

City of Coral Gables City Commission Meeting
Agenda Items F-1, F-2 and F-8 are related
May 8, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Frank Quesada
Commissioner Pat Keon
Commissioner Vince Lago
Commissioner Michael Mena

City Staff

City Manager, Cathy Swanson-Rivenbark
Assistant City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Mario Garcia-Serra
Sandra Levinson
George Chesrow
Henry Pinera
Martha Shiverick
Sue Kawalerski
Ken Rosen
Willy Bermello

Agenda Items F-1, F-2 and F-8 are related [0:00:00 p.m.]

An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, "Development Review",

City Commission Meeting
May 8, 2018

Agenda Items F-1, F-2 and F-8 are related – Ordinances of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the Comprehensive Plan and a change of zoning, and a resolution requesting mixed use site plan review for the mixed-use project referred to as Venera on the property legally described as Lots 11 thru 25, Block 203, Coral Gables Riviera Section 14.

Division 15, “Comprehensive Plan Text and Map Amendments”, and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from “Residential Multi-Family Medium Density” to “Commercial Mid-Rise Intensity” for the property legally described as Lots 17 thru 24, Block 203, Coral Gables Riviera Section 14 (1515 San Remo Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LPA Review) (10 11 17 PZB recommended approval, Vote 5-0)

An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, “Development Review”, Division 14, “Zoning Code Text and Map Amendments”, from Multi-Family 2 District (MF2) to Commercial District (C) for the property legally described as Lots 17 thru 24, Block 203, Coral Gables Riviera Section 14 (1515 San Remo Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (10 11 17 PZB recommended approval, Vote 5-0)

A Resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan review pursuant to Zoning Code Article 4, “Zoning Districts”, Division 2, “Overlay and Special Purpose Districts”, Section 4-201, “Mixed Use District (MXD)”, for the mixed use project referred to as “Venera” on the property legally described as Lots 11 thru 25, Block 203, Coral Gables Riviera Section 14 (1500 Venera Avenue, 1515 San Remo Avenue, and 1537 San Remo Avenue), Coral Gables, Florida; including required conditions; providing for an effective date. (03 14 18 PZB recommended approval, Vote 4-0; 1 recused)

Mayor Valdes-Fauli: Okay. We’ll go on to F-1, F-2, and F-8, items commonly known as Venera.

City Attorney Ramos: So, I will start reading them into the record. F-1 is an Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, “Development Review”, Division 15, “Comprehensive Plan Text and Map Amendments”, and Small Scale amendment procedures, from “Residential Multi-Family Medium Density” to

“Commercial Mid-Rise Intensity” for the property legally described as Lots 17 thru 24, Block 203, Coral Gables Riviera Section 14 (1515 San Remo Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. Item F-2 is being taken together. It is an Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, “Development Review”, Division 14, “Zoning Code Text and Map Amendments”, from Multi-Family 2 District (MF2) to Commercial District (C) for the property legally described as Lots 17 thru 24, Block 203, Coral Gables Riviera Section 14 (1515 San Remo Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. Together with those two ordinances, we are taking F-8, which is a Resolution for the City Commission of Coral Gables, Florida requesting a mixed use site plan review pursuant to Zoning Code Article 4, “Zoning Districts”, Division 2, “Overlay and Special Purpose Districts”, Section 4-201, “Mixed Use District”, for the mixed-use project referred to as “Venera” on the property legally described as Lots 15 (sic) thru 25, Block 203, Coral Gables Riviera Section 14 (1500 Venera Avenue, 1515 San Remo Avenue, and 1537 San Remo Avenue), Coral Gables, Florida; including required conditions; providing for an effective date. This is a public hearing item. It is also an item for which individuals need to be sworn in, as there is a quasi-judicial component on F-8 of this item.

Mayor Valdes-Fauli: Whoever wants to speak, would you rise and be sworn in, please?

City Attorney Ramos: Anybody who wishes to speak, please stand up.

Vice Mayor Quesada: Oh, a lot of people.

City Clerk Foeman: Would you raise your right hand, please? Do you solemnly swear or affirm that the testimony you will provide this morning will be the truth and nothing but the truth?

(COMMENTS MADE OFF THE RECORD)

Planning and Zoning Director Trias: Mayor, I have a very brief PowerPoint that tries to address some of the questions raised last time. Everybody is familiar with it. So, the property -- and basically, what I wanted to do was answer the very simple question of what's allowed, what's being proposed, and what the zoning requires. In fact, last night, I got an email from Debra Register asking that very, very simple question. What is the current zoning? What is being requested? And, I wish I could answer that question very simply, but our Code is not designed to answer that question simply. Our Code is a little bit complicated and it does require some images. So, I tried to put the information as simple as I could, in four diagrams. And one of them is the existing conditions. Existing conditions is what's there now. What's there now is that we have three parcels. One of them has 40 units -- 40 residential units. Another one has 47 residential units. Then there's a commercial parcel, the small parcel at 1537 San Remo, with 2,100 square feet of commercial. So, that's what's there now. In addition, what's there now is the map that you see here. That's also an existing condition. The map is commercial mostly, and then there's that MF2 residential, which is the 47 units. The other question is what was previously approved. Previously approved means a project they called, at the time, Shoma Homes, which was originally approved in 2014. It's only the northern portion of the three sites. What was approved there is 65 units and 7,600 square feet of commercial and 2,700 square feet of office space, so it's a mixed-use building. Now, in the Code -- in the complexities of the Code that confuse sometimes the discussion, the approval of a mixed-use project is what allows for residential to be in the red, in the commercial. Okay, so that takes Commission action, so it's not something that is by right or is already in the Code. So, I'm trying to give you all the background that you requested as simple as possible. Now, what's allowed by zoning? Now, what's allowed by zoning means what's allowed if no action is ever taken by the Commission, what you have in that map. So, what happens is this. If you look at the zoning map in the commercial areas, you can build commercial square footage. As I said before, it would require Commission action to do mixed-use, to build any kind of residential. So, what's allowed by zoning in the red is shown as commercial. And then, what's allowed in the brown, which is the residential, is 49 units, which is very close to the existing conditions. That's basically -- its 47 right now and the density will allow 49 units. Now, what is the proposed development? The

proposed development, as you can see, is a mixed-use site plan, so all of a sudden, we have residential units in both of those two parcels. And also, as you can see, the map has been changed so it's all red. Now, what happens when it's all commercial, then a mixed-use site plan can be done, can be requested from the Commission. It requires Commission action. Now, if that were to happen -- again, this is the proposed development. There's 84 units in the northern parcel, 81 units in the lower parcel, and then 15,000 square feet of commercial in the smaller parcel at 1537 San Remo. So, that is what's proposed, broken down into -- it's one project, but if we were to break it down and compare it to the other three parcels. Now, in terms of changes since the original design, as we all know, that commercial area or 1537 San Remo, was included, and then that resulted in some changes at the ground level in terms of the commercial. But generally speaking, the project continues to be the same as it was. Now, the second and last question that I want to answer is the notice. There has been considerable discussion about notice. And I think that, perhaps, we need to explain more carefully that there are multiple ways that we notice and we notice 1,500 feet, which is more than most cities -- certainly, most cities in Miami-Dade County -- and that we do it multiple times. In fact, in this project -- in this project alone, there were five times that there were letters mailed to the neighbors, including for this meeting, which is not in the Code. It's not a requirement of the Code. It's in excess of what the Code requires. So, there have been multiple ways, by mail -- four times the property was posted, which is when you place a sign at the property and people can see the details of the meeting. There were multiple times that this was -- that the various meetings were posted on the website and five times that we had newspaper advertisement. And the newspaper advertisement is the one that is required by state law, so that's the one that fulfills that requirement. So, those are the two issues that I wanted to discuss. I think that the applicant...

City Manager Swanson-Rivenbark: And Ramon...

Planning and Zoning Director Trias: Yes.

City Manager Swanson-Rivenbark: If I may. If you can go back to noticing. While we noticed today as a courtesy notice, we are changing the Code so that it will be a required notification moving forward.

Planning and Zoning Director Trias: Absolutely.

City Manager Swanson-Rivenbark: It's going to take research from the City Attorney's Office, but they're already working on that to revise the language so that when an item of zoning and land use comes before the City Commission, they will receive -- 1,500 feet will receive notice. In the meantime, we're doing it as a courtesy notice.

City Attorney Ramos: That's correct.

Planning and Zoning Director Trias: That's the end of my presentation. I -- the applicant may have some presentation for you.

Mayor Valdes-Fauli: Thank you. Applicant?

Mario Garcia-Serra: Good morning, Mr. Mayor, Commissioners. Mario Garcia-Serra with offices at 600 Brickell Avenue, representing the applicants here today on the Venera project. My understanding was that the public hearing had been closed at the last City Commission meeting. We do have some comments. We do have some questions, which I think we want to address as far as density and the issue of student housing. So, if you'd like, I could go ahead and at least...

Mayor Valdes-Fauli: Alright.

Mr. Garcia-Serra: Give that initial...

Commissioner Lago: Sure.

Mr. Garcia-Serra: Presentation. On the important topic of density, which is what Ramon was just talking about, I think it's important to also take a historical perspective here and see what other mixed-use projects have been approved and at what density in the past. Here is a listing of all 16 mixed-use projects, which have been approved in the City of Coral Gables since the original adoption of the mixed-use regulations back in 2004. It's in chronological order, starting with One Village Place, which was the first project approved, back in 2004, and then ending with 33 Alhambra, which was the most recent one. Of these 18 projects, 12 of them were at a density of either 92 units per acre or higher. We -- right now, this project, as its proposed today, is at 93 units...

Mayor Valdes-Fauli: Can you...

Mr. Garcia-Serra: Per acre.

Mayor Valdes-Fauli: Can you go down with the dates and...

Mr. Garcia-Serra: Sure.

Mayor Valdes-Fauli: Please.

Mr. Garcia-Serra: Sure. The first one there, One Village Place, is the one that's located right close to Bird Road. It was developed by Mr. Oscar Roger, and indeed, was sort of the impetus or the motivation for the mixed-use regulations there around the Village of Merrick Park. And that was approved at 147 units total. That's what's actually existing, and the density was 120 units per acre. Villa Laguna was a predecessor project to The Henry. That's now the site where The Henry project's being built. That was 96 units, approved at a density of 96 units per acre. It's pretty much exactly an acre in size, that property. Gables Gateway, which everybody's familiar with, developed by Gables Residential, is at 109 units per acre. Then comes Giralda Complex.

Giralda Complex is just being finished in construction right now. I think everyone's familiar with it. That one is one of the six that are below the 93 units per acre, and it's at 77 units per acre. Now, the interesting thing about Giralda Complex -- the six projects here that are less than 93 units per acre -- two of them are predominantly office developments; Giralda Complex being one of them. The other four which are below 93 units per acre have not been built yet. And, I would -- they have not been built yet in part because of how low their density is, affecting their economic viability. Giralda Complex, of course, is built, but that's a very significant office component in that project also, aside from the residential. As you can see, the residential component's relatively small, at 44 units. 4311 Ponce, an old project there -- it's been two projects on that site, never built. That was approved at 11 units per acre. Again, that was predominantly retail and office also in its makeup. 4535 Ponce II is also known as the second phase of the Gables Residential project, the Gables Ponce. That was at 149 units per acre. Merrick Manor, which is finishing up construction now, 150 units per acre. 2020 Salzedo Street, which I believe is called the Sofia now, is at 134 units per acre. 100 Alhambra, which is also finishing up construction, is at 61 units per acre; one of the few that are below 93 units per acre. Again, remember, that is part of the greater Columbus Center project. So, the site that was approved there had a phase one and phase two site, with phase one being the office, phase two being the residential. That's more office, actually, than it is residential. Shoma Park Tower, interestingly enough, that is the project that was previously approved on the north portion of the Venera site. And, you'll see that it was previously approved at 92 units per acre. Another project came along for 4311 Ponce, which was never built, 17 units per acre. Again, that's sort of an example that when you get too low on the density, you start affecting the viability -- economic viability of the project. Collection Residences along Bird Road, an entire city block. That was pretty much strictly residential and ground floor retail. Again, 44 units per acres, a low density, which I think affected -- among other issues -- the viability of that project. One Merrick Park, very close to the Village of Merrick Park, again has not been built, does not appear like it will be built; a density of 51 units per acre. Paseo de la Riviera -- everyone's very familiar with that project along Dixie Highway, which recently commenced construction, 93 units per acre. Gables Ponce III, approved, not yet built; 120 units per acre. Gables Station, close to getting its

building permit; 103 units per acre. The Henry, right next to Merrick Manor, under construction right now; 122 units per acre. And then the 33 Alhambra project, 169 units per acre. Again, where we are right now in density on this project -- 93 units per acre -- tends to appear to be, you know, proven by these statistics to sort of already be at the lower end of where we could be potentially on density in order to get the project done. Not to say that there is not room for additional modification to make sure we have a project that has the full hearted support of this Commission. But again, that's sort of where we are right now as far as the density is concerned. You know, it's hard to just look at the maps right now and say what is or what isn't permitted. One slide that Ramon did not show, but I have one here that I can show is what could we potentially do on this site without the change in zoning, without the change in land use and just a mixed-use approval on the commercial components of the project and that yields 150 units per acre. So, that is sort of -- 150 units, excuse me, in total, as far as the amount that could potentially be developed. So, that, I think, is the sort of nutshell of density. We're already at sort of the lower end of projects that have been built before. We're looking, of course, to have something that everybody feels comfortable with, so there could still be some going back and forth on that number, but I think we have to be careful in what the range is as far as what the appropriate density is.

