, the back
23 and forth to the pedestrian bridge. And you
24 can kind of see the profile, very wide planting
25 strip -- this thing is not working at -- and,

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1 again, the ten-foot wide mobility boulevard,
2 then, in the opposite direction, as well.

3 One of the other things, in terms of
4 additional connections, there's actually not a
5 sidewalk -- this is the corner of Mariposa
6 Court and Madruga. So we're going to install a
7 sidewalk -- excuse me, a crosswalk. And in
8 this is a plan, in the form -- we're going to
9 also include a sidewalk adjacent to the Villa
10 Capri Condominiums, to, again, make the
11 connection to the mobility boulevard for
12 pedestrians, and, then, I'll talk about share
13 riders in a little bit.

14 These are just some views of what's there
15 right now. There's essentially nothing. If
16 you want to walk, you're walking in the street.

17 So, in terms of the neighborhood
18 connections, one of the things that we're
19 proffering is sharrow lane markings, and what I
20 have here is the actual Coral Gables Bicycle is
21 to basically fulfill or fill in part of the
22 Master Plan. So start on US-1 and follow --
23 you see this large dashed green line, all of
24 the way to Maynada, all of the way up to US-1,
25 and, then, this little connection adjacent to

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1 the Villa Capri. So it's our intention to
2 include the pavement markings and whatnot to
3 install a sharrow.

4 So what I did to kind of get an idea of the
5 three things I just went over, I created this
6 little Master Plan here, that kind of shows you
7 all of the improvements. Again, the sharrow,
8 down in this direction, and the mobility
9 boulevard, and then the pedestrian connection,
10 with the project being right there. The idea
11 is to provide connections from the
12 neighborhood, safe, convenient connection, to
13 the Metrorail, which hopefully people will use.

14 So, in terms of that mobility boulevard
15 crosswalk, the first to last mile is basically
16 -- the improvement will greatly enhance the,
17 basically, going from your home or point of
18 origin to your destination.

19 It's kind of interesting, if you look at
20 the number, like 25 percent of the riders that
21 ride Metrorail have to ride it for a reason,
22 which I thought, when I found out the number, I
23 thought it was relatively low. I thought it
24 was more. I was kind of surprised at that
25 number. So, hopefully, if this project is

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1 approved, that will increase.

2 So, one of the other things that came out
3 from the neighborhood meetings, and I think
4 this is a great idea, from an urban planner
5 standpoint, it's an issue that we have to
6 grapple with City-wide. I don't care how
7 you -- whatever you provide, Amazon, FedEx are
8 going to stop wherever they want. They stop
9 and they're going to drop a package off. We
10 have internally -- we're going to have --
11 hopefully everybody will be dropping off their
12 packages internally, but one of the things that
13 -- this was a concern that was brought up by
14 the neighbors, because Madruga is only a
15 30-foot right-of-way. It's not 60-foot. It's
16 not your typical 60-foot right-of-way. It's a
17 substandard right-of-way.

18 So one of the things that we created was,
19 we're going to repurpose the existing three
20 spaces on the street and create a ride share,
21 small commercial vehicle loading and unloading
22 area. It's actually an eight by ninety-eight
23 foot area, and it's going to be next to our
24 lobby, convenient for hopefully that FedEx
25 truck and that Amazon truck, and, then, if

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1 you're going to ride Uber or Lyft, have that
2 ability, to get off of the street, and we think
3 that's a real bonus for, obviously, the users,
4 as well as the project.

5 So what I did is just a quick plan. So
6 this is the project right here, The Mark, and
7 then you see the mobility boulevard, and then
8 the eight-foot pedestrian pass. This is the
9 area, right now, where the three spaces are.
10 So, essentially, this area would be
11 re-configured into a curb management,
12 basically, program, to have the ability for
13 these folks to, hopefully, like I said, get off
14 the street. And this is an actual view,
15 adjacent to the former Fridays, where those
16 spaces are.

17 Another thing that we heard from the
18 neighbors is, it's very difficult to walk down
19 Madruga Avenue, behind the UM Building.
20 There's not a sidewalk. It's just paving, from
21 the street edge, all of the way, essentially,
22 up to the property line of UM. So one of the
23 things that we're going to do is install a
24 sidewalk, and some landscaping, and some
25 basically reflective rumble strips. So we'll

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1 have a dedicated area for pedestrians to walk,
2 so they don't have to walk in the street. We
3 think that's a real, real plus, in terms of
4 providing a clearly delineated safe pedestrian
5 path.

6 There are some challenges, because there
7 are a number of utilities back there. So, you
8 know, there will be some challenges, but we're
9 committed to put in that sidewalk. And this
10 just gives you an idea, in terms of plan view,
11 these are the rumble strips, and it just gives
12 you an idea of what the area looks like right
13 now. It's not very attractive. So we're going
14 to actually connect it to the THesis project.
15 So it will be the same type of improvements, on
16 our project, and the connection to the THesis.

17 Traffic calming, so, again, we heard a lot
18 of concerns from the neighbors about the
19 impacts of vehicle speed. So one of things
20 that we're proffering is the installation of a
21 speed cable on Madrugá Avenue. There's
22 actually one there, but I think it's probably
23 been there like 30 years, and it's not really
24 up to the standard -- the typical standard of a
25 speed table. And, again, the new sidewalk I

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1 that was really important, because, obviously,
2 you know, everybody has a dog. In terms of --
3 there's also a water feature. And, then, as I
4 indicated, the ride share is on this side, as
5 well.

6 On the fifth floor, there's the amenity
7 decks. As Javier indicated, you know, two,
8 three and four are parking. The fifth floor is
9 the amenity deck, and, then, on the top floor,
10 this is US-1 -- we've located the pool facing
11 US-1. There are no rooftop anything on the
12 rear, except for the residential. We're very
13 cognizant of the fact that we didn't want to
14 impact the adjacent multi-family residential.
15 So the pool and -- this is just like a kind of
16 grassy area for outdoor exercise.

17 In terms of streetscape sections, I'm not
18 going to get into a lot of detail. It's a
19 typical streetscape section. We meet the Code
20 requirements, in terms of the landscaping, in
21 terms of the height and the amount.

22 Treatments, you know, benches, receptacles,
23 again, I'm not going to spend a lot of time on
24 that.

25 One of the things that we did with the

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1 indicated, the crosswalk. And, then, City
2 Staff, Public Works, has asked us for a speed
3 cushion. They also asked us to reduce some of
4 the -- remove some of the asphalt and reduce
5 the travel lanes, which, hopefully, then, will
6 also slow down traffic. So we've also agreed
7 to that, as well.

8 So, open space, we talked about the paseo.
9 So the paseo that's going through the middle of
10 the project is .43 acres in size. That's a
11 large paseo. That's -- this room's about 40
12 feet wide. So, just to give you an idea, add
13 another 20 feet to that. 56 feet long, 326
14 feet in length. Again, it's open to the sky,
15 between the two buildings. The PAD requires 20
16 percent open space. With the paseo and all of
17 the improvements, we're going to have about 27
18 percent open space.

19 This is just an illustration of the ground
20 floor landscaping. In terms of the amenities,
21 numerous benches, bike racks, the mobility
22 boulevard. One of the things that we also
23 thought was very important, we're creating a
24 dog friendly site, as well. So we're going to
25 have dog amenities, a dog fountain. We thought

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1 paseo is, we created what we call four
2 different zones. So, as you go from US-1 back
3 to the residential, it becomes, from a more
4 urban area, to a more heavily landscaped area.
5 So Zone 1 is essentially right next to US-1,
6 what we're calling an urban courtyard. Two is
7 the hospitality courtyard, which is next to the
8 restaurants. Amenity garden, which is,
9 essentially -- it's in the middle. And, then,
10 Zone 4 is next to the live/work units, which
11 are on both of these sides.

12 This just gives you an idea of some of the
13 character imagery, and, then, these are some
14 renderings. This is a US-1 view. As you can
15 see, I think Javier mentioned, there's a
16 pedestrian bridge that crosses on the Fifth
17 Floor. This is the view of that. Again, this
18 is all open to the sky. This is a rendering
19 just from the ground level. You can, again,
20 see the bridge in the background there.

21 This is in Zone 2, kind of viewing towards
22 the center of the area, of the paseo. Again,
23 Zone 2, as you do see, the overhead bridge
24 there, again, open to the sky. This is
25 actually in the center, Zone 3, basically where

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1 the lobby area is. And, then, Zone 4 -- excuse
2 me, this is still the center, the paseo. And,
3 then, this is a view of the Madruga Avenue
4 side, to the center of the paseo. As you can
5 see, it's much more heavily landscaped than you
6 saw on the US-1 side. And this is actually a
7 view from actually being on Madruga Avenue,
8 into the space for Zone 4, and just another
9 view. And kind of a heading down view, so,
10 again, it's open to the sky. You can see the
11 amount of landscaping -- open story
12 landscaping, significant amounts.

13 So, in terms of the application request,
14 I'm going to go through this really fast. Comp
15 Plan Amendment Small Scale, Zoning Code
16 Amendment, Text Amendment, Abandonment, PAD,
17 Conditional Use, Site Plan. Change in Zoning
18 request, we're asking for Commercial
19 Low-Rise -- from Commercial Low-Rise Intensity
20 to Mid-Rise Intensity, which is from 50 feet to
21 77, with the two floors of Mediterranean bonus.
22 With a Mid-Rise Intensity, our desire is to get
23 97 feet, with the two-floor Med bonus, with a
24 total of eight floors.

25 So I did a thorough analysis, which is in

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1 your packet. It's about 16 or 18 pages of
2 analyses of the Comp Plan. I'm not going to go
3 into detail on this, but the findings are that
4 we meet numerous goals and objectives, with the
5 design, in terms of the housing and mobility,
6 recreation and open space.

7 The Zoning Map Amendment, the request is
8 from MXD1 to 2, which is 45 feet to 77 feet for
9 the MX1. Our proposal was to go to MX2, again,
10 97, eight floors. And just kind of in context,
11 this is the property right here. This is the
12 UM building and then this is the THesis
13 Project, which is Zoned MX3. And, again, just
14 a little blow-up. Again, this is the project
15 here, US-1, MX1 Zoning, and, then, the
16 multi-family condominiums are MF3, to the rear.

17 This gives you an idea, in terms of the
18 height comparison, to the UM building. The UM
19 building is about 150 feet. So, obviously,
20 it's about 53 feet more in height than what
21 we're requesting. And this gives you a little
22 bit of an idea of what the MXD1 line would be,
23 right there, and then the same thing down here,
24 on the bottom. And, then, on this side, you
25 can see there The THesis project, as well.

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1 Zoning Map Amendment, again, we feel it's
2 consistent, satisfies the intent and purpose
3 and -- everything that's applicable, we feel
4 that we satisfy or are consistent and not
5 exceed the requirements.

6 Findings of fact, one thing that I would
7 note, that is in the Zoning Code is, the MXD3
8 District, which allows the highest intensity
9 development is -- this is verbatim from the
10 Code -- "It's located in the City's Downtown
11 area, along North Ponce, Biltmore Way, South
12 Dixie and Route 1." The Zoning Code of Coral
13 Gables says, the most appropriate use on US-1
14 is MXD3. So we are requesting MXD2. So we're
15 not going to basically to what the Zoning Code
16 intends for that area. Again, just a
17 comparison.

18 The Zoning Map, you know, findings of fact,
19 you know, we're not asking for any density
20 bonuses, 125 units an acre, which is permitted.
21 Adequate infrastructure -- and, then, I'll talk
22 a little bit about the traffic. I know the
23 City's traffic consultant is here, but I'm
24 going to talk a little bit about that later.

25 Zoning Code Text Amendment, site specific

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1 standards need to be updated, because they've
2 been there since like the 1930s or '40s, The
3 idea was that, whenever a project comes
4 through, they would be updated on a case by
5 case basis, obviously, to meet the needs of
6 whatever the proposal is before you all.

7 So the abandonment of the alley, there's
8 this alley that is essentially on this one
9 corner. This is Mariposa Court right here.
10 It's 125 by 45 feet. It's not an alley. It's
11 basically almost like a small parcel. It
12 doesn't really even align with the remainder of
13 the block, that was abandoned years ago, in the
14 1930s and '40s. It's what I would call the
15 remnant. It's been there, as best we can see,
16 since 1950. There's no through access. It
17 doesn't attach to anything. It's literally
18 parking spaces and a landscaped island within
19 the -- a big parking lot.

20 So the PAD application -- and the reason we
21 filed -- the only reason we filed the PAD
22 application, to be quite honest with you is, we
23 needed some variations in the step backs on the
24 building, some penetration, between two to five
25 feet. That was actually approved as a part of

52

1 the Board of Architects review and approval.
2 PAD, we feel is satisfies. Obviously, we're
3 only asking for the step back issue.

4 Conditional Use, Mixed-Use Site Plan,
5 again, eight floors, 393 units. Live/work
6 requires a Conditional Use, as well, pursuant
7 to your Code. So that's what the request is
8 for.

9 So, in terms of the analysis, we feel it
10 complies and/or advances the Zoning Code
11 requirements, and, again, I'm not going to get
12 into this; in terms, again, it satisfies the
13 125 dwelling units per acre.

14 And, then, the City's traffic consultant,
15 one of the notations is, most of the
16 intersections will be able to maintain similar
17 traffic conditions, in reference to baseline
18 conditions. As a result, the proposed
19 redevelopment of The Mark is not expected to
20 have a negative impact on the surrounding road
21 network.

22 So I'm just going to go briefly into,
23 really, really fast -- the way -- I think you
24 all understand, the City hires the traffic
25 consultant to complete the traffic analysis,

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1 you. That's good.

2 So, in terms of the traffic study, I'm not
3 going to go through this, but basically it's
4 the typical information they look at, geometric
5 conditions, impact on the area. They look at
6 traffic growth of committed developments,
7 developments that are already approved. They
8 do microsimulation of, you know, a.m. and p.m.
9 peak travel -- peak periods, and then they come
10 up with recommendations for -- to mitigate the
11 possible impacts.

12 Now it's working again.

13 So we skipped one thing here.

14 So, one of the slides -- we skipped this
15 slide. One of the things I wanted to mention
16 is that, when the traffic consultant did this
17 for the City, they took the most conservative
18 scenario forecast generations rate. I want to
19 make sure that's clear, because we heard from a
20 lot of the neighbors that, you know, we didn't
21 take the most conservative -- the City's
22 traffic consultant didn't take the most
23 conservative approach. They did take the most
24 conservative approach.

25 So just to kind of highlight some of the

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1 and the developer or the applicant pays for it.
2 As a part of that process, which began like in,
3 I want to say, October -- as I told you, we
4 started outreach in June of 2023. One of the
5 things that we heard from the neighbors is,
6 obviously, they feel that, you know, the
7 project will have additional traffic impacts.
8 Questions arose, in terms of pedestrian-vehicle
9 conflicts.

10 So, in response to that and hearing from
11 the neighbors, we increased the TIA, or the
12 traffic impact study area, to include an
13 additional intersection. We also asked for ped
14 counts. We also asked for pedestrian-vehicle
15 conflicts. And we asked them to examine crash
16 data -- vehicular crash data analysis. All of
17 that stuff was included in the scope of work.
18 Again, this is beyond the typically
19 requirements of the TIA.

20 So the five intersections that were looked
21 into are listed here, and the additional one,
22 was basically an additional intersection,
23 further back, into the neighborhood.

24 All right. The battery is not working now.
25 You can go to the next slide. Okay. Thank

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1 findings, the City's traffic consultant said it
2 will have a nominal -- the project will have a
3 nominal increase in traffic demands and delays.
4 The analysis showed that during future
5 conditions, most of the intersections will be
6 able to operate within an acceptable level of
7 service or maintain similar conditions.

8 Also, signal retiming was one of the things
9 that was suggested as a mitigating -- or as a
10 recommendation. We've agreed to do that.
11 Obviously, signal timing can't be done -- if
12 the project's approved, it can't be done until
13 after the project is done, but we have
14 certainly agreed to do that.

15 So, just kind of in conclusion, based upon
16 the findings of the traffic study, the proposed
17 redevelopment of the Mark, it's concluded that
18 most of the intersections will be able to
19 maintain similar conditions in reference to
20 baseline conditions, and the proposed
21 redevelopment of The Mark is not expected to
22 have a negative impact on the surrounding
23 roadway network, after implementing the
24 recommendations provided in the report.

25 So let me just go through the Board of

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1 Architects. We went to the Board of Architects
2 three times. We took -- there's an opportunity
3 to do a conceptual Board of Architects review.
4 We took that opportunity. It was great. We
5 got some great input. They were actually very
6 supportive. They said the project was well
7 organized, from a land planning standpoint, and
8 they complimented the architect on the design,
9 the internalizations of support services,
10 everything inside.

11 So we went back about a month or two later
12 with that input. Actually, the first meeting,
13 they gave us the development bonuses for the
14 two floors, and they actually were going to
15 approve it that meeting, but they asked for
16 some additional detailings. So we just came
17 back one more time, just to -- and, again, this
18 happened in August, September, October,
19 November, and a lot of the design and some of
20 the additional fenestration, that was asked
21 for, was put in there at the request of the
22 neighbors. So I just want to make sure that,
23 this was a total collaborative process,
24 throughout the design, as well as the land
25 planning process.

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1 throughout the entire process.

2 And the notification was a typical 1,500
3 feet. And as a part of this process, I mean,
4 the conversations we had, and, again, I call
5 them conversations, I think it resulted in a
6 much higher quality project. I think, the
7 design -- the input we received from the
8 neighbors came -- you know, we had a better
9 design, and, I think, the six things that I
10 mentioned, in terms of mobility, those were a
11 results, again, of the neighbors, the City
12 Staff, as well as the team.

13 That's the end of my presentation.

14 CHAIRMAN AIZENSTAT: Thank you, Eric.

15 MR. RIEL: Thanks.

16 CHAIRMAN AIZENSTAT: Laura.

17 MS. RUSSO: I just want to make sure you're
18 aware, we have reviewed Staff's quite extensive
19 report, along with all of the conditions
20 contained therein, and the clarifications to
21 those conditions that you received this
22 evening. I want to let you know that we accept
23 them. We're perfectly okay with them. And on
24 behalf of LCD Acquisitions, we respectfully
25 request the approval of this project, The Mark.

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1 So, public outreach, we started public
2 outreach in June of 2023. I had a lot of one
3 on one meetings with neighbors. We had a lot
4 of smaller, larger group, meetings. I actually
5 did walk-arounds with the residents. We,
6 actually, in January, offered an additional HOA
7 meeting. We met with the Villa Capri
8 Homeowners Association. We met with interested
9 neighbors. We met with Royal Caribbean, which
10 is the condominium to the north of the
11 intersection. We did the required City
12 meeting. We had about 30 -- about 50 people
13 attend. We felt that we didn't give enough
14 opportunity. It was only an hour or two. So
15 we held a second meeting, so those folks could
16 come back, and, again, provide us their input.

17 They participated -- the neighbors
18 participated in the process throughout, the
19 Board of Architects, the DRC. We actually went
20 to the Traffic Advisory Board, as well, as a
21 courtesy, to present the project.

22 I can tell you, I personally have given
23 everyone the traffic impact report, the
24 applications, the plans. Anybody that wanted
25 them, I gave them full copies, and we did that

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1 We are more than happy to answer questions,
2 and, Mr. Chairman, I respectfully request
3 rebuttal, in the event it's needed. Thank you.

4 CHAIRMAN AIZENSTAT: Thank you.

5 Jennifer.

6 MS. GARCIA: Good evening. Jennifer
7 Garcia, City Planner.

8 May I have the PowerPoint, please? Thank
9 you.

10 All right. So today we are reviewing three
11 -- sorry, six requests, a Comprehensive Plan
12 and Map Amendment, Zoning Map Amendment, as
13 they're both related to the height, Zoning Code
14 Text Amendment for the vacation of the alleys,
15 a PAD designation, and Conditional Use.

16 So, as we are -- after a thorough
17 presentation by the applicant, I think we know
18 exactly where we are. We are southeast of
19 US-1, between Mariposa and Madruga. So, you
20 can see, it's kind of the last piece of that
21 long Tract A.

22 And, then, here's the context. As you
23 know, it's across US-1 from the University of
24 Miami, University Station, the Metrorail
25 Station. It's right next to Gables One Tower.

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1 It's across the street also from The Underline,
2 the pedestrian bridge, and, then, kind of
3 abutting close to some condominiums in the
4 rear.

