

City of Coral Gables Planning Department Staff Report

To: Honorable Planning and Zoning Board Members

From: Planning Department

Date: May 28, 2008

Subject: **Application No. 04-08-063-P. Amendments to Conditions of Approval.** A Resolution of the City Commission of Coral Gables amending previously approved Resolution No. 2005-231 which granted approval of the following for properties referenced as 2701 LeJeune Road, Coral Gables, Florida: 1) Special Locational Site Plan Review pursuant to Zoning Code Section 28-6, for properties adjacent to R and D use districts, to allow Mediterranean architectural bonuses for properties referenced as Parcel 1 (Crafts Section, Block 16, Lots 1-11 and Lots 39-48) and Parcel 2 (Crafts Section, Block 17, Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48); and, 2) Conditional Use Review pursuant to Zoning Code Section 6-3, for a proposed drive-thru bank teller facility for Parcel 2 (Crafts Section, Block 17, Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48), Coral Gables, Florida; whereas City National Bank desires to amend the condition requiring the installation and operation of security gates at both entrance and exit of the drive-thru bank facility; and the approval and all other conditions of approval contained in Resolution No. 2005-231 shall remain in effect; and providing for an effective date.

Recommendation

The Planning Department recommends approval of the proposed amendment of Resolution No. 2005-231. A copy of the approved Resolution No. 2005-231 is provided as Attachment A. The draft Resolution showing the proposed amendments in ~~strike thru~~ / underline format is provided as Attachment B.

Background

Resolution No. 2005-231 was adopted by the City Commission on 12.13.05. The project that was approved was to construct the new Burger King International Headquarters (now Bacardi Headquarters) on one parcel (Parcel 1) and relocate City National Bank on a separate parcel (Parcel 2) into the building now referred to as the Sevilla Building. Both proposed buildings were reviewed as a single commercial development that face onto LeJeune Road and are separated by Sevilla Avenue. Two approvals were granted. Special Location Site Plan Review was required and granted for Mediterranean bonuses because the project is located across the street from duplex zoned properties, and Conditional Use approval was granted for the drive-thru bank teller and ATM facility. The Sevilla Building and the drive-thru bank facility have already been constructed. The applicant's submittal package includes the approved site plan and photographs of the drive-thru bank teller and ATM facility, and is provided as Attachment C.

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The proposal was heard by the Planning and Zoning Board on 11.30.05. A copy of Staff's report is provided as Attachment D. A copy of the Board's 11.30.05 meeting minutes is provided as Exhibit E.

Proposed Amendments

City National Bank proposes to provide 24 hour a day ATM across within the approved bank drive-thru teller and ATM facility that will require unrestricted customer access. Resolution No. 2005-231 contains conditions of approval required by the City Commission at the time of adoption. The applicant is proposing to amend Resolution No. 2005-231 by removing the condition requiring the installation and operation of security gates at both entrance and exit of the drive-thru bank facility. All of the other originally required conditions of approval would remain in effect.

The draft Resolution showing the proposed amendments in ~~strike thru~~ / underline format is provided as Attachment B.

Public Notification/Comments

The following has been completed to solicit input and provide notice of the application:

Type	Explanation
Courtesy notification of all property owners within 1,000 feet of subject property	Completed 05.20.08
Newspaper ad published	Completed 05.20.08
Posted property	Completed 05.20.08
Posted agenda on City web page/City Hall	Completed 05.23.08
Posted Staff report on City web page	Completed 05.23.08

Staff re-notified all property owners within 1000 feet of the subject property to advise them of the request and provide an opportunity to comment on the application. The listing of property owners who returned the notification/comment form, including the date received, property owners name, address, object/no objection/no comment and verbatim comments are attached as Attachment F. The property has also been posted to advise of the Planning and Zoning Board meeting date.

Respectfully submitted,

Eric Riel, Jr.
Planning Director
City of Coral Gables

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Attachments:

- A. Resolution No. 2005-231.
- B. Draft Resolution with amendments shown in ~~strike thru~~ / underline format.
- C. Applicant's submittal package.
- D. 11.30.05 Staff report.
- E. 11.30.05 Planning and Zoning Board meeting minutes.
- F. Synopsis of comments received from property owners within 1,000 feet.

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5/23/2008 11:54 AM

THE CITY OF CORAL GABLES

RESOLUTION NO. 2005-231

A RESOLUTION GRANTING APPROVAL OF THE FOLLOWING FOR PROPERTIES REFERENCED AS 2701 LEJEUNE ROAD, CORAL GABLES, FLORIDA: 1) SPECIAL LOCATIONAL SITE PLAN PURSUANT TO ZONING CODE SECTION 28-6, FOR PROPERTIES ADJACENT TO R AND D USE DISTRICTS, TO ALLOW MEDITERRANEAN ARCHITECTURAL BONUSES FOR PROPERTIES REFERENCED AS PARCEL 1 (CRAFTS SECTION, BLOCK 16, LOTS 1-11 AND LOTS 39-48) AND PARCEL 2 (CRAFTS SECTION, BLOCK 17, LOTS 1-5 AND WEST 24 FEET OF LOT 6 AND LOTS 43-48); AND, 2) CONDITIONAL USE REVIEW PURSUANT TO ZONING CODE SECTION 6-3, FOR A PROPOSED DRIVE-THRU BANK TELLER FACILITY FOR PARCEL 2 (CRAFTS SECTION, BLOCK 17, LOTS 1-5 AND WEST 24 FEET OF LOT 6 AND LOTS 43-48), AS SET FORTH IN APPLICATION NO(S). 05-05-350-P AND 08-05-388-P; SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, after notice duly published and notification of all property owners of record within 1,000 feet, the Planning and Zoning Board held a public hearing on November 30, 2005 to consider the special locational site plan and conditional use; and

WHEREAS, after due consideration the Planning and Zoning Board at a meeting held on November 30, 2005 recommended approval (5 to 0 vote) of the special locational site plan and conditional use subject to conditions; and

WHEREAS, after notice of public hearing was duly published, and notification of all property owners of record within 1,000 feet, a public hearing was held before the City Commission on December 13, 2005, at which hearing all interested persons were afforded the opportunity to be heard;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The recitals and findings contained in the Preamble of this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this section.

SECTION 2. That a request for approval to permit the construction of the proposed commercial development, consisting of two separate buildings located across from "D", Duplex zoned property and including a four (4) lane drive-thru bank teller and ATM facility on Lots 1-11 and Lots 39-48, Block 16, and Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48, Block 17, Crafts Section, Coral Gables, Florida, as set forth in Application No(s). 05-05-350-P and 08-05-388-P. The application shall be and it is hereby granted subject to the following conditions:

- a. Application/supporting documentation. Construction of the project shall be in conformance with the following:

- 1) Site plan, building elevations and building program prepared by Nichols Brosch Wurst Wolfe and Associates, Inc., dated 10.30.05.
- 2) Landscape Plan prepared by Fuster Design Associates, P.A., dated 03.30.05 and 11.02.05.
- 3) Traffic Study and Stacking Analysis prepared by David Plummer and Associates, Inc., dated April 2005, with addendum dated 05.27.05.
- 4) Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO).
- 5) All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 11.17.05.
- 6) All representations proffered by the applicant's representatives provided during public hearing review.
- 7) Changes to the plans required by the City Commission as part of the review of this application at public hearings.

b. Revisions to plans, elevations and all supporting documents.

- 1) Modification to all applicable documents that are necessary as a part of the public hearing review and approval of the application shall be submitted to the Planning Department within 60 days of final approval for Department verification that all conditions of approval are satisfied.

c. The applicant, successors or assigns shall advise the Planning Department in writing of any applicable changes to the approved plans and drawings as a part of building permit review approval process. The Planning Director shall determine if any applicable changes may require Planning and Zoning Board and City Commission review and approval.

d. Affidavit. Improvements and/or conditions contained herein otherwise specified shall be completed at receipt of final CO. Prior to the issuance of a CO for the principal building, the applicant shall provide an affidavit that all conditions of approval by the City Commission are satisfied.

e. Restrictive Covenant. Within 30 days of approval of the application, the applicant, its successors or assigns shall submit to the City Attorney a draft restrictive covenant outlining all conditions of approval granted by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void.

f. Traffic calming. Within 6 months of City Commission approval, the applicant agrees to provide funding of \$150,000.00 dollars for the preparation of the following:

- 1) Traffic study for determining potential traffic calming alternatives for the residential areas west and south of the project.
- 2) Design and installation of all traffic calming devices based upon the final recommendations of the study.

The allocation of the \$150,000.00 dollars and type of improvements shall be subject to the Public Works Director review and approval.

g. Mitigation measures. Prior to the issuance of a building permit for the project, the applicant, its successors, or assigns, shall complete the following:

- 1) Traffic improvements. The applicant agrees to secure funding for the design and construction of the below listed traffic improvements to Segovia Street from Bird Road to Coral Way with the use of the applicants required Miami-Dade County Road Impact fees:
 - a) Median, street, sidewalk, drainage and other infrastructure improvements.
 - b) Landscaping and other associated improvements, and
 - c) Associated traffic calming measures in the vicinity of Segovia Street.

The allocation of funds and the type of improvements is subject to Public Works Director review and approval. If the applicant cannot utilize the County traffic impact fees, the applicant shall fund the above referenced improvements up to the maximum amount the applicant would have paid in County Road Impact Fees.

- 2) Neighborhood parking. The applicant shall coordinate with the City the removal of "Parking permitted" signs on those neighborhood streets west of LeJeune Road and the implementation of a residential permit program for the residential neighborhoods surrounding the project site. The residential permit program shall not include the posting of "no parking" signs to restrict users of the proposed buildings from parking along the surrounding residential streets. All costs associated with the removal of signs and implementation of the residential permit parking program shall be the responsibility of the applicant subject to Public Works Director and Parking Director review and approval.
- 3) Revise the site plan, landscape plan, elevations, etc. to include the following:
 - a) Street level landscape improvements. Install the following improvements on those streets surrounding the sites to include:
 1. Shade trees, shrubs, ground cover, tree grates, landscape islands and drainage improvements and other improvements as identified in the City's citywide streetscape master plan, which as a minimum shall include shade trees (i.e., Mahogany or Oak trees) spaced an average of 40-50 feet on center, a minimum of 14 -16 feet in height (minimum 3 inch caliper) at time of installation.
 2. Include additional plant materials (i.e., shrubs, ground covers, vines, etc.) on both sites at the street level, elevated portions of the buildings and exterior building façades of all sides to further "green" the buildings.
 3. All plant materials shall be Florida Number One or better.
 4. Install structural soil within all planter areas.
 5. Install underground irrigation to provide 100% plant material coverage within the subject properties and adjoining public rights-of-ways.

The above improvements and installation shall not reduce the amount of proposed on-street parking as presented on the approved site plan, and shall be subject Public Service Director, Public Works and Planning Director final review and approval.

- b) Drive-thru bank teller facility. Provide the following:
 1. Security gates at the both entrances and exist of the facility to restrict public use of the facility and insure public safety when the facility is closed. Gates shall be locked/closed at close of business of the bank.
 2. Vehicular directional signage.
 3. Pedestrian safety devices indicating vehicular entrance and exits of the drive-thru facility.
- h. Construction activities. In addition to the preparation of a construction staging plan, the following limitations shall apply to all construction activity until issuance of a Certificate of Occupancy for both sites:
 - 1) Construction parking. All parking and/or vehicle storage as a result of the construction of the sites (i.e., construction workers, etc) shall be limited to the internal confines of the sites or other off-site facilities. No construction vehicle parking/storage shall be permitted as a result of the construction activity in the surrounding residential neighborhoods.
 - 2) Construction vehicle access. All construction vehicles shall be prohibited from directly access LeJeune Road from the subject properties. Construction vehicles shall be prohibited from utilizing/traversing all surrounding residential serving streets.

- 3) Construction information/contact. The applicant shall complete the following to advise as to the construction status of the project:
 - a) Provide the neighborhood immediately west of LeJeune Road a specific liaison/contact person including a contact name, contact telephone number and email, etc. to allow easy communication of potential concerns, construction activity progress, etc.
 - b) Provide a minimum of 72 hour written notice to those residents impacted by any proposed partial street closures of any surrounding streets as a result of the projects construction activity. Full closure of streets shall be prohibited.
 - c) Develop an email subscription/distribution list to allow communication between adjacent neighbors or interested parties to assist in communication.
- i. Illumination. The following illumination standards shall apply to the buildings on both sites:
 - 1) Onsite and building signage. All signage (including but not limited to building, facade, tenant, freestanding, window, street level, etc.) located and/or facing west or on LeJeune Road shall not be illuminated.
 - 2) Building illumination. No external illumination of any portion of the buildings shall be permitted.
 - 3) Illumination necessary to satisfy applicable emergency, building code, and life/safety requirements shall be exempt from the above prohibitions.
- j. Tandem parking. All tandem parking spaces shall be a maximum of two (2) parking spaces deep.

SECTION 3. That the applicant shall further be required to comply with all applicable zoning regulations and any changes to the submitted plans in connection with the conditional use herein granted shall require a recommendation from the Planning and Zoning Board and approval by the City Commission.

SECTION 4. That this resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF DECEMBER, A.D., 2005.
 (Moved: Withers / Seconded: Anderson)
 (Yea: Anderson, Cabrera, Kerdyk, Withers, Slesnick)
 (Unanimous/ 5-0 Vote)
 (Agenda Item E-5)

DONALD D. SLESNICK II
 MAYOR

ATTEST:


 WALTER J. FORMAN

CITY CLERK

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY:


 ELIZABETH M. HERNANDEZ
 CITY ATTORNEY

All amendments to the previously approved conditions of approval are shown in ~~strike thru~~ / underline format.