Mayor Valdes-Fauli: Thank you.

Mr. Garcia-Serra: So, that's density. I don't know if anybody else wants to discuss that point right now. We could also go on to, I think, the important issue because it goes to the heart as to what our submittal's all about and how accurate it is, which is the student housing issue.

Mayor Valdes-Fauli: Please.

Mr. Garcia-Serra: A lot of discussion has been generated by these documents that were found on the Dodge website about what the intent of this project is. The intent of this project. This project has to be judged by its submittal. In all of its submittals, it has always been a straight-

forward apartment complex. There's never even been a mention of student housing. We've already discussed how there's no issue of shared bathrooms or communal facilities like there are quite often in dormitories and other sorts of student housing facilities. And, the documents -- if you look at these documents -- if we were to sit here and dissect each of these documents and go page by page, you will never see the applicant's name anywhere on there. You will see the name of Landmark Properties, which is a well-known student housing developer, a developer which appears to be interested in trying to acquire this site and has been going through the work of trying to do its due diligence to decide what price to propose and, you know, what its offer could potentially be on the site. And, they were represented or that -- some of that work was done by the same architect, who is the project architect on this project right now, Bermello Ajamil & Partners. But, if you were to ask Mr. Bermello himself -- as he's told me before -- this -- that endeavor by Landmark was strictly that. It was a due diligence exercise to try to elaborate plans to see what they could potentially build if they were to ever become the owners of the property and nothing more than that. The actual ownership of the site is established by the deeds that are on record. My client's come up here before and he has confirmed that he is going to be the developer that's going to develop this project. He does not have any sort of arrangement or relationship with Landmark. He can repeat that, if necessary. And here, we have to, very importantly, judge the project by the project. We can't judge the project by the owner. We can't judge the project by who a potential future tenant might be. This project has to stand on its own merits. And it's a project, which has been unanimously approved by every board that has reviewed the project, and it's been very well received by the City's professional staff. You know, that's the criteria by which it needs to be judged, not other sort of suspicion or what might have been found online on some point in time that has in no way been connected with the actual applicant here. That's sort of relying on hearsay, practically, to convict somebody. We've got to judge this application by what's before us today, and we're standing by it. We've already proffered covenants tying ourselves to these actual plans, which is somewhat unusual for this stage of the process for rezoning, but it's because we are standing by this project and we're going to build it and this is a project which should be voted upon, not something else that might or might not happen, which might or might not be us. It isn't us. Thank you.

Mayor Valdes-Fauli: Thank you, Mr. Garcia-Serra. Let me call the public.

City Attorney Ramos: The public hearing was closed during the last time it came up. If there is a matter that has not been discussed before, we can take public comment on that narrow issue. But if it is a repetition of what's already been discussed, the public hearing has been closed.

City Manager Swanson-Rivenbark: Was this item...

Mayor Valdes-Fauli: This is the fourth time this comes before us. And, I will listen to testimony on new issues that have not been discussed before. Sandra Levinson. New issues. Remember, I'm going to cut you off if it's not a new issue.

(COMMENTS MADE OFF THE RECORD)

Mayor Valdes-Fauli: Welcome.

Sandra Levinson: Thank you. Good morning.

Commissioner Mena: Morning.

Mayor Valdes-Fauli: Good morning. You have one minute, please.

City Attorney Ramos: And please state your name and your address, ma'am.

Ms. Levinson: My name is Sandra Levinson. I live at 918 Alfonso Avenue, Coral Gables. I've lived there since 1989. I'm here to ask the Commission to vote against the Venera project, because of the increase in the density. Is it alright to continue?

Mayor Valdes-Fauli: Yes, of course.

Ms. Levinson: Thank you. The increase in the density that the developer's asking. This is a significant increase in density and will over-flood our neighborhood with already unmanageable traffic with no end in sight. The current Riviera school and Riviera spa, better known as a convalescent home or nursing home, in addition to the constant in and out flow of the traffic at the Publix parking lot and the use of Kerdyk Park by many members of the community is putting the density in a paralyzing area for our street. Our traffic...

Mayor Valdes-Fauli: Thank you, ma'am. We discussed density before, but you know, we take note of your opinion.

Ms. Levinson: Well, I appreciate the opportunity to speak.

Mayor Valdes-Fauli: Thank you.

Ms. Levinson: Thank you.

Mayor Valdes-Fauli: Thank you. Debra Register.

Debra Register: I pass (INAUDIBLE).

Mayor Valdes-Fauli: What?

Commissioner Lago: She passes.

Ms. Register: I pass (INAUDIBLE).

Mayor Valdes-Fauli: You pass, okay. George Chesrow.

George Chesrow: Good morning, members of...

Commissioner Lago: Good morning, sir.

Mr. Chesrow: Honorable Mayor, Vice Mayor, members of the Commission.

Mayor Valdes-Fauli: Good morning.

Mr. Chesrow: I live at 1230 South Alhambra Circle, within 1,500 feet of this project. This April 27 notice is the one and only notice I got from the City of Coral Gables, no others. The notices the developer's talking about are informal notices for community meetings, and I did attend one such meeting at the San Remo Complex. At that time, I had an opportunity to talk to the traffic engineer. It's very apparent that the information that was presented to you was based on some mistaken information. The traffic engineer told me that no consideration was taken into effect of increased traffic at the intersection of US 1 and South Alhambra Circle. All the...

City Attorney Ramos: Mr. Mayor, I think traffic's been addressed in previous hearings.

Mayor Valdes-Fauli: Yeah, that's been addressed before, sir. Are there any new issues that have not been addressed?

Mr. Chesrow: I'd like you to deny the zoning.

Mayor Valdes-Fauli: Thank you, sir. Thank you very much.

Commissioner Lago: Thank you.

Mayor Valdes-Fauli: Henry Pinera. Thank you. Good morning, sir.

Henry Pinera: Good morning. Hi, guys. So, let's see, Henry Pinera, 1215 Aduana Avenue. I have been sworn in. I want to make sure that we note that a number of people may not have been sworn in if there's any additional questioning at a later time. In terms of new issues, notifications, I would like to address the point brought up by Ramon Trias. I have an email stating that no notifications -- and I want to make sure that this is on the record for all of you guys -- that no notifications regarding the Commission hearings were sent prior to this meeting, and I can forward that email to you as part of this. But I think Ramon was also copied, so he's very aware of that. The other point that I would like to make is on the subject of the change -- and this is why it is a new perspective -- on the subject of the change in density from the original reading. The original reading had you guys evaluate 327 bedrooms. After that change requested by Mr. Mena, there was...

Mayor Valdes-Fauli: Please finish up.

Mr. Pinera: I understand. Mr. Mas had a good amount of time to talk. If you could...

Mayor Valdes-Fauli: Sir, I have imposed a limit. Please finish, as opposed to arguing.

Mr. Pinera: Okay. The first reading showed 327 bedrooms. This is the student housing project as we have shown. The second reading showed -- it is also at 327 bedrooms. There has been no substantial change in the density as what -- as defined by what the residents care about.

Mayor Valdes-Fauli: Thank you, sir.

Mr. Pinera: Typically, the number of...

Mayor Valdes-Fauli: Thank you very much.

Mr. Pinera: Users.

Mayor Valdes-Fauli: Thank you. The Reverend Martha Shiverick. Good morning.

Martha Shiverick: Hi. I'm Martha Shiverick, and I'm the Pastor of Riviera Presbyterian Church. And, we are that little church that half of our property is in Coral Gables and the other half is in High Pines. You know which one. We did not get notification about this -- and we are within the 1,500 square feet -- until you all sent us something two weeks ago. And so, our long-range planning committee did meet last night and asked me to come in and discuss with you a couple issues. I think most of them have been addressed already, so I don't know that I need to, except for the numbers, the parking. We see parking as a real issue. We know it is, as a church, that parking is a real issue. And, the height will change the feeling of the neighborhood as well. I have a letter that the committee has asked for me to put into the notes, and if I could just...

Mayor Valdes-Fauli: Please do.

Ms. Shiverick: Speak on a personal -- I understand that the -- it's going to be marketed towards the UM students, and I have a nephew who's a freshman at UM and I know that housing is an issue. After what happened last week...

Mayor Valdes-Fauli: Please conclude.

Ms. Shiverick: Crossing...

Mayor Valdes-Fauli: Yeah.

Ms. Shiverick: I just hope that crossing Route 1 will be considered for all these students that will be...

Mayor Valdes-Fauli: Thank you, ma'am.

Ms. Shiverick: Thank you.

Mayor Valdes-Fauli: Thank you, Reverend.

Commissioner Keon: You can -- to the Clerk.

Mayor Valdes-Fauli: Sue Kawalerski. New issues. Good morning.

Sue Kawalerski: Good morning, Commissioners and Mayor. My name is Sue Kawalerski. I live at 6830 Gratian Street, and I'm representing the Riviera Neighborhood Association today. My new issue is an issue of voracity versus deception. Two weeks ago and on the record, Mr. Garcia-Serra stated on the record that this new proposal before you would increase the density by only 10 percent over what is currently allowed. Commissioner Quesada, help me out here, please. Take 135 -- that's the number of units allowed currently -- and add 10 percent to that, please.

Commissioner Mena: 148.5.

Mayor Valdes-Fauli: Ms. -- you're wasting time. Please...

Ms. Kawalerski: We're not...

Mayor Valdes-Fauli: Go ahead.

Ms. Kawalerski: Wasting time. I'm asking for assistance, please.

Commissioner Mena: It's 148.5.

Ms. Kawalerski: 148.5. That's 10 percent increase in density. Before you, you have a project at 165 units. I think we are being deceived. If 165 equals 148, please let me know. Something doesn't add up here. And, this is on the record that the lawyer for this developer said it was an increase of 10 percent. In fact, it is an increase of over 20 percent. On that grounds, we...

Mayor Valdes-Fauli: Thank you, ma'am.

Ms. Kawalerski: Ask you deny this application.

Mayor Valdes-Fauli: Thank you. Ken Rosen. This is the last person that wishes to speak. Have you been sworn in?

Ken Rosen: Ken Rosen.

Mayor Valdes-Fauli: Have you been sworn in?

Mr. Rosen: No.

Mayor Valdes-Fauli: Will you swear him in?

City Clerk Foeman: Do you solemnly swear or affirm that the testimony you will provide here this morning will be the truth and nothing but the truth?

Mr. Rosen: I do.

Mayor Valdes-Fauli: Thank you, Mr. Rosen. Go ahead.

Mr. Rosen: We own -- when I say we, my wife and I -- it's in a family trust actually -- own the two buildings across the street from this, Park Place I and Park Place II. We sold Park Place I to Baptist. They were a tenant in that building. We sold that building. We still own Park Place II. I support -- we support this. We think it's good for the area. It's 165 units at 9 stories, about an acre and a half altogether, maybe close -- even more than that. And there's a need for it. We don't see that it does anything, but embellish the area. In fact, it had retail -- it was originally 30,000 square feet of retail. I believe it's 20,000 square feet of retail now. That's the way I read it this morning, so there's a reduction there in the amount of retail. And it's 165 units. Originally, I think it was 175 units, but there are more three bedrooms now. But in general, you can't hold up progress.

Mayor Valdes-Fauli: Thank you, sir.

Mr. Rosen: And I -- we support the application.

Mayor Valdes-Fauli: Thank you very much, Mr. Rosen. Alright, Mr. Garcia-Serra, you want to rebut or...