5 So the current Future Land Use designation
6 is Commercial Low-Rise Intensity, and the
7 Zoning is MX1.

8 So these are some shots of the existing
9 conditions. The top picture is showing looking
10 from US-1 to the property. The bottom picture
11 is showing that pedestrian bridge that goes
12 over US-1. The top picture here is actually
13 showing the view looking from Mariposa Court
14 into the property. And if you look at that --
15 that bump out right there, landscaped bump out,
16 that's actually part of the alley, that we
17 didn't know about, until a few months ago. So
18 we'll talk about that in a second. And, then,
19 the Mariposa Court, meeting Madruga Avenue, is
20 the bottom picture.

21 So, again, the request, there are six
22 requests and I'll go through each of these. So
23 the first request is a change of Land Use from
24 Commercial Low-Rise Intensity to Commercial
25 Mid-Rise Intensity. So you can see that the

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1 And the third request is a Zoning Code Text
2 Amendment to the Site Specifics of the
3 property, to remove themselves from the height
4 and FAR limitations, and, also, the clean up
5 the setbacks, as US-1 now has a mandatory
6 setback of 20 feet.

7 And this is a vacation of the alley. So,
8 the alley, if you look here, this is US-1.
9 This is Mariposa. And it's a little remnant of
10 an alley, that was left, after a couple of
11 replats in the area. It's that there.

12 And, then, the fifth request is a Planned
13 Area Development or a PAD designation. So part
14 of this request, as they mentioned, is to have
15 relief on some of the step backs that they're
16 encroaching into on the corners of the
17 building, and the reason behind that is really
18 to create a more architectural pleasing
19 massing, right. So part of that request is to
20 provide some public benefits to the
21 neighborhood. So what they're providing as of
22 today is the paseo. You can see it here, in
23 the middle. You know exactly where that is
24 right now. They're also providing sidewalks,
25 from their property, to connect to the Thesis

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1 reddish color gets darker.

2 And the Zoning Code Map Amendment is
3 changing the Zoning from MX1 to MX2. This is
4 really just about the height. The density and
5 the FAR, they're the same. It's really about
6 two additional stories or 20 feet.

7 So this is a massing, just showing the
8 existing potential development. So the
9 property is there outlined in that black dashed
10 line, and that's on the left side.

11 This is the property right now. The Land
12 Use is Low-Rise, and the Zoning MX1. It's next
13 to the Citibank, which that would be the
14 potential of that property, and it's also next
15 to the Gables One Tower. This white box,
16 that's poking out, is showing beyond what
17 they're allowed to have right now, if they
18 would redevelop.

19 So they're proposing to change the Land Use
20 to Mid-Rise Intensity, which is shown here on
21 the right side. This is the development
22 potential. That's not what they're proposing.
23 This is just a massing diagram. Also, next to
24 the Citibank, existing, and here's the Gables
25 One Tower.

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1 project, to The Paseo project, speed cushions,
2 and redoing the intersection, here, at Mariposa
3 and Hardee, bike boulevard markings connecting
4 US-1, where it meets Caballero, all of the way
5 through Mariposa, and over here, where US-1
6 meets Madruga -- not Madruga --

7 MR. SALMAN: Maynada.

8 MS. GARCIA: Maynada. Thank you. Thank
9 you.

10 And, also, as he's talked about, there's a
11 sidewalk extension on the northeast side of the
12 Villa Capri block, and that mobility boulevard.

13 So this is probably very hard and difficult
14 to read, but it's in your packets, the existing
15 lot property is about 32,000. They're
16 requesting to vacate that dead end alley, which
17 is about 5,600 square feet. So the total of
18 their building site is 137,997 square feet or a
19 little bit over three acres.

20 So they are changing -- proposing a change
21 of Zoning to MX1 (sic), and the Land Use
22 designation from Low-Rise to Mid-Rise. Their
23 total FAR is actually under what they could
24 have, which is the 3.13 FAR, and if they're
25 allowed to change the Land Use and Zoning,

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1 their maximum height will no longer be at six
2 stories, it will be eight stories; they're no
3 longer at 77 feet, but at 97 feet. So, again,
4 the difference of 20 feet.

5 They're proposing to be just under the
6 maximum, at 393 units, ground floor uses at a
7 little over eight percent, which is the minimum
8 amount required for a mixed-use, and parking, a
9 little bit over 700 spaces, and open space,
10 about 26, 27 percent, when they're required to
11 have 20 percent.

12 So, then, the last slide, this is the
13 Mixed-Use Site Plan. This is required for any
14 property that's greater than 20,000 feet, and
15 they're also proposing to have live/work units,
16 which also requires the Conditional Use review.

17 So, just to remind you, everything is on
18 the Site Plan. You have your US-1 parking
19 egress and ingress right here. You have the
20 setback on US-1, with the restaurant and retail
21 uses. You have commercial flex space here, on
22 Mariposa, along with the cycle track mobility
23 boulevard. You have the ride share, delivery
24 area, right here, and you have two other egress
25 and ingress into the parking garage off of

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1 Madrugá.

2 So DRC reviewed this project twice,
3 actually, first, in June of last year, and,
4 then, again, November. November was just to
5 review the alley, that we pointed out in June,
6 the alley remnant that's still there, as far as
7 the plat.

8 Now, the Board of Architects reviewed this
9 three times and gave approval in November.
10 They had two neighborhood meetings, that were
11 required by Code, that they reached out to
12 1,500 feet and that was in January and February
13 of this year, and here we are tonight for
14 Planning and Zoning. They'll be required to go
15 to the City Commission for First and Second
16 Reading.

17 Again, this is the map, that shows all of
18 the properties within 1,500 feet, which is
19 required whenever you're changing the Land Use.
20 And that was sent out three times, for both
21 neighborhood meetings and Planning and Zoning,
22 tonight's meeting. The property was posted
23 four times, for DRC, twice, Board of
24 Architects, and tonight's meeting. The website
25 was posted four times, as well, and tonight's

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1 meeting was advertised in the newspaper.

2 So Staff determined that this application
3 is consistent with the Comp Plan goals,
4 objectives and policies, that relate to
5 mixed-use buildings, providing housing next to
6 the Metrorail and transit, and you can see our
7 recommendation and so you can see those
8 findings of fact in your Staff report. Staff
9 recommends approval, with conditions, and those
10 conditions are also in your Staff report, at
11 the very end. These are highlights of those
12 conditions of approval.

13 So the traffic calming would include a
14 crosswalk at Mariposa Court and Madruga Avenue,
15 and a speed cushion, as approved by the City of
16 Coral Gables and County Traffic Calming Plan,
17 at Hardee and Madruga; intersection
18 improvements and reduction of asphalt, to make
19 a safer intersection at Hardee and Mariposa,
20 and then bike boulevard pavement markings along
21 Mariposa. Other conditions would include the
22 widening of the sidewalk -- I'm sorry, a
23 creation of a new sidewalk, wide, or a
24 multi-use path, along the south side of
25 Mariposa, between Madruga and Mariposa Avenue,

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1 coordination with the County and Public Works,
2 obviously, for the signal retiming of Mariposa
3 Court and US-1, as recommended by the traffic
4 impact study; construction staging will retain
5 sidewalks open all on US-1 and also on Mariposa
6 Court.

7 Park enhanced landscape requirements exceed
8 the Zoning Code, that basically means to plant
9 larger trees than would normally be required by
10 the Zoning Code.

11 The external illumination or lighting of
12 the building would be limited to just the
13 ground floor and the rooftop. There won't be
14 any extra uplighting, for example.

15 And vehicle delivery will be limited within
16 the building or along the designated area along
17 Mariposa Court.

18 So they would also -- the applicant would
19 also supply no parking and no vehicle delivery
20 and drop off signage or pavement markings on
21 those side streets.

22 And, then, we would require annual traffic
23 monitoring, for three years, after the building
24 is up and running, to make sure that it's
25 complying with what it was expected to produce

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1 during the traffic impact study.
 2 That's it. Thank you.
 3 CHAIRMAN AIZENSTAT: Thank you.
 4 Jill, how many speakers do we have?
 5 THE SECRETARY: We currently have signed up
 6 eight.
 7 CHAIRMAN AIZENSTAT: And on Zoom?
 8 THE SECRETARY: We currently have eight
 9 signed up in the Chambers and we have three on
 10 Zoom.
 11 CHAIRMAN AIZENSTAT: Has everyone that's
 12 going to be speaking been sworn in? I think
 13 there were some people --
 14 THE SECRETARY: There are some people that
 15 need to be sworn in.
 16 CHAIRMAN AIZENSTAT: Can the people, who
 17 have not been sworn in, that are going to be
 18 speaking, please stand up? If you've already
 19 been sworn in, you can sit down.
 20 THE SECRETARY: Who, I'm sorry?
 21 CHAIRMAN AIZENSTAT: The people that have
 22 already been sworn in don't need to stand up,
 23 only the people that have not.
 24 THE SECRETARY: Correct.
 25 (Thereupon, more participants were sworn.)

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1 CHAIRMAN AIZENSTAT: Thank you.
 2 MR. PARDO: Is it fine if we take a little
 3 break?
 4 CHAIRMAN AIZENSTAT: You would like to take
 5 a five-minute break?
 6 MR. PARDO: Yeah, before we get into this.
 7 CHAIRMAN AIZENSTAT: All right. Let's go
 8 ahead and take a quick five-minute break,
 9 please. Thank you.
 10 (Recess taken.)
 11 CHAIRMAN AIZENSTAT: We are going to go
 12 ahead and resume. If everybody could take
 13 their seats, please. Thank you.
 14 All right. My understanding is that some
 15 more people signed up to speak. There were
 16 eight. Now there is eleven. So the last two
 17 people that signed up to speak, can you be
 18 sworn?
 19 (Thereupon, more participants were sworn.)
 20 CHAIRMAN AIZENSTAT: Thank you very much.
 21 All right. All right. We have eleven
 22 speakers that are in Chambers, and we have how
 23 many speakers on Zoom?
 24 THE SECRETARY: Three.
 25 CHAIRMAN AIZENSTAT: What I'm going to do

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1 is, because of the time and so forth, I'm going
 2 to ask everybody to please keep everything
 3 concise. If somebody has echoed your
 4 sentiments, you can concur on that. Instead of
 5 saying I'm going to limit everybody to three
 6 minutes, I would like to give everybody an
 7 opportunity to speak, but, please, if you can
 8 keep it brief, it would be greatly appreciated.
 9 Jill, call the first speaker.
 10 THE SECRETARY: Betty Mortenson.
 11 MS. MORTENSON: I have lived at 1218 Aduana
 12 Avenue since the 1980s. I raised my kids
 13 there. And I'm also a practicing physician,
 14 and I say that, for the following reasons.
 15 We were told in many of these meeting, that
 16 I went to almost every one of them, that there
 17 was no way that they could eliminate the
 18 parking, 750 extra cars. There is SB 328,
 19 which was passed February 28 of this year, that
 20 says that for this type of project, it
 21 eliminates the need for parking, within a
 22 transit-oriented development, which, obviously,
 23 the Metro is. So we don't need those 750 cars.
 24 The reason I mention that is the following,
 25 I'm a practicing physician. I deal in

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1 emergencies. I'm an anesthesiologist. People
 2 die when those extra couple of minutes, that
 3 don't mean anything, are holding me up. We
 4 were told that even though 95 percent of the
 5 people in South Gables did not want The THesis,
 6 because of the traffic, we would not have
 7 traffic problems. I can tell you that is not
 8 true.
 9 My time to go to work, and if I have an
 10 emergency, God forbid, it may be one of you,
 11 any of you, could make a life and death
 12 difference. I'm saying this, because they have
 13 all of their fancy papers and all of their
 14 fancy things, beautiful project, 750
 15 unnecessary cars. I want to bring that out.
 16 The bill is SB 328.
 17 The other thing I want to make mention of
 18 is the following, we don't need to give away an
 19 alley. We all pay taxes. We all work hard for
 20 a living. I don't want to give anything away.
 21 What are they giving away?
 22 Speaking of giving away, as part of this
 23 residential mixed requirement, it will be --
 24 cities will be required to give tax exemptions
 25 to the newly built complexes and units serving,

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1 quote, low income residents. Let me tell you
2 what the loophole is. The loophole is called
3 the student loophole. Most student rent is
4 paid either by their parents, scholarships,
5 financial aid, student loans or any of those
6 things. None of those are considered income.
7 Therefore, they can rent to as many students as
8 they want, and not -- and be part of these tax
9 breaks. So we're about to lose money into the
10 coffers of the City of Coral Gables.

11 However, the most important thing is, none
12 of these apartments are required to give rent
13 breaks to the students, by law. So the cities
14 all have to give breaks, but they don't have to
15 give breaks. They're lining their pockets.
16 They're going back to Georgia, and laughing all
17 of the way home.

18 In Gainesville, 75 percent reduction in
19 revenue to the city has caused a major problem
20 to their budget. Just think of what a 75
21 percent reduction in money coming into the
22 City's coffers are going to mean to the Coral
23 Gables bottom line, our services. The reason
24 we moved and the reason we're in Coral Gables
25 is because we like to have -- we don't like to

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1 have, we need good police, fire rescue,
2 emergency services. All of those are going to
3 be decreased, because our budgets are going to
4 have to be decreased.

5 Right now, we have vacancies in the Police
6 Department, because we're not competitive. We
7 moved to Coral Gables because of police, fire
8 rescue, and all of the other services. Who's
9 going to pay for that? They're not. They're
10 going to be getting tax incentives, tax breaks.
11 We're going to paying for it. Our lives are
12 going to be messed up. And be very clear, I'm
13 not the only physician in that area. If you
14 look at this, all of these people are going to
15 be impacted. There's a lot of emergency
16 people. When you're having a heart attack,
17 when you're having an accident, an appendix,
18 one of us may not be able to get there, because
19 the negligible traffic is stopping us. Think
20 about it.

21 Two things you need to think about, 750
22 unnecessary parking spaces and a drop in
23 budget, because of all of the tax incentives
24 that they're going to be getting because of
25 this mixed residential project.

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1 CHAIRMAN AIZENSTAT: Thank you, ma'am.
2 MS. MORTENSON: That's all I wanted to say.
3 CHAIRMAN AIZENSTAT: Thank you.
4 THE SECRETARY: James Berlin.
5 MS. MORTENSON: And by the way, I was at
6 all of those meetings, and it was most
7 contentious. People were not happy,
8 specifically with the traffic, which we don't
9 have to have, because of SB 328.

10 CHAIRMAN AIZENSTAT: Thank you.
11 MR. BERLIN: Good evening, gentlemen and
12 Sue.
13 I've been in the Gables for over 50 years.
14 CHAIRMAN AIZENSTAT: Can you state your
15 name and address, please, for the record?

16 MR. BERLIN: 737 Tibidabo.
17 CHAIRMAN AIZENSTAT: And your name, please?
18 MR. BERLIN: James Berlin. Jim Berlin.
19 CHAIRMAN AIZENSTAT: Thank you, sir.

20 MR. BERLIN: I live below Sunset. I use
21 the shopping center which you're talking about
22 probably once every other week, the CVS, the
23 Baptist Health facilities or the Bagel Emporium
24 or the UPS Store, so I've seen what happens
25 with traffic, the time of day.

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1 We talked about The THesis and traffic. So
2 my main concern is the traffic study. They
3 mentioned the word conservative. I don't know
4 what that means, if that means that they did it
5 under conditions when it was a holiday weekend
6 or does that mean they did it when it was prime
7 with traffic, but I'm concerned. He mentioned
8 the parking spaces. It's not the parking
9 spaces that bothers me, just the cars in them,
10 and they're going in and out on Mariposa and
11 around on Hardee, near my area.

12 The second concern I have is, I'd like to
13 know what the UM representation in this
14 building is. What is their Strategic Master
15 Plan for dorms? I don't know whether they have
16 an endorsement. They built The Standard first
17 for housing rentals, and now they're building
18 this. I'd like to know, is there any
19 endorsement from the University to support this
20 building and how they see it? Thank you.

21 CHAIRMAN AIZENSTAT: Thank you.
22 THE SECRETARY; Maria Cruz.
23 MS. CRUZ: I guess it's still good
24 afternoon. The sun is still out.
25 Maria Cruz, Mrs. Maria Cruz, 1447 Miller

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1 Road, living in the same house since 1976,
2 seeing a lot of changes around here, from a
3 nice little city that everybody loved, to
4 becoming another Brickell.

5 I'm here to let you know that we're not
6 against development. I think development is
7 good. But when people buy property, they know
8 what they can build as of right. They know
9 what is there. When I bought my house, I knew
10 I couldn't have three more floors. If I wanted
11 to build up, I couldn't do it. When I bought
12 my house, I knew that Miller Road rides in
13 front of my house, and that I would have
14 traffic there, but I did not expect the amount
15 of traffic we have today, and these people,
16 that live there, certainly did not expect to
17 have a wall, and pretty soon -- I love it, when
18 they say, this is this and The Thesis is that.
19 Yeah. Now, pretty soon, we're going to have a
20 wall of buildings from 57th Avenue all of the
21 way through US-1, because Miami is doing the
22 same. So these people, that bought their nice
23 houses thinking that they were going to live in
24 a residential neighborhood, now they have a
25 wall behind them. It's wrong.

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1 nicer front lawn. Can I get half of Miller
2 Road? I would love to move the sidewalk a
3 little that way, take a part of Miller Road. I
4 can't, but we can get the alley. What do we
5 pay for the alley? It belongs to us. It
6 doesn't belong to anybody else, but the
7 residents of this City. It costs money. That
8 alley, if they were to buy that amount of
9 property, that amount of land, they would have
10 to pay for it. Darn it, if they want it, pay
11 for it. It's not free. We don't get anything
12 for free.

13 When I moved to Coral Gables, I had -- I
14 didn't have to worry about the swale. The City
15 came, the City took care of it. Now we have to
16 pay for that. Pretty soon we're going to have
17 to pay for the use of the roads, because other
18 people are getting free stuff.

19 I am very pleased with what the doctor
20 said. You all are giving away our way of life.
21 You all are making the City unlivable. This is
22 wrong. Listen, put your ear to the people.
23 Listen. Knock on a few doors. Don't worry
24 about the important people, the establishment,
25 that thinks everything is good and dandy in the

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1 I took the time -- and by the way, I'm
2 talking fast, because I rushed here, to be
3 here. This is the big issue, traffic, of
4 course. This is the big issue. Developers buy
5 property. They know what it's zoned. They
6 know what they can build. Oh, no, because we
7 can come here and ask for six -- six changes.
8 Why do we need a Zoning Code? Why do we need a
9 Map? Why do we need anything? Put a sign that
10 says, Coral Gables is for sale, whatever you
11 want, you can get.

12 Well, I hate to tell you all, you can
13 decide whatever you want today, but the people
14 of this City have spoken, and you have a
15 Commission that is not pro developer anymore,
16 because the people went out and voted and said,
17 no more overdevelopment. And elections have
18 consequences, and much to the unhappiness of
19 some people even sitting here, guess what, it's
20 going to happen again. I'm knocking on doors,
21 and every door that I've talked to people, they
22 have said, we need to put a stop to this. We
23 cannot have the developers come here and buy
24 property and develop whatever they want.

25 And guess what? I would love to have a

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1 City of Coral Gables. It is not. People are
2 very unhappy. Stop selling our City.

3 That land, the developers bought it,
4 perfect, build what you have as of right.
5 Nobody told you that you're going to get a
6 Comprehensive Plan Amendment. Nobody told you
7 that you're going to get a change of Land Use.
8 Nobody told you that you're going to get a
9 change of Zoning. Nobody told you're going to
10 get a Zoning Code Amendment or an alley
11 vacation or a PAD or a Conditional Use. No.
12 You bought it the way it is, build what you can
13 build. Respect the neighborhood. Enough is
14 enough. Listen to the people. No more.

15 CHAIRMAN AIZENSTAT: Thank you.

16 I'm going to ask if everybody can just hold
17 their applause, we would appreciate it. Thank
18 you.

19 Next speaker, please.

20 THE SECRETARY: Denise Carvalho.

21 And after her will be Roger Kogan.

22 MS. CARVALHO: Hi. My name is Denise
23 Carvalho. I live in Caballero Boulevard, less
24 than a thousand feet from the --

25 CHAIRMAN AIZENSTAT: Could you state your

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1 address, for the record, please?
2 MS. CARVALHO: 6308 Caballero Boulevard,
3 and I live less than a thousand feet from The
4 Mark.