THE CITY OF CORAL GABLES

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES AMENDING PREVIOUSLY APPROVED RESOLUTION NO. 2005-231 WHICH GRANTED APPROVAL OF THE FOLLOWING FOR PROPERTIES REFERENCED AS 2701 LEJEUNE ROAD, CORAL GABLES, FLORIDA: 1) SPECIAL LOCATIONAL SITE PLAN REVIEW PURSUANT TO ZONING CODE SECTION 28-6, FOR PROPERTIES ADJACENT TO R AND D USE DISTRICTS, TO ALLOW MEDITERRANEAN ARCHITECTURAL BONUSES FOR PROPERTIES REFERENCED AS PARCEL 1 (CRAFTS SECTION, BLOCK 16, LOTS 1-11 AND LOTS 39-48) AND PARCEL 2 (CRAFTS SECTION, BLOCK 17, LOTS 1-5 AND WEST 24 FEET OF LOT 6 AND LOTS 43-48); AND, 2) CONDITIONAL USE REVIEW PURSUANT TO ZONING CODE SECTION 6-3, FOR A PROPOSED DRIVE-THRU BANK TELLER FACILITY FOR PARCEL 2 (CRAFTS SECTION, BLOCK 17, LOTS 1-5 AND WEST 24 FEET OF LOT 6 AND LOTS 43-48), CORAL GABLES, FLORIDA; WHEREAS CITY NATIONAL BANK DESIRES TO AMEND THE CONDITION REQUIRING THE INSTALLATION AND OPERATION OF SECURITY GATES AT BOTH ENTRANCE AND EXIT OF THE DRIVE-THRU BANK FACILITY; AND THE APPROVAL AND ALL OTHER CONDITIONS OF APPROVAL CONTAINED IN RESOLUTION NO. 2005-231 SHALL REMAIN IN EFFECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after notice duly published and notification of all property owners of record within 1,000 feet, the Planning and Zoning Board held a public hearing on November 30, 2005 to consider the special locational site plan and conditional use; and,

WHEREAS, after due consideration the Planning and Zoning Board at a meeting held on November 30, 2005 recommended approval (vote: 5-0) of the special locational site plan and conditional use subject to conditions; and,

WHEREAS, after notice of public hearing was duly published, and notification of all property owners of record within 1,000 feet, a public hearing was held before the City Commission on December 13, 2005, at which hearing all interested persons were afforded the opportunity to be heard; now therefore and,

WHEREAS, on December 13, 2005 the City Commission approved the special location site plan and conditional use for a bank drive-thru teller facility (vote: 5-0) with conditions; and,

WHEREAS, City National Bank proposes to provide 24 hour a day ATM access within the approved bank drive-thru teller and ATM facility that will require unrestricted customer access; and,

WHEREAS, City National Bank requested an amendment to the conditions of approval, specifically the removal of the requirement for the installation and operation of security gates at both entrance and exit of the drive-thru bank facility; and,

WHEREAS, after due consideration the Planning and Zoning Board at a meeting held on May 28, 2008 recommended approval (vote: -) of the proposed amendment to the conditions of approval with the condition that all other previously required conditions of approval shall remain in effect; and,

WHEREAS, the City Commission on _____, 2008, approved the request
(vote: _____) with the condition that all other previously required conditions of approval shall
remain in effect; now therefore,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The recitals and findings contained in the Preamble of this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this section.

SECTION 2. That a request for approval to permit the construction of the proposed commercial development, consisting of two separate buildings located across from "D", Duplex zoned property and including a four (4) lane drive-thru bank teller and ATM facility on Lots 1-11 and Lots 39-48, Block 16, and Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48, Block 17, Crafts Section, Coral Gables, Florida, as set forth in Application No(s). 05-05-350-P and 08-05-388-P. The application shall be and it is hereby granted subject to the following conditions:

- a. Application/supporting documentation. Construction of the project shall be in conformance with the following:
 - 1) Site plan, building elevations and building program prepared by Nichols Brosch Wurst Wolfe and Associates, Inc., dated 10.30.05.
 - 2) Landscape Plan prepared by Fuster Design Associates, P.A., dated 03.30.05 and 11.02.05.
 - 3) Traffic Study and Stacking Analysis prepared by David Plummer and Associates, Inc., dated April 2005, with addendum dated 05.27.05.
 - 4) Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO).
 - 5) All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 11.17.05.
 - 6) All representations proffered by the applicant's representatives provided during public hearing review.
 - 7) Changes to the plans required by the City Commission as part of the review of this application at public hearings.
- b. Revisions to plans, elevations and all supporting documents.
 - 1) Modification to all applicable documents that are necessary as a part of the public hearing review and approval of the application shall be submitted to the Planning Department within

60 days of final approval for Department verification that all conditions of approval are satisfied.

- c. The applicant, successors or assigns shall advise the Planning Department in writing of any applicable changes to the approved plans and drawings as a part of building permit review approval process. The Planning Director shall determine if any applicable changes may require Planning and Zoning Board and City Commission review and approval.
- d. Affidavit. Improvements and/or conditions contained herein otherwise specified shall be completed at receipt of final CO. Prior to the issuance of a CO for the principal building, the applicant shall provide an affidavit that all conditions of approval by the City Commission are satisfied.
- e. Restrictive Covenant. Within 30 days of approval of the application, the applicant, its successors or assigns shall submit to the City Attorney a draft restrictive covenant outlining all conditions of approval granted by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void.
- f. Traffic calming. Within 6 months of City Commission approval, the applicant agrees to provide funding of \$150,000.00 dollars for the preparation of the following:
 - 1) Traffic study for determining potential traffic calming alternatives for the residential areas west and south of the project.
 - 2) Design and installation of all traffic calming devices based upon the final recommendations of the study.

The allocation of the \$150,000.00 dollars and type of improvements shall be subject to the Public Works Director review and approval.

- g. Mitigation measures. Prior to the issuance of a building permit for the project, the applicant, its successors, or assigns, shall complete the following:
 - 1) Traffic improvements. The applicant agrees to secure funding for the design and construction of the below listed traffic improvements to Segovia Street from Bird Road to Coral Way with the use of the applicants required Miami-Dade County Road Impact fees:
 - a) Median, street, sidewalk, drainage and other infrastructure improvements.
 - b) Landscaping and other associated improvements, and
 - c) Associated traffic calming measures in the vicinity of Segovia Street.The allocation of funds and the type of improvements is subject to Public Works Director review and approval. If the applicant cannot utilize the County traffic impact fees, the applicant shall fund the above referenced improvements up to the maximum amount the applicant would have paid in County Road Impact Fees.
 - 2) Neighborhood parking. The applicant shall coordinate with the City the removal of "Parking permitted" signs on those neighborhood streets west of LeJeune Road and the implementation of a residential permit program for the residential neighborhoods surrounding the project site. The residential permit program shall not include the posting of "no parking" signs to restrict users of the proposed buildings from parking along the surrounding residential streets. All costs associated with the removal of signs and implementation of the residential permit parking program shall be the responsibility of the applicant subject to Public Works Director and Parking Director review and approval.
 - 3) Revise the site plan, landscape plan, elevations, etc. to include the following:
 - a) Street level landscape improvements. Install the following improvements on those streets surrounding the sites to include:
 1. Shade trees, shrubs, ground cover, tree grates, landscape islands and drainage improvements and other improvements as identified in the City's citywide

streetscape master plan, which as a minimum shall include shade trees (i.e., Mahogany or Oak trees) spaced an average of 40-50 feet on center, a minimum of 14 -16 feet in height (minimum 3 inch caliper) at time of installation.

2. Include additional plant materials (i.e., shrubs, ground covers, vines, etc.) on both sites at the street level, elevated portions of the buildings and exterior building façades of all sides to further “green” the buildings.
3. All plant materials shall be Florida Number One or better.
4. Install structural soil within all planter areas.
5. Install underground irrigation to provide 100% plant material coverage within the subject properties and adjoining public rights-of-ways.

The above improvements and installation shall not reduce the amount of proposed on-street parking as presented on the approved site plan, and shall be subject Public Service Director, Public Works and Planning Director final review and approval.

- b) Drive-thru bank teller facility. Provide the following:

- ~~1. Security gates at the both entrances and exist of the facility to restrict public use of the facility and insure public safety when the facility is closed. Gates shall be locked/closed at close of business of the bank.~~
1. Vehicular directional signage.
2. Pedestrian safety devices indicating vehicular entrance and exits of the drive-thru facility.

- h. Construction activities. In addition to the preparation of a construction staging plan, the following limitations shall apply to all construction activity until issuance of a Certificate of Occupancy for both sites:

- 1) Construction parking. All parking and/or vehicle storage as a result of the construction of the sites (i.e., construction workers, etc) shall be limited to the internal confines of the sites or other off-site facilities. No construction vehicle parking/storage shall be permitted as a result of the construction activity in the surrounding residential neighborhoods.
- 2) Construction vehicle access. All construction vehicles shall be prohibited from directly access LeJeune Road from the subject properties. Construction vehicles shall be prohibited from utilizing/traversing all surrounding residential serving streets.
- 3) Construction information/contact. The applicant shall complete the following to advise as to the construction status of the project:
 - a) Provide the neighborhood immediately west of LeJeune Road a specific liaison/contact person including a contact name, contact telephone number and email, etc. to allow easy communication of potential concerns, construction activity progress, etc.
 - b) Provide a minimum of 72 hour written notice to those residents impacted by any proposed partial street closures of any surrounding streets as a result of the projects construction activity. Full closure of streets shall be prohibited.
 - c) Develop an email subscription/distribution list to allow communication between adjacent neighbors or interested parties to assist in communication.

- i. Illumination. The following illumination standards shall apply to the buildings on both sites:

- 1) Onsite and building signage. All signage (including but not limited to building, facade, tenant, freestanding, window, street level, etc.) located and/or facing west or on LeJeune Road shall not be illuminated.
- 2) Building illumination. No external illumination of any portion of the buildings shall be permitted.
- 3) Illumination necessary to satisfy applicable emergency, building code, and life/safety

requirements shall be exempt from the above prohibitions.

j. Tandem parking. All tandem parking spaces shall be a maximum of two (2) parking spaces deep.

SECTION 3. That the applicant shall further be required to comply with all applicable zoning regulations and any changes to the submitted plans in connection with the conditional use herein granted shall require a recommendation from the Planning and Zoning Board and approval by the City Commission.

SECTION 4. That this resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2008.

APPROVED:

DONALD D. SLESNICK, II
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

**City of Coral Gables
Planning Department Staff Report**

To: Honorable Planning and Zoning Board Members

From: Planning Department

Date: November 30, 2005 (Special Meeting)

Subject: **Application No. 05-05-350-P and 08-05-388-P. Special Locational Site Plan and Conditional Use Review.** Requesting the following reviews for properties referenced as 2701 LeJeune Road, Coral Gables, Florida:

1. Special Locational Site Plan review pursuant to Zoning Code Section 28-6, for properties adjacent to R and D Use Districts, to allow Mediterranean architectural bonuses for properties referenced as Parcel 1 (Crafts Section, Block 16, Lots 1-11 and Lots 39-48) and Parcel 2 (Crafts Section, Block 17, Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48); and,
2. Conditional Use review pursuant to Zoning Code Section 6-3, for a proposed drive-thru bank teller facility for Parcel 2 (Crafts Section, Block 17, Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48).

Staff Recommendation

The Planning Department recommends approval of the applicant's requests for the following:

1. Special Locational Site Plan to allow Mediterranean architectural bonuses for commercial buildings proposed on Parcel 1 (Crafts Section, Block 16, Lots 1-11 and Lots 39-48) and Parcel 2 (Crafts Section, Block 17, Lots 1-5, and west 24 feet of Lot 6 and Lots 43-48).
2. Conditional Use for proposed drive-thru bank teller facility within bank building proposed on Parcel 2 (Crafts Section, Block 17, Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48).

Conditions of Approval

In furtherance of the Comprehensive Land Use Plan (CLUP) Goals, Objectives and Policies, Zoning Code and other applicable City provisions and based upon the findings of facts contained herein, the recommendation for approval is subject to the following conditions:

1. Application/supporting documentation. Construction of the project shall be in conformance with the following:
 - a. Site plan, building elevations and building program prepared by Nichols Brosch Wurst Wolfe and Associates, Inc., dated 10.30.05.
 - b. Landscape Plan prepared by Fuster Design Associates, P.A., dated 03.30.05 and 11.02.05.
 - c. Traffic Study and Stacking Analysis prepared by David Plummer and Associates, Inc., dated April 2005, with addendum dated 05.27.05.
 - d. Improvements and/or conditions contained herein, unless otherwise specified herein, shall be completed prior to receipt of final Certificate of Occupancy (CO).
 - e. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated 11.17.05.

**Burger King/City National Bank – Special Location Site Plan and Conditional Use Review
November 30, 2005 (Special Meeting)**
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- f. All representations proffered by the applicant's representatives provided during public hearing review.
- g. Changes to the plans required by the City Commission as part of the review of this application at public hearings.

2. Revisions to plans, elevations and all supporting documents.

- a. Modification to all applicable documents that are necessary as a part of the public hearing review and approval of the application shall be submitted to the Planning Department within 60 days of final approval for Department verification that all conditions of approval are satisfied.

3. The applicant, successors or assigns shall advise the Planning Department in writing of any applicable changes to the approved plans and drawings as a part of building permit review approval process. The Planning Director shall determine if any applicable changes may require Planning and Zoning Board and City Commission review and approval.

4. Affidavit. Improvements and/or conditions contained herein otherwise specified shall be completed at receipt of final CO. Prior to the issuance of a CO for the principal building, the applicant shall provide an affidavit that all conditions of approval by the City Commission are satisfied.

5. Restrictive Covenant. Within 30 days of approval of the application, the applicant, its successors or assigns shall submit to the City Attorney a draft restrictive covenant outlining all conditions of approval granted by the City Commission. Failure to submit the draft restrictive covenant within the specified time frame shall render the approval void.

6. Traffic calming. Within 6 months of City Commission approval, the applicant agrees to provide funding of a maximum amount of \$100,000.00 dollars for the preparation of the following:

- a. Traffic study for determining potential traffic calming alternatives for LeJuene Road and the area west of LeJeune Road in the general area of Valencia Avenue, Almeria Avenue, Sevilla Avenue, and Palmero Avenue.
- b. Design and installation of the traffic calming devices based upon the final recommendations of the study.

The total allocation of funds up to a maximum amount of \$100,000.00 dollars and type of improvements shall be subject to the Public Works Director review and approval.

7. Mitigation measures. Prior to the issuance of a building permit for the project, the applicant, its successors, or assigns, shall complete the following:

- a. Traffic improvements. The applicant agrees to fund \$400,000.00 for the design and construction of traffic improvements to Segovia Street for the following:
 - 1) Median, street, sidewalk, drainage and other infrastructure improvements.
 - 2) Landscaping and other associated improvements.The allocation of funds and the type of improvements is subject to Public Works Director review and approval.
- b. Neighborhood parking. The applicant shall coordinate with the City the removal of "Parking permitted" signs on those neighborhood streets west of LeJeune Road. All costs associated shall be the responsibility of the applicant subject to Public Works Director review and approval.
- c. Revise the site plan, landscape plan, elevations, etc. to include the following:
 - 1) Street level landscape improvements. Install the following improvements on those streets surrounding the sites to include:
 - a) Shade trees, shrubs, ground cover, tree grates, landscape islands and drainage improvements and other improvements as identified in the City's citywide streetscape master plan, which as a minimum shall include shade trees (i.e., Mahogany or Oak trees) spaced an average of 40-50 feet on center, a minimum of

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14 -16 feet in height (minimum 3 inch caliper) at time of installation.

- b) Include additional plant materials (i.e., shrubs, ground covers, vines, etc.) on both sites at the street level, elevated portions of the buildings and exterior building façades of all sides to further “green” the buildings.
- c) All plant materials shall be Florida Number One or better.
- d) Install structural soil within all planter areas.
- e) Install underground irrigation to provide 100% plant material coverage within the subject properties and adjoining public rights-of-ways.

The above improvements and installation shall be subject Public Service Director, Public Works and Planning Director final review and approval.

- 2) Drive-thru bank teller facility. Provide the following:
 - a) Security gates at the both entrances and exist of the facility to restrict public use of the facility and insure public safety when the facility is closed. Gates shall be locked/closed at close of business of the bank.
 - b) Vehicular directional signage.
 - c) Pedestrian safety devices indicating vehicular entrance and exits of the drive-thru facility.