Mr. Garcia-Serra: Sure, a short rebuttal, Mr. Mayor. First of all, on the issue of density, let me tell you how I arrived at 150 being the amount permitted and 165 being the amount that's proposed and that being a 10 percent increase. This -- scenarios are very similar to what you have seen before that staff presented to you. The top, as of right -- meaning, only Board of Architects approval and what's potentially permitted, the amount of office and for commercial area of 104,000 on one site, 18,000 on the other, and then 49 units on 1515 San Remo. The middle slide is what's here. And if you look at that middle slide, the color change the same. The Venera project -- the 1500 Venera is still red. 1537 San Remo is still red. 1515 San Remo's still brown. But, if we were to do a mixed-use site plan approval on the commercial, red portions, of this site, we would potentially get 150 residential units. That is where I got 150 units with a 10 percent increase being 165. That's what we have maintained all along for a long time. That's

even what was in your staff memo. If you look at the staff memo that went to the Planning and Zoning Board and it looks -- and it lists what is potentially permitted with a mixed-use site plan approval, it's 150 units under that condition. The bottom is what we're proposing right now. Everything red, including 1515 San Remo, which could yield potentially, if we were to just develop pursuant to that zoning, somewhere around 220 some units, I think. But, the amount that's being proposed right now is 165. We are not marketing towards students. I don't know where they ever -- that ever came up from. I would challenge anyone to go out there and try to find anything that has this developer's name on it marketed to any of sort of students. And there was discussion about traffic. We've had extensive presentations on traffic. We do have our traffic engineer, Tim Plummer, here to talk about what could be permitted -- what -- how much trips could be generated by that first scenario, which is actually considerably higher than what could be -- proposed to be generated by what's proposed right now is 165 units.

Commissioner Mena: Can we talk about that first scenario?

Mr. Garcia-Serra: Sure.

Mayor Valdes-Fauli: Sure.

Mr. Garcia-Serra: You want me to ask Tim to come up?

Commissioner Mena: No. I...

Mr. Garcia-Serra: Okay.

Commissioner Mena: I -- eventually, yes.

Mr. Garcia-Serra: The very first one.

Commissioner Mena: Two things. One, do you have the comp plan, by any chance?

Mr. Garcia-Serra: The Comprehensive Plan on me right now?

Commissioner Mena: Yeah.

Mr. Garcia-Serra: No, I don't.

Commissioner Mena: Okay. That first scenario -- you have a site plan approved right now, correct?

Mr. Garcia-Serra: Previously, before 1500 Venera.

Commissioner Mena: Right. And that's good through September of 2019.

Mr. Garcia-Serra: Ramon had the exact date. January of 2019.

City Attorney Ramos: I believe the letter says September, Ramon.

Commissioner Mena: The letter I saw said September.

Planning and Zoning Director Trias: Yeah, the thing about that...

Commissioner Mena: Can you explain that?

Planning and Zoning Director Trias: Let me clarify that issue because the site plans are approved for a year and half. However, the Governor of Florida has extended all approved permits multiple times.

Commissioner Lago: To 2019.

Planning and Zoning Director Trias: So, in this case, it's 2019.

Commissioner Mena: The letter that I saw from your office...

Planning and Zoning Director Trias: Yeah.

Commissioner Mena: Says September of 2019.

Planning and Zoning Director Trias: Yeah.

Commissioner Mena: That's what I'm going by.

Planning and Zoning Director Trias: And, what happens is that it may be extended further in the future, possibly, like it was extended in the past, so I wanted to make that clear.

Commissioner Mena: I don't know that it's clear because, again, I have a letter from your office saying one thing and you're saying something else right now, so I'm a bit confused.

Planning and Zoning Director Trias: What I'm saying is that letter is correct and that letter also says...

Commissioner Mena: That letter says September of...

Planning and Zoning Director Trias: Yes.

Commissioner Mena: 2019.

Planning and Zoning Director Trias: And it has, I think, three extensions, if I remember -- from my recollection that were approved by the Governor's office in the past.

Commissioner Mena: Alright, thank you.

Mayor Valdes-Fauli: Go ahead.

Commissioner Mena: So, the currently permitted that you're using and that Mr. Plummer apparently used in his traffic studies is not the current site plan for the north parcel. It is the maximum allowable under commercial zoning.

Mr. Garcia-Serra: Right.

Commissioner Mena: So, that assumes you don't build what you originally came to the Commission and requested a site plan for, correct?

Mr. Garcia-Serra: Correct. We could potentially develop pursuant just to the underlying zoning and not the previous site plan approval. Now...

Commissioner Mena: If you don't do what you originally asked for approval on.

Mr. Garcia-Serra: Correct.

Commissioner Mena: Alright, and...

Mr. Garcia-Serra: The...

Commissioner Mena: Isn't that really the nexus of the covenant, which you said was kind of strange earlier?

Mr. Garcia-Serra: Exactly.

Commissioner Mena: Isn't it because what you...

Mr. Garcia-Serra: The covenant...

Commissioner Mena: Previously asked to do, you're not actually doing.

Mr. Garcia-Serra: The covenant has been proffered to address that possibility.

Commissioner Mena: Right. So, what you're using as currently permitted is what's currently allowed by zoning, so shouldn't then we really be looking at what zoning would allow you to do on this new project?

Mr. Garcia-Serra: As far as the 1515 San Remo site is concerned?

Commissioner Mena: Yeah, we're talking about your site plan.

Mr. Garcia-Serra: Right.

Commissioner Mena: And, we've been talking about unit counts and...

Commissioner Lago: Density...

Commissioner Mena: You know, density...

Commissioner Lago: And intensity.

Commissioner Mena: And all these things, and I presumed that was discussed four years ago when the predecessor Commission to this one approved the north parcel and you were going to build 65 units and 2,700 square feet on that north parcel. Now, we're going off and -- what's currently permitted and you're saying it's 104,000 square feet of office and zero units on the north parcel, which, to me, is concerning because, you know, I understand we have this covenant in place and this covenant would allow you to come back and -- would require you, excuse me, to come back to build something other than whatever site plan is approved, but you would still be operating from a position of an increased zoning, right, which I'm just looking at the spreadsheet here. By my math, if we increase the zoning on the south parcel, the commercial, you would, under the Zoning Code, be allowed to build 270,000 square feet of commercial.

Mr. Garcia-Serra: But again, that covenant that we've proffered already, already fully signed, obligates us to build exactly what we've presented to you.

Commissioner Mena: Or to come back to us.

Commissioner Lago: To another Commission.

Mr. Garcia-Serra: In order to build anything else, we would...

Commissioner Mena: Right.

Mr. Garcia-Serra: Have to come back in order to modify that covenant.

Commissioner Mena: Right, but you'd be coming back to us with a commercially zoned property.

Mr. Garcia-Serra: But I think...

Commissioner Mena: Right.

Mr. Garcia-Serra: It clearly established that we have obligated ourselves to build that plan.

Commissioner Mena: Okay.

Mr. Garcia-Serra: To this proposed plan.

Commissioner Mena: I'm just -- you know, the trouble with some of the comps that you're giving us, in particular, on the traffic studies is -- and I understand why you're using that number, but it's not a comparison to what's there today, that's for sure. So, when you have residents who are concerned about the impact of these buildings on the increase in traffic and all these things. You know, the comparisons we're getting and the numbers we're getting and the studies we're getting are not based on what's there today. They're based on this hypothetical 104,000 square feet office building, which -- correct me if I'm wrong -- I'm not even sure if you could build that when you account for parking and height requirements and...

Mr. Garcia-Serra: Well, I...

Commissioner Mena: Lot coverage and all those things.

Mr. Garcia-Serra: There's been a lot of different graphs showing, okay, trip generation if we did this or if we did that. It's very important to know that the real traffic study, the one that's referenced in the resolution, that's one of those scenarios. The traffic study referenced in the resolution, the traffic study that staff has used to formulate its recommendations is based on exactly what we're proposing. So, the trip generation numbers you see in that traffic study is what indeed (INAUDIBLE)...

Commissioner Mena: Which is these numbers?

Mr. Garcia-Serra: To be developed. Correct.

Commissioner Mena: Right.

Mr. Garcia-Serra: Right.

Commissioner Mena: But, these numbers are based on...

Mr. Garcia-Serra: Just those (INAUDIBLE).

Commissioner Mena: Building a 104,000 square foot office building on the north parcel.

Mr. Garcia-Serra: Right.

Commissioner Mena: Which is not what you originally asked for...

Mr. Garcia-Serra: Correct.

Commissioner Mena: Is not what you're asking for now. It's just based on -- purely on zoning.

Mr. Garcia-Serra: Right. But, I think it's still -- it's a relevant part of...

Commissioner Mena: Okay.

Mr. Garcia-Serra: The discussion.

Commissioner Mena: Okay.

Mr. Garcia-Serra: Because, indeed, that zoning exists today. And like I tell you, at the end of the day, it's the traffic study that's required by the City, which is reviewed by the City by outside traffic engineers hired by the City that establishes are we in compliance with traffic concurrency; what sort of mitigation do we need to do to make sure traffic isn't an issue. The traffic study's been done and the recommendations have been, you know, made and we're complying with them.

Commissioner Mena: Understood. With respect to the comp plan, we've seen -- Ramon showed us -- I know you've showed us the zoning map for this area. But with respect to the comp plan, isn't it correct that the properties immediately to the west and to the south are not commercial high-rise, but are actually commercial mid-rise?

Mr. Garcia-Serra: We have that map and we could take it out. To the west, commercial low-rise. To the...

Commissioner Mena: South.

Mr. Garcia-Serra: South is commercial low-rise also.

Commissioner Mena: The entire -- basically, the entire two blocks to the south, between there and Sunset, are commercial low-rise, right?

Mr. Garcia-Serra: Let's take out -- we'll take out the map and we can look at it right now. So, there's the map, both large and small. If you look at the Future Land Use Map, you'll see the north part of the property is commercial medium, that red color; to the west, commercial low; to the south, commercial low, but very importantly, to the north, commercial medium. I think there's consistency and this is something that planners do. Considering that these properties are facing the park and they're already designated at the medium intensity because the residential, the brown area, right now is residential medium. The fact that there is that large, open space

there is what justifies the medium intensity development. So, you see, to the north is medium -- the commercial medium. And then, also fronting Red Road is commercial medium.

Commissioner Mena: Alright. It's -- I mean, it's certainly not the island, if you will, that the zoning map makes it appear to be, the south parcel, which is surrounded by red. In the comp plan, it's a little bit different.

Mr. Garcia-Serra: Right.

Commissioner Mena: Obviously, the stuff that fronts sort of the area that's up against US 1 is a little bit higher than what is down and closer to the residential. And by the way, if you see the sort of two royal blue parcels over there, which are Riviera Day School, and you move over, there's a number one and a number two. Number two's my house. That's my house on your map. I know this area pretty well. I've articulated in the past to you and in these meetings my concern about the impact of this scale development on this neighborhood, because it really is going to change the neighborhood in a...

Mr. Garcia-Serra: Right.

Commissioner Mena: In a meaningful way. I've also articulated the fact that I think some redevelopment on this property is certainly justified. I think the properties that are there now are not in the best condition. I know the gentleman to the south spoke that he sold one of those parcels. It's been demolished and I'm not sure exactly what Baptist is planning to build there. But this is what's really sort of concerning me here. And, let me say two other things in conjunction with that because I think it's important. I agree with you on two things. One, this shouldn't be about hearsay and whether or not things are being marketed or not in a certain way. You know, I don't know the answer to that and it's certainly not something I can base my decision on. I need to base my decision on zoning and land use issues and how this impacts the neighborhood, so I agree with you on that. The second thing is I -- and to Ms. Kawalerski's

point -- and I understand where she's coming from, because I think there was some confusion about the calculations last time. You know, I think, just to clarify that point a little bit on your behalf, frankly, because I don't think you were -- it was a lack of honesty on your part, I really don't. I think the distinction is you were using the third parcel as your baseline in terms of what's allowed by units, which would give you, 150. The distinction being, though, it's not only then a 10 percent uptick to 165. It's a 10 percent uptick plus an office building, you know, so it's...

Mr. Garcia-Serra: (INAUDIBLE).

Commissioner Mena: It's the -- and we talked about that a little bit last time as well, so again, I understand there's a lot of numbers involved here. But, my concern continues to be really what I think this particular map illustrates best, that, you know, the intensity around this particular lot -- and I -- again, I walk this neighborhood every day. I believe that this project is, for my taste, will have too great of an impact on the neighborhood and would impact the quality of the neighborhood in that respect. I think there's a project that could be built here. We've talked about that in the past, but that's where I am with this at this point in time.