5 I never received an invitation for the
6 meetings, up until one day, a neighbor of mine
7 came to my house, and had a paper saying that
8 they were going to meet the neighbors at the
9 Woman's Club.

10 So I went there. It was already like the
11 tenth round of meetings, and I'm around the
12 area that is going to be very much affected.
13 And since then, I started going to the
14 meetings. I went to two meetings with the
15 developer.

16 We are not happy with this project at all.
17 As Maria said, they should build what they are
18 allowed to build. Why are we going to give
19 them more? We have no -- our traffic is
20 already super complicated. I'm very upset that
21 they are asking that, and you guys are -- you
22 are allowed to give them an alley, an extra two
23 floor, and an extra lots of people.

24 Our little South Gables neighborhood
25 comprises approximately 3,000 people, if you

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1 alley that goes behind. So the trucks are
2 going through Caballero Boulevard. When they
3 go through Caballero Boulevard, they have to go
4 through Mariposa, and this way that they do,
5 they're going to pass through Jaycee Park.
6 It's the children's park of our neighborhood.
7 Lots of trucks, during construction, passing
8 by. It's not fair to our children. We pay a
9 lot of taxes for that.

10 They say that the level of traffic is
11 already not good during the a.m. and p.m. peak
12 hours on Caballero Boulevard, but after doing
13 all of this construction, with 700 new cars in
14 the neighborhood, the level of service is going
15 to remain good. That's the conclusion. The
16 conclusion is ridiculous.

17 CALTRAN is here. I can talk to them. I
18 have all of my notes here. It's really, really
19 bad. I want -- as a neighbor, as a person that
20 lives for eight years in Coral Gables, I would
21 like you guys to ask -- request a new traffic
22 study, a realistic traffic study. They compare
23 apples to oranges in the traffic study. They
24 compare the project in a way that it doesn't
25 make a lot of -- like the students, they don't

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1 don't count the Hotel THesis, and this is going
2 to add a thousand more people to our little
3 neighborhood. So 25 percent extra people, 700
4 cars.

5 So, then, I went to read the traffic study.
6 I couldn't find the full traffic study online,
7 on the Coral Gables website. I had to go talk
8 to Ms. Melissa Castro, and she made me a copy,
9 on a pen drive, for me, and that's how I was
10 able to read the full traffic study. And the
11 traffic study is ridiculous. I have to tell
12 you that, I couldn't believe my eyes, when I
13 read it. It treats us as we are stupid people,
14 and we are not stupid people.

15 I read the traffic study full, and I made
16 notes about all of the issues that are not
17 right, and I sent to all of the Commissioners.
18 So all of you work for the Commissioners. You
19 are appointed by the Commissioners. We vote
20 for the Commissioners and Mayor and Vice Mayor,
21 and they appoint you guys. So you all probably
22 have my notes. You should, at least.

23 But my notes, I say, during construction,
24 the trucks cannot pass through Mariposa Court,
25 and, then, through the other -- the little

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1 leave with their cars. They never use their
2 cars. They're going to have 700 parking spaces
3 and only 70 bicycle parking spaces, like you
4 guys said now. So like a thousand students,
5 with 70, seven zero, parking space for their
6 bikes and 700 parking spaces for their cars.

7 So, those students, in the traffic study,
8 they're not going to use their cars, and the
9 traffic -- if they don't do anything, the
10 traffic will rise a lot. So, in the
11 comparison, it's better to make the new
12 building, and we're going to have less traffic
13 or the same traffic as if we don't do it. So
14 all of the conclusions are wrong. I have all
15 of items here. I read and I commented on each
16 of it.

17 All of the Commissioners have this, the
18 Mayor, the Vice Mayor. I'm ready to talk about
19 that, but my request for you guys is to not let
20 this project pass without a real, real traffic
21 study. We need to know what's going to happen.
22 We need to have ideas of how to mitigate.

23 We don't need eight floors. We can do four
24 floors. The Mediterranean Bonus, for us, I
25 don't care if it's going to look Mediterranean

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1 or not. I care if my neighborhood is livable.
2 This is much more important for me than like
3 having beautiful Mediterranean ways -- I don't
4 care about that.

5 So I want a new traffic study. I want you
6 guys to be responsible with the people that
7 live around here. We have people that have to
8 drive to their jobs, we have doctors and people
9 that really need to be at their jobs fast. We
10 have people that live and pay a lot of money,
11 as taxes, here. So we need the City to still
12 be livable, and I believe that this project --
13 one of the entrances is through US-1. The
14 other one is through the little alley that
15 they -- it's -- they should go enter and go out
16 through US-1, and they should have less cars,
17 they should have less height and less density.

18 They're still going to make a lot of money.
19 Believe me, I did the math, they're going to
20 earn a lot of money anyway. If they do half of
21 what they're planning, they're still going to
22 be profitable. So don't worry about being
23 profitable. I want them to be profitable, but
24 they don't need all of that. They don't need
25 to ruin our neighborhood for that.

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1 Ponce de Leon Junior High, Riviera Day School
2 and Coral Gables Senior High. I can tell you
3 how it has deteriorated over the last 20 years.

4 To give you an example, in the evening, a
5 lot of families now -- young families, live in
6 our area, and they take their kids to Jaycee
7 Park. Nobody -- nobody -- walks on Hardee
8 Road. After crossing from south of Maynada on
9 what -- east Hardee, they cross at the
10 pedestrian crossing and they take a left, walk
11 to my street, and head up to the park. They
12 will not walk on Hardee Road, because of the
13 traffic, density and people speeding on it. So
14 I just wanted to let you know that this is
15 going to impact all of our streets totally.

16 Also, on Mariposa Avenue, in front of the
17 Villa Capri, there is no sidewalks. A lot of
18 young families -- I mean, a lot of young people
19 -- I mean, young parents -- I mean, parents
20 with young children, strollers, bicycles,
21 children's bicycles, are in the street. There
22 is nowhere for them to go, if people are
23 speeding down Mariposa. They are going to get
24 hit.

25 I have been hit. I run my bike in the

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1 Thank you.

2 CHAIRMAN AIZENSTAT: Thank you.

3 Jill?

4 THE SECRETARY: Roger Kogan.

5 CHAIRMAN AIZENSTAT: Jill, just a question.
6 There are e-mails that you provided to all of
7 the Members of the Board?

8 THE SECRETARY: Yeah.

9 CHAIRMAN AIZENSTAT: You sent it to us by
10 e-mail and you also left them for us here.

11 THE SECRETARY: That's correct.

12 CHAIRMAN AIZENSTAT: Those are being
13 entered into the record?

14 THE SECRETARY: Yes. They will be entered
15 into the record.

16 CHAIRMAN AIZENSTAT: Okay. Thank you.

17 MR. KOGAN: Good evening. My name is Roger
18 Kogan. I live at 1127 Manati Avenue. And I'm
19 going to try to keep this as short as possible.

20 One point, in particular, everybody's
21 talked about the traffic impact, and I have to
22 say, the study that the developers presented to
23 you for traffic patterns is incorrect. My
24 parents bought that property at 1127 Manati in
25 1955. I grew up there. I went to West Lab,

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1 afternoon around my neighborhood. I've been
2 hit and run off the road many times; not on
3 Maynada or Caballero, but on Riviera, on
4 Alhambra, on Granada and on Hardee Road. I do
5 not ride to the Chinese Village anymore. I
6 stopped, because the traffic circles at Granada
7 and Riviera are too dangerous. People blow
8 right through there, rush hour traffic in the
9 morning and in the evening. You're going to
10 have accidents, guaranteed.

11 I'm not against development, but the
12 density is too much, because there's going to
13 be more development, because there is the
14 University Inn, and you can't -- no matter how
15 nice this project is, you can't just keep it as
16 a set-aside The Mark only. You have to take
17 The Mark, Gables Towers and the THesis, and
18 whatever goes in at the old University Inn.

19 You're going to have -- I don't even bother
20 going down Caballero, to US-1, to try to make a
21 turn going south onto Dixie Highway. I'll be
22 waiting there all day. On Mariposa Court, the
23 same thing. If you want to go south onto Dixie
24 Highway, forget about it. The only place you
25 can go, if you want to take a turn going south

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1 on Dixie Highway, is to Maynada and Augusto.
2 That's it. And even there, you have problems
3 with limited space available for people. In
4 the morning, and in the evening, you can't go
5 into that intersection, that five-way
6 intersection. You have to back up on Maynada,
7 going southward.

8 So I'm just letting you know. It's already
9 been talked about. There's a lot of issues
10 here about traffic. Their study is incorrect.
11 Like I said, I've been living in this property
12 for 64 years. I can tell you what the traffic
13 used to be like and what it is now.

14 Thank you -- oh, one final thing. At
15 Jaycee Park, because of people going into The
16 THesis, deliveries, Uber Eats, they park in
17 those spots on Hardee Road, so what happens
18 is -- oh, and also people who go to The THesis
19 and eat at the restaurants, park there.
20 They're not supposed to. The City used to give
21 out tickets. They don't do it anymore. So
22 parents who want to take their kids to the
23 park, park in the eastbound lane of Hardee,
24 blocking traffic, and they park in the no
25 parking zone across the street or sometimes

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1 admitted it, that it's a narrow street. The
2 traffic study admits that trucks cannot fit
3 down that street and get into their parking,
4 yet almost of the traffic is going to be
5 funneled onto that little bitty street. And
6 the way they've designed it, yes, it's a very
7 beautiful building. It's grand. It's
8 wonderful -- I think it's very pretty. It
9 would be great, somewhere that it fits,
10 somewhere that it makes sense.

11 This is a residential neighborhood, not a
12 high density development area. It's not
13 designed for these types of buildings. There
14 is no infrastructure for it, and like I said,
15 we are the perfect example of going to a high
16 density area and mass transit. I work
17 Downtown. My wife works Downtown. We take
18 mass transit. Our daughter goes to West Lab.
19 We ride our bikes to school, and then take the
20 train to work.

21 Yes, they're going to put sidewalks in
22 around the building, only around the building.
23 You still have to cross Madruga, with these
24 thousands of cars, delivery trucks, garage
25 trucks, everything going down the street,

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1 they're parked on the swale, no parking
2 allowed. That's the only the places they have
3 to park.

4 So you're going to increase the density of
5 an already dense traffic dense area. You're
6 just -- it's a recipe for disaster. Thank you
7 very much.

8 CHAIRMAN AIZENSTAT: Thank you.

9 THE SECRETARY: Daniel and Laura.

10 MR. MILLAY: Hello. My name is Daniel
11 Millay. I live at 1205 Mariposa. Our unit
12 actually looks at the corner of Madruga and
13 Mariposa Court. So, I know, beyond anyone
14 else, that something needs to be done about
15 that plaza, but I'm vehemently against this
16 development as it is.

17 Lots of other people have already pointed
18 out the traffic. Yes, traffic is going to be
19 terrible if they do this. There's no way that
20 that traffic study is accurate, where they add
21 400 units and it's a nominal increase. There
22 is absolutely now way.

23 And beyond that, the area is not designed
24 for this density. Have you been on Madruga?
25 It is -- it's been mentioned, they even

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1 because almost the only entrance is on that
2 street. So, sure, you can have sidewalks, nice
3 and wide, around the building, but anywhere
4 else in the neighborhood, you have to cross
5 that busy, busy, busy streets, as it is.

6 Like I said, we live on the corner, and so
7 we walk there. As it is now, there are people
8 whipping around that corner blindly speeding.
9 Now, imagine all of the retail, all of the
10 residents, all of the students, all of the
11 delivery drivers rushing to get home, rushing
12 to their place, unfamiliar with the area, not
13 paying attention about crosswalks, no matter
14 what they say about visibility, line painting
15 or any of that. It's not designed for the
16 area.

17 Something needs to be done for that plaza,
18 an eight-story, 400 -- I'm sorry, eight-story,
19 400 unit, plus retail, is not what needs to be
20 done. Making special exemptions to add more
21 and more and more onto an area that's not
22 designed for it is not what needs to be done.

23 And, again, I want to reinforce that the
24 traffic study is disingenuous, I feel. There's
25 no way it's a nominal increase. They don't

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1 factor in -- they did a field visit, from 4:00
2 to 6:00, on a Tuesday or Thursday or something.
3 It doesn't factor in taking our daughter to
4 Jaycee Park, as mentioned, after dinner, when
5 it cools off, or going on the weekends, any of
6 that.

7 So I am vehemently against this, as it
8 stands. I'm not opposed to development or
9 reconstruction of that area. It just needs to
10 be responsible and factored in, the logistics
11 and infrastructure of the area. Thank you.

12 CHAIRMAN AIZENSTAT: Thank you, sir.

13 THE SECRETARY: Laura.

14 MS. MILLAY: Good evening. I'm Laura
15 Millay. I live at 1205 Mariposa Ave, Unit
16 4433. My husband just spoke, and I think he
17 took most of my talking points.

18 But what I would like to say is that we
19 purchased our home in September of 2023, and
20 the letter I received about this meeting is the
21 first time I learned about this development.
22 So all of those notices that were sent out, I
23 did not receive any of them. I check my mail
24 every day.

25 And to be honest, I'm horrified. As you

1 support the redevelopment of the University
2 Shopping Center, but would ask you to look at
3 the aspect of the Planned Area Development
4 related to the rear setback along Madruga
5 Avenue. The normal rear setback for the
6 existing Zoning -- the proposed Zoning should
7 be ten feet, and it's reduced from that, in the
8 proposed PAD, and as has been pointed out,
9 Madruga is a very narrow right-of-way, and with
10 the height of the building, the 97 feet, it
11 just becomes overwhelming on the right-of-way,
12 and, more importantly, on the building adjacent
13 to it.

14 But it seems like that is something -- an
15 aspect of the PAD that will have a significant
16 negative impact on the street and on the
17 surrounding community.

18 Thank you.

19 CHAIRMAN AIZENSTAT: Thank you, sir.

20 THE SECRETARY: Janet Tralins.

21 MS. TRALINS: Janet Tralins. I live at
22 1121 Madruga, Apartment 303.

23 Not only is the problem the traffic and the
24 cars, but Madruga is only two blocks long,
25 Mariposa Court is two blocks long, Hardee and

1 can see, we have a six-year-old. We moved to
2 Coral Gables so she could go to West Lab and
3 live in a safe residential community. We
4 didn't move to Brickell.

5 You know, part of our reasoning around this
6 development is about the mass transit, right.
7 The Metrorail is there and the Metrorail's
8 great, and as my husband said, we do take it,
9 but we all know how people are in Coral Gables
10 and Miami-Dade County. This is a car culture.
11 You could put someone's home next to the
12 Metrorail and they're going to drive their car.
13 There's going to be 700 cars. And that's
14 ridiculous. It's not a nominal increase, as
15 everyone else has said.

16 I agree with all that my neighbors have
17 said, and I hope you will reconsider. Yes, we
18 do need a face lift in that shopping plaza, but
19 let's do it within the Zoning. The Zoning laws
20 were made for a reason. Please don't change
21 them to fill someone's pockets. Thank you.

22 CHAIRMAN AIZENSTAT: Thank you.

23 THE SECRETARY: David Henderson.

24 MR. HENDERSON: Good evening. David
25 Henderson, 1205 Mariposa Avenue. I'm happy to

1 Caballero are two blocks long, and there's no
2 ingress or egress for all of these cars.

3 You have -- with Maynada and Augusto, you
4 have Ponce Middle School. Kids are coming off
5 the Metrorail. They're walking. We all know
6 what happened at the UM several weeks ago, with
7 this fabulous student, who was struck down by a
8 car, and more and more of this will happen,
9 with all of the students that are walking.
10 Besides, you have a two-block radius.

11 This morning, I was by the Citibank. I
12 left Madruga, went up to the stop light to turn
13 left to go south, and I had three stop lights.
14 There was a garage truck, an Amazon truck,
15 several cars, a plumbing truck. I took a photo
16 of it, time stamped. I can send it to you all.
17 Three lights, and that was only the few people
18 that live there now. This is just abominable.

19 And I do want to reiterate what Dr.
20 Mortenson said, the two meetings I attended at
21 the Cocoplum Woman's Club were very
22 contentious. They were not happy meetings.
23 People are concerned about the noise that
24 THesis has provided with the rooftop parties.
25 They're going to have another rooftop pool.

1 It's just overdevelopment, and people are
2 really tired of it.

3 I delivered letters to come to this
4 meeting, and I advised people. I'm sorry more
5 did not come. But on Sunday morning and Monday
6 morning, at eight o'clock in the morning, as I
7 was walking, dropping them off, reminding them,
8 I ran into eight or ten people and they're
9 frustrated with the City. They're annoyed.
10 They're frustrated. They're not being listened
11 to.

12 And when the traffic study man was speaking
13 at one of the meetings, the smirk and the
14 laughter on the faces of the people, it's
15 unacceptable to be treated this way. We pay
16 taxes. We live in the Gables, the City
17 Beautiful, and I don't think this is anything
18 that George Merrick envisioned.

19 The construction that's been from Avenue --
20 22nd Avenue, on US-1, up to 37th, it's a
21 parking lot 24/7, whether it's 1:00 in the
22 morning, 2:00 in the morning, 6:00 in the
23 morning, 8:00 in the morning, it doesn't
24 matter, and it's all of the buildings, because
25 they're all driving their cars.

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1 loved it. I thought I would never -- that I
2 would die there. And it just unbecame livable,
3 too much traffic. Don't do that to this City,
4 please. I moved here to get away from that.

5 And the traffic -- I live there on
6 Caballero -- I never take Caballero out,
7 because there's a line of ten cars, always; I
8 can't imagine, if they build that building, and
9 all of the other buildings that they're
10 planning on building in that area.

11 That's it. I don't want to repeat what
12 everybody else already said.

13 Thank you.

14 CHAIRMAN AIZENSTAT: Thank you.

15 THE SECRETARY: Henry Pinera.

16 MR. PINERA: Hi. My name is Henry Pinera,
17 and I live at 1215 Aduana Avenue, Coral Gables,
18 Florida 33146. I am here in two capacities.
19 First, I would like to talk to you about my
20 capacity as part of the Transportation Advisory
21 Board.

22 We requested that the builder -- that the
23 developer of The Mark bring traffic engineers
24 in front of us, and ask -- and answer some
25 questions, because I also went to those

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1 We are a car-centric City. We're
2 expressways and we're cars. Because everyone
3 who's living there is going to have cars, they
4 all want to go to the Beach, they all want to
5 go to Wynwood, they all want to go to the
6 Design District -- let's be honest about it --
7 and they need cars to do that. Uber works, but
8 they all have cars.

9 Thank you.

10 CHAIRMAN AIZENSTAT: Thank you.

11 THE SECRETARY: Janel Vidal.

12 MS. VIDAL: I'm Janel Vidal. I live on
13 63 --

14 CHAIRMAN AIZENSTAT: Can you lower the
15 microphone, please? Thank you.

16 MS. VIDAL: Hi, I'm Janel Vidal. I live
17 in 6312 Caballero. I'm very unprepared,
18 because I just found out about this a couple of
19 hours ago.

20 I moved -- I lived in Brickell for 15
21 years, and I moved to Coral Gables to get away
22 from that, and I'm here because, please protect
23 Coral Gables from too much building, and the
24 traffic.

25 Brickell became -- I loved Brickell. I

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1 meetings, and they did not provide the traffic
2 engineers that they are providing today. I
3 believe they told us that it would be up to the
4 City of Coral Gables whether they came in front
5 of us and answered some very specific traffic
6 related questions.

7 As you can tell from everyone over here,
8 everyone is concerned about the impact of
9 traffic to the neighborhood. What I would
10 say -- the Transportation Advisory Board
11 actually voted, in our last meeting, to request
12 a resolution, that all large developers be
13 brought in front of the Transportation Advisory
14 Board, and be able to answer questions
15 regarding the impact of traffic.

16 Part of the reason why we requested that is
17 because the traffic impact studies that are
18 used, the ones that everybody behind me doesn't
19 believe, are not effective in measuring and
20 were never designed to measure the impact of
21 traffic on a neighborhood. They were designed
22 to measure whether roads can handle the traffic
23 during the peak hours. That's it. It does not
24 measure the impact to the neighborhood. In the
25 example of The Thesis Hotel, it does not

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1 measure the Friday night backups, as parties
2 and Ubers come and block Caballero Road. That
3 is not part of the traffic impact studies.

4 I would ask you to ask the developer to go
5 back and bring their traffic engineers to the
6 Transportation Advisory Board and answer the
7 questions that could not be answered.