8. Construction activities. In addition to the preparation of a construction staging plan, the following limitations shall apply to all construction activity until issuance of a Certificate of Occupancy for both sites:

- a. Construction parking. All parking and/or vehicle storage as a result of the construction of the sites (i.e., construction workers, etc) shall be limited to the internal confines of the sites or other off-site facilities. No construction vehicle parking/storage shall be permitted as a result of the construction activity west of LeJeune Road.
- b. Construction vehicle access. All construction vehicles shall be prohibited from directly access LeJeune Road from the subject properties. Construction vehicles shall be prohibited from utilizing/traversing all residential serving streets west of LeJeune Road.
- c. Construction information/contact. The applicant shall complete the following to advise as to the construction status of the project:
 - 1) Provide the neighborhood immediately west of LeJeune Road a specific liaison/contact person including a contact name, contact telephone number and email, etc. to allow easy communication of potential concerns, construction activity progress, etc.
 - 2) Provide a minimum of 72 hour written notice to those residents impacted by any proposed partial street closures of any surrounding streets as a result of the projects construction activity. Full closure of streets shall be prohibited.
 - 3) Develop an email subscription/distribution list to allow communication between adjacent neighbors or interested parties to assist in communication.

9. Illumination. The following illumination standards shall apply to the buildings on both sites:

- a. Onsite and building signage. All signage (including but not limited to building, facade, tenant, freestanding, window, street level, etc.) located and/or facing west or on LeJeune Road shall not be illuminated.
- b. Building illumination. No external illumination of any portion of the buildings shall be permitted.
- c. Illumination necessary to satisfy applicable emergency, building code, and life/safety requirements shall be exempt from the above prohibitions.

Requests

The applicant is proposing to construct the new Burger King International Headquarters on Parcel 1

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and City National Bank on Parcel 2. Both proposed buildings are being reviewed as a single commercial development. A location map identifying Parcels 1 and 2 of the subject property is included as an attachment to this report (see Attachment A).

Special location site plan review

The applicant is requesting special location site plan review pursuant to Zoning Code Section 28-6(a)3. Special location site plan review is required for all proposed projects requesting Mediterranean bonuses that are located abutting or across the street, waterway or alley from a Residential Single-family (R-Use) or Duplex (D-Use) zoning districts. The proposed project is requesting the following Mediterranean bonuses:

1. Increase maximum height for commercial building located on Parcel 1 from 3 stories/45 feet to 7 stories/ 78'-6" feet (maximum 3 ½ stories/ 45 feet bonus allowed by Code). Variance was granted for additional height.
2. Increase maximum height for commercial building located on Parcel 2 from 3 stories/ 45 feet to 4 stories/ 52 feet (maximum 3 ½ stories/ 45 feet bonus allowed by Code). Variance was granted for additional height.
3. Increase maximum Floor Area Ratio (FAR) for entire development (both Parcels 1 and 2) from 3.0 to 3.44 (maximum 0.5 FAR bonus allowed by Code).

The granting of special location site plan review requires satisfaction of various criteria, which are outlined later in this report.

Conditional use review

The applicant is also requesting conditional use review for a drive-thru bank teller and ATM facility pursuant to Zoning Code Section 6-3. The City National Bank building will include a four (4) lane drive-thru bank facility to include: two (2) lanes shall be serviced by bank tellers; one (1) lane for a drive-thru ATM; and one (1) “escape” lane.

Conditional use review for a drive-thru bank teller and ATM facility also requires satisfaction of various criteria, which are outlined later in this report.

Both requests require review and recommendation by the Planning and Zoning Board and approval by the City Commission in resolution form at one public hearing.

The applicant has submitted an application package that includes a statement of interest, the proposed building program, site plan, contextual plan and massing study, landscape plan, building elevations, section details, traffic study and stacking analysis, massing and other miscellaneous support documents (see Attachment B).

Background

Property's Development History

The property is comprised of two separate parcels which are bisected by Sevilla Avenue. The north parcel (Parcel 1) is approximately 1.32 acres in size and is presently occupied by a the existing four (4) story City National Bank building containing approximately 60,000 square feet and a five (5) lane

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drive-thru bank teller facility. The south parcel (Parcel 2) is approximately 0.75 acres in size and is presently occupied by a surface parking lot of 75 parking spaces.

Two ordinances are referenced on the City's Use and Area Maps outlining previous approvals granted for this property:

1. Ordinance No. 1115, adopted on 02.17.59. Ordinance vacating public alleyway that divided Parcel 1 in order to allow construction of existing City National Bank building.
2. Ordinance No.1916, adopted on 06.08.71. Ordinance vacating public alleyway that divided Parcel 2 which is currently used as surface parking for City National Bank.

Surrounding Uses

The property is bounded by Almeria Avenue (north), Palermo Avenue (south) and Le Jeune Road (west). Sevilla Avenue bisects Parcels 1 and 2 of the subject property. The property is located one block south of the CBD District boundary (Almeria Avenue). The property is surrounded by the following existing uses and land use and zoning designations:

Location	Existing Land Uses	CLUP Map Designations	Zoning Designations
North	3 story office building and 15 story condominium	“Commercial Use, High-Rise Intensity”	“CB” and “CC”, Commercial
South	2 story bank building and St. George Church / School	“Commercial Use, Low-Rise Intensity” and “Religious / Institutional”	“CB” and “CC”, Commercial and “S”, Special Use
East	1-3 story commercial buildings and 4 story auto dealership	“Commercial Use, High-Rise Intensity”	“CC”, Commercial
West	1-2 story duplexes	“Residential Use (Multi Family) Duplex Density”	“D-10”, Duplex

Land Use and Zoning Designations

The subject properties have three land use designations. Parcel 1 has “Commercial Use, Mid-Rise Intensity” (6-8 stories) and “Commercial Use, High-Rise Intensity” (13-16 stories) land use designations, and Parcel 2 has “Commercial Use, Low-Rise Intensity” (4-6 stories) land use designation. The entire property has “CB and “CC”, Commercial zoning designations. Both land use and zoning designations permit the construction of the proposed commercial development and drive-thru bank facility.

Variances

The Board of Adjustment has considered ten (10) various requests for this project at two public hearings (10.03.05 and 11.14.05). Eight (8) of the ten (10) variances were approved. A summary of the variances granted as applicable to Parcel 1 and 2 and the date of consideration are as follows:

Parcel 1 Approved Variances

1. Allowing the tower element of the proposed high-rise Mediterranean style commercial building located on LeJeune Road between Almeria Avenue and Sevilla Avenue to have a maximum height of two hundred, fifteen (215'0") feet vs. allowing the tower element of the proposed high-rise Mediterranean style commercial building located on LeJeune Road between Almeria

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Avenue and Sevilla Avenue to have a maximum height of one hundred, ninety feet six inches (190'-6"). (10.03.05 BOA Hearing)

2. Allowing the portion of the proposed high-rise Mediterranean style commercial building located on Lots 3, 4, 45, and 46 of Block 16, Coral Gables Crafts Section to have a maximum height seven (7) stories and seventy eight feet, six inches (78'6") vs. allowing the portion of the proposed high-rise Mediterranean style commercial building located on Lots 3, 4, 45, and 46 of Block 16, Coral Gables Crafts Section to have a maximum height of three (3) stories and forty five feet (45'-0") which ever is less. (11.14.05 BOA Hearing)
3. Allow the proposed Mediterranean style commercial building to have one hundred and seventy four (174) tandem parking spaces vs. each parking space shall be accessible without driving over or through any parking space. (11.14.05 BOA Hearing)
4. Allow the employee cafeteria space to be counted as professional off space at a rate of one (1) parking space per three hundred (300) square feet of floor area for the purpose of determining the amount of required parking for the proposed Mediterranean style commercial building vs. counting the employee cafeteria space as a restaurant at a rate of one and one half (11/2) parking spaces per one hundred (100) square feet of floor area for the purpose of determining the amount of required parking for the proposed Mediterranean style commercial building. (11.14.05 BOA Hearing)

Parcel 2 Approved Variances

1. Temporary parking variance for the proposed low-rise Mediterranean style commercial building on LeJeune Road between Sevilla Avenue and Palermo Avenue by permitting the building to have ninety (90) parking spaces until the entire project is complete vs. the proposed low-rise Mediterranean style commercial building on LeJeune Road between Sevilla Avenue and Palermo Avenue having 157 parking spaces. (10.03.05 BOA Hearing)
2. Allowing the proposed low-rise, Mediterranean style commercial building on LeJeune Road between Palermo Avenue and Sevilla Avenue to have four (4) stories with a height of fifty-two (52'-0) feet vs. three (3) stories or forty-five (45'-0") feet. (10.03.05 BOA Hearing)

Approved Variances Affecting Both Parcels

1. Waiver of the provision of Section 24-9 of the "Zoning Code" limiting the effective time period for a variance from six (6) months to one (1) year. (10.03.05 BOA Hearing)
2. Waiver of the one year waiting period for variances to allow the amendments to the Applicant's Proposal to be heard at the November 14, 2005 Board of Adjustment meeting. (11.14.05 BOA Hearing)

The Board of Adjustment granted the variances requested on 11.14.05 with the following two conditions of approval:

1. The employee cafeteria proposed within the Burger King Headquarters building (Parcel 1) not be open to the public, and only be for the use of Burger King employees and designated guests.
2. The tandem parking spaces proposed within Burger King Headquarters building (Parcel 1) are to be operated by valet service if and when the building becomes a multi-tenant building

These conditions shall be enforced pursuant to the Board of Adjustments actions and therefore are not included as conditions of approval as a part of this request.

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Discussion

Proposed Site Plan and Building Massing

Parcel 1

The applicant proposes to erect a fifteen (15) story / 190'-6" high office building containing 264,500 square feet and 819 parking spaces on Parcel 1 (Burger King Headquarters). The portion of the proposed office building located across LeJeune Road from the existing duplexes steps down from seven (7) stories / 78'-6" high to three (3) stories / 38'-0" high. The seven story portion of the building is the subject of the special location site plan review for the Mediterranean height bonus on this parcel. The building has 0'-0" building setbacks, which is permitted for buildings approved for Mediterranean bonuses. The applicant has been granted variances for additional height of 33'-6" across from "D," Duplex zoned property and the use of tandem parking for this proposed building.

Parcel 2

A four (4) story / 52'-0" high commercial building containing 47,891 square feet, 172 parking spaces, and a four (4) lane drive-thru bank teller facility is proposed to be constructed on Parcel 2 (City National Bank and Codina Group). The proposed four (4) story / 52'-0" height of the building is the subject of the special location site plan review for the Mediterranean height bonus on this parcel. The building has reduced setbacks, which is permitted for buildings approved for Mediterranean bonuses. The applicant has been granted variances for additional height across from "D", Duplex zoned property. The applicant has been granted variances for additional height of 8'-0" across from "D", Duplex zoned property.

The permitted Floor Area Ratio (FAR) for the entire development is 3.5 with the requested 0.5 FAR Mediterranean bonus, which allows for a total of 315,186 square feet. This applicant's proposal includes a total FAR of 3.44 or 310,131 square feet. The requested additional Mediterranean FAR bonus is also subject of the special location site plan review.

Building Program and Site Data

A summary, of the key components of the Building Program taken from the applicants proposed plans are as follows:

General	
Land Use Designation:	"Commercial Use, Low, Medium and High Intensities"
Existing Zoning District:	"CB" and "CC", Commercial
Applicable Overlay District:	Mediterranean Architectural District (City wide)
	Mixed-Use District No. 1
Required Setbacks	Meets or exceeds all required setbacks
Permitted Height (TOS): (w/Med. Bonus)	3 ½ stories / 45' and 16 stories / 190'-6"
Proposed Height (TOS) (Parcel 1):	7 stories / 78'-6" and 15 stories / 190'-6"
Proposed Height (TOS) (Parcel 2):	4 stories / 52'-0"*
Site Area:	90,053 square feet (2.07 acres)
Permitted FAR:(w/Mediterranean Bonuses):	3.5 FAR
Proposed FAR:	3.44 FAR
Landscape Open Space Required:	4503 sq. ft.
Landscape Open Space Provided:	4541 sq. ft.

* Variance granted for additional height.

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<i>Parking Provided</i>	
Office Required Parking	849 Spaces
Retail/Bank Required Parking	142 Spaces
Total Required Parking	989 Spaces
Parking Provided	991 Spaces
Tandem parking spaces	174 Spaces (Parcel 1 only)
Additional Parking Above Required	2 Spaces

Concurrency Management

This project has been reviewed for compliance with the City's concurrency program. The Concurrency Impact Statement (CIS) indicates that there is adequate infrastructure available to service the proposed project. A copy of the CIS is provided as Attachment C.

Compliance with Required Standards

Compliance with the Zoning Code:

Special location site plan review. Staff analysis of the application pursuant to required review criteria set out in Zoning Code Section 28-6(a)3. is as follows:

"a. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest."

Staff comments: This proposal represents a significant commercial infill development and attracts a major employer for the City's commercial downtown area. The project would provide for the planned redevelopment of an existing underdeveloped property and further the Citywide master plan for streetscape and ROW improvements. The proposed plan reduces and steps down building height at the residential perimeter of the property, and traffic calming measures proffered by the applicant are intended to mitigate potential traffic impacts created by the project.

"b. The physical design of the site plan and the manner in which said design does not make adequate provision for public services, parking, provide adequate control over vehicular traffic, provide for and protect designated public open space areas, and further the amenities of light and air, recreation and visual enjoyment."

Staff comments: All required parking, and an additional two (2) spaces are provided on site. Vehicular circulation and service bays are contained on site, and are separated from pedestrian arcades and entrances to proposed buildings. Trash, electrical, and mechanical room are located on the rear of the buildings and accessed from either the building's service areas or public alleyways. Additional street improvements and landscaping provided within the public ROW's that surround the property are intended to enhance the visual appearance of the area and comply with the Citywide street tree master plan.

"c. The compatibility of the proposed buildings with reference to building height, bulk, and mass with the contiguous and adjacent properties."

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Staff comments: The proposed development meets building height limitations allowed for under the property's existing CLUP future land use designations and has been granted variances from Zoning Code requirements to increase Mediterranean height bonus. The proposed development is within the size (allowable FAR) permitted with Mediterranean bonuses (3.0 FAR + 0.5 FAR bonus = 3.5 FAR). The proposed development is consistent with development which exists or could be constructed in the surrounding commercial district, and has been reduced and stepped down across from the existing duplex zoned properties.

"d. The conformity of the proposed site plan with the Goals, Objectives, and Policies of the Comprehensive Land Use Plan (CLUP)."

Staff comments: As exhibited in the following section of this Staff report entitled "Compliance with Comprehensive Land Use Plan Goals, Objectives and Policies", this proposal has been determined to be "consistent" with the CLUP goal's, objectives and policies upon compliance with the conditions of approval recommended by Staff.

"e. That the site plan and associated improvements provides public realm improvements, public open space, and pedestrian amenities for the public benefit as provided for in Section 28.7."

Staff comments: The applicant has proffered funding for the preparation of a traffic study to determine potential traffic calming alternatives for the adjoining residential neighborhood and commercial area surrounding the project site, and for the design and installation of the traffic calming devices resulting from the study. The applicant has also proffered funding for public ROW improvements to Segovia Street, including traffic, median, landscaping and infrastructure improvements.

"f. Those actions, designs, construction or other solutions of the site plan if not literally in accord with these special regulations, satisfy public purposes and provide a public benefit to at least an equivalent degree."