Mr. Garcia-Serra: Understood. We're prepared to talk about density, if that's your concern.

Commissioner Lago: Commissioner, if I may. I just want to -- because I'm kind of in the same boat, but I think that there deserves to be a project on that site. There deserves to be something beautiful which kind of, again, brings a certain product to the neighborhood and a certain vitality to the neighborhood. But again, I also have my same -- similar concerns. One of them is density and one of them is intensity, because I know that there's an additional 65 -- are we still at 65,000 square feet of additional...

Mr. Garcia-Serra: Let's ask Ramon (INAUDIBLE).

Commissioner Lago: I want to be clear, and we'll get Ramon up here. Because I met with Ramon this morning before the Commission meeting, but I didn't have the memo. So, I agree with you, but I see -- what I wanted to also understand is when you look at a 10 percent increase, you're talking about 148.5 percent -- 148 units or so, correct?

Commissioner Mena: Off the 135...

Commissioner Lago: Off the 130...

Commissioner Mena: Which is just talking about the north and south parcel, not the Lowe Realty parcel.

Commissioner Lago: And, that's where we have the -- that's where we have a little bit of the same concern.

Commissioner Mena: Right.

Commissioner Lago: And we were talking about. Ramon, come on up here for a second. I just want to be clear. Let's talk about density and intensity. As of right -- and what is the difference as per -- as proposed right now, and let's be clear. And then I want to jump over to Mario and I want to talk about parking and I want to talk about public improvements, okay?

Planning and Zoning Director Trias: This is the image that I like to show when we talk about as of right, because the problem with the attorney's argument is that to get the 150 units, you have to take action. You have to approve a mixed-use site plan. So, as of right, when you have a commercial, it's commercial, so that's what happens. And then it is residential right here. Now, once you do the mixed-use project, that's when you get the residential units in the commercial zoned property. So, that's the problem with that question, so -- now, in terms of the concept if the Commission were to approve a mixed-use site plan to the maximum density that is allowed,

which is the argument that the attorney's making, you could go to 125 units per acre, and you could approve that. But, that's not something that I would describe as of right by any means. I mean, that takes an approval by the Commission. The Commission may approve less, depending on the impacts, maybe...

Commissioner Lago: Which is what's being proposed by...

Planning and Zoning Director Trias: Right.

Commissioner Lago: The applicant.

Planning and Zoning Director Trias: Right. So, the applicant right now is proposing a density of 93 units per acre. Now, 93 units per acre can be compared to 50 units per acre that is allowed in the MF2. That's what allowed. Or you could also compare it to the 125 units per acre that is -- would be allowed should the Commission approve a mixed-use site plan. But, those are the data -- that's the data that I think may help you make that...

Commissioner Lago: But, my question to you is this -- because this is something that we've been discussing for almost a year now. And, I have all the applications here in regards to P&Z. Where does the -- the applicant continues to say that it's 135 units as of right currently in the project. I mean, that's...

Planning and Zoning Director Trias: Well...

Commissioner Lago: And, I've gone over my notes with you on multiple occasions. I want to go into detail because, again, I think that there needs to be a change and we're going to discuss certain things about, you know, parking. We're going to discuss traffic impacts. But I want to understand and make it very, very clear and memorialize today if we are going to approve this

project or deny this project, I want to know what is the actual changes and differences in regards to what is being requested by the applicant and what's currently allowed.

Planning and Zoning Director Trias: And, what I would say is that the additional issue with what's currently allowed is the project that was approved in this northern parcel right here. That's 65 units.

Commissioner Lago: Sixty-five residential units.

Planning and Zoning Director Trias: Yes. That was approved, plus the commercial downstairs. Now, what they're requesting is 84 in that parcel right there, and then 81 in the other parcel, so that is something -- again, that number may help us or may help you explain the request a little bit better. I wish I could make it simpler, but that is the nature of the Code. The Code is complex, because it requires action by the Commission to have residential in commercial as mixed-use approval. So, those are the -- I think those are the simplest -- maybe I can get another easel if...

Commissioner Mena: The issue...

Commissioner Lago: So, if you take into consideration the 1500 Venera piece, that's about a 30 percent increase in density, correct, from what's currently allowed? You're currently allowed 65 units...

Planning and Zoning Director Trias: 65 to...

Commissioner Lago: That you're asking to go up to 84.

Planning and Zoning Director Trias: Yes.

Commissioner Lago: So, that's currently -- that's about a 30 percent increase.

Planning and Zoning Director Trias: Right. That's based on our analysis of the project, yes.

Commissioner Lago: So, again, I don't have a problem with you telling me, Vince, you were wrong. But, on multiple meetings that I've had with staff and with you -- I've even said it up here -- as of right, we were discussing -- remember, is it 125, is it 135? I just want to have a little clarity on that, because when I meet with the residents, they've told me, Vince, it's 125. No, it's 135 units that's allowed as of right. I think there's a lot of confusion on that.

Vice Mayor Quesada: I remember seeing in the documents, in the staff report...

Commissioner Lago: And am I wrong...

Vice Mayor Quesada: That was presented last time...

Commissioner Lago: I'm not wrong on the issue, right?

Vice Mayor Quesada: I thought it said 150.

Commissioner Mena: It's -- you have to break it up by parcel.

Commissioner Lago: I know. That's why I want to really...

Commissioner Mena: If you just do the north and south parcel, it's 135. If you include the small parcel, the later-added parcel, that gives you another 15. So, that's why originally it was 135. The 150 number that Mr. Garcia-Serra was working off of was -- included the 15 units on the small parcel. The issue is he's not looking to build 15 units on that parcel. He's building zero units on that parcel.

Commissioner Lago: And swinging that density over to the...

Commissioner Mena: Correct.

Commissioner Lago: Again, that's what we had discussed at the previous meeting.

Planning and Zoning Director Trias: That -- yeah. And what I would say, in addition...

Commissioner Lago: Well, in my opinion -- I'm sorry, and correct...

Planning and Zoning Director Trias: Yes.

Commissioner Lago: Me if I'm wrong. Again, you're the zoning expert. Can I characterize that as kind of double dipping?

Planning and Zoning Director Trias: Basically...

Commissioner Lago: You're getting the benefit...

Planning and Zoning Director Trias: They're get...

Commissioner Lago: And you're also getting the square footage.

Planning and Zoning Director Trias: The -- and...

Commissioner Lago: Without having to build parking on site, so you can maximize your height and you're using the additional parking on the side.

Planning and Zoning Director Trias: That is the most significant benefit, in my view, the fact that the parking's somewhere else. In terms of your issue with the comp plan, the biggest distinction between the low-rise and the mid-rise, the biggest change is the height, the height that is allowed. What does that mean? Well, when you have the 97 feet, which is the mid-rise, you're able to fit the parking. When you don't have 97 feet -- when you have 77 feet in the low-rise, it is less likely that you can fit the parking, so then you end up with a smaller building. But, that is the simplest way I can explain the distinction.

Commissioner Mena: Right. Less parking, less units.

Planning and Zoning Director Trias: Yes.

Commissioner Lago: In regards to the intensity -- because I remember previously we had discussions that they were requesting an additional 65,000 square feet. I want to be clear. So, is that still the case or have they pared back that number?

Planning and Zoning Director Trias: What was the question again? I'm sorry.

Commissioner Lago: My understanding was besides the additional unit counts that they were requesting, they were also asking for an increase in the FAR.

Planning and Zoning Director Trias: Well, with Med bonus, which you get to 3.5, yes.

Commissioner Lago: I understand that.

Planning and Zoning Director Trias: Yes.

Commissioner Lago: But, they were also asking for additional, above that, 65,000 square feet. Is that correct or no?

Planning and Zoning Director Trias: I don't think I understand the analysis exactly.

Mr. Garcia-Serra: Commissioner, if you don't mind. I think I know what...

Commissioner Lago: As of right, you're allowed X amount of square feet, correct?

Planning and Zoning Director Trias: Right, right.

Commissioner Lago: Outside of what you're allowed as of right, they're asking for an additional, my understanding is, 67,000 square feet. Is that correct or no?

Planning and Zoning Director Trias: I don't understand it like that. Maybe the attorney can explain it better because...

Mr. Garcia-Serra: Commissioner, I think what you're saying basically if this rezoning gets approved, how much additional floor area is permitted.

Commissioner Lago: Yeah.

Mr. Garcia-Serra: Right? Okay.

Commissioner Lago: That's it.

Mr. Garcia-Serra: So, here and here, what's red right now, 3.5, that doesn't change. What is brown today would be permitted with Med bonus, 2.5, and we're proposing 3.5. The number for some reason in my head, I think it's closer to 50, but you know, let's -- we can go back and look at it, but it's somewhere in the range, I think, of 45 to 55, around that -- thousand.

Planning and Zoning Director Trias: Your question then was what is the change in FAR if you change the MF2 to commercial.

Mr. Garcia-Serra: Yes.

Planning and Zoning Director Trias: And I think that is the answer to that question. Yes, you are correct.

Commissioner Lago: So, you're talking about around 50,000?

Mr. Garcia-Serra: Yeah.

Commissioner Lago: Does that that into -- consider also the parcel at 1537 San Remo?

Mr. Garcia-Serra: 1537 today is -- 3.5, even though it would probably be very hard to achieve that considering the size of the property on its own.

Commissioner Lago: Well, you achieve it by not having -- by parking on the adjacent building.

Planning and Zoning Director Trias: That's the only way you can achieve it. That's the only way.

Mayor Valdes-Fauli: Let's -- let me interrupt here for a minute. I mean, because we're concentrating on parking at the adjacent building. We're concentrating on traffic, but this area today has Whole Foods, doctors' offices, Baptist, the UM offices, banks, two or three bars. It is a very disjointed area, a very disjointed neighborhood and this is a project that would bring everything together with residential, with a park, with green space, which we all want, and let's also focus on this part of the project.

Commissioner Mena: The green space was already there.

Mayor Valdes-Fauli: Huh?

Commissioner Mena: The green space was already there.

Mayor Valdes-Fauli: Yeah, but they're adding it. They're adding the green space...

Commissioner Keon: They're adding a plaza.

Mayor Valdes-Fauli: In front of the...

Commissioner Lago: Well, let's...

Mayor Valdes-Fauli: In front of the park.

Commissioner Lago: Let's move on to...

Mr. Garcia-Serra: Sure.

Commissioner Lago: My next...

Mayor Valdes-Fauli: Yeah, but that...

Commissioner Lago: Point, which was the issue of...

Mayor Valdes-Fauli: Please keep this in mind.

Commissioner Lago: Lighting, parking -- excuse, parks, sidewalks, public improvements. Let's just start discussing -- and then we'll go...

Mr. Garcia-Serra: Sure.

Commissioner Lago: Into traffic.

Mr. Garcia-Serra: Okay.

City Attorney Ramos: Mario, if you'd like, it might be helpful to go through the restrictive covenant and the different things that you all proffered...

Mr. Garcia-Serra: That we proffered before.

City Attorney Ramos: As far as improvements.

Commissioner Lago: Has anything changed from the first go around or no?

Mr. Garcia-Serra: Same as the first time around.

Commissioner Lago: Then there's nothing to go over then.

Mr. Garcia-Serra: Well, same as the first time around. That said, you know, we realized, you know, the -- two points -- two very relevant points that have come up. The mission of this City since prior to 2000 even has been to try to introduce residential components into commercial areas. That's been accomplished around the Village of Merrick Park area. It's been accomplished in the CBD, even in the North Ponce. What hasn't been accomplished is this one pretty significant commercial area of the City, which we're talking about today. So, indeed, what the Mayor's talking about, we are trying to bring those boots on the ground, as far as people

living there to really have the benefits of mixed-use. With bringing people to live there, you obviously created impacts that aren't there today, an increase in the density and floor area that we're talking about. We've proffered 125,000 for, you know, different planning and streetscape improvements and so forth. We're prepared, if necessary -- within reason, of course, with it being proportionate to the impact of the project, to proffer more, so as to try to make sure that this Commission is comfortable that if it's an issue of streetscape or parks or -- probably not parks, but if it's an issue of streetscapes or mobility or whatever it might be, that there's money there to address those impacts. You know, if we're at 125 right now, would another, you know, additional 50,000, perhaps, make sense to...

Commissioner Lago: I can't have a discuss -- I would love to have a discussion with you. You know, obviously...