8 So that is what I have to share with you
9 with respect to my role as part of the
10 Transportation Advisory Board.

11 CHAIRMAN AIZENSTAT: So, just to be clear,
12 for the record, you're here on behalf of the
13 Transportation Advisory Board?

14 MR. PINERA: That statement, that I just
15 gave, was representing the Transportation
16 Advisory Board, and I can confirm that we
17 requested that a resolution be sent to the
18 Commission for their review, so that they have
19 all future large developments come in front of
20 Transportation Advisory Board and be able to
21 answer very specific questions that we might
22 have about that development.

23 CHAIRMAN AIZENSTAT: Okay. So that, your
24 first part, was on behalf of the Transportation
25 Advisory Board?

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1 They hid behind a local developer, Shoma,
2 Masoud, whatever his name is, but they hid
3 behind there.

4 I found the development construction
5 proposals, and I brought it out, and it was
6 clear that the people that were bidding out the
7 construction work was Landmark Properties. The
8 Shoma developer testified, in front of the
9 Commission, that this was his development, yet
10 a few months later, as soon as that Resolution
11 passed, everything was transferred, everything
12 was sold to this Landmark Properties.

13 I bring this up, because they have not been
14 clear with their intentions in the past, they
15 have misrepresented their positions in the
16 past, and they're not giving clear numbers or
17 have not given clear numbers, as far as I know,
18 right now. I might -- my information might be
19 out of date, but I have not seen that. So
20 that's Point Number One.

21 Point Number Two is that this is an illegal
22 upzoning, as of right now, in my opinion,
23 because there was no proper notification. In
24 February of 2021, there was no proper
25 notification to the surrounding areas, to the

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1 MR. PINERA: Yes. Correct.

2 CHAIRMAN AIZENSTAT: Okay. Now you're
3 going to do it personal?

4 MR. PINERA: Right.

5 So, now, as an individual person, who lives
6 three blocks away from the development, I want
7 to point out a couple of things.

8 When this project -- when I first heard
9 about this project, I heard nearly 400 condos.
10 The first question out of everybody -- or first
11 question in my head was, well, is it 400 condos
12 with one bedroom, 400 condos with two, three?
13 I still have not seen a breakdown of the number
14 of rooms associated with this development, and
15 that makes a difference.

16 And I know, from a doors measurement
17 perspective, it doesn't make a difference, but
18 why can't we get a clear answer from the
19 developer, at this stage in the game, on the
20 number of bedrooms associated with this?

21 Now, associated with that point, I will
22 also go on the record as saying that Landmark
23 Properties previously misrepresented their role
24 in the development of The Standard project,
25 which is further down, close to 57th Avenue.

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1 surrounding neighborhood, for the original
2 change in Zoning from Commercial to Mixed-Use.
3 This was done, in the dead of COVID, and a
4 number of different locations, throughout the
5 City, were all packaged together around
6 February of 2021, and no one that I -- and I
7 asked this question at the other meeting, no
8 one of my neighbors received notification of
9 that upzoning, neither did I.

10 So this is just going to be an issue that
11 will get litigated, I have no doubt, because we
12 did not receive proper Zoning notice of changes
13 in February of 2021.

14 Did anyone here receive notification?

15 CHAIRMAN AIZENSTAT: Sir, if you can just
16 direct everything to the Board.

17 MR. PINERA: Okay.

18 CHAIRMAN AIZENSTAT: Thank you.

19 MR. PINERA: Okay. The last major point
20 that I would make to you is, the THesis Hotel,
21 the UM Building that is next to The THesis
22 Hotel, they all have some level of restrictions
23 about egress onto Madrugá. I want to make sure
24 that this development, if it passes, is held to
25 similar standards as that. Those are one of --

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1 that is one of the questions that I wanted to
2 ask, and delve into more, as part of my role
3 with the Transportation Advisory Board. I hope
4 that you guys will hold them to the same
5 standard that these other developments have
6 been held to.

7 Thank you.

8 CHAIRMAN AIZENSTAT: Thank you, sir.

9 THE SECRETARY: The following speakers are
10 on Zoom.

11 CHAIRMAN AIZENSTAT: Go ahead, please.

12 THE SECRETARY: Okay.

13 CHAIRMAN AIZENSTAT: How many do we have?

14 THE SECRETARY: Three. Kyle Pineda.

15 MR. PINEDA: Hello, can you hear me?

16 CHAIRMAN AIZENSTAT: Yes, sir.

17 MR. PINEDA: Yes.

18 CHAIRMAN AIZENSTAT: Can you raise your
19 right hand to be sworn in, please?

20 MR. PINEDA: Yes, sir.

21 (Thereupon, the participant was sworn.)

22 MR. PINEDA: Yes.

23 CHAIRMAN AIZENSTAT: If you could, please,
24 state your name and address, for the record.

25 MR. PINEDA: My name is Kyle Pineda. I

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1 live at 1150 Madruga Avenue, Unit B-101.

2 CHAIRMAN AIZENSTAT: Continue, please.

3 MR. PINEDA: So I don't want to echo what
4 everybody else has said about the traffic and
5 the overdevelopment. I think that's been
6 stated enough. My concern, living in the Royal
7 Caribbean Club, which is right across the
8 street, diagonal from where the development
9 would be is, there is no buffer. There's
10 absolutely zero buffer between the building and
11 where we live. So there's a couple of issues
12 here.

13 For one, they talk about being a dog
14 friendly sort of development and all of that,
15 but people are going to take their dogs and
16 they're going to go to our building. They're
17 going to use what we have in our building, and,
18 you know, it's going to be wasteful. It's
19 going to be disgusting, and we don't want to
20 have to deal with that kind of thing. We
21 already have our own units, with our own
22 animals, and it doesn't seem fair that, now,
23 all of sudden, we're going to have however many
24 new units potentially coming into our
25 neighborhood to do and increase waste.

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1 And the other issue with that is that,
2 there is precedent in Coral Gables for there to
3 be a buffer zone, and there's just no buffer
4 zone -- I mean, even a small, little dog
5 park -- between Mariposa and where this
6 building would be. It would greatly help in
7 this situation.

8 I have concerns about the music off of the
9 rooftop. I know it's going to be facing US-1,
10 but that's just going to mean they're going to
11 crank it louder, you know, and we're -- right
12 here, where we are, and the building next to
13 us, off Madruga Avenue, we're going to hear
14 that stuff, and there's just zero buffer. It
15 doesn't seem -- like I'm totally for the
16 redevelopment of that retail plaza. It is long
17 overdue.

18 But as like others have stated, it should
19 be sensible. It should be smart. I don't
20 think it necessarily has to be as dense as the
21 developers have proposed. And if we are going
22 to keep it dense, we need to keep in mind the
23 surrounding areas and create buffer zones. The
24 building does not need to come off to the
25 street. I've been to The THesis building.

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1 These canyons are usually empty. There's
2 nobody walking through there. I go there on my
3 walk in the afternoons. The guests don't hang
4 out there. It's just an empty space. That
5 could be rethought of, in another way, in a
6 smarter way.

7 The other issue I have is with the delivery
8 trucks. I live right next to where the
9 delivery trucks are going to be, and it's going
10 to be non-stop, all day. We already talked
11 about the dangers of people getting hit
12 potentially by traffic. And with the current
13 infrastructure as is, there's no way Mariposa
14 Court can handle this, and we're just going to
15 be stuck in that all day.

16 And so I ask the Planning & Zoning Board to
17 please take some of this into account, that we
18 understand redevelopment should occur, but it
19 must be sensible, it must be smart. We have to
20 create buffer zones between the residential
21 communities that surround this building and
22 this project, and we hope you take that into
23 consideration.

24 Thank you for letting me have the time to
25 speak.

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1 CHAIRMAN AIZENSTAT: Thank you.
 2 Next speaker.
 3 THE SECRETARY: Yes. Gabriela Bolado.
 4 CHAIRMAN AIZENSTAT: Is Ms. Bolado there?
 5 MS. BOLADO: Sorry. I was on mute.
 6 CHAIRMAN AIZENSTAT: Thank you.
 7 Would you like to be sworn in, and if so,
 8 we would have to have your camera on?
 9 MS. BOLADO: Sure.
 10 CHAIRMAN AIZENSTAT: Thank you.
 11 Would you please raise your right hand?
 12 (Thereupon, the participant was sworn.)
 13 MS. BOLADO: Yes.
 14 CHAIRMAN AIZENSTAT: Thank you.
 15 If you could please state your name and
 16 address, for the record.
 17 MS. BOLADO: Yes. Gabriela Bolado, 1150
 18 Madruga Avenue, Apartment A-303.
 19 Good evening, Members. I would like to
 20 express my support for the proposed project,
 21 The Mark, in our community. As a resident and
 22 homeowner in the area, I believe that this
 23 project will bring numerous benefits to our
 24 neighborhood and will enhance the quality of
 25 life for all residents.

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1 First off, it addresses the need for
 2 housing and green space, as well as commercial
 3 and retail space, which are essential for
 4 sustainable growth and prosperity of our
 5 community. Furthermore, the project
 6 demonstrates a commitment to responsible and
 7 thoughtful development practices.
 8 From my reviews of the plans and
 9 discussions with the developers, I am impressed
 10 by their efforts to incorporate traffic calming
 11 measures, increased mobility, and internalizing
 12 the unsightly waste facilities which are
 13 currently there in that alley. Additionally,
 14 adding sidewalks and landscaping will
 15 contribute positively to the surrounding area.
 16 The proposed development also has the
 17 potential to stimulate economic growth and
 18 create job opportunities within our community.
 19 By attracting new businesses and residents, it
 20 will generate revenue for local businesses,
 21 increase property values and ultimately
 22 strengthen our local economy.
 23 As a resident of Coral Gables, I believe it
 24 is crucial to embrace progress, while
 25 preserving the unique character and charm that

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1 makes our neighborhood special. The proposed
 2 development strikes this balance, by offering
 3 modern amenities and opportunities for growth,
 4 while respecting the existing fabric of the
 5 community.

6 So I ask the Zoning Board to please approve
 7 the proposed items. This will be a positive
 8 step forward for our community. Thank you for
 9 considering my input.

10 CHAIRMAN AIZENSTAT: Thank you.

11 THE SECRETARY: Valerie Howell.

12 MS. HOWELL: Yes.

13 CHAIRMAN AIZENSTAT: Could you please raise
 14 your right hand?

15 (Thereupon, the participant was sworn.)

16 MS. HOWELL: I do.

17 CHAIRMAN AIZENSTAT: Thank you.

18 Please state your name and address, for the
 19 record, please?

20 MS. HOWELL: Yes. I'm Valerie Howell. I
 21 live at 1150 Madruga Avenue, B-201, Royal
 22 Caribbean Club.

23 And I won't speak very long, but I just
 24 wanted to say that I agree with most of the
 25 previous speakers. I'm in opposition to this

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1 project.

2 I wanted to bring up a couple of points.
 3 Kyle just mentioned one of them, and that is my
 4 concern about the side of the building that is
 5 on Mariposa Court. There is no buffer zone
 6 there. And I am also very worried about this
 7 constant deliveries that are going to be going
 8 on day and night, because the delivery zone is
 9 right outside my window, and most of the people
 10 on this side of our building are going to be
 11 experiencing that problem. I would like to see
 12 a bigger buffer on that side of the building,
 13 multiple layers of landscaping, further
 14 setback, so that we have some kind of
 15 protection from the noise, and move the
 16 delivery area someplace else.

17 I'd also like to bring up a point, that
 18 hasn't been brought up. For people that are
 19 living on this side of Mariposa, this side of
 20 the street, right now, we have a view of the
 21 sun in the afternoon. We have a view of the
 22 sunset in the afternoon. That's all going to
 23 be going away with this project. We're not
 24 going to have that natural light in our
 25 apartments anymore. To some, that might seem a

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1 minor point, but it's a real quality of life
2 issue for me and for other people that enjoy
3 natural lighting in their apartments. So I
4 don't agree with the height of the building,
5 especially the eight floors. We don't need
6 buildings that high in this area.

7 I also want to mention, Royal Caribbean
8 Club was mentioned previously, in the
9 presentation, as having been met with, the
10 residents, but I checked with my manager, and
11 he confirmed that only the board was met with,
12 on a Zoom meeting, and no further meetings have
13 been made, and residents were not included in
14 that meeting. So most of the residents in this
15 development are probably unaware of what's
16 going to be happening across the street. So I
17 just wanted to clarify that.

18 And I thank you for your consideration, for
19 allowing me to speak, and I would really ask
20 you not to approve this project.

21 CHAIRMAN AIZENSTAT: Thank you.

22 THE SECRETARY: No more speakers.

23 CHAIRMAN AIZENSTAT: What about in the
24 phone platform?

25 THE SECRETARY: A messages was sent out to

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1 everyone in Zoom and no one has indicated they
2 wish to speak.

3 CHAIRMAN AIZENSTAT: Okay. At this time,
4 I'd like to go ahead and close the floor to the
5 public and open it up for Board comment.

6 MR. COLLER: You need to give the applicant
7 time for rebuttal first.

8 CHAIRMAN AIZENSTAT: Okay. Sorry about
9 that.

10 MS. RUSSO: That's all right.

11 CHAIRMAN AIZENSTAT: Thank you.

12 MS. RUSSO: I'm going to address some of
13 the comments, not necessarily in order, because
14 I jotted down notes, as some of the comments
15 were made, so I'll start with the bedroom
16 count.

17 The bedroom count was part of our original
18 application. Our original application was
19 filed a couple of months ago, has been
20 available. I know that I personally have
21 downloaded it and handed it to people who have
22 asked me for it, but it has been available. I
23 don't know how easy -- because, you know, the
24 City has a new uploaded system, but the number
25 of bedrooms is 114 one bedrooms, 121 two

114

1 bedrooms, and 158 three bedrooms, for a total
2 of -- well, that, and then we have live/work,
3 for a total of 393.

4 I also --

5 MR. WITHERS: That can't be right.

6 MS. RUSSO: 158, 121, 114.

7 CHAIRMAN AIZENSTAT: Wait. If we can, just
8 one person speak at a time, please.

9 Jennifer --

10 MR. COLLER: Well, I think what we have to
11 do is, if somebody wishes to speak, they need
12 to come to the microphone so that the court
13 reporter can take down their testimony.

14 MS. GARCIA: Yeah, 150 --

15 MS. RUSSO: Okay. I'm correct. She just
16 came up here and that is the correct number.
17 It's 114 one bedrooms, 121 two bedrooms and 158
18 three bedrooms.

19 MR. RIEL: So it was, actually, Slide 10 in
20 my presentation.

21 MS. RUSSO; Okay.

22 MS. KAWALERSKI: Okay. So do we multiply
23 121 by two, 158 by three, to get the bedroom
24 count? You're talking about units, not
25 bedrooms.

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1 MS. RUSSO: That's correct.

2 MS. KAWALERSKI: Okay.

3 MS. RUSSO; Because that's how the Zoning
4 Code -- the Zoning Code is based on units, and
5 that's how the Zoning Code determines parking.
6 So what I'm saying is, the Zoning Code and the
7 parking requirements are based on units, and
8 for a one unit, it has a certain number of
9 parking. For a two-bedroom unit, it has a
10 different number of parking. For a
11 three-bedroom unit --

12 MS. KAWALERSKI: All right, Laura, but I
13 think Chip came up with the number. So there
14 are 830 bedrooms.

15 MS. RUSSO: I won't dispute your math, but
16 I can tell you I can't do that math in my head.

17 MS. KAWALERSKI: Yes, ma'am.

18 CHAIRMAN AIZENSTAT: Continue.

19 MS. KAWALERSKI: If Mr. Pinera is here,
20 that was his question.

21 MS. RUSSO: Right.

22 MS. KAWALERSKI: There are 830 bedrooms.

23 CHAIRMAN AIZENSTAT: Right. Let her do the
24 rebuttal, and then we'll open it --

25 MS. RUSSO: All right. With respect to the

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1 issue with dog stations, there are eight dog
2 stations, both, poop stations and water bowl
3 stations, throughout the project itself. We
4 did that, not just one station, not just two,
5 but we made sure there was sufficient stations
6 to specifically address that we did not want
7 anyone that lives within the project to go
8 outside of the project to walk their dog.

9 With respect to outreach, we did a lot of
10 outreach. We reached out to the Gables
11 Neighbors Association starting in June. I met
12 with the -- I don't know if she's the de facto
13 president, Debbie Register, but we also met
14 with Lisa De Tournay. I met with Lisa De
15 Tournay's son. We've had numerous -- we gave
16 you the list of large meetings that we had. We
17 met with the Villa Capri, both, with the board
18 and with residents. And we met with the Royal
19 Caribbean. Yes, it was the board of directors.
20 There were some residents. We extended the
21 invitation to the condominium association and
22 let them make the arrangements as to who they
23 invited, but we also made ourselves available
24 to meet with anybody that wanted to, and we
25 shared all of our information, Board of

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1 Uber, whether it's Amazon, whether it's just
2 someone picking somebody up. They don't pull
3 over. They just do it in the middle of the
4 traffic lane.

5 We have been working with the Parking
6 Director to create a delivery zone, adjacent to
7 the building, where there will be spots that
8 will be monitored by the City, so a truck
9 can -- an Amazon, UPS, et cetera, truck, can
10 park, run in and drop off at the project, but
11 we're trying to keep them off of the roadway,
12 off of the travel lane.

13 Yes, we are asking for a lot of
14 applications. There are six. But some of them
15 just have to do with the way our Zoning Code is
16 set up. For those of you that know, I've been
17 doing this for several decades now. I won't go
18 into the exact number. But the building we all
19 love, the Allen Morris Alhambra, 121 Alhambra,
20 that is on the cover of everything that you
21 see, its as iconic almost now as the Biltmore,
22 it needed a change in Land Use, a change in
23 Zoning, a vacation of right-of-way, et cetera,
24 to make that building happen. The same for the
25 Hyatt Hotel. It required 16 variances.

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1 Architects meetings, Board of Architects plans,
2 traffic engineering studies, et cetera.

3 I'm going to allow the City's traffic
4 consultant to address the traffic issues. I'm
5 not a traffic engineer. I'm not going to
6 pretend to be one today. What I will say is
7 that, based on the traffic study -- I want you
8 to know that we requested that the study have
9 an additional intersection, that it include
10 pedestrian counts, that it included accident
11 counts. So everything we heard from the
12 neighbors and from members of the Traffic
13 Advisory Board, we took that in, and we asked
14 the City, and the City asked the consultant to
15 include that in their report.

16 So I want you to understand that the
17 project was designed to try to mitigate traffic
18 by internalizing all of the services, garbage
19 pickup, deliveries, furniture, big stuff, is
20 all interior, restaurant deliveries, et cetera,
21 it's all interior. Because we live in today's
22 world and we know -- my office is on the corner
23 of Ponce and Aragon -- people stop in the
24 middle of Aragon, they stop in the middle of
25 Ponce, whether it's Uber Eats, whether it's

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1 Our Zoning Code is such -- and, currently,
2 right now, while one of the neighbors said,
3 build as of right, because of the size of this
4 site being over one acre, it requires a Site
5 Plan Review. So we were going to be here with
6 the Site Plan Review regardless, because the
7 new change in the Zoning Code eliminated as of
8 right building.

9 We asked for the extra two stories, not to
10 get more units, not to get more FAR. Our FAR
11 is at 3.15, not the 3.50, and we did that to
12 provide a nicer, more aesthetically pleasing
13 building. We have the same density, because
14 the density is the same, whether you are MX1,
15 MX2 or MX3. The only difference is in the
16 height, where you put the density, whether you
17 spread it out or whether you go more vertical
18 with it.

19 With respect to the alley, it is a remnant.
20 That area was originally platted back in the
21 1920s by George Merrick. Later on, just before
22 the shopping center was built in the '40s, the
23 alley was vacated, because the alley
24 bifurcated -- like all of the blocks, they had
25 an alley bifurcating, parallel to US-1. That

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1 block was replatted. It was replatted again.
2 And, then, the road was affected, when the
3 Villa Capri Condominium was built, with what is
4 called the Coga subdivision, and that happened
5 in the early '70s. So the six applications are
6 to get as beautiful a project as we are
7 presenting.

8 The alley, while it was a public alley,
9 has, in essence, been abandoned since the
10 shopping center was built in -- I think it was
11 1951 or '52. The alley has not been open. It
12 has not been used for service. The City has
13 not used the alley. It has been used by the
14 shopping center, for both, parking and access.