Staff comments: It is the general objective of the City to encourage the location of high-density commercial infill development into the downtown area to create a defined and dynamic 24/7 urban environment. The proposal to reduce and step down the building height and the provision of public ROW improvements, landscaping and traffic calming measures in the adjacent residential neighborhood and surrounding commercial area are intended to minimize the potential impact of the proposed development while accomplishing the City's commercial infill objective.

Conditional Use Review. The applicant's plans have been compared to the required review criteria set out in Zoning Code Section 6-3 (b) as follows:

1. *Review Process.* The proposed plans were reviewed by the Preliminary Review Committee on 01.28.05 (level 1) and 02.16.05 (Level 2), and submitted to the Board of Architects and preliminarily approved on 09.15.05 and received final approval on 11.03.05. The proposed plans have been reviewed and favorably recommended by the Public Works Department.
2. *Dimension Location.* The proposed plans indicate the required information for review by Staff. The applicant's submittal includes a site plan, landscape plans, and building elevations indicating the proposed drive-thru teller and ATM locations.
3. *Landscaping.* This drive-thru bank facility is contained completely within the building, therefore,

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no additional landscaping is proposed as a result of this application.

4. *Access/Circulation*. Vehicular access to the drive-thru facility is provided from Palermo Avenue, with primary exit onto Sevilla Avenue and secondary exit for employee parking onto Palermo Avenue. No security gates are proposed to restrict public use of the facility during non-business hours. Staff recommends as a condition of approval that security gates be installed subject to review and approval by the Public Works Director and Planning Director.
5. *Signage*. The applicant's plans do not include vehicular directional signage proposed to be installed relating to the drive-thru facility. Staff recommends as a condition of approval that a directional signage plan be provided subject to review and approval by the Public Works Director and Planning Director.
6. *Lighting*. Nighttime lighting is provided for drive-thru teller customers by light fixtures installed in the ceiling of the drive-thru facility.
7. *Separation of Uses*. The Zoning Code requires that adequate separation between banking and vehicular functions to assure pedestrians safety. The bank building has separate entrance on the front of the building for pedestrians. No pedestrian safety devices have been indicated at the entrance or exits of the drive-thru lanes, and have been recommended as a condition of approval subject to review and approval by the Public Works Director and Planning Director.

Staff comments. Planning Staff has recommended conditions of approval to mitigate and insure public safety of the proposed drive-thru bank facility. Staff recommends the following: 1) installation of security gates to restrict public use and insure public safety of the drive-thru facility during non-business hours; 2) installation of vehicular directional signage; and, 3) pedestrian safety devices be provided at the vehicular entrance and exits of the drive-thru facility.

Compliance with Comprehensive Land Use Plan Goals, Objectives and Policies

Planning Department has reviewed the CLUP and finds the following CLUP Goals, Objectives and Policies are applicable and the following table provides determination/findings of fact to consistency and inconsistency thereof:

Consistent CLUP Goals & Objectives and Policies are as follows:

Ref. No.	CLUP Goal, Policy and Objective	Basis for consistency
1.	OBJECTIVE 1-1.2: CONTROL BLIGHT AND PROMOTE REDEVELOPMENT. Efforts shall be made to control blighting influences, and redevelopment shall be encouraged in areas experiencing deterioration. This Objective shall be achieved through the implementation of the following policies.	This proposal redevelops an underdeveloped parcel of land and surface parking lot in the City's urban downtown area. Public realm improvements, including public right of way infrastructure, street trees and landscaping and local traffic calming improvements will be installed in the adjoining residential neighborhood and surrounding commercial area and will improve the existing conditions.
2.	OBJECTIVE 1-1.3: ACHIEVING COMPLIANCE WITH FUTURE LAND USE MAP AND PLAN. By the year 2010 the City shall endeavor to reduce the number of inconsistencies between the Future Land Use Map and the actual land uses from 70 to 35.	The property is currently used for commercial banking and surface parking. This proposal will expand the mix of commercial uses on the property.
3.	POLICY 1-1.3.1: AVOID ENCROACHMENT INTO NEIGHBORHOODS BY INCOMPATIBLE USES. Residential neighborhoods should be	The applicant has proffered funding for the preparation of a traffic study to determine potential traffic calming alternatives for the

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Ref. No.	CLUP Goal, Policy and Objective	Basis for consistency
	protected from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.	adjoining residential neighborhood, and for the design and installation of the traffic calming devices resulting from the study. The applicant has also proffered funding for public ROW improvements to Segovia Street.
4.	POLICY 1-1.3.2: APPLICATION OF BUFFERING TECHNIQUES. Uses designated in the plan which causes significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic shall provide buffering when located adjacent to or across the street from incompatible uses such as residential uses.	This proposal reduces and steps down the height of the portion of the buildings that are across the street from the existing duplex zoned properties and places vehicular access and service facilities for the project are located on the side streets away from the residential neighborhood. Also, the provision of public ROW improvements, street landscaping surrounding the property and traffic calming measures are intended to reduce the potential impact of the proposed project.
5.	POLICY 1-1.3.3: LIMITATIONS OF POTENTIALLY DISRUPTIVE USES. Normally disruptive uses may be permitted on sites within related districts only where proper design solutions are demonstrated and committed to in advance which will be used to integrate the uses so as to buffer any potentially incompatible elements.	The height of the proposed high-rise building located on Parcel 1 is stepped down from 7 stories / 78'-6" to 3 stories / 38'-0" adjacent to LeJeune Road. All vehicular access onto the property and service facilities for the buildings are located on the side street away from the adjoining residential neighborhood. Public ROW landscaping around the property will provide additional visual screening.
6.	OBJECTIVE 1-1.7: DISCOURAGE URBAN SPRAWL. Discourage the proliferation of urban sprawl by amending the land development regulations to include a regulatory framework for encouraging future infill and redevelopment within existing developed areas. In drafting the infill/redevelopment program, the City shall coordinate public and private resources necessary to initiate needed improvements and/or redevelopment within these areas.	The applicant is utilizing the Zoning Code's Mediterranean architectural bonus provisions as allowed for the property's existing land use and zoning designations for the redevelopment of this site with a commercial infill project. The applicant is providing off-site public improvement including public realm, landscaping, traffic calming and infrastructure improvements.
7.	POLICY 1-1.7.1: DEVELOPMENT OF EMPLOYMENT CENTERS. Encourage effective and proper development of employment centers of high quality which offer potential for local employment in reasonably close proximity to protected residential neighborhoods.	The project includes a mix of commercial/office uses which provides the surrounding residential neighborhood with the opportunity for local employment.
8.	POLICY 1-1.7.2: DEVELOPMENT OF UNDEVELOPED LAND. Encourage development of remaining undeveloped and vacant isolated parcels of developable property through identification and staff assistance in providing information as to appropriate uses permitted by Code and proper procedures to be undertaken to obtain the proper development orders.	The property is currently underdeveloped with a large portion of the site used for commercial surface parking. The proposed project would result in the planned redevelopment of the site to the property's development potential while providing public realm improvements in accordance with the Citywide street tree master plan.
9.	OBJECTIVE 1-1.9: INNOVATIVE DEVELOPMENT REGULATIONS. Encourage sound innovation in development regulations	The applicant is developing both parcels of the property as a single project to achieve maximum utilization and efficiency of the site. The applicant

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Ref. No.	CLUP Goal, Policy and Objective	Basis for consistency
	which provide a continuing process to respond to community needs.	has proffered the installation and/or funding of significant public improvements surrounding both parcels of the property.
10.	POLICY 1-1.9.2: PRINCIPLES FOR DOWNTOWN PLANNING. Encourage the detailed planning of downtown to establish sound economic, aesthetic and land use principles for effective utilization of both public and private resources.	This proposal represents a significant commercial infill project and proffers and incorporates public realm improvements in accordance with the Citywide street tree master plan and traffic calming improvements to reduce the potential impact on the adjacent residential neighborhood.
11.	POLICY 2-1.7.3: CONTROLLING THROUGH TRAFFIC MOVEMENTS. The City shall discourage through traffic in neighborhoods by the use of traffic management techniques, including signage, landscape design and roadway design.	The applicant has proffered funding for the preparation of a traffic study to determine potential traffic calming alternatives for the adjoining residential neighborhood and surrounding commercial area, and for the design and installation of the traffic calming devices resulting from the study.
12.	POLICY 2-1.8.1: PROVIDE ROADWAY LANDSCAPING. The City shall provide landscaping along roadways to serve as visual and sound buffers and to maintain the quality of the environment within the City.	The applicant has proffered additional public realm improvements and off-site landscaping within the public ROW's that surround the project site and along Segovia Street, including traffic, median, landscaping and infrastructure improvements.
13.	POLICY 3-1.2.6: COMPATIBILITY OF NEW DEVELOPMENT. New development shall be compatible with adjacent established residential areas.	The proposed development reduces the height sculpts the buildings down to the side of the property adjacent to the existing residential neighborhood. This proposal also provides additional public realm improvements to buffer and improve the visual qualities of the surrounding area, and traffic calming measures to reduce the potential impact of the project on the adjacent residential neighborhood.

Staff Comments: Staff's determination that this application is "consistent" with the CLUP Comprehensive Plan Goals, Objectives and Policies that are identified is based upon compliance with the conditions of approval recommended by Staff and site plan provisions incorporated by the applicant.

Compliance with Charrette Recommendations

Planning Department has reviewed the 2002 Charrette Report and finds that the following Charrette Design and Policy Recommendations are applicable and the following tables provide a determination / findings of fact as to consistency, inconsistency and not applicable thereof:

Design Recommendations:

Ref. No.	Design Recommendations	Consistent	Inconsistent	Not Applicable
1.	Redesign Ponce Circle Park to conform with original historical intention.			✓
2.	Provide City Hall with a civic setting in support of its historic designation.			✓

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Ref. No.	Design Recommendations	Consistent	Inconsistent	Not Applicable
3.	Create a grand public space for Alhambra Circle referenced as the "Alhambra Rambla".			✓
4.	Develop a master streetscape plan for all Downtown and North Ponce streets.	✓		
5.	Return two-way traffic to Valencia Avenue.			✓
6.	Activate trolley planned for north-south route.			✓
7.	Make trolleys visually appealing.			✓
8.	Consider long term plan for fixed rail to substitute for rubber tire trolleys.			✓
9.	Develop eastern edge of Phillips Park with liner residential buildings.			✓
10.	Develop mid-block pedestrian passages for each block of Miracle Mile.			✓
11.	Develop a public garden (Firehouse Park).			✓
12.	Develop a public loggia (Miracle Square) adjacent to the Miracle Theatre.			✓
13.	Replat west end of Miracle Mile to increase depth of lots facing Le Jeune Road.			✓
14.	Develop a comprehensive and uniform signage system.			✓
15.	Develop a palette of street furnishings.			✓
16.	Reinforce five identifiable communities in North Ponce area.			
17.	Create a central square for all of North Ponce at intersection of Ponce de Leon Boulevard and East Ponce Boulevard.			✓
18.	Redesign Ponce de Leon Boulevard corridor public right of way.			✓
19.	Provide landscaped traffic calming elements for Galiano and Salzedo Streets.	✓		

Policy Recommendations:

Ref. No.	Policy Recommendations	Consistent	Inconsistent	Not Applicable
1.	Consolidate dense development and redevelopment of Downtown.	✓		
2.	Engage property owners, residents, and merchants to address issues of design, regulations and management in area south of CBD.	✓		
3.	Make multiple mobility options a City goal.			✓
4.	Work with County to adjust street speed limits.			✓
5.	Work with County to assume jurisdiction of all streets in Downtown and North Ponce.			✓

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Ref. No.	Policy Recommendations	Consistent	Inconsistent	Not Applicable
6.	Limit height of buildings facing Miracle Mile to three to six stories.			✓
7.	Revise zoning code to limit street front building length to a maximum of 250 feet.			✓
8.	Revise the zoning code to allow and encourage live-work units.			✓
9.	Revise zoning code to allow narrow lot mixed-use infill townhouses in Downtown.			✓
10.	Revise zoning code to consolidate Downtown retail into the Retail Priority Area.			✓
11.	Revise zoning code to encourage creation of an open-air Mediterranean shopping and dining experience.			✓
12.	Complete further research on the Mediterranean ordinance.			✓
13.	Create a compact and transparent zoning code from the ground up.			✓
14.	Preserve historic apartment buildings in North Ponce.			✓
15.	Preserve North Ponce as the City's neighborhood for affordable rental housing.			✓
16.	Revise zoning code to promote infill building in North Ponce that is compatible with historic types.			✓
17.	Revise zoning code to bring FAR and height restrictions into conformance with land use regulations.			✓
18.	Revise zoning code regarding bed and breakfast uses.			✓
19.	Encourage the establishment of ground level urban open spaces.			✓
20.	Encourage the use of art in public and private spaces.			✓
21.	Require screening and buffering of obnoxious uses in alleys.	✓		

Staff comments: The proposal is generally consistent with the design and policy recommendations made in the 2002 Charrette Report.

City Reviews

The following are reviews and approvals required by the City in order for this project to proceed as proposed.

City Reviews/Timeline	Date Scheduled/Review/Approved*
Development Review Committee	01.21.05 and 02.16.05
Board of Architects (Parcel 1)	09.15.05 and 11.10.05
Board of Architects (Parcel 2)	09.15.05 and 11.03.05
Board of Adjustment	10.03.05 and 11.14.05
Landscape Advisory Board	n/a
Local Planning Agency	n/a
Planning and Zoning Board	11.30.05

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City Reviews/Timeline	Date Scheduled/ Review/Approved*
Street and Alley Vacation Committee	n/a
Public rights-of-way encroachment (City Commission	n/a
City Commission, Resolution (one reading only)	12.13.05

* All scheduled dates and times are subject to change without notice.

Findings of Fact

The findings of fact that support the approval of the application include the following:

1. The application with the conditions of approval and recommended mitigations measures is “consistent” with the CLUP Goals, Objectives, and Policies, as identified and presented in this report.
2. The property’s existing land use and zoning designations allows for the construction of the proposed commercial development and drive-thru bank facility at this location.
3. Recommended conditions of approval and recommended mitigations measures render the application consistent with the development criteria outlined in the Zoning Code.
4. A five (5) lane drive-thru bank teller facility currently exists on Parcel 1.
5. Variances have been granted by the Board of Architects for additional height above 3 ½ stories / 45' permitted as a Mediterranean bonus by the Zoning Code with two conditions.
6. The applicant has proffered funding for the preparation of a traffic study to determine potential traffic calming alternatives for the adjacent residential neighborhood and commercial area surrounding the project site, and for the design and installation of the traffic calming devices resulting from the study.
7. The applicant has proffered funding for public right-of-way (ROW) improvements to Segovia Street, including traffic, median, landscaping and infrastructure improvements.
8. Public ROW/public realm improvements shall be provided on streets surrounding the sites in compliance with the Citywide street tree master plan.
9. The applicant has satisfactorily addressed all comments provided by City Departments via the DRC process.