Commissioner Keon: But...

Commissioner Lago: In the public...

Mr. Garcia-Serra: Let me...

Commissioner Lago: But my City Attorney would probably wring my neck.

Mr. Garcia-Serra: Well, let me say this...

Commissioner Lago: We're the -- we're one of the few municipalities that don't have the negotiation up on the dais.

Mr. Garcia-Serra: Let me say this. In order to address those impacts, if we have to, we're at 125,000 right now for streetscape/multimodal sort of improvements. We're talking crosswalks and so forth. If an additional 50,000 that can be used for that same purpose and makes a

difference in making this Commission comfortable as far as feeling that they have the resources that are going to be there to address potential impacts, you know, we would do that.

Commissioner Lago: You know...

City Attorney Ramos: And so...

Mr. Garcia-Serra: We will proffer...

City Attorney Ramos: It is perfectly permissible for the applicant to proffer whatever they would like. What is not permissible...

Commissioner Lago: Yeah, you've told me that a thousand times, and it's...

City Attorney Ramos: Okay.

Commissioner Lago: Still, to me, it's baffling...

City Attorney Ramos: I want to make it clear.

Commissioner Lago: Because I can't believe that, you know, we can't have a discussion with the residents here in front of us. I -- but I -- it's not you, it's not you. I know that you're helping make sure that we do everything by the law.

Commissioner Keon: It's just the law.

Commissioner Lago: It's just the law, you know.

Commissioner Keon: It's just the law.

Commissioner Lago: But this is my point -- and I -- you know, Commissioner Mena mentioned this before and I want to be very clear about this. Where I get a little bit confused and, to me, it's just -- again, this is not my expertise -- is the issue of 1537 San Remo. So, you're getting the square footage. The unit count is being swung over to the main project, along with the parking. To me, I can't remember -- and maybe I'm wrong -- have we done that before on any other project here in the City or would that be the first time, where a parcel of land -- the units -- the unit count gets swung over, but you still have units there, obviously, because you have commercial units.

Commissioner Mena: I think you just have to separate it in your mind and just say on the north and south parcel, what's allowed is 135.

Commissioner Lago: Yeah.

Commissioner Mena: And they're asking for 165 on the north and south parcel. Separately, on the smaller parcel.

Commissioner Lago: Fifteen.

Commissioner Mena: They're asking for an office building and to use the parking of that building.

Commissioner Lago: And the unit count...

Commissioner Mena: Right.

Commissioner Lago: To swing it over.

Commissioner Mena: No, because if you go 135 as a baseline, then you're not swinging the unit count over, right?

Mr. Garcia-Serra: The way -- I think I understand the concern. Basically, it's a double dipping concern. Are you...

Commissioner Lago: Yeah.

Mr. Garcia-Serra: Using 1537 for more than one purpose. When you assemble a site, you can do that. You know, you look at 100 Alhambra we were talking about earlier when I went through the density chart. There is -- you know, the density and floor area -- some density and floor area from the phase I Columbus Center office building was utilized in the apartment building for phase II, which is just being completed. That's an example of where that's happened in the past. That said, you know, I know where you're coming from, Commissioner. 1537 has an office building on it. It's benefiting from phase I. Is it fair -- it's, in some ways, functionally, a separate building. Is it fair to then say let's, you know, put those 15 units on the other side of the column for the rest of (INAUDIBLE).

Commissioner Lago: Has that ever been done before in the City?

Planning and Zoning Director Trias: I -- in going on my recollection, I think if we look at the Codina project, 2020 Salzedo, it has an office building in the corner. It was approved as an overall site plan. So, if I recall, it was a very similar discussion that took place in terms of the units and the FAR. Now, it's not typical. I mean, most of the time, you have a smaller project that is a more clearly defined one, a single building. But certainly, that's one of the issues with the Code. Discussion of units in terms of density is one discussion. Discussion of square footage, FAR, is a separate discussion. Discussion of the uses, you know, retail, et cetera, is also a separate discussion, so that's what happens. And, I believe that that's why the appearance is of double dipping is taking place. In a smaller project, probably it would have maybe a second

story of office, a ground level of retail and the rest would be residential with a similar program. In this case, it's a little bit different.

Mayor Valdes-Fauli: Alright.

Commissioner Lago: You want to talk about traffic?

Mr. Garcia-Serra: Sure. You want me to ask Tim to come up and...

Commissioner Lago: Please. Go ahead. And, one of the issues that we talked about traffic...

Commissioner Mena: Yeah.

Commissioner Lago: Was also making sure that we standardized all projects...

Commissioner Mena: I want to highlight something that I touched on...

Mayor Valdes-Fauli: Yeah, but...

Commissioner Mena: Earlier for you because I think it's important. Absent this covenant that we're entering into, we have what amounts to me as a major problem in our Zoning Code. If you come for approval on a mixed-use site plan and we have this whole discussion about how many units and same thing we do on every development project. But, you have to increase the zoning to commercial.

Commissioner Keon: It's a problem. It's a problem.

Commissioner Mena: Absent...

Commissioner Keon: The process to get...

Commissioner Mena: Yeah.

Commissioner Keon: To mixed use is a problem.

Commissioner Mena: Right.

Commissioner Keon: That I think they're...

Commissioner Mena: Absent...

Commissioner Keon: Working on now, yeah.

Commissioner Mena: Absent this covenant, which is -- does something about it -- although, I think we could do more in our Zoning Code, but we'll get to that on another day. But, the frustration that it creates for me is when you all voted 5-0 to approve the north parcel here, you voted based on 65 units and 2,700 square feet. This was only four years ago. You increased the zoning to commercial based on that plan. So...

Commissioner Keon: (INAUDIBLE) mixed use.

Commissioner Mena: Now, here we are today, they decided we're not going to build that, the mixed-use site plan that you guys approved and...

Commissioner Lago: Like I mentioned before...

Commissioner Mena: Right.

Commissioner Lago: It's a 30 percent increase...

Commissioner Mena: Right.

Commissioner Lago: To the unit count.

Commissioner Mena: And now, our baseline is -- because you gave us commercial zoning -- now our baseline is 104,000 square foot office building on the north parcel. That's the baseline. That's the as is -- or as of right, excuse me.

Vice Mayor Quesada: Which was not a baseline prior to that...

Commissioner Mena: Right.

Vice Mayor Quesada: Before you...

Commissioner Mena: Which was not a baseline prior to that event four years ago. It is the baseline that Mr. Plummer and the study that I was provided is using to show traffic counts. And so, here we are, four years later, which is not a long time, and...

Commissioner Lago: Asking for another increase.

Commissioner Mena: Asking not just -- listen, this would be one thing if, okay, we acquired the south parcel. We'd like to increase the south parcel to come up to the north parcel and what you previously approved. It's not that. It's we want to increase the north parcel again to 87 units and then also increase the south parcel to go to that second rung, and that's the problem here. And, that's why this project is so confusing and has created a lot of -- I don't want to say misinformation, but confusion with the information because you've got these three parcels.

You've got the previous approval that's not being built, what's zoning allowing, what's the comp plan allow. But, I think this is really important to keep in mind here...

Commissioner Lago: Let's touch upon your point right there. Mario, if you were to increase the zoning on 1515 San Remo and left 1500 Venera the way it is, as per four years ago, what would you -- to match -- if you matched 1515 San Remo with what you have right now at 1500 Venera, how many units could you build?

Commissioner Mena: On the site plan, you're saying.

Commissioner Lago: Yeah.

Mr. Garcia-Serra: Well, that's why I got up right now actually. Because if you remember from the chart that I showed earlier, 1500 Venera, when it was approved four years ago, was approved at a density of 92 units per acre. What we have before you today, the project as proposed right now at 165 is 93 units per acre.

Commissioner Mena: Right, right. You're talking zoning.

Mr. Garcia-Serra: So, the density...

Commissioner Mena: Zoning. You're going to zoning. You're going away from the site plan that you came to this Commission with, which was for 65 units. I understand...

Mr. Garcia-Serra: No.

Commissioner Mena: Per acre.

Mr. Garcia-Serra: No, no, that site plan...

Commissioner Mena: Right.

Mr. Garcia-Serra: That site plan had 65 units. If you divide that by the acreage of 1515 Venera in itself is 92 units per acre.

Commissioner Mena: But it was 65 units.

Mr. Garcia-Serra: Correct.

Commissioner Mena: Okay. And isn't it -- again, I'm going off...

Mr. Garcia-Serra: Well, the lot area of 1515 San Remo...

Commissioner Mena: Yeah. Aren't you now asking for 94 units on the north parcel?

Mr. Garcia-Serra: Right now -- well, when Ramon does his division of 84 and 81 units on each parcel, what he's doing is not necessarily dividing it by the square area -- the area of each lot -- and he can, correct me if I'm wrong. He's literally looking to see how many units are in each lot right now as...

Commissioner Mena: Right.

Mr. Garcia-Serra: (INAUDIBLE). So...

Commissioner Mena: No, no, but that's what's there now. What you -- the site plan you originally got approved four years ago...

Mr. Garcia-Serra: Right, for 65 units.

Commissioner Mena: At 65 units, right?

Mr. Garcia-Serra: Yeah.

Commissioner Mena: On the north parcel...

Mr. Garcia-Serra: Correct.

Commissioner Mena: Because that's all that you had at the time.

Mr. Garcia-Serra: And that density, just on the north parcel, is 92 units per acre.

Commissioner Mena: Right, but how many units are you asking for there to be on the north parcel today; 94, right? I'm going off...

Mr. Garcia-Serra: I think it's...

Commissioner Mena: This is the Planning and Zoning document. I'm just going off that.

Mr. Garcia-Serra: I think it's...

Commissioner Lago: 84?

Commissioner Keon: 84.

Mr. Garcia-Serra: 84.

Commissioner Mena: 84.

Mr. Garcia-Serra: 84.

Commissioner Keon: Basically, 84.

Mr. Garcia-Serra: Yeah.

Commissioner Mena: Okay.

Mr. Garcia-Serra: But again, that's what's (INAUDIBLE)

Commissioner Lago: That's why I told you -- that's where they're asking for about almost a 30 percent increase on units.

Commissioner Mena: To the increase.

Commissioner Lago: Yeah, to the increase. So, it's an increase to the increase.

Commissioner Mena: Right.

Commissioner Lago: For about another 30 percent. So, now I go back...

City Attorney Ramos: And Commissioner, that's why it's important to keep in mind that they've proffered a covenant -- and that's great in this case -- but the Commission should be looking at the two legislative items, the up-zoning and the change in...

Commissioner Mena: Right.

City Attorney Ramos: Comp plan on their own almost. Like does this neighborhood...

Commissioner Mena: Great.

City Attorney Ramos: Is this good for the neighborhood, irrespective of the site plan?

Commissioner Lago: And that's...

City Attorney Ramos: Yes, they've proffered a covenant. That's great, but that's really what the analysis should be on the legislative piece.

Commissioner Mena: I agree.

Planning and Zoning Director Trias: In the actual request, they are together as 165. We broke it down, so it would be easier to have that discussion. Okay, but the request that they're making right now is 165 units. That's the total number of units they're requesting.

Commissioner Keon: Which is how many units...?

Vice Mayor Quesada: So, should we...

Commissioner Keon: Per acre?

Vice Mayor Quesada: Commissioner Mena...

Planning and Zoning Director Trias: It's 93 units per acre.

Vice Mayor Quesada: On a later date, maybe we discuss this next agenda or later after that. Should we discuss that if a project gets a change similar to what we've seen here and that project does not go forward or gets altered, it reverts back?

Commissioner Mena: I've been having that discussion with Miriam.

Vice Mayor Quesada: I think it's a conversation for another day.

Commissioner Mena: There's a legal complication. I think the other option to look at and consider is a mixed-use zoning designation.

City Attorney Ramos: That's a more viable legal option.

Commissioner Mena: That's a big discussion that...

City Attorney Ramos: Correct.

Commissioner Mena: We could have, but...

Vice Mayor Quesada: You're saying just -- let's table...

Mayor Valdes-Fauli: Let's...

Vice Mayor Quesada: That thought for a future date.

Commissioner Mena: But this is a poster child for why that's an issue.

City Attorney Ramos: I will address it.

Mayor Valdes-Fauli: Let's table the issue. Questions, comments? Any more...

Commissioner Lago: No. We want to -- I want to talk about traffic.

Commissioner Mena: Yeah.

Mayor Valdes-Fauli: Go ahead.

Mr. Garcia-Serra: Tim was up here a second ago.