15 With respect to PAD, the PAD is because we
16 have two buildings connected by a bridge and
17 because we were addressing step backs, but as
18 most of you know, who have been up here for
19 several years, the PAD requires greater open
20 space, it requires more streetscape, it
21 requires more amenities, more to the
22 neighborhood. If you didn't ask for a PAD, you
23 could eliminate some of the amenities that are
24 being provided.

25 And, then, I just want to reiterate that

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1 the Zoning Code states specifically that high
2 density projects should be located, and it
3 mentions other streets that are not important
4 here, but it specifically spells out US-1,
5 South Dixie Highway. Since the beginning,
6 we've decided that Mid-Rise was going to be the
7 appropriate thing here. It would create a
8 buffer. We didn't try to go to MX3 and play a
9 game and say we're going to come down. We came
10 in with what we thought was going to be an
11 incredible project for the neighborhood. We
12 have worked incredibly hard. In fact, the new
13 requirement, that you meet with neighbors,
14 before the Board of Architects, we did that,
15 without anyone suggesting it to us, without
16 anyone requiring it of us. So we really have
17 tried to do outreach.

18 And I know it's difficult, but -- and I'm
19 sure, when you have questions for the traffic
20 engineer, a commercial retail project here,
21 would create a lot more traffic, if you were to
22 have, you know, a high volume retail
23 establishment. And the neighbor that spoke, it
24 is correct, back in, I think it was, January of
25 2021, the Zoning Code was, quote, reorganized,

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1 and in that reorganization, you will recall, a
2 lot of properties on US-1 were Zoned
3 commercial, and they got changed to now MX1,
4 MX2 or MX3. At that time, if you followed the
5 Zoning Code, they should have made US-1 MX3.

6 So I just want to reiterate that I think
7 our request is an incredibly reasonable one,
8 that works with the current Zoning Code, the
9 Comp Plan, and with the infill requirements and
10 statements that are in the Comprehensive Plan
11 with respect to mobility.

12 And once again, I would respectfully
13 request that you approve our project. And,
14 then, our team is available to answer any
15 questions you may have.

16 CHAIRMAN AIZENSTAT: Thank you.

17 With that, I will now close the floor for
18 public comment.

19 Felix, would you like to start, please?

20 MR. PARDO: Sure.

21 CHAIRMAN AIZENSTAT: Thank you, sir.

22 MR. PARDO: So I look at the project, I
23 look at the location, I listen to the
24 neighbors, and it's a systemic problem in Coral
25 Gables. Coral Gables is dying by a thousand

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1 cuts. Every single project that comes before
2 this City seems to be asking for not just
3 rezoning, to be within the ceiling, which is
4 the Comprehensive Land Use Plan, but we've
5 pushed the ceiling over and over again, using
6 the Small Scale Comprehensive Plan changes.

7 When you add all of these small scales,
8 this Comprehensive Land Use Plan is
9 unrecognizable. Sometimes I think I
10 understand -- I do this for a living -- but at
11 the same time, I have to look at seeing what is
12 reasonable development, and there's a
13 difference between making a profit and making
14 an excessive profit. Doing something that is
15 compatible -- and I remember a Commissioner,
16 that sat on this dais, that asked me to define
17 compatible, you know. It's like, way back
18 when, when the Supreme Court Justice was asked
19 if he could understand what was obscene. He
20 said, well, when I see it, I could recognize
21 it, and I think this is obscene.

22 Why? Because it's not that you're just
23 asking for two additional floors. You're
24 taking a massive building and saying that you
25 altered the massing, because now you have two

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1 buildings. Well, I just did a quick sketch
2 here, and the reason that you have two
3 buildings is, this way, you could line
4 residential almost like in a square doughnut,
5 on either side, and you're using this paseo to
6 be able to have light, which is required, for
7 those apartments. So you're not asking for
8 more height.

9 I think it's remarkable, because when you
10 look at US-1, as many of us, since, at least, I
11 was a kid, we call it Useless 1. The traffic
12 is just absolutely unbearable at every time of
13 the day, and at the same time, it's called the
14 smart corridor. Now, if that's not an
15 oxymoron, I don't understand what is.

16 When you put in the amount of units, of 700
17 units, and when you look at that aerial
18 photograph that Staff showed, all of those
19 single-family homes behind it, it is just
20 wrong. 700 spaces, almost 400 units, almost
21 30,000 square feet of retail, who's going to
22 drive there to use that retail?

23 The other thing is that, when you look at
24 the Comprehensive Land Use Plan, this MX1, and
25 then MX2 and MX3, The Thesis was an

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1 everywhere, in every urban area, including
2 Coral Gables, and there are examples of spot
3 zoning that are today legal conforming uses.

4 I look at this, and I -- and the Zoning
5 Code says that we should have all of this
6 intensity on US-1, but look at what the
7 Comprehensive Land Use Plan says. It says,
8 MX2. Now, I can't stand here -- or sit here
9 and say that I want to take away property
10 rights from the developer. We'll be sued,
11 probably successfully. The City of Coral
12 Gables has been sued many times before, and
13 they've lost a few, and one of the things about
14 that is, the MX2 has two less floors.

15 When it comes to bonuses, those additional
16 floors, when you look at the Comprehensive Land
17 Use Plan, you're looking at things that have to
18 do with consistency. So when I look at the
19 bonuses, bonuses -- and let there be no doubt,
20 bonuses are discretionary. If tomorrow the
21 City said, you know what, I've had enough with
22 Mediterranean architecture and Mediterranean
23 bonuses and all of these bonuses, we won't be
24 successfully sued, because bonuses are
25 discretionary. So it's not a Bert Harris Act

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1 abomination, and it's proved to be one. It is
2 out of place. It has altered the single-family
3 residential quality of life.

4 See, when you look at traffic, you consider
5 the LOS, the level of service, but nowhere does
6 it say, anywhere, in the factors that -- master
7 plans have to be evaluated with every seven
8 years -- nowhere does it say quality of life,
9 not one word. But tonight, we heard residents
10 here talk about the quality of life.

11 This Board, in my opinion, is the
12 difference between us providing a quality of
13 life or reassuring that there will be a quality
14 of life through compatible development. My
15 opinion, this is very incompatible.

16 The UM Building goes back many, many
17 years -- I can't recall when it was built --
18 but it wasn't the UM Building. UM bought it,
19 and they moved over there, and if memory serves
20 me right, it came off the tax rolls, because UM
21 is non-for-profit. Maybe I'm mistaken, but I
22 think that's the way it is. So they use it for
23 their offices. It's a big building. But it
24 was built during another time, during another
25 time where spot zoning was very prevalent

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1 issue. It's definitely a discretionary thing.

2 Now, the compatibility to the south is not
3 there, but the bonuses increase intensity and
4 increase height. So not only are you adding
5 two more floors, but you're adding the two
6 floors of the Med bonuses on top of that. I
7 think that that's just an affront to the
8 neighbors.

9 The streets that were brought up by the
10 neighbors, starting with the Doctor, she's
11 absolutely correct. Those are a very, very
12 small right-of-ways. It is impossible to
13 negotiate out of there. And, in fact, if you
14 just look up the street, down in Pinecrest, the
15 police officers couldn't get out of their own
16 City Hall, at certain times of the day, on
17 Useless 1, and you're coming in from US-1,
18 instead of going to the end of the street,
19 where the traffic light is, to be able, then,
20 to slow people down, and at least give them a
21 change of not getting rear ended on US-1.

22 700 parking spaces, 400 units. The height
23 and the intensity are incredible. The thousand
24 cuts. This is just another cut. The City of
25 Coral Gables is unrecognizable now. I cannot

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1 support this application in any way, shape or
2 form. But I'll tell you another thing, the PAD
3 that is being requested, is that for many years
4 we've had a Board of Adjustment to adjust
5 certain portions of the Zoning Code, but one of
6 the things that you have to prove when you go
7 to the Board of Adjustment is that you have to
8 prove hardship. If you have a single-family
9 home and your setback is ten feet, and you want
10 eight feet, good luck on that one. But, now,
11 through the magic use of a PAD, now you could
12 avoid all variances.

13 That's a mistake, because it increases,
14 again, the intensity issue. So there are many
15 reasons that I find this particular project,
16 too big, too intense, and too overwhelming to
17 the neighbors and the neighborhood.

18 And I end with a joke, and it has to do
19 with traffic engineers, let me just get to the
20 punch line. The joke is -- or the answer to
21 the joke is, what do you want it to be?
22 Realistically, the people that live around this
23 neighborhood, they can't get out of their
24 neighborhood. And when you add another 700
25 cars there, it is just going to be ridiculous.

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1 I don't want even to get into the Live
2 Local Act, because it seemed to be skirted by
3 some of the speakers, and in all fairness to
4 the applicant, I don't want to do that, but I
5 do know that with the Live Local Act, there are
6 a lot of benefits to developers, but there also
7 a lot of negative ramifications to the rest of
8 the residents that will have to pay the taxes
9 that they won't have to pay.

10 So there are a lot of moving parts here,
11 and, Mr. Chairman, I thank you for the
12 opportunity to ask -- or make my statements
13 clear.

14 CHAIRMAN AIZENSTAT: Thank you, Felix.
15 Chip.

16 MR. WITHERS: You always make me follow
17 this guy.

18 CHAIRMAN AIZENSTAT: It's a tough act to
19 follow.

20 MR. WITHERS: I better be on my A game.

21 I want to get technical, a little bit -- I
22 want to get technical with the traffic. So I'm
23 going to ask you a couple of questions now, and
24 you can look up the answers later, okay. I
25 want to know what your counts are before The

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1 Thesis was built and after The Thesis was
2 built, on these specific stacking areas,
3 crossing US-1 on Hardee -- excuse me, on
4 Caballero, on Turin, and on Augusto, Maynada.
5 How many cars are backed up on the stop sign
6 there between 8:00 and 10:00 a.m., before
7 Thesis and after Thesis. So that's the number
8 I'm looking for. That's Number One.

9 Go ahead. Do you have that number?

10 MR. CALDERON: No, I don't have that
11 number, because, obviously, Thesis was already
12 under construction -- was already built by the
13 moment that we collected data.

14 MR. WITHERS: So the City had a parking
15 study --

16 MR. CALDERON: The City gave me a traffic
17 study. Yes, they did it.

18 MR. WITHERS: So you have access to that,
19 no?

20 MR. CALDERON: We can get that information.

21 MR. WITHERS: But you don't have it now?

22 MR. CALDERON: We don't have it right now.

23 MR. WITHERS: Okay. Does the City have
24 that? Does the City have that information?
25 Okay. Maybe you can get with the City and

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1 check that.

2 I also would like to know what the traffic
3 counts were on -- before Thesis and after
4 Thesis, on Mariposa, Hardee, Maynada and --
5 it's really an alley, but --

6 CHAIRMAN AIZENSTAT: Could I ask you --
7 before you continue -- just if you can state
8 your name and address, for the record, please.

9 MR. CALDERON: Sure. Juan Calderon,
10 CALTRAN Engineering Group, 790 Northwest 107
11 Avenue, Suite 200.

12 CHAIRMAN AIZENSTAT: Thank you.

13 MS. DE ZAYAS: Melissa De Zayas,
14 Transportation Division Manager for the City of
15 Coral Gables.

16 MR. WITHERS: -- and Madruga. So those
17 four streets, I want to know the counts, before
18 Thesis and after Thesis. Because all I've
19 heard, from 30 speakers tonight, is this
20 traffic study is not real. So those are the
21 benchmarks. Because I know I sometimes wait at
22 that stop sign to cross US-1 on Maynada --

23 MR. CALDERON: I understand.

24 MR. WITHERS: -- for fifteen minutes, just
25 to cross, and I'm just wondering what another

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1 800 cars will do to that.
 2 MR. CALDERON: So let me tell you the
 3 approach of the traffic study, so you --
 4 MR. WITHERS: No, I don't need the
 5 approach.
 6 MR. CALDERON; Well, I can tell you that
 7 the data that we have is the data of after
 8 Thesis being built. We got it -- Thesis was
 9 already built by the moment that we were able
 10 to collect data.
 11 MR. WITHERS: Okay.
 12 MR. CALDERON: We collected very recently
 13 that data.
 14 MR. WITHERS: Okay. So how many more cars
 15 is it going to add between now and the time
 16 it's built, approximately?
 17 MR. CALDERON: The new development, eight.
 18 MR. WITHERS: Eight cars?
 19 MR. CALDERON: Eight cars to --
 20 MR. WITHERS: So you're telling me, after
 21 this is built --
 22 MR. CALDERON: After this is built --
 23 MR. WITHERS: -- to cross US-1, on Maynada,
 24 going north, is only going to add eight cars,
 25 what, a minute?

1 MR. CALDERON: An hour.
 2 MR. WITHERS: An hours? Eight cars?
 3 MR. CALDERON: Eight cars. That's what
 4 we're adding to Madrugá --
 5 MR. WITHERS: No. No. No. Maynada,
 6 Augusto. There's -- Ponce de Leon Middle
 7 School --
 8 MR. CALDERON: Oh, that's north.
 9 MR. WITHERS: So if you're crossing over
 10 US-1 from Maynada, crossing US-1, in the
 11 morning, how many more cars per, you say,
 12 hour --
 13 MR. CALDERON: You mean, Maynada, correct?
 14 Maynada, the one that is --
 15 MR. WITHERS: Crossing Maynada over US-1.
 16 MR. CALDERON: Maynada was not part of this.
 17 MR. WITHERS: But why? That's one -- on
 18 your map, that you showed us, that's one of
 19 your main exit points -- or the map that Laura
 20 showed us.
 21 Okay. How about Turin -- do you know where
 22 Turin is? Turin is the street between the
 23 Citibank and the property. Going out of Turin,
 24 which I'm assuming, the folks from Mariposa and
 25 Madrugá, go north on Turin, and they either

1 turn left on US-1, how many more cars per hour
 2 is this going to add?
 3 MR. CALDERON: Mariposa Court --
 4 MR. WITHERS: Mariposa Court. I'm sorry.
 5 Mariposa Court.
 6 MR. CALDERON: You got me confused with
 7 that one.
 8 MR. WITHERS: Yeah. I know that was very
 9 confusing.
 10 CHAIRMAN AIZENSTAT: Maybe, if we could,
 11 could we put the map up --
 12 MR. WITHERS: Yeah, let's do that.
 13 CHAIRMAN AIZENSTAT: And that way we could
 14 all take a look at it at the same time.
 15 MR. WITHERS: I mean, I honestly just
 16 haven't seen the traffic study. All I've heard
 17 is people complain about the traffic study.
 18 MR. CALDERON: Understood.
 19 MR. WITHERS: So I just want to find out
 20 some of the reasons they're complaining.
 21 And while you're doing that, can you tell
 22 me what a speed cushion is?
 23 MR. CALDERON: A speed cushion is a kind of
 24 hump condition that they have --
 25 MS. DE ZAYAS: It's a flat top speed

1 traffic calming device.
 2 MR. WITHERS: Like a big speed bump?
 3 MS. DE ZAYAS: It's a speed table, with a
 4 division in the middle, for emergency vehicles.
 5 MR. COLLIER: We can only have one person --
 6 she can't make stereo. We can only have one
 7 person at a time.
 8 MR. WITHERS: Okay. There was a comment
 9 made by Eric that said, most intersections will
 10 be okay, maintaining conditions. I don't know
 11 what that means, most. So what are the
 12 intersections that aren't going to be okay?
 13 MR. CALDERON: So the two intersections
 14 that are not going to be okay --
 15 MR. WITHERS: What?
 16 MR. CALDERON: The two intersections that
 17 are not going to be okay, that they need to be
 18 revisited or that they need to be addressed in
 19 a certain way, is, obviously, Mariposa, where
 20 is the traffic signal with US-1. It is the one
 21 at the north side. Do you want to put it in
 22 the -- that one, there is a traffic signal next
 23 to the bridge.
 24 CHAIRMAN AIZENSTAT: If I may, somebody's
 25 speaker is on, on their phone. Can they turn

1 it off, please?
 2 Thank you.
 3 MR. WITHERS: So, Mariposa and US-1?
 4 MR. CALDERON: Yes.
 5 MR. WITHERS: Where does Mariposa hit US-1?
 6 MR. CALDERON: At the bridge, where you
 7 have the crossing of the bridge. Mariposa
 8 Court --
 9 MR. WITHERS: Mariposa Court, okay. Okay.
 10 Okay.
 11 MR. CALDERON: So that one is a signal.
 12 MR. WITHERS: Right.
 13 MR. CALDERON: That one, we're asking to be
 14 retimed, as part of the application, okay.
 15 And, obviously, the other one is Caballero.
 16 Caballero, which is in the south side --
 17 MR. WITHERS: Right.
 18 MR. CALDERON: -- that is where the wide
 19 median opening -- it's a wide median opening,
 20 where people are -- where you're saying that
 21 you're having difficulties to cross, I guess.
 22 MR. WITHERS: No. I'm talking about
 23 Maynada. You're talking about Caballero. But
 24 I don't think they can put signalized lighting
 25 there, can they, because you have one on South

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1 Alhambra?
 2 MR. CALDERON: Because you have one very
 3 close to it, correct.
 4 MR. WITHERS: Right. Right. Right.
 5 Okay. So I guess this goes to City Staff.
 6 It says that they're going to benchmark for
 7 three years. Okay, and what happens? If the
 8 first year, the benchmark doesn't hit, what
 9 happens?
 10 MS. GARCIA: I believe -- let me grab my
 11 iPad -- I believe it says in the condition that
 12 they have to make improvements to the area, to
 13 be able to --
 14 MR. WITHERS: Why don't they do them now?
 15 MS. GARCIA: Because, according to the
 16 traffic study, they don't need them. You can
 17 only rely on the experts.
 18 MR. WITHERS: What improvements -- so tell
 19 me -- this is important, because if you can do
 20 improvements to correct this problem in the
 21 future, let's talk about getting them done now,
 22 so we don't have the problem. That seems
 23 pretty logical to me.
 24 MR. CALDERON: So, obviously, the first
 25 thing is to see what happens after the retiming

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1 of Mariposa Court. That would be the first
 2 thing to see, in the future, once the
 3 development happens.

4 MR. WITHERS: 15 seconds, 30 seconds?

5 MR. CALDERON: That can be done as part of
 6 the application, but there is an issue when you
 7 do a retiming, is that -- remember, that the
 8 corridor needs to flow. So there is an issue,
 9 that you have to monitor that retiming.

10 MR. WITHERS: And let's say the timing
 11 doesn't work. Then what do you do?

12 MR. CALDERON: Then, obviously, there is an
 13 issue that needs to be -- if the retiming
 14 doesn't work on that specific intersection, the
 15 County needs to come and see coordination
 16 between the three signals altogether, because
 17 the signals are coordinated. They're supposed
 18 to flow. You need to have a green --

19 MR. WITHERS: Okay. I'm not convinced, I'm
 20 sorry.

21 MR. CALDERON: Okay. That's fine.

22 MR. WITHERS: Okay. And, then, what's the
 23 other area we have to look at, if you're
 24 monitoring? So we know -- I really don't think
 25 that adding 15 seconds to those cars exciting

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1 on US-1, because they're stacked anyway on
 2 US-1, you know, they're going to sit there for
 3 15 seconds and the light is going to go back to
 4 red again. So I don't know that that -- I
 5 think you agree with me.

6 That US-1 is five or whatever it is,
 7 probably more than that, and you're just not
 8 going to, by adding more timing to it, on the
 9 street onto US-1, going to make a whole lot of
 10 difference, but maybe it will.

11 But let's say that doesn't work, is there
 12 another solution or is that the only solution?

13 MR. CALDERON: Well, the other solutions
 14 are, obviously, this intersection, the
 15 right-of-way is very constrained.

16 MR. WITHERS: Right.

17 MR. CALDERON: You cannot widen this
 18 right-of-way of what it is. So we are limited
 19 within the right-of-way that we have.