Public Notification/Comments

The following has been completed to solicit input and provide notice of the application:

Type	Explanation
Neighborhood meeting completed	Held on 11.22.05
Courtesy re-notification of all property owners within 1,000 feet of the subject property	Completed 11.15.05
Newspaper ad published	Completed 11.16.05
Posted property	Completed 11.16.05
Posted agenda on City web page/City Hall	Completed 11.16.05
Posted staff report on City web page property	Completed 11.23.05

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A listing of property owners who returned the notification/comment form, including the date received, property owner's name, address, object/no objection/no comment and verbatim comments are provided in Attachment D. A copy of the published newspaper notification of this public hearing item is included as Attachment E.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachments:

- A. Location map identifying Parcels 1 and 2 of subject property
- B. Applicant's submittal package (binder).
- C. Copy of Concurrency Impact Statement (CIS).
- D. Synopsis of comments received from property owners within 1,000 feet.
- E. Copy of published newspaper notification (advertisement)

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CITY OF CORAL GABLES
PLANNING AND ZONING BOARD MEETING
SPECIAL MEETING
VERBATIM TRANSCRIPT

CORAL GABLES CITY COMMISSION CHAMBERS
405 BILTMORE WAY, CORAL GABLES
NOVEMBER 30, 2005, 6:15 P.M.

RE: Application No. 05-05-350-P and 08-05-388-P
Special Locational Site Plan and Conditional Use
Review, 2701 LeJeune Road, Coral Gables, Florida

Board Members Present:

Tom Korge, Chairman
Eibi Aizenstat, Vice-Chairman
Cristina Moreno
Javier Salman
Robert Behar

City Staff:

Eric Riel, Jr., Planning Director
Walter Carlson, Assistant Planning Director
Jill Menendez-Duran, Administrative Assistant
Alberto Delgado, Public Works Director
Dennis Smith, Assistant Building Director

Also participating:

Also participating		PAGE
16		
17	Laura Russo, Esq., Russo & Baker, P.A.	3
18	On behalf of the Applicant.	
19	Armando Codina	13
20	Tim Plummer	16
21	Rhonda Anderson	19
22		
23	Jaime Saldarriaga	50
24	John Lindsay	53
25	Fernando Aquino	55
	Vivianne Garcia-Tunon	56
	Enrique Suarez	57
	Ani Victoriano	64
	Matthew Lambert	65
	Phillip Alleman	92

1 THEREUPON:

2 The following proceedings were had:

3 CHAIRMAN KORGE: We have a quorum, so why
4 don't we take a roll call and start?

5 MS. MENENDEZ-DURAN: Eibi Aizenstat?

6 MR. AIZENSTAT: Here.

7 MS. MENENDEZ-DURAN: Robert Behar?

8 MR. BEHAR: Here.

9 MS. MENENDEZ-DURAN: Pat Keon?

10 Cristina Moreno?

11 Javier Salman?

12 MR. SALMAN: Here.

13 MS. MENENDEZ-DURAN: Michael Tein?

14 CHAIRMAN KORGE: Michael is out of town on a
15 trial. He has an excused absence.

16 MS. MENENDEZ-DURAN: Tom Korge?

17 CHAIRMAN KORGE: Present.

18 We have only one item on the agenda
19 tonight. Before we get to it, are there any changes
20 to the agenda?

21 MR. RIEL: No, there's not.

22 CHAIRMAN KORGE: Okay. Should we swear in
23 everybody first, or how do --

24 Anybody interested in speaking? That's
25 what's listed here next. Anybody interested in

1 speaking on the proposal for --

2 MS. HERNANDEZ: Mr. Chairman --

3 CHAIRMAN KORGE: Yes.

4 MS. HERNANDEZ: -- if I may, under our Code,
5 we only have four members present. The applicant has
6 the option of deferring this item at the present time
7 or with proceeding.

8 You understand that a recommendation of no
9 recommendation could come forward if you choose to
10 proceed. Could you come to the podium, introduce
11 yourself and advise the Board your position?

12 MS. RUSSO: Thank you.

13 For the record, Laura Russo, 2655 --
14 attorney for the applicant, the Codina Group. We
15 understand that there are only -- one, two, three,
16 four -- four Board members and that we will need the
17 recommendation of all four, or if not, whatever
18 recommendation comes out, if it's less than a four
19 vote, will go to the Commission that way, and we
20 would like to proceed. Thank you.

21 MS. HERNANDEZ: Thank you, Mr. Chairman.

22 CHAIRMAN KORGE: Thank you, Liz.

23 Anybody from the public who is interested in
24 speaking on this application tonight, will you please
25 stand, raise your hand to be sworn in? In addition,

1 you'll need to fill out a card at the desk.

2 Anybody else?

3 (Thereupon, members of the public who wished
4 to speak were sworn by the court reporter.)

5 CHAIRMAN KORGE: Okay. Are you first?

6 MR. RIEL: Actually, let me make some
7 opening comments. Just for the record, this is an
8 application for special locational site plan and
9 conditional use review.

10 What we'd like to do this evening -- first
11 off, I want to indicate, we have a revised Staff
12 Report that's in front of you, on the blue sheets.
13 The revision is a result of some last-minute changes
14 to the conditions regarding traffic calming and
15 mitigation measures. It's in an underlined and
16 strike-out format. We do have copies available up
17 here. It's basically on the second page of the
18 report. Those are the only changes. I would note,
19 also, for the record, we do have an updated comment
20 sheet, which is also on the blue sheets.

21 This evening, if I may, Planning & Zoning
22 Board, I'd like to ask -- have Walter Carlson do a
23 brief presentation. After that, Ms. Russo will do a
24 brief presentation, and then if you have any
25 questions that focus on traffic, we do have Mr.

1 Alberto Delgado, Public Works Director. He has to go
2 to another meeting, a public meeting that was
3 previously scheduled, and he'd like to get out of
4 here to attend that meeting, because he's actually
5 running that meeting. So we'd like to perhaps focus
6 on traffic first, and then we can come back to other
7 issues.

8 MR. AIZENSTAT: Is the traffic engineer also
9 here?

10 MR. RIEL: Yes, for the applicant. Yes,
11 they are.

12 So, with that, I'll turn it over to Mr.
13 Carlson.

14 MR. CARLSON: Good evening. This is the
15 Burger King/City National Bank application, and what
16 you have before you today is two requests, requiring
17 your recommendation and consideration by the City
18 Commission.

19 The first request, a special locational site
20 plan review for Mediterranean bonuses. This project
21 is located across the street from duplex-zoned
22 property, and they are requesting bonuses for
23 additional height and additional floor area ratio or
24 FAR; and the second request which before you is
25 conditional use review for a four-lane drive-through

1 bank teller and ATM facility.

2 A little bit about the site: The entire
3 property is being developed as a single commercial
4 development. The development consists of two
5 parcels, each with a new building. Parcel 1 faces
6 onto LeJeune Road, north of Sevilla Avenue, and
7 Parcel 2 faces onto LeJeune Road south of Sevilla
8 Avenue.

9 And what we have is a parcel location map
10 here. You can see the entire piece of property, the
11 subject of this application. It faces onto both --
12 it faces onto LeJeune Road to the west. Almeria
13 Avenue borders it on the north, Palermo Avenue
14 borders it on the south, and it's bisected by Sevilla
15 Avenue.

16 Parcel 1, which we'll refer to as Parcel 1,
17 is the north parcel, which is this parcel right here.
18 Parcel 2 is the southern parcel, which is this parcel
19 right here.

20 A little bit about the property: The entire
21 property is approximately two acres in size, Parcel 1
22 being approximately one and a quarter acres and
23 Parcel 2 being three quarters of an acre.

24 The property has the appropriate Commercial
25 land use and zoning designations to allow for the

1 proposed development which is before you. An
2 existing four-story bank building and five-lane
3 drive-through bank teller facility is currently
4 located on Parcel 1. An existing 75-space parking
5 lot occupies -- currently occupies Parcel 2.

6 Mediterranean bonuses: The bonuses being
7 requested include an increase in maximum height for
8 the proposed commercial building that is proposed on
9 Parcel 1, from three stories/45 feet, to seven
10 stories/78 and a half feet; an increased maximum
11 height bonus for the proposed commercial building
12 located on Parcel 2, that would be from three
13 stories/45 feet, to four stories/52 feet; and
14 finally, the last bonus being requested is an
15 increased maximum floor area ratio of the entire
16 project from 3.0 FAR to 3.44 FAR. The Code allows
17 for a maximum .5 FAR bonus, so this falls within that
18 provision.

19 The drive-through bank teller facility: The
20 four-lane drive-through bank teller facility and ATM
21 includes two lanes served by bank tellers, one lane
22 for a drive-through ATM, one escape lane for traffic
23 circulation. The facility is completely contained
24 within the proposed building which is located on
25 Parcel 2. Users of the ATM would enter from Palermo

1 Avenue and exit onto Sevilla Avenue.

2 The proposed project: On Parcel 1, a
3 high-rise commercial office building is proposed for
4 construction. This would be the new Burger King
5 headquarters. That building would be 15 stories high
6 and would be sculpted down to seven and three stories
7 adjacent to LeJeune Road, which is across from the
8 residential neighborhood to the west. The building
9 will contain approximately 264,000 square feet of
10 office space. It would provide 819 on-site parking
11 spaces, and also provides all the required on-site
12 landscaping.

13 On Parcel 2, a low-rise commercial office
14 building is proposed for construction. This would be
15 the relocated City National Bank. It would be
16 relocated from Parcel 1 to Parcel 2. That building
17 would be four stories adjacent to LeJeune Road,
18 across from the residential neighborhood to the west,
19 and includes the four-lane drive-through bank teller,
20 an ATM facility within the building, at the rear of
21 the parcel, which is the subject of the conditional
22 use application which is before you. The building
23 contains approximately 48,000 square feet of office
24 space, provides 172 on-site parking spaces, and also
25 provides all required on-site landscaping.

1 Previous reviews of this project: The
2 Preliminary Review Committee reviewed this project on
3 January 21st and February 16th of this year. The
4 Board of Architects granted preliminary approval for
5 Parcel 1, which is the Burger King building, on
6 November 10th, and for Parcel 2, which is the
7 relocated City National Bank building, on September
8 15th. The Board of Adjustment considered variances
9 for this project on October 3rd and November 14th of
10 this year and granted eight out of ten variances that
11 were requested. The details of those variances which
12 were granted are provided in your Staff Report.

13 Findings of fact regarding this application:
14 The application, with the recommended conditions of
15 approval, is consistent with the comprehensive goals,
16 objectives and policies.

17 The property's existing land use and zoning
18 designations allow for the construction of the
19 proposed commercial development as it's coming before
20 you.

21 (Thereupon, Cristina Moreno arrived.)

22 MR. CARLSON: Recommended conditions of
23 approval and mitigative measures render the
24 application consistent with the development criteria
25 outlined in the Zoning Code.

1 A five-lane drive-through bank facility
2 currently exists on the property, and as I stated
3 previously, that it currently exists on Parcel 1. It
4 would then be -- it is being moved to Parcel 2.

5 Variances have been granted by the Board of
6 Adjustment for additional Mediterranean height
7 bonuses.

8 The applicant has proffered funding for a
9 traffic study and traffic-calming improvements
10 identified by that traffic study.

11 The applicant has proffered funding for
12 off-site improvements of the public streets
13 surrounding the property and for Segovia Street.

14 All public realm improvements would be in
15 compliance with the Citywide street tree master plan,
16 and finally, the applicant has satisfactorily
17 addressed all the comments provided by City
18 Departments.

19 Staff's recommendation: The Planning
20 Department recommends special locational site plan
21 and conditional use approval of the proposed project
22 with the following conditions, and I'll outline those
23 conditions for you here.

24 Conformance with the site plan, landscaping
25 plan and all representations and exhibits which have

1 been prepared and submitted by the applicant.

2 With regards to traffic calming, the
3 applicant to provide up to \$150,000 for preparation
4 of a traffic study to determine potential traffic-
5 calming alternatives in the residential areas to the
6 west and south of the project, and also to fund the
7 installation of the traffic-calming devices which are
8 recommended by the study.

9 Mitigative measures: Prior to the issuance
10 of a building permit, the applicant shall fund or
11 secure funding for traffic improvements to Segovia
12 Street, including landscaping, traffic calming,
13 median, street, sidewalk, drainage and other
14 associated improvements.

15 With regard to neighborhood parking, the
16 applicant shall coordinate with the City for the
17 removal of the "Parking permitted" signs in the
18 residential neighborhood which is west -- which is
19 located west of LeJeune Road.

20 The applicant to revise the proposed plans
21 to include the following: Street level landscaping
22 improvements on the streets surrounding the project,
23 and these should include shade trees, shrubs, ground
24 cover and other improvements as identified in the
25 Citywide streetscape master plan and according to

1 specific installation requirements which are outlined
2 in your Staff Report.

3 The drive-through bank teller facility shall
4 include security gates, vehicular directional signage
5 and pedestrian safety devices at vehicular entrances
6 and exits to the drive-through facility.

7 With regards to construction activities, the
8 applicant shall provide a construction staging plan,
9 prohibiting any construction parking or construction
10 vehicular access on residential roads west of LeJeune
11 Road, and provisions for a construction information
12 contact to advise residents as to the construction
13 status of the project as it proceeds.

14 And finally, illumination. All signs facing
15 west onto LeJeune Road shall not be illuminated, and
16 no external illumination of any portion of the
17 building shall be permitted, except as required for
18 Building Code or life/safety requirements.

19 My final slide on this presentation.

20 Special locational site plan approval and conditional
21 use approval are granted by resolution, and this only
22 requires one public hearing before the City
23 Commission. Your recommendation will go to the City
24 Commission. They will have one reading with regards
25 to adoption of a resolution.

1 This application has been tentatively
2 scheduled to be heard by the Commission on Tuesday,
3 December 13th of this year, and that concludes my
4 presentation.

5 Thank you.

6 CHAIRMAN KORGE: Thank you.

7 Ms. Russo?

8 MS. RUSSO: Good evening, Mr. Chairman,
9 Members of the Board. Once again, for the record,
10 Laura Russo, with offices at 2655 LeJeune Road. I am
11 here this evening representing the Codina Group.

12 I have here with me this evening Mr. Armando
13 Codina, and what I'd like to do at this moment --
14 because I understand all the neighbors are here, and
15 with Mr. Delgado's schedule -- is ask Mr. Codina to
16 come up and speak to you for a few minutes, and then
17 I'm going to turn my program over to our traffic
18 engineer, so that he can run through the traffic
19 program with you and we can deal with the neighbors
20 and the traffic issues, and then I can take up the
21 rest of the presentation, so that we don't lose Mr.
22 Alberto Delgado to the other meeting.

23 Mr. Codina.

24 MR. CODINA: Thank you.

25 Mr. Chairman, Members of the Board, I'll

1 just take two minutes of your time, given the time
2 constraint. I just wanted to thank you for giving us
3 an opportunity by making this a special meeting. I
4 apologize to you and Staff that the time frame of
5 this Burger King issue has been kind of a fast
6 track. It's been driven by the fact that Burger King
7 has a time line to get out of their existing
8 facilities. When they announced that they were
9 leaving, that lease was accelerated, so they have a
10 limited amount of time to get out of their existing
11 facility, so I apologize.

12 We have had the site under contract for some
13 time, long before Burger King came into the picture.
14 We had other plans for this site. We spent a lot of
15 time looking for an alternate site for Burger King.
16 There's not very many available sites in Coral Gables
17 for an office building, so we ended up placing it
18 here. We think this is the best solution for the
19 City of Coral Gables, for Burger King, and frankly, I
20 believe, in my opinion, for the neighbors, because a
21 much more intense use could go on this site, without
22 being in front of this Board, by the way.