Commissioner Lago: Sir.

Timothy Plummer: Good afternoon.

Commissioner Lago: How are you doing?

Mr. Plummer: I'm well. How about yourself?

Commissioner Lago: Good. You remember our last conversation, so let's talk about traffic. I want -- remember, some of the questions that I asked you is we were talking about how many existing units are as per the current development and what's being proposed. And, you were telling me you were going to get back to me on certain traffic issues.

Mr. Plummer: Yes. Let me get you the board.

Commissioner Lago: Let's have it. And, I think the main theme of our discussion was how can you have X amount of units now and then potentially double them and have no -- you know, minimal...

Mr. Garcia-Serra: Impacts.

Commissioner Lago: Traffic impact.

Commissioner Mena: Because it's not based on how many units...

Commissioner Lago: Yeah, I know.

Commissioner Mena: Are there now.

Commissioner Lago: I know.

Commissioner Mena: It's based on 104,000 square feet of office space under the commercial zoning.

Commissioner Lago: And another question that I had for you, remember we -- and I think one of the residents brought it up -- was the issue of how many...

Mayor Valdes-Fauli: We can't see it if you have it there.

Commissioner Lago: How many bedrooms...

Commissioner Keon: But you know, the issue -- density is defined as the number of units. It is not...

Commissioner Lago: And intensity's the amount...

Commissioner Keon: Defined as...

Commissioner Lago: Square footage.

Commissioner Keon: It's not defined as the number of bedrooms. So, in the Code and the discussion and the use of those words have to be as they are defined. And that...

Commissioner Lago: I agree with you.

Commissioner Keon: Definition is a unit, whether it has one bedroom, four bedrooms, six bedrooms, whatever. A unit -- it's a unit.

Commissioner Lago: But I have to look...

Commissioner Keon: It's not bedrooms.

Commissioner Lago: But I personally -- I mean, this is me. Maybe I'm wrong, probably I am.

Commissioner Keon: It's...

Commissioner Lago: But, I have to look beyond that because when you talk about, let's say -- how many units exist right now? I think it was like 80?

Mr. Plummer: Yeah, I believe that's correct.

Commissioner Lago: About 80?

Mr. Plummer: It's...

Commissioner Lago: And how many of them were one bed...

Mr. Plummer: It's 87.

Commissioner Lago: Eight seven, correct?

Mr. Plummer: Correct.

Commissioner Lago: So, you have how many one bedrooms and two bedrooms? Do you know?

Mr. Plummer: I know we discussed last time when we do our traffic analysis; the studies that we use do not differentiate between a studio or one bedroom or two bedroom or three bedroom. It's based on...

Commissioner Keon: Yeah.

Mr. Plummer: Number of dwelling units.

Commissioner Keon: It's the number of...

Commissioner Lago: And, I think that's why I'm a little bit confused also on that. Maybe not confused, but I just -- I think it's wrong. And, maybe I'm going against years and years and years of expertise, but I mean, in a one-bedroom, you have probably one or two people. I mean, when you have a three bedroom and two bedroom, I mean, obviously, you're going to have more people living there.

Mayor Valdes-Fauli: That's why the number of units measurement is wrong. We could have two 50-unit -- I mean, two 50-bedroom units to rent to UM students, and they would be with two units. That's why we have to look at other measurements.

Commissioner Keon: But, I think that in considering...

Commissioner Lago: Yeah.

Commissioner Keon: Issues, we have to use the language and the words as they are defined. You know, if you want to go back and redefine words, that's fine.

Commissioner Lago: But I don't have a problem with that.

Commissioner Keon: When they come to us and we are making a decision, you have to do it based on the definitions of the words as they are included in the Code.

Commissioner Lago: Okay, but then we also can't be arbitrary and provide a certain measuring criteria one or two years after the project for one project and not provide it for the same. So, you have an adjacent project, for example, Paseo, which I think is requiring how many years for us to review the park -- the traffic impacts?

Mr. Plummer: I believe it's three years.

Commissioner Lago: Three years. And, how many were we proffering on this project or being required by staff?

Mr. Garcia-Serra: Well, yeah, exactly. Ramon, traffic monitoring, was it a year or two years?

Planning and Zoning Director Trias: It was...

Commissioner Lago: I think it was a year.

Commissioner Keon: We'll ask to increase it.

Commissioner Lago: Yeah. We had this discussion last time.

Planning and Zoning Director Trias: We had one year. Last time you discussed wanting more than that.

Commissioner Lago: One year from CO?

Planning and Zoning Director Trias: Yes. And, last time you expressed an interest in having multiple years.

Commissioner Lago: But, it's not -- we didn't only emphasize in -- and if I could speak for the Commission. It's not only in reference to this project. It's in reference to all projects. So, there has to be some sort of like uniformity on the way that we approach this.

Planning and Zoning Director Trias: It's a very typical condition right now. We try to include it in as many projects as we can and certainly in all of the mixed-use projects. And three years may be the right amount.

Mr. Plummer: And I may have misquoted on that for Paseo. It seems like it was more than one year.

Commissioner Lago: Okay.

Mr. Garcia-Serra: Commissioner, on that point, if two or three years is what's deemed appropriate, we're fine with that.

Commissioner Lago: Okay.

City Manager Swanson-Rivenbark: You had also talked, sir, about after it was occupied rather than just after...

Commissioner Keon: It opens.

Commissioner Lago: After CO. And, any issues in regards to the impact that need to be mitigated, obviously...

Mr. Garcia-Serra: Of course.

Commissioner Lago: That's at the expense of the developer.

Mr. Garcia-Serra: And what it is -- at whatever timeframe we agree upon, another follow-up traffic study and whatever issues there are we got to address.

Commissioner Lago: Let me ask you a question. Again, we've never gone back and done this in the City since I've been here. How do we hold the developer accountable? Is there -- is this -- does this type of requirement travel with -- how do we hold them accountable?

Mr. Garcia-Serra: Well, there's -- it's definitely incorporated as a condition of approval, which has to go in the covenant that's recorded in the public records in order to get a building permit. You know, we have to always memorialize and record a covenant listing all the conditions of approval that gets recorded in the public record so that, therefore, anybody who attempts to purchase the property in the future or whatever it might be is on notice of what's required.

Commissioner Lago: Miriam, have you seen in the past, you know, or any other municipalities that have dealt with this issue where they've actually held the developer to task on a certain issue in reference to traffic mitigation?

City Attorney Ramos: My understanding is we do so, through the Development Services Department. At every stage, before they need the next thing they need from the City, we make sure they've complied with the conditions they need to comply to before that date.

Commissioner Lago: I'm talking after the project's been built and you test one year after to see what the impact was in regards to traffic. I haven't -- I'm not aware if that happened -- you do?

City Manager Swanson-Rivenbark: We did...

Commissioner Keon: We have.

City Manager Swanson-Rivenbark: With Rouse (phonetic).

Commissioner Lago: Have you ever encountered a project where they didn't meet the expected goals...

City Manager Swanson-Rivenbark: They complied, so we didn't have to move to enforce.

Commissioner Lago: So, that's one, Rouse, okay.

City Manager Swanson-Rivenbark: Yeah. That's the one that I'm most familiar with.

Commissioner Lago: Yeah, because I'm not familiar with any.

Mr. Plummer: I can give you another one, the Bacardi headquarters building.

Commissioner Lago: Okay.

Commissioner Keon: Oh, yeah.

Mr. Plummer: Same thing with the residence to the west. A year after they had 100 percent occupancy, we went and measured all of the residential streets to the west to see if any one qualified for traffic calming, if the impacts were understated. And there was...

Commissioner Lago: We're talking about projects that are 10, 20 years old, correct?

Mayor Valdes-Fauli: No, Bacardi was not...

Commissioner Keon: The Bacardi project is...

Commissioner Lago: Ten?

Mr. Plummer: The Bacardi project was 7 or 8 years ago.

Commissioner Keon: The one here on Le Jeune.

Mr. Plummer: Yeah.

Commissioner Keon: So, it was 7 or 8 years ago.

Mayor Valdes-Fauli: So, 7 or 8 years. That's ten years...

Commissioner Keon: Seven years.

Unidentified Speaker: Ten years, yeah.

Commissioner Keon: Yeah. I mean, ten years ago, okay. That was that project and they went back a year later.

Mr. Plummer: Yes, a year after they had 100 percent occupancy.

Commissioner Keon: Yeah, and there wasn't any significant...

Mr. Plummer: No, there was not.

Mayor Valdes-Fauli: Why don't we move the discussion along?

Mr. Plummer: So...

Commissioner Lago: Keep moving forward.

Mayor Valdes-Fauli: Go ahead.

Mr. Plummer: Okay. So, what we did was we did our trip generation comparison, and let's start on the right side of the board, which is the project as it's proposed. Morning peak hour, it's 68 net new trips; afternoon peak hour, 67. Now, that does take into account the existing traffic impacts that are on the properties today, so those are what we call net new trips. And then the after...

Mayor Valdes-Fauli: So, 68 per hour?

Mr. Plummer: 68 in the morning peak hour and 67 in the afternoon peak hour. The program that was given to us for the as-of-right with BOA approval is office at almost 123,000 square feet and 49 dwelling units. And, as you can see, in the morning peak hour, it's 180, and in the afternoon peak hour, it's 155 net new trips. And again, that takes into consideration the existing 87 units and the 2,000 or so square feet of retail.

Commissioner Mena: To be clear, though -- so, what's on the left, that's not what is there today. It is not what is in the current site plan that is valid through September of 2019. That is the maximum allowable under commercial zoning, right?

Mr. Plummer: No. That's what's out there today.

Commissioner Mena: No, it's not.

Mr. Plummer: This is 40 dwelling units.

Commissioner Mena: There's not 120,000 square feet of office space there right now.

Mr. Plummer: Oh, I'm sorry. I thought you meant about the existing.

Commissioner Mena: I'm saying...

Mr. Plummer: No, this is not...

Commissioner Mena: Your chart...

Mr. Plummer: Yeah, that -- right. That is...

Commissioner Mena: This is the maximum allowable under zoning. It is not, again, what's there today and it's not what is in the current site plan that was approved a few years ago and is still valid through September 2019.

Mr. Plummer: That's correct.

Commissioner Mena: Okay.

Mayor Valdes-Fauli: Alright. Any other questions from Mr. Plummer?

Commissioner Keon: Well, I think under -- if this is approved and with the covenants that are being proffered, is this -- we have to go through -- to get to mixed use, we have to go through commercial. So, we changed the -- do we not have a -- we don't have a land -- a map designation for mixed use? That's just a zoning...

City Attorney Ramos: Not right now. That's one of the things we're considering.

Commissioner Keon: Okay. You know, I -- I mean, I would want to ensure -- and I -- I had a problem with that too, about, you know, zoning things to commercial and then them not being decided to be built. And then, you know, you've granted them, you know, a great bonus. Is, you know, how do you -- how do we retain -- you know, if it's approved -- if it's not built, how do we -- is it because the site plan is...

City Attorney Ramos: Well, I think this -- in this particular case...

Commissioner Keon: In this case.

City Attorney Ramos: They have proffered two covenants...

Commissioner Keon: Yes.

City Attorney Ramos: That tie the site plan to both the zoning change and to the comp plan change, which means if they wanted to build something different than the site plan, it would have to go through the process to change the comp plan...

Commissioner Keon: Okay.

City Attorney Ramos: From the beginning.

Commissioner Keon: Okay. So, it is -- it will go as a mixed-use development...

City Attorney Ramos: That -- if it is a mixed-use development...

Commissioner Keon: And, the underlying map or whatever is irrelevant at that point. Is that right? The underlying commercial designation is not relevant.

Commissioner Mena: Yes, it is.

City Attorney Ramos: It's relevant because...

Commissioner Keon: Well...

City Attorney Ramos: It's the only thing that allows them to do it.

Commissioner Keon: No, but...

City Attorney Ramos: But it ties...

Commissioner Keon: Under the...

City Attorney Ramos: The changes to this site plan.

Commissioner Keon: To this site. So, they -- if they choose to not do that, it cannot go to this maximal commercial use that you are giving...

Commissioner Mena: It can't.

City Attorney Ramos: Not automatically.

Commissioner Mena: It can't.

City Attorney Ramos: It would have to come back here.

Commissioner Lago: It has to come back.

Commissioner Mena: Here's the issue.

Commissioner Keon: It has to come back here and it -- or you would hope it would be denied...

Commissioner Mena: Well...

Commissioner Keon: From here.