20 MR. WITHERS: Okay. Were you able to get
 21 those numbers -- okay. Let's see what they
 22 are.

23 MR. DE ZAYAS: Where were you looking for?

24 MR. WITHERS: I was looking for --

25 CHAIRMAN AIZENSTAT: Chip, if I may one

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1 second. It's going to be nine o'clock soon.
 2 MR. WITHERS: Yeah, it's probably going to
 3 be 10:00 before we get out of here.
 4 CHAIRMAN AIZENSTAT: Right, but we need to
 5 extend the time before nine o'clock.
 6 MR. PARDO: I make a motion to extend until
 7 ten o'clock.
 8 CHAIRMAN AIZENSTAT: To ten o'clock?
 9 MR. PARDO: Uh-huh.
 10 CHAIRMAN AIZENSTAT: Is there a second?
 11 MS. KAWALERSKI: Second.
 12 CHAIRMAN AIZENSTAT: We have a second.
 13 Everybody in favor say aye.
 14 MR. SALMAN: No.
 15 MR. GRABIEL: Aye.
 16 MS. KAWALERSKI: Aye.
 17 MR. PARDO: Aye.
 18 MR. WITHERS: Aye.
 19 CHAIRMAN AIZENSTAT: We have a no.
 20 MR. GRABIEL: I didn't say no.
 21 CHAIRMAN AIZENSTAT: I know.
 22 MR. SALMAN: I said no.
 23 MR. GRABIEL: I said, yes.
 24 CHAIRMAN AIZENSTAT: We have a yes.
 25 MR. WITHERS: Yes, I'm good with that.

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1 CHAIRMAN AIZENSTAT: I'm a no also. So it
 2 passes to extend.
 3 MR. COLLER: What's the vote?
 4 CHAIRMAN AIZENSTAT: To extend to ten
 5 o'clock.
 6 MR. COLLER: Yeah, but what's the vote count?
 7 CHAIRMAN AIZENSTAT: Two nos and four yes.
 8 MR. PARDO: Mr. Chairman, may I ask why no
 9 to extend it?
 10 MR. SALMAN: Because we're going to hit ten
 11 o'clock and we're going to still be here.
 12 That's why.
 13 MR. WITHERS: Then we can defer to the next
 14 week, to the next month, if you want.
 15 CHAIRMAN AIZENSTAT: For me, I would extend
 16 it to 9:30, for example, see how it goes, and,
 17 then, if we need to extend it another half
 18 hour --
 19 MR. PARDO: Would that be more acceptable?
 20 MR. WITHERS: Yeah, sure.
 21 And I'm going as fast as I can.
 22 CHAIRMAN AIZENSTAT: No. No. It's not
 23 you, Chip.
 24 MR. PARDO: May I amend my motion?
 25 CHAIRMAN AIZENSTAT: Yes, please.

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1 MS. KAWALERSKI: I'll second.
 2 CHAIRMAN AIZENSTAT: So the amendment is to
 3 9:30?
 4 MR. PARDO: 9:30.
 5 MS. KAWALERSKI: Amended. Yes.
 6 CHAIRMAN AIZENSTAT: And a second?
 7 Everybody in favor say aye.
 8 (All Board Members voted aye.)
 9 CHAIRMAN AIZENSTAT: Thank you. Proceed.
 10 MS. DE ZAYAS: So, right now, he's
 11 reviewing -- what we had here is the existing
 12 counts before --
 13 MR. WITHERS: I'm sorry, I can't hear you
 14 that well.
 15 MR. DE ZAYAS: I'm sorry. Okay. So he's
 16 reviewing right now -- basically what we have
 17 right here is the Paseo traffic impact study
 18 and the existing counts prior to it being
 19 built. He's comparing the numbers with what he
 20 has, so that you can see what the difference is
 21 between the two.
 22 MR. WITHERS: Okay. Let's do it.
 23 MR. CALDERON: Obviously, when there is a
 24 development, there is growth in traffic. So
 25 before The Thesis, there was about 80 vehicles

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1 entering Caballero, which is the main
 2 intersection before --
 3 MR. WITHERS: Which intersection, I'm
 4 sorry?
 5 MR. CALDERON: Caballero.
 6 MR. WITHERS: Caballero and where?
 7 MR. CALDERON: And US-1.
 8 MR. WITHERS: Okay. Go ahead --
 9 MR. CALDERON: Which intersection do you
 10 want to know?
 11 MR. WITHERS: I want to know Maynada and I
 12 want to know -- Maynada and US-1.
 13 MR. CALDERON: They don't have Maynada here.
 14 MR. WITHERS: That's an important one,
 15 because that's one of the key exit points that
 16 showed --
 17 CHAIRMAN AIZENSTAT: Jennifer, can we put
 18 that map that was up there?
 19 MR. CALDERON: Maynada is way up north.
 20 MR. WITHERS: Maynada is not way up north.
 21 It's 250 feet from the property.
 22 MR. CALDERON: We don't have data on
 23 Maynada. There is no data on Maynada. We
 24 have data on --
 25 MR. WITHERS: Listen, let's make it easy,

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1 what is the increase in traffic count on Hardee
2 Road? Just tell me that. How many more cars
3 are going to be going on Hardee Road, per hour?
4 That's pretty easy.

5 MR. CALDERON: So Hardee becomes Caballero.
6 Let's clarify here.

7 MR. WITHERS: What I'm talking about
8 specifically is, people aren't going to be
9 getting out onto US-1 -- I live there, so I
10 know this. I go out it every morning. People
11 do not try to get out onto US-1 at Caballero.
12 You just can't. It's impossible.

13 So they come down and they either cut
14 through Mariposa and go over to Maynada and
15 head north or they come down Hardee, go down to
16 Granada and up, or Maynada. So I just want to
17 know what the increased traffic is on Hardee.
18 I just want to see the validity of this traffic
19 study.

20 MR. CALDERON: So I'm going to give you the
21 numbers for you to understand. On Hardee, the
22 traffic was 58 vehicles before The THesis was
23 built, okay.

24 Now, in Hardee, what is going to be,
25 after -- yeah, this is peak hour, just to

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1 clarify. This is peak hour.

2 MR. WITHERS: This is, what?

3 MR. CALDERON: Peak hours.

4 MR. WITHERS: Yeah, peak hours.

5 MR. CALDERON: Going in Hardee, what is
6 going to be after being -- after THesis was
7 implemented, after THesis was implemented,
8 without the project, is 70.

9 MR. WITHERS: Okay. So you're telling --

10 MR. CALDERON: THesis brought to Hardee --

11 MR. WITHERS: Listen, I'm not trying to
12 pick this apart, but you're telling me -- say
13 that of the 750 cars -- just say, of the 750
14 cars or parking spaces in the building --

15 MR. CALDERON? Before THesis was
16 implemented there was 68. After THesis was
17 implemented, there was 72 cars.

18 MR. WITHERS: Okay.

19 MR. CALDERON: Okay. After the new
20 development is going to be implemented, there
21 is going to be 80 cars.

22 MR. WITHERS: Okay.

23 MR. CALDERON: Per hour.

24 MR. WITHERS: Wait a minute. Okay. So
25 let's do the math.

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1 MR. CALDERON; So it's 20 --

2 MR. WITHERS: In 830 bedrooms, okay --
3 there's 830 bedrooms, as we talked about.
4 Let's say that a third of those have cars, and
5 let's say, half of those, go down Hardee,
6 that's a hundred right there. So I don't see
7 how you --

8 MR. CALDERON: Not everybody will choose
9 Hardee.

10 MR. WITHERS: Okay. Now I understand the
11 neighbors' concerns, because --

12 MR. CALDERON: Not everybody will choose
13 Hardee, because they do have the main entrance
14 on US-1.

15 CHAIRMAN AIZENSTAT: If I could keep
16 everybody, please, silent in the room.

17 MR. WITHERS: I get it.

18 CHAIRMAN AIZENSTAT: Sir, if I could just
19 ask everybody to, please, because we hear
20 everything up here.

21 MR. WITHERS: What is the increase on
22 Madrugá, because that's what I'm concerned
23 about, because that street is 30 feet wide, and
24 that was a big issue when the City allowed
25 THesis to use that street and everybody

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1 complained about it, saying that it's an alley,
2 which it is, and now it's being used not only
3 for THesis, but it's being used for your
4 property? So what was the count before and
5 after?

6 MR. CALDERON: So let's start with Madrugá.

7 MR. WITHERS: And that's the last one I'll
8 ask you. I promise.

9 MR. CALDERON: Before, you have 22
10 vehicles, before THesis.

11 MR. WITHERS: Okay. That's fair enough.
12 That's probably about right.

13 MR. CALDERON: After THesis, without this
14 development, you have --

15 MS. DE ZAYAS: And these are actual counts.
16 This is not the analysis.

17 MR. WITHERS: I know. On Saturdays?

18 MS. DE ZAYAS: Peak hours. It's not on
19 Saturdays.

20 MR. WITHERS: No. No --
21 (Simultaneous speaking.)

22 MR. WITHERS: You can throw your glasses at
23 me. I'm trying to lighten it up.

24 MR. PARDO: It's too late.

25 MR. CALDERON: -- thirty.

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1 MR. WITHERS: Okay. So THesis increased it
2 by only eight, even though that's the main
3 entrance to their parking garage, onto Madruga,
4 okay.

5 MR. CALDERON: This is just actual counts.

6 MR. WITHERS: I understand. I understand.

7 And how many are you going to have now?

8 MR. CALDERON; Now we're going to
9 increase -- this project is going to increase
10 it to 33.

11 MR. WITHERS: Say that again.

12 MR. CALDERON: 33.

13 MR. WITHERS: So your 830 bedroom
14 apartment, who's main ingress and egress of
15 that building --

16 MR. CALDERON: Again, this site has a main
17 entrance through US-1. At the same time,
18 obviously, a lot of traffic is going to select
19 to go through Madruga, in the direction of
20 Mariposa Court.

21 MR. WITHERS: I got it.

22 MR. DIAZ: If I may, Hermes Diaz, the
23 Public Works Director. I just want to clarify.
24 This is not --

25 MR. COLLER: Would you put your name in the

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1 MR. WITHERS: No, he projected. That's not
2 actual data. I'm talking about his projection.

3 MR. DIAZ: I see. Okay. So --

4 MR. WITHERS: The actual data, I can't
5 argue with, but projections, I can argue.
6 Listen, that's fine. You say it's three and
7 that's what you stand by. I -- I can honestly
8 see why the neighbors don't believe it.

9 I'm sorry, but I mean --

10 MR. CALDERON; It's okay.

11 MR. WITHERS: I don't know that many of us
12 can believe it, but that's fine.

13 MR. CALDERON: It's okay. Altogether, the
14 development, in the peak hour, is going to
15 generate 120 cars. That's what the trip
16 generation says.

17 MR. WITHERS: Okay. And they're all going
18 in different directions? Some are going on
19 US-1 --

20 MR. CALDERON: Some of them will choose
21 this, and some of the others will choose other
22 -- they do have different routes.

23 MR. WITHERS: But coming home at night,
24 they won't take the same route they're leaving
25 in the morning?

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1 record?

2 MR. DIAZ: Sure. Hermes Diaz. I'm the
3 Public Works Director. This is not traffic
4 counts for a whole day. This is just peak
5 hours.

6 MR. WITHERS: I understand.

7 MR. DIAZ: I understand. And peak hours
8 are, what, 8:00 to 10:00?

9 MR. CALDERON: Peak hour, one hour.

10 MR. WITHERS: 8:00 to 9:00?

11 MR. CALDERON: 8:00 to 9:00 or 7:00 to -- yeah.

12 MR. WITHERS: One hour. In one hour, this
13 project, either from 5:00 to 6:00, people
14 coming home, or 8:00 to 9:00, people going out,
15 is going to generate three more cars in one
16 hour, is what you're saying? Okay. Okay.
17 Okay.

18 MR. CALDERON: In that specific --

19 MR. WITHERS: City, do you believe that?
20 No, I know, but I just want to ask them, does
21 that seem logical? I live there.

22 MR. DIAZ: This is actual data collected.
23 We're not talking now about the actual study.
24 That's what the actual physical data that was
25 collected reflects.

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1 MR. CALDERON: They tend to take the same
2 way to go -- if they go north, they will come
3 south. The majority of the traffic will tend
4 to go north to Downtown.

5 MR. WITHERS: I'm not a traffic engineer,
6 but I would rather turn left on US-1 with a
7 light than try to turn on US-1 without a light.

8 MR. CALDERON; Correct, and that is
9 happening in Caballero.

10 MR. WITHERS: Okay. Thank you. I didn't
11 mean to be so --

12 MR. CALDERON: No problem.

13 MR. WITHERS: -- demonstrative, but I --
14 okay.

15 So a couple of quick questions, has this
16 property been sold or is this under contract
17 based on this approval? You don't know the
18 answer to that, I'm sure.

19 I mean, does Landmark own this or is this
20 optioned out until it gets approved?

21 MS. RUSSO: We're currently the contract
22 purchasers.

23 MR. WITHERS: What does that mean?

24 MS. RUSSO: Contract purchaser means, it's
25 under contract and there hasn't been a closing

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1 yet.

2 MR. WITHERS: I understand that, but is it

3 based on them getting approval on this?

4 MS. RUSSO: It's based on getting certain

5 approvals, yes.

6 MR. WITHERS: Okay. So they don't own it

7 yet. This is all -- okay. That's fine. I was

8 just curious about it. And has there been

9 discussion with UM?

10 MS. RUSSO: What type of discussion with

11 UM?

12 MR. WITHERS: Any discussion with UM.

13 MS. RUSSO: Yes. We let UM know that this

14 project was coming, because one of the

15 conditions was to put a sidewalk behind their

16 current building. So we didn't want to agree

17 to a condition, to put landscaping and a

18 sidewalk behind their building.

19 MR. WITHERS: Okay. So the only discussion

20 has been about landscape and stuff like that?

21 MS. RUSSO: Correct. Correct. This is not

22 a UM sanctioned project. UM is not endorsing

23 the project. This is not part of UM housing.

24 This is strictly separate and apart, has

25 nothing to do with the University of Miami.

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1 the way the process works, they are required to

2 send us what the flows are, and if there's no

3 capacity in the system, then they will be

4 required to have improvements to the sewer

5 system.

6 MR. WITHERS: Okay. I understand that, but

7 my question specifically is, what is the

8 capacity now, how much capacity are they going

9 to take up, and how much capacity will we have

10 left over after they --

11 MR. DIAZ: We don't have the answer to that

12 question at the moment.

13 MR. WITHERS: I mean, I think that's kind

14 of important.

15 MR. DIAZ: I'm sorry?

16 MR. WITHERS: That's kind of important.

17 MR. DIAZ: Well, they will be required to

18 provide that capacity, if the capacity does not

19 exist.

20 MR. WITHERS: Okay. So we don't know --

21 basically, we don't know what their sewer

22 requirement is and what we have to give to them

23 and what improvements --

24 MR. DIAZ: No. At the moment, we do not.

25 That will be subject to an agreement further

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1 (Simultaneous speaking.)

2 MR. WITHERS: One of the speakers

3 insinuated. I'm trying to shutdown rumors,

4 that UM doesn't own any of this --

5 MS. RUSSO: Perfect.

6 MR. WITHERS: -- isn't making any deals

7 with students on this or anything like that,

8 right?

9 MS. RUSSO: That is correct.

10 MR. WITHERS: Okay. Sewer connection, are

11 you hooking up to City sewer?

12 MS. RUSSO: I know we've been working with

13 the City's Public Works Department. So I think

14 Mr. Diaz can answer that question better for

15 you than I can.

16 MR. WITHERS: Yes.

17 MR. DIAZ: Yes.

18 MR. WITHERS: Let me tell why my question

19 is asked, because some residents who are

20 concerned, in wanting to hook up to sewer,

21 feels that some of the sewer capacity is going

22 to be sucked up by this project, and they're

23 not going to be able to hook up to the sewer.

24 So that's the point of my question.

25 MR. DIAZ: So the way the project works --

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1 down the line. It's a standard procedure with

2 any job in the City.

3 CHAIRMAN AIZENSTAT: If I can piggyback

4 Chip, on that question. What happens if, once

5 they do the sewer, they meet the capacity, and

6 yet their able to do it, but what happens with

7 other residential owners --

8 MR. DIAZ: So the way we do -- we treat any

9 developer, if the system has capacity, they're

10 welcome to use the capacity that the system

11 has. I mean, that is standard. It doesn't

12 matter who does it. If the system does not

13 have capacity, we actually do two different

14 types of analyses. We look at which were the

15 segments that will be out of capacity as a

16 result of the development, but then we resize

17 them, with the assumptions, especially in some

18 areas where you may not have -- for example, a

19 septic area or things of that nature, we assume

20 there's a buildup -- it's a build out

21 situation.

22 So, for example, let's just say that this

23 current pipe, for example, is, let's say, eight

24 inches, right, and the developer has a need of

25 improving it to a twelve. However, the build

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1 out capacity requires a sixteen. We'll ask the
2 developer to put in the sixteen pipe, creating
3 an excess capacity for future connection.

4 And there's actually a portion of the Code,
5 that, for ten years, the extra capacity that
6 they've created, we'll actually have to
7 reimburse the developer, based on the formula
8 that's within the Code.

9 MR. WITHERS: I'm sorry, say that again.
10 You go --

11 MR. DIAZ: So, basically -- so if the
12 developer creates a capacity improvement
13 project, right, so they're creating an excess
14 capacity in the system, then, for ten years,
15 according to the Code and based on a formula, a
16 future connector --

17 MR. WITHERS: Pays him back.

18 MR. DIAZ: It's based on a formula,
19 depending on the flow. So that's usually how
20 that works. But that gets developed -- that's
21 through the design process, but definitely the
22 project will not move forward if there's no
23 sewer capacity, and if there's no sewer
24 capacity, they will be required to make the
25 necessary improvements.

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1 discuss what's happening underground, and I
2 don't know about you people, but I didn't see
3 anything on the news about adding more capacity
4 for sewers. I think we're putting Band-Aids on
5 an old system. So when you're saying, we're
6 going to another 830 bedrooms, that's a lot of
7 toilet usage, okay, to put it bluntly.

8 MR. WITHERS: Yeah.

9 MS. KAWALERSKI: And that's one building.
10 That's one building. And these are students,
11 right? They drink a lot. You need a lot of
12 capacity for them, okay. So thank you for
13 bringing that up, because I think we need to
14 discuss this a little further. This Board
15 should discuss it.

16 But let me get back to a couple of other
17 things. So Landmark, at this point, doesn't
18 really own the property. You know, I was, in
19 another life, involved with the Venera, which
20 is now called The Standard, okay, and I was
21 part of the neighborhood association, and we
22 had very contentious moments about The
23 Standard, and a couple of things that were
24 revealed -- and I have to say that Henry Pinera
25 took the lead on this, because he was part of

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1 MR. WITHERS: Okay. Thank you. Thank you
2 very much.

3 CHAIRMAN AIZENSTAT: Thank you, Chip.

4 MR. WITHERS: Uh-huh.

5 CHAIRMAN AIZENSTAT: Sue.

6 MS. KAWALERSKI: Thank you.

7 I've got some comments, and I've got some
8 questions. First of all, I think the project
9 looks fantastic. I'll tell you that right off
10 the bat. I think it looks fantastic. I like
11 the way you broke up the building. I like the
12 way that you added a sidewalk all around for
13 mobility purposes. I think it's outstanding.
14 I love the 56 or whatever foot paseo. I like
15 so much about this project. I really do.

16 With that said, there are some things I
17 don't like, and here's where I'm headed with
18 this. First of all, thank you for bringing
19 something up that we don't discuss enough,
20 Chip. We always discuss traffic,
21 infrastructure, what we see above the ground,
22 but we never discuss what's below the ground,
23 the infrastructure, the capacity, the sewer,
24 and, now, with this lean -- the County lean
25 towards everybody going to sewer, we never

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1 the Riviera Neighborhood Board at that point in
2 time, discovered a couple of things that we
3 were not happy about Landmark not disclosing.
4 One of them was the ownership, who really owned
5 it. And one thing that came across my
6 computer, right after that project was
7 approved, was a flyer, hey, students, come here
8 and be part of our project, and it had a big
9 University of Miami logo on it.

10 So the questions about, do you have
11 discussions with the University of Miami
12 regarding -- well, let's put it this way, are
13 you the straw man for UM, because, on the other
14 side of US-1, my side, where I live, in
15 Riviera, we have now the Venera, now called The
16 Standard. It's dormitories. That's all it is.
17 They're dormitories. Now we have Paseo, that I
18 heard was designed specifically for Chinese
19 students and the hotel for the Chinese parents
20 to come and visit. And guess what happened
21 when they opened, the Pandemic. No Chinese
22 students, no Chinese visitors, but now you're
23 seeing a lot of Asians, so -- my understanding
24 is that the UM actually solicited that
25 developer to build this for the Chinese

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1 students. Now we have another dormitory going
2 in or wanting to go in where the Bagel Emporium
3 Plaza is, another dormitory.