23 So we are pleased that we have spent -- and
24 we've spent a lot of time with the neighbors, I know
25 my guys have. We want to be -- we're trying to be a

1 good neighbor to -- we've been here in Coral Gables
2 for a long time, and everything that we have built,
3 we try to do it with sensitivity, and we're trying to
4 do this building no different.

5 So we're going to be on the little site.

6 It's been pointed out that there's two components to
7 the site. My offices are going to be on the little
8 site. We're taking the drive-in from five lanes to
9 three. We're going to be on the little site, and
10 we're going to build the Burger King building on the
11 large site. So we think that traffic is an issue
12 that should be addressed and we've tried to do that,
13 and I know -- every neighbor, anywhere that we go
14 today in Dade County, traffic is an issue.

15 This is probably the best solution for this
16 site, and we have done everything that we can to
17 mitigate the issue, and we appreciate your time and
18 we appreciate how Staff has dealt with it, also.

19 Thank you very much.

20 MS. MORENO: Thank you.

21 MR. BEHAR: Can I ask you a question, Mr.
22 Codina? And maybe you know. Of the 264,500 square
23 feet that you're proposing, how much of that is
24 Burger King taking?

25 MR. CODINA: Burger King is taking the

1 whole building except the ground floor.

2 MS. RUSSO: Except the ground floor retail.

3 MR. CODINA: Yeah.

4 MS. RUSSO: So I believe the ground floor
5 retail is -- there's 12,000 or 15,000. So the entire
6 building, from the second floor up, will be Burger
7 King, a single tenant.

8 Tim Plummer, who is our traffic engineer,
9 from David Plummer & Associates, has been working on
10 this project since the very beginning, and he's going
11 to give you a little chronology and sort of the
12 traffic background.

13 MR. PLUMMER: Good evening. Tim Plummer,
14 1750 Ponce, here in the City Beautiful. I'll try to
15 make this as brief a summary as possible. As Laura
16 has mentioned, we've been working on the traffic
17 issues since the beginning of this year, with
18 probably, in the last three or four months, four or
19 five neighborhood meetings, some smaller ones, some
20 large-scale neighborhood meetings.

21 In April of '05 -- and you should have in
22 your packet a summary of the traffic study that was
23 undertaken -- we met with the Public Works Director
24 to set the study area. We ended up studying five
25 intersections on LeJeune and three on Salzedo, and

1 what the conclusions are, as Mr. Carlson had stated
2 earlier about the access to the site, the Burger King
3 building, all the access is on Sevilla, in and out.

4 For the smaller building, the parking garage
5 accesses on the Palermo side, and the drive-through,
6 as you exit, is on Sevilla. We've recommended a new
7 traffic signal on LeJeune Road at Sevilla. Not only
8 will this benefit the project, but the City's Fire
9 Department is very interested in this, as well,
10 because it will help expedite their emergency rescue
11 vehicles onto LeJeune. So they're going to help us
12 with that, for approvals with the Florida Department
13 of Transportation.

14 As I mentioned earlier, we've met with the
15 neighbors quite exclusively (sic) in the last four or
16 five months, probably four or five meetings. They
17 have some very legitimate concerns about their local
18 street traffic today, cut-through traffic and
19 speeding. It's a problem we have in various parts of
20 the City of Coral Gables, as all the residents know,
21 and I can't stress enough that this is an existing
22 problem that they have today, that they need to
23 resolve, regardless if this project goes forward or
24 not.

25 There is -- we've spent a lot of time

1 talking about the different traffic-calming issues,
2 that some of the neighbors are very interested in
3 street closure, so we've talked to them extensively
4 about the traffic-calming process, from things like
5 putting in mini traffic circles, diverters, speed
6 humps, all the way through street closure and how
7 that process works.

8 As Mr. Carlson mentioned earlier, the Codina
9 Group has been generous enough to put forward
10 \$150,000 to look at the residential neighborhoods to
11 the west and to the south, with a traffic-calming
12 study as well as whatever traffic-calming
13 improvements need to be implemented, their design and
14 their construction, and we're ready to go with this.
15 If this project is approved, I believe the agreements
16 stipulate that within six months we'll get started on
17 the traffic calming. I know the Codina Group is
18 ready for us to get started immediately if this
19 project does go forward.

20 We've also met with the Traffic Advisory
21 Board, to bring them up to speed on what the
22 residents are looking for, and that there is going to
23 be a major traffic-calming study coming forward if
24 this project gets approved.

25 So that's a quick summary, and I'll be here

1 for any questions, if you have any later. Thank you.

2 MS. RUSSO: I think, at this point, it might
3 be best to allow the neighbors who are here, or their
4 representatives --

5 CHAIRMAN KORGE: Yeah.

6 MS. RUSSO: -- to speak in terms of the
7 traffic issues, so we can --

8 CHAIRMAN KORGE: Absolutely.

9 MS. RUSSO: -- get that on the table, and
10 then we can proceed with the rest of my presentation.

11 CHAIRMAN KORGE: Perfect.

12 Anybody here who wishes to speak about this
13 project relating to traffic issues, only traffic
14 issues, come forward. You'll be able to come back
15 later if you have other issues, as well, but because
16 we need to deal with traffic right now, we'd
17 appreciate anybody who wants to speak to come forward
18 at this time.

19 MS. ANDERSON: Good evening. Rhonda
20 Anderson. I'm here with Wendy Cook, on behalf of the
21 neighbors. We've made an association, called the
22 LeJeune Segovia Association, and traffic is our main
23 concern, as well as the parking issues, and Codina is
24 right, this is an extensive problem now and is only
25 going to be exacerbated by the influx of over 600

1 employees plus visitors and so forth that are going
2 to not only visit the building site that exists now,
3 at the City National Bank, which I'm quite familiar
4 with, because I have an office in that facility now,
5 but also the bank building that's going to be
6 constructed on the other site that currently is an
7 empty parking lot, and I must emphasize to this Board
8 that the traffic issues that exist now are minute as
9 compared to what's going to exist after the building
10 is put in, because at the present time, even if a
11 traffic study is done, it's only going to reflect a
12 very small population that is left in the City
13 National Bank building, because people are moving
14 out, and they're moving out rapidly.

15 It needs to be addressed now. It needs to
16 be addressed concomitant with this particular plan
17 that's being presented before the Board, and we ask
18 that this be an integral part of the completion of
19 the project, and I believe that Codina is with the
20 neighbors on that issue, but the commitment, I think,
21 needs to be a larger commitment.

22 We've reviewed the proposed plan and noted
23 that Codina has committed \$150,000 to address the
24 traffic-calming issues and the traffic study. The
25 area of concern, though, is much larger than just

1 Almeria Street and just Sevilla Street, which have
2 extremely heavy traffic on them, because the influx
3 of traffic, the cut-through to Segovia to get to Red
4 Road, to get to Bird Road, is going to encompass a
5 grid anywhere from Almeria Street all the way south
6 to the Youth Center, where Anastasia is presently
7 located. We have extremely heavy traffic there now
8 that has been, for lack of a better term,
9 side-skirted and avoided.

10 Over the course of the past 18 years, when
11 I've resided in the community, it's changed
12 dramatically. To back out of my driveway, to get
13 onto Sevilla Avenue, and that's consistent with the
14 rest of them, we have to wait a considerable period

15 of time during rush hour. The neighborhood traffic
16 itself, without rush-hour traffic, is tolerable.

17 Most of the residents, and I'm assuming you
18 all have received the questionnaires from the
19 residents of our neighborhood association, all
20 address those issues. We presently have over 70
21 households that are in this group, and it's growing
22 by the day, because we only really started to get
23 together over the Thanksgiving holiday, to address
24 the number of streets where the traffic is really
25 going to be impacted.

1 You'll have people coming out of Sevilla
2 Avenue, Palermo Avenue, making their left and
3 right-hand turns and hanging a quick right to go
4 through our residential streets, on a daily basis.
5 The same issue is going to happen with traffic coming
6 in from the west, because people will want to avoid
7 the heavy traffic of the main thoroughfares and use
8 our neighborhood streets, where we have children in
9 bus stops, trying to get through to their job, and
10 the Planning Board needs to commit not only to what
11 Codina has presented before it, but if additional
12 funds are necessary, either requesting them from
13 Codina and/or from the City.

14 We've done a conservative, off the top or
15 the cuff of our head estimate, and believe that it's
16 at least going to be \$400,000. I'm no traffic study
17 expert, but we're talking about eight streets, eight
18 streets where closure needs to be addressed either
19 through traffic diversion or other means on these
20 streets, and facing LeJeune.

21 You also have traffic-calming circles that
22 are necessary up and down Hernando Street, which is
23 many times used as an alternative north-south
24 corridor for LeJeune Road. People speed along there
25 now, and it has to be addressed, because it's

1 becoming a dangerous situation. When you multiply
2 this by the number of people that currently exist in
3 that City National Bank building and it grows into,
4 you know, over 600 employees coming to and from, this
5 is an issue that is very serious and must be
6 addressed.

7 The other issue that we'd like addressed, as
8 well, is the parking. It currently has been a
9 problem, and I can tell you that it's an issue that
10 began with the Mercedes dealership people parking on
11 our lawns. I called the Mercedes dealership, and
12 they can care less whether or not their employees
13 park on our lawns and ruin our grass. They don't
14 care about the beauty of the City. They don't
15 require their employees to park in parking garages,
16 and nothing else -- you know, the same thing is going
17 to happen in this residential community again, when
18 you have a facility as large as Burger King within
19 easy walking distance for anyone who wants to visit,
20 and I understand they have a number of parking spaces
21 they're going to be providing for their employees and
22 visitors, but it's still quite easy for someone to
23 turn in off these streets and park in a nice shaded
24 spot, to get to a meeting quickly.

25 The parking issues must be addressed, and

1 the diversion of the traffic may also help address
2 that issue, because it won't be so easy for them to
3 get into our communities, to use it as an additional
4 parking lot. "No parking" signs only do so much
5 good, because if you're not home to call the parking
6 police, they're going to be parking on the lawns,
7 anyway, and destroying them.

8 We appreciate your time. We hope you take
9 the issue seriously and at this juncture address the
10 parking and traffic issues so that they are completed
11 when the building is completed.

12 Thank you.

13 MR. AIZENSTAT: If I may, I didn't hear your
14 address.

15 MS. ANDERSON: Okay. My residential
16 address is 2715 Hernando Street, and I'm at the City
17 National Bank building now, at 2701 LeJeune Road.

18 MR. AIZENSTAT: So you have an office in the
19 City National Bank building?

20 MS. ANDERSON: Yes, I do.

21 MR. AIZENSTAT: And your residence is how
22 far away from the project?

23 MS. ANDERSON: One block.

24 MR. AIZENSTAT: I see. So you're very
25 familiar with it?

1 MS. ANDERSON: I'm very, very familiar with
2 it.

3 MR. AIZENSTAT: Thank you.

4 MS. ANDERSON: Thank you.

5 CHAIRMAN KORGE: Laura, what's the
6 geographic area of the proposed traffic study?

7 MS. RUSSO: The traffic study that was done,
8 that you have in front of you --

9 CHAIRMAN KORGE: No, I'm sorry, the proposal
10 for the --

11 MS. RUSSO: The proposed --

12 CHAIRMAN KORGE: To fund an additional
13 calming study.

14 MS. RUSSO: What we had done is, we had
15 decided that we shouldn't be the ones making the
16 determination, that that determination as to what
17 that study area should be, should be left to the
18 Public Works Director. So the Public Works Director
19 will be meeting with Tim Plummer and sit down to
20 figure out what that area should be for the traffic
21 calming.

22 We never anticipated it would just be the
23 one or two streets. We knew that it would start at
24 Almeria. We knew at least as far as Palermo, maybe
25 Catalonia, all the way -- and I think there's Malaga

1 and then there's -- I think it's Anastasia. But we
2 were leaving it up to Public Works, because if we
3 made the determination, it would always look as if we
4 were trying to do less than what we had to. So, from
5 the get-go, we decided that it should be up to the
6 City to address that.

7 CHAIRMAN KORGE: Okay, thank you.

8 MR. AIZENSTAT: Eric, if I may ask a
9 question. When we originally got the Staff
10 recommendation, it said \$100,000. Now it says
11 150,000. Who makes that determination?

12 MR. RIEL: It's based upon discussions with
13 the Public Works Director, in terms of what the
14 expected costs of the traffic-calming improvements
15 are.

16 MR. AIZENSTAT: So those would be questions
17 we can direct to --

18 MR. RIEL: Yes. I mean, that's the number
19 that we came up with in estimated costs.

20 CHAIRMAN KORGE: Does anybody else want to
21 speak on traffic?

22 MR. AIZENSTAT: Is Mr. Delgado going to come
23 up?

24 MR. RIEL: Yes.

25 MR. DELGADO: Good evening.

1 CHAIRMAN KORGE: So how much is it going to
2 cost?

3 MR. DELGADO: Yeah, let me tell you what is
4 the actual scope of work right now.

5 MR. AIZENSTAT: That's what I'm saying, yes.

6 MR. DELGADO: We're talking of two separate
7 projects. You know, one would be the study that is
8 going to be done in the area west of LeJeune and
9 south of the project. So we are including the
10 streets south of the project, Catalonia, Malaga, all
11 the way to University Drive.

12 MR. AIZENSTAT: Eric, do you by any chance
13 have anything you can put up that would have a map of
14 the streets or so forth?

15 MS. RUSSO: Yes.

16 MR. AIZENSTAT: I think that would help.

17 MR. RIEL: I think you need a bigger map.

18 MS. RUSSO: We have one in that book, I
19 think.

20 MR. AIZENSTAT: Yes, but so everybody can
21 take a look at it.

22 MS. HERNANDEZ: Are you going to be Vanna
23 White and point to the streets?

24 MS. RUSSO: LeJeune Road north, the
25 subject property -- let's see, the subject property.

1 This is Almeria, Sevilla, Palermo.

2 MR. DELGADO: Then we have Catalonia and
3 Malaga to the south, going all the way to University
4 Drive. That would be the area east of LeJeune. Then
5 we have the area west of LeJeune, which we are going
6 all the way to Andalusia to the north, and then to
7 Segovia -- to the west, Segovia.

8 MS. HERNANDEZ: All the way.

9 MS. RUSSO: You mean Biltmore. Because this
10 is Andalusia.

11 MR. DELGADO: Okay, so we're going
12 Andalusia, we're going south, Segovia, all the way to
13 the intersection of Segovia and University, and then
14 University back to LeJeune Road. This is what we
15 consider the affected area.

16 MR. AIZENSTAT: Right. That's what I want.

17 MR. DELGADO: Because this is where the
18 traffic intrusion happens, you know. The Traffic
19 Advisory Board had a meeting and presentation, you
20 know, from the developer, and we had the opportunity
21 to listen to the residents, some of the residents of
22 the area, with their concerns, and they're concerned
23 of the present condition right now, of traffic
24 intrusion.

25 I think that the idea is to -- first is to

1 do a study that will address the concerns of the
2 people of that area, and this traffic study is the
3 one that's going to be funded with the \$150,000
4 contribution, plus we may do with that money, also,
5 some of the traffic calming, minor traffic-calming
6 devices like diverters, if they are needed, along
7 LeJeune Road, or any other traffic-calming devices.