Commissioner Mena: Maybe there might be five new people here.

Commissioner Keon: Right.

Mayor Valdes-Fauli: Alright. Let's...

Commissioner Mena: Five years from now.

City Attorney Ramos: That's why, again...

Commissioner Keon: Right.

City Attorney Ramos: It's important that the change...

Commissioner Mena: And five years from now, they may be back, just like five years from...

Commissioner Keon: Before.

Commissioner Mena: When this originally was approved, right? And they may be saying, hey, there's this covenant. We have to come back to you for approval, but we're just asking for what's allowed under the zoning that it already has. We're asking...

Commissioner Keon: But it's...

Commissioner Mena: For less than what's allowed.

Commissioner Keon: But, it's not allowed because you've proffered a covenant on this property that ties that property to this site plan.

Commissioner Mena: But, the commercial zoning would allow what is being asked for at that time, and it would be zoned commercial already.

City Attorney Ramos: But that -- you would have to go...

Commissioner Mena: You'd have to get our permission, yes.

City Attorney Ramos: Through the process for the comp plan...

Commissioner Mena: Right.

City Attorney Ramos: Change.

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: And, that's why it's important to keep in mind that you need to look at whether this change makes sense for the neighborhood...

Commissioner Mena: Right.

City Attorney Ramos: Irrespective of the site plan, even though they've proffered a covenant.

Commissioner Lago: Before we move...

City Attorney Ramos: That's a better...

Commissioner Lago: Before we move forward -- and I think we're about to vote on this issue -- I just want to make sure that we tie up -- because I don't know if this is going to get approved or not. I want to make sure we're very clear on the lighting, parking, sidewalks, and all that kind of stuff. Just -- can you go over that? The same -- you said it's the same. There's no changes.

Mr. Garcia-Serra: Right.

Commissioner Lago: So, you have -- you're providing LED lighting throughout the neighborhood.

Mr. Garcia-Serra: Correct.

Commissioner Lago: New posts, new sidewalks.

Mr. Garcia-Serra: Streetscape improvements.

Commissioner Lago: Streetscape improvements. What was the final number for the park that you had proffered?

Mr. Garcia-Serra: Well, remember, right now what we have is 120 -- we came in today with \$125,000 proffered for various types of improvements, planning and streetscape. We've increased that proffer to 50 -- and actually, right now, after a sidebar with my client, he's willing to proffer it up to -- the additional up to 100, so now we're talking a total of \$225,000 to potentially address for the planning, streetscape, traffic issues.

Commissioner Lago: And a three-year review in regards to traffic mitigation after CO.

Mr. Garcia-Serra: Correct. I think what we've discussed is...

Commissioner Keon: After fully occupied.

Mr. Garcia-Serra: Right.

Commissioner Lago: Thank you.

Mr. Garcia-Serra: One year after CO, we do...

Commissioner Lago: One first...

Mr. Garcia-Serra: The first one. Then the second one, a year later; the third one, a year after that.

Mayor Valdes-Fauli: Alright. Alright, do I hear a motion from anybody or continue discussion? We've discussed this for an hour now.

Commissioner Lago: I'll make my final comments in regards to this.

Mayor Valdes-Fauli: Okay, please.

Commissioner Lago: I've met with the developer -- I can't even remember how many times I've met with them over the last week. And, I've been pretty clear about my comfort level in regards to this project, and I think that I told them very clearly -- this is not coming as any new news. I think that 165 is a little bit above what I feel comfortable with accepting. I know that we can't negotiate this here on the floor, but I'm happy that I'm here amongst my colleagues, so I can have this discussion. I feel comfortable here between 145 to 150, and I think there has to be a reduction in regards to the amount of square footage. So, I want to be -- I would like to hear my colleagues because -- have any comments in regards to that, because this is the moment to have this conversation. So, I want to be fair with the applicant, but I also want to be fair with the residents, more importantly than anything else.

Mayor Valdes-Fauli: Vice Mayor, comments?

Vice Mayor Quesada: You know, from the evidence that's been presented on the record and from what I've seen, you know, from the thoughts I had last time, I think I've clarified my concerns that the actual owner is the -- who the applicant is today, but I still don't feel like the project is compatible with the neighborhood, and that's why I'll be voting against it.

Mayor Valdes-Fauli: Commissioner Mena.

Commissioner Lago: There's no -- so, there's no -- is there any reduction that the applicant can make to bring the project to fruition, or is that -- it's just you think...

Commissioner Keon: Is it just -- is -- I mean, I think we should talk about you -- when you're asking about -- you think it's too big. Is it that you want it -- you want fewer units? Is it that you want it not as high? Is it you want it more scaled? What is it -- what do you mean when you say that? What are you asking for?

Vice Mayor Quesada: She's talking to you.

Commissioner Lago: I'm sorry. I thought you were talking to him.

Commissioner Keon: No, no. I'm asking you because...

Commissioner Lago: I'm sorry.

Commissioner Keon: He said -- and then I would ask you the same thing.

Commissioner Lago: No, I mean, I...

Commissioner Keon: What is -- when you say -- what is compatible...

Commissioner Lago: No, no.

Commissioner Keon: With the neighborhood?

Commissioner Lago: What you asked me about...

Commissioner Keon: Yeah.

Commissioner Lago: I think my...

Commissioner Keon: Yeah.

Commissioner Lago: Voting record speaks for itself.

Commissioner Keon: Yeah.

Commissioner Lago: You know, when we talk about height, you know, I'm concerned about height in regards to certain areas of the city, especially, you know, when it's an excessive amount. To me, this area doesn't really concern me -- this project doesn't concern me in regards to the height issue, because it's no excessive, in my opinion.

Commissioner Keon: Yeah.

Commissioner Lago: My...

Commissioner Keon: It is -- what's the height?

Mr. Garcia-Serra: It's...

Commissioner Keon: Ninety...

Mr. Garcia-Serra: 97 feet is the...

Commissioner Keon: 97.

Mr. Garcia-Serra: Maximum permitted height.

Commissioner Keon: Yeah.

Commissioner Lago: Yeah, and I'm flexible.

Commissioner Keon: Which is about what it -- yeah.

Commissioner Lago: I'm flexible, and I've given -- in regards to certain projects...

Commissioner Keon: Yeah.

Commissioner Lago: When we can build a better project.

Commissioner Keon: Okay.

Commissioner Lago: And, a lot of the residents told me that's not the biggest concern. Obviously, they do not want to go to 200, 250.

Commissioner Keon: No.

Commissioner Lago: That's not the concern.

Commissioner Keon: But 150 is terrible.

Commissioner Lago: But, if people are willing to be flexible with one floor to make the project look nicer, to have more open space, to have a little bit more amenities, my concern is, obviously, we have to be careful -- and I said this with the 33 Alhambra. I said this in regards to Gables Station. I can keep going down the line. We need to be careful with the amount of units that we put on the street because what we approve today, the next -- you did it today. You did it here. You provided me with this breakdown that says look what's happening.

Mr. Garcia-Serra: Yeah.

Commissioner Lago: You gave it to them. I want to give it to me. Again, thank god I wasn't here in 2006 or 2008 or 2012, you know. So, it's...

Mr. Garcia-Serra: Commissioner, if I might, to just simplify things, I think, you know, for purposes of discussion. One hundred and fifty units total on this project would be acceptable. It will be acceptable.

Mayor Valdes-Fauli: Okay.

Commissioner Keon: What would be?

Mr. Garcia-Serra: One fifty.

Mayor Valdes-Fauli: (INAUDIBLE)

Planning and Zoning Director Trias: With a reduction of the FAR.

Commissioner Lago: No, that's an issue -- we have to have a discussion.

Mr. Garcia-Serra: We would need to...

Commissioner Lago: So, what I would recommend you do -- this is my recommendation. Take it -- because I don't think we want to have this -- unless you want to have the discussion up here. And, I would like maybe that you guys give feedback to staff. I think it's important because I would like to see something nice, and I think the residents would like to see something nice there too. I would like to see the park improvements. I would like to see, you know, there be beautiful lighting, that there be crosswalks, that there be amenities for people to park their bikes, for it to

be a great asset in the neighborhood. Okay, I don't want it to be an invasion of the neighborhood. Okay, I want there to be beautiful trees planted with shade, not a two-inch caliper tree that gets planted there and it takes 50 years for the tree to grow. So, I think it should be nice. Imagine, if you're going to keep this project, like your client's saying, you're going to have to deal with these residents, okay, so be kind to your neighbor, you know, especially with what you're going to put out there.

Mayor Valdes-Fauli: Okay.

Commissioner Lago: And in reference to the FAR, I think -- I would see -- I would like to see a significant reduction in regards to what's being proffered. And, if my neighbors and my colleagues here have a difference of opinion or they want to piggyback on my comments, I think now's the time to say it.

Commissioner Mena: Yeah. No, I agree with you. I've been...

Commissioner Lago: You were in the same boat.

Commissioner Mena: I've been articulating...

Commissioner Lago: You were saying...

Commissioner Mena: That since, I think, November. You know, I think, let's see what that would look like and the particulars of what you just suggested. And to your question, Commissioner Keon, I tend to agree the height is not my biggest issue here. With that said, if you're reducing unit counts and square footage and you could reduce it, great.

Commissioner Keon: You know, you...

Commissioner Mena: But it's not the chief concern, to me, at least.

Commissioner Lago: Yeah.

Commissioner Mena: The chief concern to me is the impact of the project and the density of people in the area, and -- you know. So, I think that we can get there if we continue moving this down.

Mayor Valdes-Fauli: Okay. Shall we continue this discussion until the next meeting, so that they come up with a new plan reducing the...

Commissioner Keon: But, I guess I'm -- what I'm having...

Mayor Valdes-Fauli: No. Let's get...

Commissioner Keon: A problem with and I'd like to understand -- and I think, yes, we probably should continue it -- is what direction are we giving them? I don't -- you know, saying I don't think it's compatible with the neighborhood is not direction. What is it that is...?

Commissioner Mena: They...

Commissioner Keon: What is it? Is it a -- fewer units in the building? Is it a more tiered building? Is it a lower building? What is -- what are you asking them for?

Vice Mayor Quesada: From me...

Commissioner Keon: Yeah.

Vice Mayor Quesada: Just, look, I would approve something that would allow them to do whatever they're allowed to do as of right.

Commissioner Keon: So -- alright, so -- that's a -- I mean, the problem is is that they already have received the zoning on the commercial side and the part on -- is it Venera? The new parcel -- is...

Commissioner Mena: The north parcel.

Commissioner Keon: On San Remo is now...

Commissioner Lago: 64 units.

Commissioner Keon: Well, even -- what is -- it's low -- it's...

Mr. Garcia-Serra: 1515 San Remo right now is residential medium density.

Commissioner Keon: It's medium...

Mr. Garcia-Serra: We're proposing commercial medium.

Commissioner Keon: Residential medium density.

Commissioner Mena: And that's...

Commissioner Keon: Which is 79 feet or 70 -- what is the...

Mr. Garcia-Serra: As far as height's concerned, there's no change.

Planning and Zoning Director Trias: its 97 feet, just the same height. It doesn't...

Commissioner Lago: There's no height -- there's no change in height.

Planning and Zoning Director Trias: No.

Commissioner Keon: Yeah. It -- what they're building is what is...

Planning and Zoning Director Trias: Can I...

Willy Bermello: May I address the Commission?

Commissioner Keon: Is the height.

Planning and Zoning Director Trias: 97 feet -- if the change to land use is to mid-rise.

Mayor Valdes-Fauli: Mr. Bermello.

Planning and Zoning Director Trias: And it will be the same exact height.

Mr. Bermello: Mr. Mayor and Commissioners...

Commissioner Keon: It's not -- I thought you just said it was mid-rise.

Mr. Bermello: We have...

Commissioner Keon: San Remo is what?

Mr. Bermello: Respectfully...

Commissioner Keon: Just tell me what San Remo is.

Mayor Valdes-Fauli: Mr. Bermello.

Mr. Bermello: We have presented this project, I think, at least five times to the Board of Architects, twice to the Planning Board, and I think now before you, this is probably our third visit. At none of those meetings, at no instance have I yet heard any one of you -- you may talk about the project in theory, but when we look at -- not the numbers. Because, you know, people talk about density, but nobody understands density in reality because if you're not -- if you're okay with 97 feet and we're meeting the setbacks -- actually, we've improved them. I haven't heard anybody say I don't like the way the building looks.

Commissioner Lago: It's beautiful.

Commissioner Mena: No, we said the opposite.