4 So what's happening, you have this
5 beautiful residential area, and what's
6 overshadowing the residential area, with no
7 buffer, we've got a bunch of dormitories. When
8 did we become the straw man for the University
9 of Miami? Why are we building dormitories in a
10 residential area, okay?

11 And it is Landmark -- I mean, I've done the
12 research on it. Henry's done the research on
13 it. Go to the website, anybody, you do nothing
14 but dormitories. So let's not say it's for
15 yuppies, this is for students. They're
16 dormitories. And as much as your website is
17 trying to soften that a little bit, saying, oh,
18 we're also doing some residential, every single
19 one of your projects are major dormitories,
20 across the country, and you pride yourself -- I
21 forgot my list here, you pride yourself as
22 being the largest dormitory builder in the
23 country, okay.

24 So we're turning the Riviera neighborhood,
25 where Chip lives, where I live, where Henry

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1 the permitting process, and it's a nightmare.
2 You guys have it easy. You come before us
3 here, with a nice presentation, and a lot of
4 you people get rubber stamped approvals. I
5 think you're seeing a change in the Board.
6 We're not rubber stamping anymore, okay.

7 So a couple of other things. The alley,
8 how much are you guys willing to pay for the
9 alley? I didn't hear you saying we're going to
10 pay the City three million dollars for that
11 piece of property, because, right now, I own
12 it, and Chip owns it, and Henry owns it.

13 MR. DIAZ: Hermes Diaz, Public Works
14 Director.

15 The City does not own rights-of-ways. They
16 were dedicated for public use. And they were
17 dedicated -- they were basically taken from the
18 property, abutting property owners, for the
19 creation. And, specifically, on an alley --
20 under Florida Statute, the definition of an
21 alley, it's intended for access and service to
22 the abutting property owners. So the City Code
23 has a process in place, where, if the alley is
24 no longer being used, in the manner that it was
25 intended, they can go ahead and put an

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1 lives, where a lot of people here live, into
2 basically a very transient neighborhood, and I
3 don't know if you've been in the Publix. When
4 I go to my Publix on Monza, which is where The
5 Standard is, it looks like the locust came
6 there, because you can't find anything, because
7 the students have come in, especially on game
8 day, and you can't find anything on the
9 shelves. It's like locust had invaded a
10 residential area. We can't shop at Publix
11 anymore.

12 So my concern -- I've got a couple of
13 concerns. Number One, this is a dormitory, in
14 a residential area. Love the project, love the
15 way it looks, but it's a dormitory. And I'm
16 glad you didn't buy it yet, because I think
17 you're hearing a lot of people pushing back,
18 okay.

19 I think this project should go someplace
20 else, but not here. Look, when I bought my
21 house, I didn't expect to build a five-story
22 house on my property. I knew what I could have
23 on my property, and that's what I've got on my
24 property, and that's it. And if I do want to
25 add to it, guess what, I have to put it through

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1 application for the alley to be vacated. Under
2 the Florida Statutes, the alley gets reverted
3 back the abutting property owners, which is the
4 location where the alley came from.

5 The City does not have a deed for most of
6 our right-of-ways. So if a right-of-way is to
7 be abandoned, it just gets returned back to
8 whoever dedicated it to the City to begin with
9 or their -- the term in the plat is -- it
10 escapes me right now -- assignee. So whoever
11 is the owner of the property. So we don't have
12 an avenue to demand a developer will pay the
13 City for an alley, because the City doesn't own
14 them. So I just want to make that clear.

15 MS. KAWALERSKI: Okay. If we don't own it,
16 how can we give it away?

17 MR. DIAZ: We're not giving them away.
18 There's a process whereby the alleys are
19 created and the Code has a process by which the
20 alleys are abandoned, and this is part of the
21 process. The ultimate arbitrator will be the
22 City Commission.

23 CHAIRMAN AIZENSTAT: Okay. Thank you,
24 Hermes.

25 MR. DIAZ: You're welcome.

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1 MS. KAWALERSKI: Okay. That's a pretty
2 pricey piece of property, though. It's a nice
3 piece of property. I would say, three million.
4 What about you?

5 MR. WITHERS: I don't think we're allowed
6 to do that.

7 MR. COLLER: Can I just advise the Board,
8 we've had this discussion. There's two ways
9 that a municipality can acquire property. It
10 can condemn it and pay for it or, Two, it can,
11 through development, request for a dedication
12 of right-of-way.

13 If we condemn a piece of property and we're
14 using it and somebody wants it, then the only
15 way they can get it is through a sale, because
16 the deed for that property is through a
17 condemnation. With right-of-way, we are the
18 stewards of the right-of-way. We don't have
19 the right to charge for that, because, as it
20 was explained, we don't actually own it. We're
21 the stewards of it. So that's why we can't
22 request that payment for the right-of-way.

23 MS. KAWALERSKI: I'm saying that kind of
24 tongue-in-cheek, but you get my point here.

25 One last issue I want to talk about is the

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1 traffic study. I can't tell you how many
2 traffic studies I've seen. I don't think there
3 has been one traffic study that I've seen that
4 says, "You can't do it. There's going to be
5 too much traffic. You can't do it." I haven't
6 seen one, and I've been at this for about
7 fifteen years.

8 MR. DIAZ: So I just want to clarify the
9 purpose of a traffic study. Traffic is not a
10 concurrency requirement for development, the
11 way that a sanitary sewer system is, the way
12 that power, water, et cetera. The purpose of a
13 traffic study is to discuss the impact on
14 traffic with respect to this development, to
15 this Board, to the City Commission, so you can
16 base your decision accordingly. A traffic
17 study may very well say that, yes, you're
18 increasing this amount of traffic to the
19 streets, but maybe no improvements are
20 possible, okay, but the traffic study is never
21 going to say, this development does not move
22 forward.

23 That is not the purpose of a traffic study.
24 A traffic study is simply to provide you with
25 information that you need to make your

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1 decision, and, obviously, to the City
2 Commission, unlike sewer or power or water. If
3 you don't have sewer capacity, if you don't
4 have water, you don't have power, guess what,
5 the project does not move forward, but traffic
6 is not a concurrency requirement, but it's just
7 for information purposes. That's the purpose
8 of a traffic study. So a traffic study is
9 never going to say, "This project should not
10 move forward."

11 MR. WITHERS: Can I ask him one question?

12 CHAIRMAN AIZENSTAT: Please.

13 MR. WITHERS: We understand it's not a
14 concurrency issue. I think we all know that
15 traffic is not a concurrency issue.

16 MR. DIAZ: Right.

17 MR. WITHERS: But as a City planner, a
18 designer, traffic engineer, traffic does have
19 an impact on the quality of --

20 MR. DIAZ: Sure. It does.

21 MR. WITHERS: So I think that I -- just so
22 you know, I look at a traffic study not in a
23 concurrency vein, but I look at it as impact to
24 neighborhood, quality of life.

25 MR. DIAZ: And that's why we go through

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1 this process.

2 MR. WITHERS: I know it s not --

3 MR. DIAZ: That's why -- the information is
4 available, so you have an opportunity to make
5 your decision, and the same goes to the
6 Commission.

7 MS. KAWALERSKI: All right. I'm just
8 saying, the traffic study, actually damaged, in
9 my estimation, the developer's pitch. They
10 damage it, because when you tell me that there
11 are going to be 830 people sleeping in a
12 project and the traffic is actually going to go
13 down by 716 vehicles --

14 MR. DIAZ: I'm not sure --

15 MS. KAWALERSKI: Yes, 716 less daily trips.
16 That's what your study says. 716 less daily
17 trips, with a project with 830 beds.

18 MR. CALDERON: Obviously, as he mentioned
19 at the beginning, it's an estimate. What
20 happened is that we have to take into account
21 what is under the pre-existing conditions, and
22 the existing conditions was retail. I just had
23 the opportunity to revisit the numbers that I
24 was looking for, that you asked, and I noticed
25 that, for instance, the traffic in -- at the

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1 signal, that's Madrugá and US-1, was way higher
2 than it was -- than it was after the new
3 building was implemented. At that time, that
4 development was -- the intensity of the retail
5 was much higher than after the implementation
6 of the new building. Maybe the retail started
7 to go down, maybe there was an issue of
8 occupancy in the shopping plaza, but that's the
9 reality.

10 Again, why, in the future, is going to be
11 less, the overall daily traffic, that is an
12 estimate, based on a formulation, based on IT.
13 Is that something that we can validate? We
14 will see. The peak hour is what is -- is what
15 we do care. The peak hour is what it cares
16 about, because, at that specific moment, it
17 shows that there will be more traffic, and
18 that's the reality.

19 MS. KAWALERSKI: Okay, Juan, thank you.

20 Just two more comments. I live in that
21 area, and right now -- because we're not adding
22 school traffic in here. We're looking at peak
23 hours. There are points of the day, when I
24 come home from work, I cannot get into my
25 house. I live off of South Alhambra. South

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1 Alhambra is blocked, and it's not only the
2 school traffic, it's people wanting to get to
3 the Paseo, but they know they can't make a left
4 turn on US-1. They take Maynada, come all of
5 the way down to South Alhambra, to make a right
6 turn onto US-1. I can't get to my house. I
7 was stuck in traffic the other day for 20
8 minutes, trying to get to my house, on South
9 Alhambra, and it's not just the school.

10 So I'm just saying, you add another
11 project, and then another project -- the UM
12 building is, I think, sold. What's going
13 happen there? And all of a sudden we are
14 literally home locked. We are not going to be
15 able to move.

16 Love your project. Not here. Sorry.

17 CHAIRMAN AIZENSTAT: Thank you.

18 Julio.

19 MR. GRABIEL: I like the project, also. I
20 think it's very nice. I have a question. On
21 the setbacks on US-1, can you show me a section
22 there where the setback is, and what's the
23 landscaping there?

24 MS. GARCIA: Do you have a slide that shows
25 the back -- I'm sorry, that has the section?

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1 MR. WITHERS: Is it 20 feet?

2 MS. GARCIA: Yes. The setback on US-1 is
3 20 feet, but aren't you asking for the step
4 back and how --

5 MR. GRABIEL: No. Setback, the building
6 from the edge of US-1.

7 MS. GARCIA: Oh, yes. It's a mandatory 20
8 feet. I thought you were asking for the step
9 back and how they're approaching into it.

10 And they're proposing more than 20 feet. I
11 think they're at 25 -- 25 feet.

12 MR. GRABIEL: And what's the landscaping
13 that's going there?

14 MS. GARCIA: Let me go to the Site Plan
15 real quick.

16 On the top here, you can see this is US-1.
17 So what they're doing is, they're widening the
18 sidewalk, to make it, I think, twice as wide as
19 what it is now. Right now it's the standard
20 five feet at that road. They're widening that
21 sidewalk to be 10 feet -- 12 feet. Okay.
22 Thank you. And, then, they have additional
23 landscape between that wide sidewalk and where
24 they're going to have, you know, the outdoor
25 seating and pavers and -- within their

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1 property.

2 MR. GRABIEL: And they're drawing up a
3 section through it?

4 MS. GARCIA: I can check, but I haven't
5 seen a drawing. I can check and see if --

6 MR. GRABIEL: That scale --

7 (Simultaneous speaking.)

8 MR. GRABIEL: -- what's the sidewalk,
9 what's the trees, what's the width of it?

10 MS. GARCIA: I believe they have --

11 MR. COLLIER: Mr. Chairman, I apologize for
12 the interruption, but we're at 9:25.

13 CHAIRMAN AIZENSTAT: Okay. Before you
14 continue, is there another motion to extend the
15 time?

16 MR. PARDO: Let him make the motion.

17 MR. SALMAN: Me?

18 CHAIRMAN AIZENSTAT: Javier.

19 MR. SALMAN: I'll make a motion that we go
20 until 9:45.

21 MR. WITHERS: I'll second.

22 MR. SALMAN: Thank you.

23 CHAIRMAN AIZENSTAT: We have a motion to
24 9:45. Everybody in favor say aye.

25 (All Board Members voted aye.)

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1 CHAIRMAN AIZENSTAT: Anybody against?
 2 Continue.
 3 MS. GARCIA: If you could pull up the
 4 applicant's PowerPoint and go to Slide 50, it's
 5 zoomed in, in the back. It's fine.
 6 Gables TV. And, also, Page 36, Attachment
 7 B has it, as well. Oh, Slide 50. Yeah, could
 8 you zoom into the bottom left, site plan.
 9 Scroll a little bit down and zoom in a lot
 10 more.
 11 Yeah, so you can see -- let me show you in
 12 here.
 13 MR. GRABIEL: Go on the bottom left.
 14 MS. GARCIA: Yeah. Move it up a little
 15 bit.
 16 So you can see it in the plan right here --
 17 it's really off -- and that's the section
 18 there.
 19 MR. GRABIEL: Okay.
 20 MS. GARCIA: So you have that, you know,
 21 dining terrace area, you have landscape and you
 22 have that wider sidewalk. Half of it is in the
 23 US-1 and half of it is in their private
 24 property. And the standard -- not standard,
 25 but the landscape that's continuing, that you

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1 see in front of the Paseo project, that will be
 2 continuing, that kind of landscaping along
 3 here, as well.
 4 MR. GRABIEL: All right. Thank you.
 5 This is a very important site, one that's
 6 left over undeveloped, right next to the Metro
 7 station, and I remember when Metrorail was
 8 built, that everybody thought that this was
 9 going to occur all over the line. It's taken
 10 us from 1972 to today to start seeing those
 11 developments, but it's the right development,
 12 at the right site.
 13 I really don't care if it's students who
 14 live there or not. If the project is correct,
 15 if the project is the right scale, if it does
 16 what it's supposed to do, I am all for it. The
 17 University of Miami is one of the most
 18 important institutions that we have, and I
 19 didn't go to the University of Miami, by the
 20 way, in this City, and this building, if it's
 21 going to be mostly students, is going to serve
 22 the University well, and the students bring
 23 life to the City and bring activity, use
 24 businesses, money coming from other
 25 communities, being invested in Coral Gables,

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1 which adds value to this project.
 2 Well, I'm for the project.
 3 CHAIRMAN AIZENSTAT: Thank you.
 4 Javier.
 5 MR. SALMAN: We're going from 77 feet to 95
 6 feet --
 7 MS. GARCIA: 97 feet. Yes, 20 feet.
 8 MR. SALMAN: Two floors.
 9 MS. GARCIA: Yes.
 10 MR. SALMAN: By right, they can do 77 feet.
 11 They still have to come here for a PAD.
 12 MS. GARCIA: Well, not by right. With Med
 13 bonus --
 14 MR. SALMAN: With Med bonus, sorry.
 15 They've obviously gone well above and beyond
 16 the requirements for Med bonus, in my opinion.
 17 In my opinion, they've checked off every box
 18 twice. And it's a tribute to the architect,
 19 for being able to solve the puzzle and the
 20 problem of getting this many units on that
 21 site.
 22 However, I have some real reservations with
 23 regards to the depth of the light wells, that
 24 they're going to be actually rather unpleasant.
 25 I think they will be better served if they were

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1 brought down to 77 feet. I don't think -- I
 2 also think that their paseo would probably live
 3 a lot better, the trees would work a lot
 4 better, if the building were down to the 77
 5 feet, with the Med bonuses, and I wouldn't have
 6 problems approving that project, but I have a
 7 problem approving that project, at this scale,
 8 given the residential neighborhood, the Capri
 9 right next to it, the absolutely narrow --
 10 narrow -- alleyway, which exists now on
 11 Madruga, which doesn't make any sense at all,
 12 and just the level of intensity, one to
 13 another, is the compatibility problem, in my
 14 personal point of view.
 15 So I'm not going to be able to support this
 16 project the way it is. Thank you very much.
 17 CHAIRMAN AIZENSTAT: Thank you.
 18 Without going over what most of our
 19 colleagues have said, and I do agree with all
 20 of the points that were taken here tonight, I
 21 have to remember that we are a quasi-judicial.
 22 As a quasi-judicial board, we are here to hear
 23 the testimony that's given to us by all of the
 24 professionals. We're not here for a popularity
 25 contest or what people might agree or what

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1 people may not agree. We have to rely upon the
2 competent and substantial evidence that's
3 provided before us.

4 The project -- I like the way the project
5 is. The height doesn't bother me so much on
6 the 20 feet. What I'm still unclear about is
7 the traffic. To me, I don't feel -- there's
8 something missing on the traffic study or the
9 way it's presented or the way it was given to
10 me, for me to be able to make a clear decision.
11 Other than that, I don't have an issue with the
12 20 feet. I don't have an issue with the paseo.
13 I think it's great.

14 As far as it being a straw-hat for the
15 University of Miami, I don't feel that. Are
16 there going to be students there? Probably,
17 yes, but there are developments and companies
18 that go ahead and build projects that are
19 specific for universities and around
20 universities, and we have to remember that the
21 University of Miami is in Coral Gables, and
22 they are also our neighbors.

23 My biggest concern is the traffic study.
24 I'm not saying that it's wrong. I just don't
25 understand enough of it, on the traffic study,

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1 somebody to come and say it needs to be a
2 little more in or a little more out. To me,
3 that's not our purview, it's not the decision,
4 but what does concern me is the transportation
5 study -- the traffic study.

6 Laura, would you like to come up?

7 MS. RUSSO: Yes. I'd like you to consider
8 a motion to defer, because I think we can bring
9 you some answers, at a future date, and more
10 concise answers, with respect to sewer
11 capacity. I know we've been meeting, and we
12 have someone, a utility coordinator, as part of
13 the project. So I'd like to be able to answer,
14 you know, we're going from, what, eight inches
15 to sixteen or whatever we're adding, excess
16 capacity.

17 I think I'd like to work with our traffic
18 engineer, the project traffic engineer, as well
19 as the City consultant, to perhaps present a
20 traffic presentation that's a little bit more
21 cohesive, more coherent, to give you
22 information on intersections, maybe get some
23 counts on some of the streets that were there,
24 so that you have a fuller picture, right, and
25 it may or may not change your mind, but at

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1 the way it is, for me to say yes on the
2 project. I would love if there's a way to come
3 back and just elaborate better on the traffic
4 study. I don't know if that's an option. I
5 would feel more comfortable, as an individual,
6 and as a Board Member.

7 Like Chip, travel that road, Hardee. I
8 travel it all of the time. And I actually --
9 even though, a lot of times, when I'm going
10 somewhere, I'll put Waze on, and it will take
11 me through the road, right through the THesis,
12 and when I see it's taking me that way, I just
13 can't understand it, because I'll never across
14 US-1, to head south on US-1. I just won't.
15 But I think we all have to remember that we
16 need to rely upon the testimony that's brought
17 before us, and I think that's important. We
18 all have emotions. We all have feelings. We
19 all like a project, don't like a project.

20 For me, do I like it aesthetically, yes,
21 but it's gone to the Board of Architects, and
22 it's the Board of Architect's responsibility,
23 in my opinion, for the City of Coral, to
24 approve the project. Once they approve the
25 project, then it moves forward. And I'm not

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1 least you're doing it with more information in
2 your hands.

3 And I think, yes, you're correct, with
4 respect to the Board of Architects, that's the
5 assignment of the Board of Architects, is to
6 determine the aesthetics of the project and
7 that, but with respect to, you know, the sewer,
8 infrastructure, whatever answers we can give
9 you there and information, I think that would
10 be important, and we can, you know, provide
11 information to you.

12 But I do want to just address a couple of
13 points that were made with respect to The
14 Standard. The Standard -- Landmark was under
15 contract with the local developer, with a
16 confidentiality clause, a nondisclosure clause,
17 and while we wanted to come forward and let
18 everybody know, because I know you know me,
19 Sue, that when I represent someone, I go, let's
20 go, let's tell everybody what it is, whether
21 it's Riviera School or Gulliver or whatever,
22 but we were not allowed to, by the local
23 developer. So we had very little input on that
24 design, but from an operations standpoint, yes,
25 in fact, it is -- the majority of the project

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1 is for students, but it is a project that has
2 not had complaints, doesn't have loud parties,
3 doesn't have -- we have checked with the
4 police, we have checked, it is a project that
5 is immaculate in terms of what it has.

6 And, again, while not everybody likes
7 students, some of you know students will move
8 into the neighborhood, if they're living in the
9 university -- if they're going to the UM, they
10 find ways to live closer to it. So providing
11 apartments that are targeted for the university
12 community makes sense, when you're located on a
13 very easy arterial and right across the street.

14 But I'd like to be able to defer and come
15 back, when we're able to put together this data
16 and at least give you that information to
17 consider.