8 But the major project, really, that is going
9 to mostly address the traffic situation is the
10 Segovia median, and the Segovia median is the other
11 project that is -- the cost is about \$600,000, and
12 this is the one that will actually address the
13 problem of traffic intrusion, because the median will
14 serve as a buffer, so that we can control which
15 intersections can be controlled so that the traffic
16 won't go from east to west or west to east, and this
17 is what is going to help, really, to control the
18 traffic over there.

19 CHAIRMAN KORGE: And south of University,
20 there's a major traffic problem, as well, and the
21 cut-through on those --

22 MR. DELGADO: Well, and the Segovia median
23 also will extend all the way to Bird Road.

24 CHAIRMAN KORGE: But is there going to be a
25 separate study relating to that, not funded by this

1 particular proposal, but others?

2 MR. DELGADO: That will be included in the
3 Segovia median. When we do the Segovia median,
4 determination of where the median is going to be,
5 this area also can be looked at in that particular,
6 you know, time.

7 CHAIRMAN KORGE: But that's not what this
8 funding is for, correct?

9 MR. DELGADO: Well, it can be included,
10 because the Segovia median will be consisted in a
11 project that will go all the way from Coral Way to
12 Bird Road. So this can be looked into, into that
13 area, too. So we can take a look at that area to see
14 how this is affected.

15 MS. MORENO: So there's two things. The
16 first one is the Segovia improvements. Those go from
17 Coral Way to Bird Road, and those should address the
18 problems not just in this affected area, but also the
19 existing problems south of University.

20 MR. DELGADO: That's correct.

21 MS. MORENO: That's Project 1, and that is
22 one that I understand is to be funded with impact
23 fees?

24 MR. DELGADO: Yes, with impact fees, or if
25 not, then the developer will fund it somehow, you

1 know, really, but the impact fees would be the way,
2 you know, to do it now.

3 MS. MORENO: Okay, and then the second
4 project is a study of the affected area, which is the
5 one that you've described as between LeJeune and
6 Segovia, south of University and north of Andalusia,
7 and some portion east of LeJeune.

8 MR. DELGADO: Of LeJeune Road, yes. South
9 of Andalusia, north of University, and some portion
10 east of LeJeune Road.

11 MS. MORENO: Okay, and all we're doing in
12 that area is a traffic study to come up with what
13 traffic calming we need.

14 MR. DELGADO: Calming devices are
15 identified, which most likely, those ones according
16 to -- the study will determine which ones, but most
17 likely, it will be some diverters.

18 MS. MORENO: As opposed to street closures?

19 MR. DELGADO: Yes, as opposed or different
20 to street closures. Diverters that will control or
21 limit the turning movement to the west, along LeJeune
22 Road, in the streets, Palermo, Sevilla and Almeria.
23 Those will be the three streets that most likely will
24 be looked at to see if there is any restriction of
25 turning movement.

1 MS. MORENO: So that people cannot turn west
2 on these streets.

3 MR. DELGADO: West, exactly. Those
4 streets, exactly. That's a determination that the
5 consultant will have to determine, if that don't
6 affect other streets.

7 MS. MORENO: And why do you think that the
8 median on Segovia will also help with that?

9 MR. DELGADO: Because when you're looking at
10 all the traffic coming from the west, from
11 Westchester and from Kendall, you know, they usually
12 take from -- even from Red Road, they start taking
13 all of these streets. They take Almeria. They take,
14 you know, Sevilla. All of these streets are used as
15 a cut-through to go to LeJeune Road.

16 MS. MORENO: Yes.

17 MR. DELGADO: And by controlling that at
18 Segovia, they will be forced to make a left or right.

19 MS. MORENO: At Segovia?

20 MR. DELGADO: In other words, that will
21 discourage, exactly, the use of those streets as a
22 cut-through.

23 CHAIRMAN KORGE: But the concern would be
24 that, when we divert them, we're diverting them onto
25 other residential neighborhoods.

1 MR. DELGADO: And that's why we need to do
2 the study, so that they will divert it to the major
3 collectors, like University Drive or streets which
4 are not single-family homes or residential. They are
5 mostly commercial, like Valencia or, you know,
6 Biltmore Way, you know, and those are the streets
7 that they're supposed to be getting the brunt, not
8 only because they are commercial but also because
9 they have the right-of-way, the sufficient width and
10 extra lanes to take care of that. Those streets are
11 really very narrow streets.

12 MS. MORENO: Yes, they are.

13 MR. DELGADO: And some of them are
14 single-family homes, you know, really, and we don't
15 want that amount of traffic, you know, to go to those
16 streets, and that's why we're trying to distribute
17 that traffic so that they will go to the major
18 collectors.

19 MR. AIZENSTAT: Did the Segovia median
20 project come about because of this Burger King
21 project, or was this on the table?

22 MR. DELGADO: No, it was something that we
23 had already planned, and now is a good opportunity to
24 have the developer to sponsor that project, you know,
25 because that project was already on the making.

1 MR. AIZENSTAT: And then when it was on the
2 table, how was the City going to fund that project,
3 if this project --

4 MR. DELGADO: The idea of that project, it
5 was not funded yet. We were looking for funding,
6 and --

7 MR. AIZENSTAT: How do you fund a project
8 like that?

9 MR. DELGADO: Like a capital improvement.
10 When we go to the budget process, we assign money for
11 capital improvements.

12 We have a component of that project that is
13 going to be funded by the half-a-penny surtax; it's
14 the bicycle facility, because the idea of the Segovia
15 is going to be, also, a bicycle facility. This
16 funding is going to pay for the median, but the
17 bicycle facility will be paid by the half-a-penny.
18 But the bicycle facility is only striping, the lane
19 in each side of the road, east and west, and
20 connected to the rest of the bicycle facilities in
21 the City. So this is going to be funded by the
22 half-a-penny.

23 MR. AIZENSTAT: And the impact fees that the
24 City does get from a developer that's coming in, what
25 do they usually use those fees for?

1 MR. DELGADO: They are used for mitigation
2 in the area around -- surrounding the project. So
3 the idea is to mitigate the traffic impact. You
4 know, they're used for intersection improvements, for
5 any capacity improvement. They are used for
6 projects which are --

7 MR. AIZENSTAT: Within that area.

8 MR. DELGADO: -- within that area, exactly.

9 MR. AIZENSTAT: But are you now taking
10 money from this impact fee and putting it into the
11 Segovia median, which might not be directly within
12 that area?

13 MR. DELGADO: Well, it's in that area.

14 That's -- you know, that's --

15 MR. AIZENSTAT: The whole corridor?

16 MR. DELGADO: Yeah, the whole corridor is
17 actually, you know, connected to that, you know, to
18 that area. So we can say that this is the affected
19 area, yes.

20 MS. MORENO: Because you believe that this
21 project, even though it's east of LeJeune, will
22 create traffic -- additional flow-through traffic, in
23 addition to what we have?

24 MR. DELGADO: No doubt that it's not going
25 to help. It's going to increase, you know. I

1 don't -- according to the study, it's not to be too
2 much. It depends where people are coming, you know.
3 If people are coming from the north, along LeJeune,
4 most likely they're not going to use those streets.
5 If people are coming from the south --

6 MS. MORENO: Or coming from the west.

7 MR. DELGADO: -- they are going to use
8 those streets. If people are coming from the east,
9 from Downtown, they're not going to use them, but if
10 people are coming from the west, from Westchester and
11 Kendall, yes, no doubt that they're going to use
12 those streets to get to the project.

13 So that's why we feel, you know, really,
14 that a small component will be, you know, from a
15 contribution from that project to the traffic that is
16 already there, that is already --

17 MS. MORENO: The problem exists.

18 MR. DELGADO: Yeah. The problem exists,
19 yes.

20 MR. SALMAN: Through the Chair?

21 Mr. Delgado, it appears that you've looked
22 into a lot of the possible issues with regards to
23 cut-through traffic going from the project westbound
24 into the surrounding neighborhood. I recall, also,
25 that the DOT had originally looked at doing a project

1 all along LeJeune Road with regards to the limiting
2 of access, and does everybody realize that putting
3 possible diverters in, that would limit probably
4 exits, say, in one direction from those side streets
5 onto LeJeune, may end up having the same effect that
6 caused that project to fail?

7 Now it seems to me that they want it, they
8 want to be able to limit those accesses, whereas the
9 logic of having those streets open is what pretty
10 much failed the DOT's requirement to create a median
11 to divide the east and west traffic along LeJeune.

12 Is that correct?

13 MR. DELGADO: The difference is that the
14 median was -- limited all access to it. This will be
15 only a one-direction access, not the full access.
16 The median proposed by the DOT was blocking
17 completely the access. It was a continuous median,
18 and it was for a long stretch of the road.

19 MR. SALMAN: It didn't have any cut-throughs
20 at all?

21 MR. DELGADO: No, it was a long stretch
22 there.

23 MR. SALMAN: No turning lanes at all?

24 MR. DELGADO: Because of the fact that the
25 streets are offset, they are not lined up. So that's

1 why that median was going to be like a long stretch.

2 So it was limiting access in both ways.

3 This one, we can control only by limiting
4 access that will affect morning or the afternoon,
5 depending on where the diverters are placed, and if
6 it's done in those three streets, in that particular
7 area, the only streets left open will be, of course,
8 University Drive, which is a collector, and then we
9 go to Valencia and we go to Biltmore, which are wide
10 streets, and Andalusia, you know.

11 MR. SALMAN: Is the City doing any kind of
12 diverter projects like that and getting approval from
13 the County for those kind of projects, for diverters?

14 MR. DELGADO: Diverters is something that we
15 have done along Red Road.

16 MR. SALMAN: Uh-huh.

17 MR. DELGADO: We did one in Valencia and Red
18 Road. That's --

19 MR. SALMAN: When was that?

20 MR. DELGADO: -- to control -- that was done
21 a couple of years ago. It's a diverter island that
22 you see, because we have the same problem in
23 Valencia, people intruding to Valencia, trying to go
24 to do the same thing that they're doing on other
25 streets. So there is one over there that has been

1 very successful.

2 We also limited some left turning movement
3 south of Bird Road, along Red Road. People cannot
4 make a left turn over there, you know, so those
5 streets like Cantoria, south of Bird Road, are closed
6 for that turning, left turning movement over there.

7 So those diverters have been installed over there.

8 MR. SALMAN: That was my concern with
9 regards to --

10 MR. DELGADO: Yes.

11 MR. SALMAN: -- the possible mitigation of
12 movement of traffic through the area, as to its
13 permitability.

14 This is, obviously, a DOT road. You don't
15 have -- the project is not looking for access along
16 that road. Does that completely mitigate the
17 requirement from a DOT permitting? That's the other
18 monkey in the ointment.

19 MR. DELGADO: You mean, as far as the DOT is
20 concerned -- what is your question, as far as DOT?

21 MR. SALMAN: Is this going to require a DOT
22 permit?

23 MR. DELGADO: Sure, it will.

24 MR. SALMAN: The drain connection --

25 MR. DELGADO: It's going to require Dade

1 County and DOT, of course, you know.

2 MR. SALMAN: Okay.

3 MR. DELGADO: Sure. Again, the study has to
4 be done. We don't want to say we are going to
5 install diverters in over there unless a study is
6 completed and it shows that we are not moving traffic
7 to other residential streets.

8 MR. SALMAN: Okay.

9 MR. DELGADO: The key is that the traffic
10 should be moved to collectors, not to any other local
11 residential street. So that will be the key for
12 that, okay, for that study.

13 MR. SALMAN: For Ms. Russo, you have a
14 requirement, at least in one of the buildings, for
15 valet parking, according to the Board of Adjustment
16 approval that you received, that you have to have --
17 if this ever goes to a multi-use tenant, you have to
18 have a valet service, and that's a requirement.

19 Could you tell me two things? One, how many
20 people from Burger King are going to be occupying
21 that building?

22 MS. RUSSO: There will be a total of 600
23 employees.

24 MR. SALMAN: Uh-huh, and you have a hundred
25 percent parking for all the employees?

1 MS. RUSSO: Yes. We have more than a
2 hundred percent.

3 MR. SALMAN: So you shouldn't be looking at
4 having people who work at the building parking on the
5 street?

6 MS. RUSSO: No, and just to set the record
7 straight, part of this problem with people who work
8 in the commercial area parking on the west side of
9 LeJeune is because some employers charge for parking,
10 parking is not included.

11 Burger King does not charge its employees
12 for parking. These are all executives. Parking is
13 included, it's not an extra, so it's not an
14 additional \$80 a month for them, and those are the
15 people that you see, usually, transferring to the
16 other side of LeJeune, because it's for free.

17 So Burger King does not. There are never
18 600 people in at the same time. As with most large
19 corporations, this being Burger King's international
20 headquarters, there's a lot of traveling, so -- but
21 in that building, there's 891 parking spaces, and
22 there is more than adequate parking for Burger King's
23 employees, all of them being there at the same time,
24 plus guests, plus the retail component that's on the
25 ground floor.

1 MR. SALMAN: Is there any visitor parking,
2 in addition to those employees' parking?

3 MS. RUSSO: Yes, yes. There is visitor
4 parking, as well.

5 MR. SALMAN: And is that going to be free,
6 as well?

7 MS. RUSSO: I believe so, but I don't know.
8 I'd have to wait and get that answer for you in a
9 minute. But the visitor parking, if it is in excess
10 of what you have for Code, you're allowed by the Code
11 to charge for it. If your parking is your Code
12 required and you don't have extra, you're not allowed

13 by the Code to charge for it. You know, whether or
14 not that's enforced in the City is another thing, but
15 only your excess parking, over and above your Code
16 parking, is allowed to be parking charged to the
17 outside. That doesn't mean you can't charge your
18 tenants the parking, but -- so it won't be charged.
19 It won't be charged to outside visitors coming -- who
20 come in to visit Burger King or come to use the
21 retail component.

22 MR. SALMAN: Okay. That's pretty much all
23 my questions.

24 Eric, what is the requirement for visitor
25 parking for this project? Do you know?

1 MS. RUSSO: I know. You want the parking
2 for --

3 MR. SALMAN: Yeah, I just want a number.

4 MS. RUSSO: The total parking is 989 spaces,
5 and we're providing 991 spaces.

6 MR. SALMAN: Okay.

7 MS. RUSSO: So we're two spaces over the
8 required, and that's taking both buildings combined.

9 MR. SALMAN: Well, what is the required
10 visitor parking? My point is specifically to make
11 sure that the project has enough visitor spaces,
12 whether you charge or not, in it to foreclose or at
13 least limit the possibility of having people parking
14 on the streets or across LeJeune, into the
15 neighborhoods.

16 MS. RUSSO: I'm going to allow Mr. Smith to
17 answer that question for you, because parking on this
18 side, as you know, or you may not know, this building
19 is located on the south side of Almeria, which
20 separates the Central Business District. If this
21 building were built directly across the street, the
22 parking we have now would be way over what would be
23 required by Code.

24 MR. SALMAN: Uh-huh.

25 MS. RUSSO: So the parking is stricter south

1 of Almeria, calculated at one per 300 for office,
2 versus the one per 350 for office if it were located
3 across the street.