Mr. Bermello: Just the opposite. So, if it's the opposite, you have no issue with the fact that we're providing 20,000 square feet of retail. We have no -- you have no issue with the fact we're providing 15,000 square feet of office/commercial and making it a true mixed-use project. You have no issue with the fact that we're providing a through-block connection. You have no issue with the crescent that we're providing to create a grand gesture to the entire neighborhood, something that we don't have to do by right. We could go right to our setback and say we're taking advantage of the fact we're across from the park. We've done just the opposite. We're creating a space -- we're creating a park within our property. So, when everything is said and done, all the numbers that you've discussed here today will not mean absolutely nothing. What people are going to have is this building. At the end of the day the test is is it better for the neighborhood to have this beautiful piece of architecture or do you want to continue having what you have there today, which is really an eyesore. Numbers, you can spin them any way you

want, and I've been going ad nauseum here going over the 135, 115, and if you're having 15 from one lot -- at the end of the day, all of that kind of disappears and the only thing you're going to have is the project. And I think your City Attorney said it kind of best. In the big picture, is this -- is correcting a problem in your zoning code and fixing the land use good for the neighborhood? Is this a project you want? The -- my client just said he's approving or want to reduce to the 150, but do you think this building, which is -- matches Whole Foods -- if increasing the height is bad -- I mean, I have not heard from any staff member that this is not anything but a great project. So, I mean, I submit to you to consider what's being offered, the reduction in the number of units and if this is a good project, let's try to get it, you know, endorsed and approved.

Mayor Valdes-Fauli: Thank you.

Mr. Bermello: Thank you.

Mayor Valdes-Fauli: Thank you, Mr. Bermello. Do I hear a motion?

Commissioner Keon: I'd like an answer to my question...

Mayor Valdes-Fauli: Please.

Commissioner Keon: With regard to San Remo. It's...

Mr. Garcia-Serra: 1515 San Remo today is designated resident -- multifamily residential medium.

Commissioner Keon: Medium, which is?

Mr. Garcia-Serra: Which permits in height, 97 feet.

Commissioner Keon: Which permits a height of 97 feet.

Commissioner Mena: I think...

Commissioner Keon: So, the height is here nor there, whatever.

Mr. Garcia-Serra: (INAUDIBLE)

Commissioner Keon: The difference is the number of units of per acre.

Mr. Garcia-Serra: Correct.

Commissioner Keon: Is that what the issue is?

Mr. Garcia-Serra: Well, by going to commercial medium on that property, we can then do a mixed-use project.

Commissioner Keon: We what?

Mr. Garcia-Serra: We can then do a mixed-use project on that portion of the property and...

Commissioner Keon: Right.

Mr. Garcia-Serra: It increases the density.

Commissioner Keon: And so, that changes it, yeah.

Mr. Garcia-Serra: And increases the FAR also.

Commissioner Keon: You know what, I think -- I do think it is a -- I think it's a very, very nice building. I think -- I'd rather see residential than commercial. It means people that live in the area; they take ownership of the area. They care about the area. I would much prefer to see residential than to see a commercial building where people just -- they come and go and they don't -- they really don't buy into this neighborhood. They don't care about this neighborhood. This becomes their -- as a residential building, it becomes theirs too. You know, I don't think that you're -- we do need to cure some of those issues with the code. That's what -- that's why DPZ has the contract and that's what they're looking at and working on now is to address those issues so we don't have those issues going forward. Yeah, I think it's a great building. If it needs to be talked about more to have it come to fruition, I'll gladly talk to you more about it.

Commissioner Mena: I think...

Commissioner Keon: I mean, if there's nothing that's going to make a difference, then tell them...

Commissioner Mena: I think -- no.

Commissioner Keon: To go.

Commissioner Mena: No, no. I've been...

Commissioner Keon: You know.

Commissioner Mena: Listen, they...

Commissioner Keon: Yeah, okay.

Commissioner Mena: I can't speak for everybody else up here. They know from me where I've stood on this...

Commissioner Keon: Yeah.

Commissioner Mena: Since November.

Commissioner Keon: Right. No, right. You're right.

Commissioner Mena: On -- it was originally 175.

Commissioner Lago: No, it was 189.

Commissioner Mena: No, no. Wait. It was originally 175 before they acquired that parcel. I said that was too big. Then they came back with 189 when they acquired the property. Then they came down to 165 and the office building. So, that's been the history -- we know the history here. It's fine.

Commissioner Keon: Right.

Mayor Valdes-Fauli: Okay, let's conclude this.

Commissioner Mena: Well, let me address the question. Look, you came four years ago and got something approved on the north parcel, which was 65 units. Now, you've acquired the south parcel and the smaller parcel. You know, I'm not a professional in this area that can do the math right here, right now, but I'd like to see something more consistent with what was originally requested for the north parcel spread out throughout the entire area. Whether that's 135 or 140, I don't know the answer to that.

Commissioner Lago: It's -- I'm laughing.

Commissioner Mena: (INAUDIBLE).

Commissioner Lago: I'm laughing because that's exactly what I asked from Ramon 45 minutes ago.

Commissioner Mena: Right, right.

Commissioner Lago: And, they gave me an answer they couldn't provide me that number.

Commissioner Mena: Right.

Commissioner Lago: I just want to know with what was entitled on the north parcel, tell me, if they were to do the same, you know, square foot -- you know, divide it by the amount of units, what would you have...

Commissioner Mena: But not the same...

Commissioner Lago: For the south -- yes.

Commissioner Mena: But, not the same -- because what was allowed under the zoning that was approved is X, 105,000 square feet -- no.

Commissioner Lago: The 65 units.

Commissioner Mena: You came for a 65-unit building...

Commissioner Lago: Yes.

Commissioner Mena: Listen, I think it's totally reasonable that you got that approval, you subsequently acquired the south parcel and you want to connect the two and do one building. That makes perfect sense to me. I've never had an issue with that.

Commissioner Lago: Or a third or a fourth.

Commissioner Mena: And the third parcel, right. But, consistent with what was approved and asked for or at least close to it. This, to me, goes well beyond that. Just on the north parcel alone, it's an extra 30 units.

Mr. Garcia-Serra: But I think we're there in density. Or certainly -- I definitely think we're there -- if you look at the chart I brought out earlier, you look two-thirds of the way down -- or half the way down, Shoma Park Tower. That's the original 1500 Venera project. As you see, 65 units there, if you divide it by its lot area, it was at a density of 92 units per acre. We came in here today at 93 units per acre. Now, that we've lowered it down to 150 -- I can't tell you exactly, but it's going to be somewhere in the 80s, you know, 80-some units per acre. So, at least on density, I think we're definitely there as far as being consistent with the amount of density that was approved for 1500 Venera.

Mayor Valdes-Fauli: Alright. Can I...

Commissioner Lago: On the FAR.

Mayor Valdes-Fauli: I will...

Commissioner Keon: Well, so now you're at...

Mayor Valdes-Fauli: I will entertain a motion to...

Commissioner Keon: You're proffering...

Mayor Valdes-Fauli: Postpone this to the next meeting...

Commissioner Keon: 150 units?

Mayor Valdes-Fauli: To continue it.

Mr. Garcia-Serra: Correct.

Commissioner Keon: Is that what you're saying?

Mr. Garcia-Serra: Correct.

Commissioner Keon: You're offering -- you're proffering 150. I also don't think that they should be penalized for buying the building -- the small building next door. They bought...

Mayor Valdes-Fauli: Which we made them do it.

Commissioner Keon: The building next door because of the objection of the property owner next door and her attorney that represented her or whatever. You know, to clear that objection...

Commissioner Mena: Is that sale final or contingent on approval?

Commissioner Keon: No, it's...

Mr. Garcia-Serra: That sale -- that -- we're under contract to buy that property.

Commissioner Mena: Is it contingent on getting the approval?

Mr. Garcia-Serra: In order to close on that, we, of course, need the project approved that we're proposing right now.

Commissioner Mena: Alright. So, there would be no prejudice.

Commissioner Keon: Alright, so...

Mr. Garcia-Serra: Well -- go ahead.

Commissioner Keon: Well, I mean, but they -- but they're doing it -- if you approve this project, they will take that parcel so that you clear -- you know, they cure that objection that was there.

Commissioner Mena: Right.

Commissioner Keon: So, if we don't approve it, it'll go back to her and...

Mr. Garcia-Serra: And that's...

Commissioner Keon: Whatever.

Mr. Garcia-Serra: It's also part -- from a planning perspective, it's appropriate to incorporate that parcel as...

Commissioner Keon: Yeah.

Mr. Garcia-Serra: Part of this property because...

Commissioner Mena: I don't dispute...

Mr. Garcia-Serra: Otherwise, you would leave...

Commissioner Mena: I don't dispute that.

Mr. Garcia-Serra: Yeah. You leave a little hole in the doughnut there.

Mayor Valdes-Fauli: Okay.

Mr. Garcia-Serra: Right there.

Mayor Valdes-Fauli: Let's -- I'll entertain a motion to continue the matter.

Commissioner Keon: I'll move that. I'll make a motion to...

Mayor Valdes-Fauli: Is there a second?

Commissioner Keon: Continue the matter.

City Attorney Ramos: Is the motion to continue it to the next meeting or some other meeting in the future?

Commissioner Lago: Nobody else has put anything else on the record? That's it?

Mayor Valdes-Fauli: The next meeting.

Commissioner Mena: No. I think we need to have conversations about how low this can go and what the numbers are. I can't do that...

Commissioner Lago: I was...

Commissioner Mena: Back of the napkin today.

Commissioner Lago: I've told you very clearly, 145 to 150 is my number.

Mayor Valdes-Fauli: And he accepted that.

Commissioner Lago: Lower -- no, no, but lower -- no, he's -- but we didn't talk about the FAR and let's be clear about that. The design of the building is impeccable. I love it. I wouldn't do anything else. And, I think the residents that I've spoken to think it's a very nice building and it would fit well into the neighborhood. The height is not a concern of mine. I need you to clarify and talk about certain things, like I mentioned about the lighting, the parking, you know, shading. I want nice shade trees in the area. By the way, I just want to be very clear. I'm holding your client accountable just like we hold every individual that comes here accountable. This is the City of Coral Gables. We only want the best for our city. So, when I tell you you're deferring, I know that your client may disagree, but like Commissioner Mena mentioned -- and I'm happy he said that -- this is a lot more complex than we've seen a project come before, at least in my five years here, because of the rezoning -- or the rezoning that we're going after right now. So, I just -- you know, I ask -- I appreciate your client's, you know, flexibility and their patience and everything. And if I have to meet with them, which I think I've met with them four times in the last 24 hours, I'll meet with them again -- four times in the last 24 hours.

Mayor Valdes-Fauli: And the motion has been made. Is there a second to continue?

City Attorney Ramos: To what meeting is the item being continued?

Commissioner Lago: The 22nd, time certain 9:30.

Mayor Valdes-Fauli: 22nd, time certain.

Commissioner Lago: If the Mayor will give it.

Mayor Valdes-Fauli: Yeah.

Commissioner Lago: But I want to see an effort, and I want you, Mario, to meet with every single -- and make a concerted effort to try to build consensus amongst the Commission.

Mr. Garcia-Serra: As you know, my practice has always been to try to rectify.

Commissioner Lago: I know you do.

Mr. Garcia-Serra: Hey, you know.

Commissioner Lago: A hundred percent.

Mayor Valdes-Fauli: Okay.

Mr. Garcia-Serra: Get as close as you can get.

Mayor Valdes-Fauli: And is there a second?

Commissioner Lago: And, it would be great -- it would be great -- you know what -- and this is the last thing -- and I apologize, Mayor. It would be great if you made an effort to this -- and I know you -- this is tough. Meet with the residents and just listen to the residents. Again, I know you've done it before. Meet with the residents and have a discussion with them and see what they have to say. If they show up, they show up. Properly noticed. The City will help out with

that issue. Just sit down with them and explain, look, this is what we're offering and this is why we think it's in the best interest of the Commission to approve this project, and these are the benefits for the residents -- for the neighborhood.

Mayor Valdes-Fauli: Okay. Is there a second?

Commissioner Lago: Approve or not? It's your neighborhood.

Commissioner Mena: Yes.

Mayor Valdes-Fauli: Is there a second?

Commissioner Lago: I second it.

Mayor Valdes-Fauli: Alright. All those in favor, say "aye."

The Commission (Collectively): Aye.

Mayor Valdes-Fauli: Opposed, likewise. Alright, we'll take a break.