18 CHAIRMAN AIZENSTAT: And, specifically,
19 there was a lot of information that Chip asked
20 for.

21 MR. RUSSO: Right, and I'm going to get it.

22 CHAIRMAN AIZENSTAT: To me, that's
23 important. He really brought up a lot of good
24 points.

25 MS. GARCIA: Well, and I think that can be

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1 MR. COLLIER: Well, let's decide --

2 MR. SALMAN: And we're going to be
3 deferring which item number first.

4 MR. COLLIER: Well, first of all, I think
5 you have to defer 1 through 6. So the motion
6 should be E-1 through E-6. Then we're going to
7 have another motion on the rest of the agenda.
8 We're going to probably have to defer that,
9 too, if we're going to be done today.

10 CHAIRMAN AIZENSTAT: Well, let's do 1
11 through 6 first. Are you talking about, you'll
12 be able to come to the next meeting, so you
13 don't have to readvertise and we continue?

14 MS. RUSSO: I'd rather -- even if we have
15 to readvertise, I'd rather make sure that we
16 have all of the data and collecting some of
17 these traffic reports and meeting with the
18 traffic -- you know, getting everybody, to get
19 everything they need, to put together a really
20 thorough and comprehend, I'd rather come back
21 to you when I have that.

22 CHAIRMAN AIZENSTAT: So the deferral is to
23 not a time certain?

24 MR. RUSSO: Right, and it will require
25 readvertising. We understand that.

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1 addressed in a coherent traffic presentation,
2 with slides or with something -- it may or may
3 not change your minds, but at least you'll be
4 making that decision based on data that's
5 targeted toward the question.

6 MS. KAWALERSKI: And if I could ask one
7 thing, because the Paseo was supposed to do a
8 traffic study every single year after it was
9 built. Can you please incorporate the results
10 of that yearly traffic study that the Paseo was
11 required to provide into your next report,
12 please?

13 MS. RUSSO: Yes. I'll make sure it gets
14 provided to the traffic -- to the City's
15 traffic consultant, yes, and we'll try to make
16 it part of whatever presentation we put
17 together to address the traffic.

18 CHAIRMAN AIZENSTAT: Is there a motion --
19 would anybody like to make a motion --

20 MR. SALMAN: I'll make a motion to defer.

21 MR. WITHERS: I'll second.

22 CHAIRMAN AIZENSTAT: We have a motion to
23 defer. Chip has second.

24 Any discussion. Hold just one second.
25 It's to defer to a time certain --

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1 CHAIRMAN AIZENSTAT: Okay.

2 MR. SALMAN: We can actually vote on the
3 easements. It's really housekeeping. It's
4 just --

5 CHAIRMAN AIZENSTAT: For me, I'd prefer
6 to -- just me.

7 MR. SALMAN: Then my motion is to defer
8 Items E-1 through 6, until such time as we're
9 notified by the --

10 CHAIRMAN AIZENSTAT: And we had a second by
11 Mr. Withers.

12 Any discussion?

13 MR. PARDO: Yes.

14 CHAIRMAN AIZENSTAT: Yes, sir.

15 MR. PARDO: Mr. Chairman, there's something
16 that you said, that is, for me, a little
17 disturbing. You said that the only people that
18 should actually be in this room --

19 CHAIRMAN AIZENSTAT: No, that's not --

20 MR. PARDO: -- to testify professionally,
21 that in your capacity as Chairman of this
22 Board, is that you said, only professional,
23 substantial competent evidence --

24 CHAIRMAN AIZENSTAT: That's not what I
25 said.

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1 MR. PARDO: Can you rephrase it, because I
2 didn't understand?

3 CHAIRMAN AIZENSTAT: No, let's read what
4 exactly I said. I said that we must --

5 MR. COLLER: I'll make this easy, for
6 having --

7 CHAIRMAN AIZENSTAT: Go ahead, Craig.

8 MR. COLLER: You have to base your decision
9 on substantial competent evidence. Certain
10 evidence can be lay testimony and certain
11 evidence may require experts, sometimes, and in
12 the case law, sometimes traffic requires an
13 expert testimony. Compatibility, in the
14 courts, does not have to be expert testimony.
15 It can be certainly be lay testimony.

16 MR. PARDO: That's what I --

17 CHAIRMAN AIZENSTAT: But we are a
18 quasi-judicial board.

19 MR. PARDO: No, I understand.

20 MR. COLLER: So you consider all of the
21 evidence that is substantial, competent.

22 MR. PARDO: Right. I just wanted to make
23 sure that there's no doubt in anyone's mind
24 that the neighbors are testifying --

25 CHAIRMAN AIZENSTAT: Oh, they're important

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1 Commission, because we only recommend. The
2 Commission actually approves.

3 CHAIRMAN AIZENSTAT: Correct.

4 MR. COLLER: That's correct, but -- we
5 recommend, but it is a quasi-judicial board,
6 under our Code.

7 (Simultaneous speaking.)

8 MR. COLLER: And those witnesses can
9 provide substantial, competent evidence, as
10 well as the experts.

11 MR. PARDO: Okay. Thank you for the
12 clarity.

13 MR. COLLER: Sure.

14 CHAIRMAN AIZENSTAT: We have a motion. We
15 have a second. Any other discussion?

16 MR. COLLER: So this is a deferral of E-1
17 through E-6 to no date certain.

18 CHAIRMAN AIZENSTAT: Correct.

19 Call the roll, please.

20 THE SECRETARY: Felix Pardo?

21 MR. PARDO: No.

22 THE SECRETARY: Javier Salman?

23 MR. SALMAN: Out of reasonableness, yes.

24 THE SECRETARY: Chip Withers?

25 MR. WITHERS: Yes.

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1 with what they're testifying, but the expert
2 that they have, on the traffic, to me, I'm not
3 satisfied with the answer.

4 MR. PARDO: Okay. Well, that's fine. But
5 what I'm -- just to make sure I get this right,
6 the testimony from those neighbors, based on
7 their observations, based on their quality of
8 life, can carry weight with this Board.

9 MR. COLLER: That's correct. The line has
10 to be drawn, when you're looking at a project
11 and somebody say, "Well, this is going to be a
12 lot of traffic," if the testimony is, "I'm
13 sitting at my intersection right now and I
14 can't get out of my house," that is observation
15 testimony. That's a different kind of
16 testimony. So I think we're both saying the
17 same thing.

18 MR. PARDO: And Mr. Chairman, what I was
19 doing is not trying to insult you. What I was
20 trying to do is clarify exactly -- what I've
21 done my entire life, sitting on this Board
22 before, chairing this Board before, and other
23 quasi-judicial boards, because, if not, you
24 know, we just don't have to have neighbors come
25 here. They should just go straight to the

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1 THE SECRETARY: Julio Grabiell?

2 MR. GRABIEL: Yes.

3 THE SECRETARY: Sue Kawalerski?

4 MS. KAWALERSKI: Yes.

5 THE SECRETARY: Eibi Aizenstat?

6 CHAIRMAN AIZENSTAT: Yes.

7 MS. RUSSO: Thank you very much.

8 MR. COLLER: All right. We're not done
9 yet.

10 CHAIRMAN AIZENSTAT: No. No. I realize
11 that.

12 My question to the Board is, we have other
13 items. Do we want to defer the other items or
14 do we want to listen to them and extend?

15 MR. DIAZ: If I may, I have what I hope is
16 a very simple, quick item. There's a City
17 project that is predicated on this closure, so
18 I respectfully ask that you allow me to --

19 CHAIRMAN AIZENSTAT: Is there a motion to
20 extend?

21 MR. WITHERS: Listen to the good man.

22 CHAIRMAN AIZENSTAT: Is there a motion to
23 extend to -- excuse me, until what time?

24 MR. COLLER: I would suggest you make it
25 ten o'clock.

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1 CHAIRMAN AIZENSTAT: 9:59, since Javier has
2 an adverse reaction --
3 MR. SALMAN: I have an adverse reaction. I
4 won't be here past ten o'clock.
5 MR. WITHERS: I will move --
6 MR. COLLIER: So there's a motion to extend
7 to 9:59.
8 CHAIRMAN AIZENSTAT: There's a motion to
9 9:59?
10 MR. SALMAN: Second.
11 MR. WITHERS: All right. Let's do it.
12 MR. COLLIER: We can do a voice vote.
13 (All Board Members voted aye.)
14 MR. DIAZ: Thank you.
15 Okay. Ready, set, go. Can I please have
16 the presentation up?
17 MR. COLLIER: Wait a minute. I have to read
18 this first. Which item are we --
19 MR. DIAZ: Biltmore Drive right-of-way
20 vacation.
21 MS. GARCIA: E-7.
22 MR. COLLIER: E-7, right? Okay.
23 Item E-7, an Ordinance of the City
24 Commission of Coral Gables, Florida, approving
25 the vacation of a public right-of-way pursuant

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1 to Zoning Code Article 14, "Process," Section
2 14-211, "Abandonment and Vacations" and City
3 Code Chapter 62, Article 8 "Vacation,
4 abandonment and closure of streets, easements
5 and alleys by private owners and the city;
6 application process," providing for the
7 vacation of the seventy foot wide Biltmore
8 Drive between Lots 1 and 2 in Block 25 and Lot
9 1 in Block 27, Riviera Section Part 1 (757 Blue
10 Road), Coral Gables, Florida; providing for a
11 repealer provision, severability clause, and
12 providing for an effective date.
13 Item E-7, public hearing.
14 MR. DIAZ: Thank you for hearing the item.
15 The purpose of this item is, the
16 Biltmore --
17 CHAIRMAN AIZENSTAT: Would you state your
18 name?
19 MR. DIAZ: Oh, I'm sorry. Hermes Diaz. I
20 am the Public Works Director.
21 This was the Biltmore Drive right-of-way
22 vacation. This section of Biltmore Drive,
23 which you can see up on the screen, was created
24 by Riviera Section Part 1 subdivision, in Plat
25 Book 20-31, as recorded in Miami-Dade County

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1 Clerk of the Courts.

2 It was originally intended to cross the
3 Coral Gables waterway, but this connectivity is
4 no longer feasible. In fact, if you see that
5 lot that is called 25A, that is the Coral
6 Gables Waterway.

7 MR. COLLIER: I know you need to make the
8 9:59 --

9 MR. DIAZ: I'll be slower.

10 MR. COLLIER: -- but be a little slower.
11 Thank you.

12 MR. DIAZ: Absolutely.

13 So, to the left, you see the original plat,
14 as it was intended to be developed. Biltmore
15 Drive was intended to go across the waterway,
16 which is Lot 25A, and to the hundred foot
17 right-of-way that you see right behind it, and
18 to the right, you see an aerial view of what
19 the area actually looks like.

20 The section of Biltmore Drive, between Blue
21 Road and the waterway, was left unimproved. So
22 it's basically an empty lot. So what we want
23 to do is, we want to vacate that right-of-way,
24 which is approximately 14,500 square foot.

25 Now, based on your typical rights of

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1 reversal, this right-of-way will be split in
2 half. The City owns the lot to the left.
3 There's a private property owner who owns the
4 other side. So subject to an execution
5 agreement with the abutting property owner, the
6 City will be taking three-quarters of the
7 vacation, as opposed to half and half. So
8 we'll be taking a little more, and -- for the
9 purpose to have it incorporated into Blue Road
10 Park.

11 The park itself -- the current site is used
12 to provide waterway access for kind of
13 maintenance, and the development of the park
14 will retain that purpose. An initial design
15 meeting was held on October 21st, in accordance
16 with the requirements of a grant, which the
17 City obtained, for the development this
18 project. It's a \$200,000 grant, and there is a
19 requirement that the project gets completed by
20 June of 2025.

21 This is another closeup. This is the
22 boundary -- the approximate boundary of the
23 park. And then you see the empty space in
24 between, which is the right-of-way that is
25 being vacated.

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1 The next thing is just a rendering of what
2 the proposed park -- where the park is being
3 proposed, and that is the end of the
4 presentation.

5 MR. WITHERS: Can you go back up two slides
6 real quick?

7 MR. DIAZ: Sure. Please, pick it up.

8 MR. WITHERS: What is the neighbor getting
9 out of this deal?

10 MR. DIAZ: They get -- so you have a 70
11 foot right of way --

12 MR. SALMAN: He's getting a quarter of the
13 right-of-way.

14 MR. DIAZ: He's getting a quarter of the
15 right-of-way.

16 MR. WITHERS: That's why I'm saying.

17 Maybe the neighbor will help pay for the
18 park. I'm just kidding.

19 MR. DIAZ: The neighbor agreed to, we're
20 getting three-quarters, as opposed to half,
21 which is standard in these cases, and that's,
22 you know --

23 MR. WITHERS: So that's just the protection
24 between the neighbor's house --

25 MR. DIAZ: It creates a buffer between the

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1 park and the neighbor, absolutely.

2 MR. WITHERS: But the neighbor can't
3 develop on it or anything like that; is that
4 correct?

5 MR. DIAZ: It is part of property, if they
6 do end up claiming it. So I'm not sure at that
7 point what the setbacks will be --

8 MR. WITHERS: On a park? I don't know.
9 What is our setback on public parks, or the
10 side setback on a public park?

11 MS. GARCIA: Yes, so it will be
12 incorporated as part of their folio, right, the
13 vacated portion, the one-quarter of it, I
14 guess, in this case.

15 MR. WITHERS: I know. What is the setback
16 between a physical building and a public park?

17 MS. GARCIA: There's no specific setback
18 for next to a park. You could have a side
19 setback.

20 MR. SALMAN: It's always a side street.
21 Otherwise, it's treated as a neighbor. So it's
22 the same, you know, ten foot or fifteen foot,
23 whatever it is.

24 MS. GARCIA: Twenty percent of your side
25 area, yeah.

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1 (Simultaneous speaking.)

2 MR. DIAZ: Right, it does, which nobody is
3 paying taxes on it.

4 MR. PARDO: I mean, I think it's
5 reasonable -- I'm sorry, Mr. Chairman.

6 MR. COLLER: Could you speak into the
7 microphone?

8 MR. PARDO: I think it's reasonable,
9 because it's creating just a little more
10 separation for noise and activity. You know,
11 so it seems to be a fair deal.

12 MR. SALMAN: I have a concern.

13 MR. DIAZ: Sure.

14 MR. SALMAN: Through the Chair. We're not
15 providing any parking on this property, right?

16 MR. DIAZ: No. A neighborhood park.

17 MR. SALMAN: And one of the requirements of
18 the grant is that it provides access to the
19 waterway? Is it physical access to the
20 waterway or is it just visual access?

21 MR. DIAZ: No. No. I don't believe that
22 the grant requires that; however, the park will
23 have some viewing --

24 MR. SALMAN: No, because I see a drive or
25 what appears to be a drive.

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1 MR. DIAZ: So that drive is there, because
2 we actually use that ourselves. The Public
3 Works Department has a pontoon and that's what
4 we --

5 MR. SALMAN: You will put, for official use
6 only, it's not for public launching there.

7 MR. DIAZ: No, because that condition
8 exists right now. We need to maintain it,
9 because that's where our pontoon, if we need to
10 bring things in and out of the waterway, we
11 currently use that. So we need to main that.
12 So that's not public use, that's for the City's
13 own --

14 MR. PARDO: And the neighbors are good with
15 the park?

16 MR. DIAZ: The Parks Department has a very
17 robust public engagement, and I've done several
18 public meetings on this matter, and, you know,
19 what you see on the park is what the neighbors
20 have expressed a desire to. And, in fact, the
21 park itself will be built in two phases,
22 because we have this grant and we need to get
23 it done within a certain time period, and we
24 don't have the money to build it all in one
25 shot. So a portion of the park will be done

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1 now, and then, at a later year -- the water
2 work will actually be added later.

3 MR. SALMAN: That was my concern. I just
4 wanted to make sure we're not providing
5 parking, because I already see people fishing
6 off the other bridge.

7 MR. DIAZ: That drive is mine.

8 MR. SALMAN: And it's going to be blocked
9 off? I mean, there will be some sort of --

10 MR. DIAZ: It's gated, yes, correct.

11 MR. SALMAN: I just want to go on record.
12 I see what looks like a gate from here, but I
13 don't see that well.

14 MR. DIAZ: Right. You know, unfortunately,
15 I should have chosen a different rendering that
16 shows that area, but, yes, there is a gate on
17 that area.

18 MR. SALMAN: I just wanted to clarify. I'm
19 ready to vote for it.

20 MR. DIAZ: That's correct. Thank you.

21 MR. COLLER: Mr. Chairman, we need to find
22 out if there's any person wanting to speak on
23 this item.

24 CHAIRMAN AIZENSTAT: Is there anybody to
25 speak on this item?

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1 MS. SECRETARY: No.

2 CHAIRMAN AIZENSTAT: No?

3 THE SECRETARY: No.

4 CHAIRMAN AIZENSTAT: Close the public
5 comment.

6 Any discussion?

7 MR. PARDO: I would like to make a motion.

8 CHAIRMAN AIZENSTAT: Please.

9 MR. PARDO: To go ahead and approve the
10 Staff recommendation for receiving
11 three-quarters of that right-of-way and then
12 one-quarter for the other --

13 CHAIRMAN AIZENSTAT: So we have a motion.

14 MS. KAWALERSKI: I second.

15 MR. COLLER: That's approval of E-7, in
16 accordance with Department recommendation.

17 MR. PARDO: Yes.

18 CHAIRMAN AIZENSTAT: We have a second.

19 MS. KAWALERSKI: Second.

20 CHAIRMAN AIZENSTAT: Any discussion? Call
21 the roll, please.

22 THE SECRETARY: Javier Salman?

23 MR. SALMAN: Yes.

24 THE SECRETARY: Chip Withers?

25 MR. WITHERS: Yes.

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1 THE SECRETARY: Julio Grabiell?

2 MR. GRABIEL: Yes.

3 THE SECRETARY: Sue Kawalerski?

4 MS. KAWALERSKI: Yes.

5 THE SECRETARY: Felix Pardo?

6 MR. PARDO: Yes.

7 THE SECRETARY: Eibi Aizenstat?

8 CHAIRMAN AIZENSTAT: Yes.

9 MR. COLLER: Mr. Chairman, I don't know
10 what you want to do with E-8. We do have nine
11 minutes left.

12 MR. GRABIEL: And --

13 MR. SALMAN: Do we have new business?

14 MR. PARDO: Well, I would move to it to the
15 next meeting.

16 CHAIRMAN AIZENSTAT: I would agree.

17 MR. COLLER: Okay. So can we get a motion
18 to defer it to the date certain, then?

19 MR. PARDO: So moved.

20 MR. COLLER: So what is the date of the
21 next meeting?

22 MS. GARCIA: May 8.

23 MR. COLLER: It's a motion to defer to May 8th.

24 CHAIRMAN AIZENSTAT: Made by Mr. Pardo. Is
25 there a second?

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1 MR. GRABIEL: I'll second.

2 CHAIRMAN AIZENSTAT: Julio seconds.

3 Any discussion? No?

4 Call the roll, please.

5 THE SECRETARY: Chip Withers?

6 MR. WITHERS: Yes.

7 THE SECRETARY: Julio Grabiell?

8 MR. GRABIEL: Yes.

9 THE SECRETARY: Sue Kawalerski?

10 MS. KAWALERSKI: Yes.

11 THE SECRETARY: Felix Pardo?

12 MR. PARDO: Yes.

13 THE SECRETARY: Javier Salman?

14 MR. SALMAN: Yes.

15 THE SECRETARY: Eibi Aizenstat?

16 CHAIRMAN AIZENSTAT: Yes.

17 Thank you.

18 MR. COLLER: I did note there was a
19 discussion item. There was a discussion item.
20 I presume -- do we need a formal motion to
21 defer that? No.

22 MS. GARCIA: I don't think so. The
23 discussion item was for your homework, by the
24 way.

25 CHAIRMAN AIZENSTAT: Is there a motion to

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1 adjourn?
 2 MR. SALMAN: So moved.
 3 MR. GRABIEL: Second.
 4 CHAIRMAN AIZENSTAT: All in favor?
 5 (All Board Members voted aye.)
 6 (Thereupon, the meeting was concluded at 9:50
 7 p.m.)
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1 C E R T I F I C A T E
 2

3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7
 8

9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
 10 Public for the State of Florida at Large, do hereby
 11 certify that I was authorized to and did
 12 stenographically report the foregoing proceedings and
 13 that the transcript is a true and complete record of my
 14 stenographic notes.
 15

16 DATED this 19th day of April, 2024.
 17

18 

19 -----
 20 NIEVES SANCHEZ
 21
 22
 23
 24
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