4 So, in addition, we calculated parking at
5 one per 350 for the Burger King test kitchen, as well
6 as their employee cafeteria, which is about 20 some
7 thousand square feet, that will be occupied by the
8 same people that are there, and parking was
9 calculated for that space as if it were going to be
10 used again, full time, by employees. So there's
11 really even a built-in additional 20,000 square
12 feet --

13 CHAIRMAN KORGE: How many spaces is
14 attributable to the additional 20,000 square feet of
15 dual-use space, I guess?

16 MS. RUSSO: Isn't it 60 some -- for the
17 20,000 square feet, divided by 300 is --
18 60 some spaces. So 60 some spaces that are
19 calculated into the requirement, that aren't being
20 used for office, that are being used by the --
21 because the cafeteria and test kitchen are restricted
22 to the Burger King employees and guests, but have
23 been calculated into the parking as if they were
24 being leased out as office.

25 MR. SALMAN: The retail component, that

1 helps serve the retail component?

2 MS. RUSSO: That's in addition. We also
3 have the retail component parking is that
4 calculation. But what I'm saying is, there's a
5 built-in cushion of 60 some spaces that were
6 calculated as if they were used for office, that in
7 reality, while Burger King is the tenant, will be not
8 used for office.

9 MS. MORENO: It will be used by the same
10 people that you've already parked in this office.

11 MS. RUSSO: Right. But we calculated it,
12 because, you know, in that bizarre future, 30 years
13 from now, it needs to have the parking requirements
14 as the rest of the building. So, while Burger King
15 is the tenant for the next 30 years, there is that
16 cushion of 16 spaces, in addition to the extra
17 parking that's required just because you're south of
18 Almeria, versus being north of Almeria, we'd be about
19 70 spaces over, plus the cushion.

20 CHAIRMAN KORGE: Now, the tandem parking is
21 included within the total of 991?

22 MS. RUSSO: That is correct.

23 CHAIRMAN KORGE: And that you obtained by a
24 variance?

25 MS. RUSSO: That is correct.

1 MR. AIZENSTAT: How are you going to manage
2 your tandem spaces?

3 MS. RUSSO: The tandem spaces -- Burger
4 King, because they are operating now elsewhere, they
5 know which employees are employees that are there
6 from the time they come in, in the morning, till the
7 time they come out. So they're going to be assigned
8 to Burger King employees, and that's why there's a
9 restriction, in the event it ever becomes a
10 multi-tenant in the future, it would have to be
11 operated by a valet operator.

12 Burger King, being the only occupier of the
13 building and the only employer, has the ability to
14 set who parks where and can monitor it, because they
15 don't have to rely on other occupants of the building
16 and other businesses.

17 MR. AIZENSTAT: You mean, assigned
18 specifically to an individual?

19 MS. RUSSO: Yes. They will be assigned to
20 certain individuals, the tandem spaces.

21 MR. AIZENSTAT: Because I have a concern
22 with tandem spaces. A lot of times, people don't
23 park in them because -- or abuse it because they
24 don't want to wait until the other person has to
25 leave or try to find the other person if they have to

1 leave and so forth.

2 MS. RUSSO: I understand that, but I think
3 because you're talking, here, a single user and a
4 single -- it's not in a building where, for example,
5 you have three or four different businesses and
6 offices and perhaps the tandem isn't shared by the
7 same company.

8 Here, it's being done by Burger King.

9 Burger King will monitor it. They're going to assign
10 which employees. They know which employees, from
11 their operations now, are employees that don't leave
12 the office at all, and they know which ones do, so --
13 and it's been spread out. So it's spread out over
14 the floors, for ease of management.

15 MS. MORENO: So the tandem space, the inside
16 space, will be assigned to Joe Smith, and he must
17 park there?

18 MS. RUSSO: Right.

19 MS. MORENO: He cannot park somewhere else?

20 MS. RUSSO: Right, and Joe Smith is known to
21 be someone who goes from -- whatever, you know, eight
22 or nine o'clock in the morning until five o'clock,
23 when he leaves, and remember, they have an employee
24 cafeteria. It's not someone who's an in-and-out,
25 whereas an executive who's going to be going to the

1 airport, who's got to be doing, will not be given
2 that inside space. They'll be either given an
3 outside space or a non-tandem space. So --

4 CHAIRMAN KORGE: How many will be stacked?

5 Do you know?

6 MS. MORENO: 174.

7 MS. RUSSO: Well, 174 divided by two.

8 CHAIRMAN KORGE: No, I mean --

9 MS. RUSSO: You divide that by two. So
10 that's how many are stacked, so 80 --

11 CHAIRMAN KORGE: There will be two --
12 there won't be like stacks of four? There will just
13 be stacks of two?

14 MS. RUSSO: No, it's just stacks of two.

15 CHAIRMAN KORGE: Okay.

16 MS. RUSSO: Right. It's only -- so it's
17 that number divided by two, the car in front and the
18 car behind it.

19 MS. MORENO: And Joe Smith will know who's
20 behind him, so that if he needs to go to a doctor one
21 day, he can say to Tom Korge, "Tom, you're parked
22 behind me, but today I've got to leave for the
23 doctor, we've got to do something."

24 MS. RUSSO: And hopefully, he'll be using a
25 doctor in the Gables and he can hop on the trolley

1 and not have to take his car.

2 MR. RIEL: Board Members, I think Mr.
3 Delgado needs to leave, so if there's anything else,
4 traffic-wise --

5 CHAIRMAN KORGE: Anybody have any more
6 questions for Mr. Delgado? No?

7 MR. SALMAN: One final question. You
8 mentioned that you're looking at, partially, the
9 impact fees from this project to fund the Segovia
10 median improvement --

11 MR. DELGADO: The Segovia median.

12 MR. SALMAN: -- and the bike way?

13 MR. DELGADO: Yeah.

14 MR. SALMAN: Do you have any idea what the
15 overall project budget is going to be and how much
16 this is going to be able to fund that?

17 MR. DELGADO: The Segovia project is about
18 \$600,000, and I think that is close to the amount
19 that they're going to be getting in impact fees.

20 MR. SALMAN: And that would be from Coral
21 Way, all the way down --

22 MR. DELGADO: All the way to Bird Road.

23 MR. SALMAN: -- to Bird Road?

24 MR. DELGADO: That's correct, yes.

25 MR. SALMAN: Thank you.

1 CHAIRMAN KORGE: Thank you.

2 Anybody else from the public who would like
3 to speak, come forward, please. Were you --

4 MR. SALDARRIAGA: My name is Jaime
5 Saldarriaga and I live at 2711 Segovia, next to
6 Almeria, and I have a question for Mr. Delgado.

7 First of all, what is the timing for the
8 construction of the Segovia? I can assure you that
9 in four years, it will not be built.

10 The reason the median in LeJeune failed,
11 that was -- I attended some of the meetings -- is
12 because the median was not continued. It cut in some
13 places and it channeled the vehicles from some
14 streets to other streets, so there was a lot of
15 objection by some of the people.

16 CHAIRMAN KORGE: Mr. Delgado should hear
17 this and answer your question.

18 MR. SALDARRIAGA: It was -- they had some
19 places where you allowed turning left, to the west,
20 in not all the streets, but some. So you were, in
21 effect, closing some of the streets and channeling
22 the traffic to other streets, and there was a lot of
23 objection by some of the tenants, and I think the
24 same thing will happen in Segovia. I'd like to know
25 what is the timing for Segovia, because I can assure

1 you that in four years, it will not be built.

2 When is the building -- the Burger King
3 building going to be finished, in one and a half
4 years?

5 MR. DELGADO: No, it's maybe three, three or
6 four years, I think.

7 MR. SALDARRIAGA: Okay.

8 MR. DELGADO: And the study is the one that
9 is going to determine -- we are, right now, talking
10 in a premature way. We don't know yet if the
11 diverters are going to be installed, what median is
12 going to be, you know, actually continuous or not.
13 It's something that is going to be determined by the
14 study. The study is the one that has to say we are
15 not going to divert any traffic to any other street.

16 So the concern that you have that the other
17 streets are going to suffer the brunt of this is --
18 you know, you shouldn't be concerned right now,
19 because the study is going to determine, you know,
20 that no street will be actually affected. Only
21 collectors will be affected. So that is the plan, is
22 to transfer traffic to the collectors, not to the
23 local streets.

24 MR. SALDARRIAGA: Okay, and I have one last
25 question.

1 MR. DELGADO: Uh-huh.

2 MR. SALDARRIAGA: Segovia has swales on both
3 sides. Are you planning to eliminate those swales --

4 MR. DELGADO: No, no.

5 MR. SALDARRIAGA: -- to give median traffic
6 and bring the traffic closer to the houses?

7 MR. DELGADO: No. What happens is that
8 Segovia has, right now, two lanes of traffic going
9 north and two lanes south.

10 MR. SALDARRIAGA: That's correct.

11 MR. DELGADO: We are going to eliminate one
12 lane on each side. So Segovia will be only one
13 lane --

14 MR. SALDARRIAGA: Okay.

15 MR. DELGADO: -- and will have a median in
16 between, with a bicycle path. So we are not going to
17 touch the swale at all.

18 MR. SALDARRIAGA: Good, because that's
19 important. I don't want the traffic to be moved
20 closer to the house, with the noise.

21 MR. DELGADO: No, it's not going to, and the
22 volume in Segovia is so minimal right now that with
23 only one lane north and one lane south, it's
24 sufficient.

25 MR. SALDARRIAGA: Minimal? I don't think

1 you live on Segovia. I leave my house between seven
2 and seven-thirty in the morning to go to my office,
3 and sometimes I have trouble getting out because the
4 light --

5 MS. HERNANDEZ: Gentlemen, if you could
6 please direct your comments to the Chair.

7 MR. SALDARRIAGA: Okay. The light, I was
8 told --

9 MR. DELGADO: What it means is that you
10 don't need the two lanes of traffic.

11 MS. HERNANDEZ: Mr. Delgado, the court
12 reporter can only get one person at a time, sir.

13 MR. SALDARRIAGA: Okay. When I try to get
14 out of my house to go to work, the light in Biltmore
15 Way backs up all the way to Almeria, and in front of
16 my property. I have trouble getting out, not
17 because -- the traffic is not moving. It's parked,
18 waiting for the light to move. It is serious, and I
19 leave early, seven, seven-thirty in the morning, when
20 I think a lot of people are not going to work yet,
21 but I already have problems getting out.

22 That's all I have. Thank you.

23 CHAIRMAN KORGE: Thank you.

24 MS. MENENDEZ-DURAN: John Lindsay.

25 MR. LINDSAY: John Lindsay, 635 Palermo

1 Avenue. Thank you for the opportunity to speak
2 before this Board. I have a question for Mr.
3 Delgado, and has he left again?

4 MR. RIEL: Mr. Delgado, he needs to go to a
5 meeting because he was committed.

6 MR. LINDSAY: Okay. Well, then, let me just
7 voice my concern. It appears that the impacted area
8 that we're discussing is running from Biltmore Way
9 down to University and from LeJeune over to Segovia.
10 Many of us live just west -- myself, the 600 block of
11 Palermo Avenue -- west of what we're referring to, I
12 think, for purposes of discussion, as the impacted
13 area, and those 600 to 1,000 cars, while certainly
14 we're addressing the impacted area, those of us
15 living west, less than one block west of Segovia,
16 obviously, are going to be impacted, as well.

17 So I would ask the Board to consider, when
18 we refer to the study, that it be expanded beyond the
19 impact area because, again, we can lock down Segovia
20 and LeJeune so that no cars get in there, through
21 traffic-calming circles, medians and other devices,
22 and those of us living on Palermo, Sevilla, et
23 cetera, the six, seven and eight hundred block, still
24 have those 600 to 1,000 cars coming and going every
25 morning and every evening. So I would just ask the

1 Board to consider expanding the scope of the study.

2 Thank you.

3 MS. MENENDEZ-DURAN: Fernando Aquino.

4 MR. AQUINO: Good evening. Fernando
5 Aquino, 430 Almeria, and I wanted to comment on the
6 median on Segovia. Really, the median on Segovia
7 will work in the afternoons, when people are going
8 west and can't turn left, going south on Segovia, but
9 in the morning it really won't work with people
10 coming north on Segovia and turning onto our streets
11 to get to LeJeune.

12 So, without other calming devices besides
13 the median on Segovia, we're still going to encounter
14 some of the problem, if not in the afternoon, at
15 least in the morning.

16 And I also wanted to take the opportunity to
17 stress that the speed problem that we have with the
18 people that cross the median is really, really
19 something dangerous. As soon as they come in from
20 LeJeune into the streets, they accelerate really,
21 really quickly, and the circles -- in Almeria, we
22 have a circle, with Hernando, and it really does not
23 stop the speed from -- the acceleration between the
24 time that they get in, to the time that they get to
25 the end of the block.

1 Thank you.

2 MS. MENENDEZ-DURAN: Vivianne Garcia.

3 MS. GARCIA-TUNON: Good evening, and thank
4 you. I just want to voice my concern. I recently
5 purchased my house, in 410 Catalonia. My name is
6 Vivianne Garcia-Tunon. My front neighbor, which is a
7 top executive for the Miami Heat, just moved. He's
8 actually renting his house, and he has two little
9 kids. Every day, it's a problem for him, because his
10 little kids come to my house and there's people
11 speeding on our streets, and now that he knows of the
12 new project, he's actually looking to move to
13 Brickell Key, which is a shame. It's a beautiful
14 street, and I consider Coral Gables the best city,
15 that's why I moved here, and I can't imagine what
16 this new building is going to do.

17 In terms of the tandem parking, I work in a
18 large corporation that has tandem parking spaces.
19 Actually, it's 500 or so, our employees. Every day
20 that I go, if I know that I'm just coming to my
21 office really quick, I actually don't park inside of
22 the tandem spaces, because a lot of times I park and
23 there's somebody that came and just parked because
24 they didn't realize that that was already a reserved
25 parking.

1 May I ask them, are they going to have
2 somebody on every single floor and every single
3 parking, actually making sure that the person who's
4 supposed to be parking there is the person who's
5 actually parking? So those people who come and just
6 want an in-and-out will park in our streets.

7 Just to add one more thing, last week
8 somebody parked in my neighbor's median, a black
9 Audi, and she were quite scared, because we didn't
10 know where the person came. When we called the
11 police, they said that actually there was nothing
12 that they could do, because it was public space, and
13 unless that person had been parking there for more
14 than 24 hours, they couldn't tow away the car.

15 So I ask them, if we have people who park in
16 our streets, is that going to be the same action
17 that's going to be taken? It's actually quite scary.

18 Thank you.

19 MS. MENENDEZ-DURAN: Enrique Suarez.

20 MR. SUAREZ: Good evening. My name is
21 Enrique Suarez. I live at 515 Almeria, and
22 my concern is similar to what you've already heard,
23 with the exception that we bought our house in '86,
24 so we've seen the transition of a very sleepy, quiet
25 little street on Almeria turn into a through-way for

1 so many people, and in addition, I think, with the
2 last comments that were made, is, we have people that
3 are parking on Hernando and Almeria, and down on
4 Almeria, in fact, in front of one of the
5 Commissioners' homes, very close by there, that are
6 using the street, basically, as free parking, from
7 people who work at Biltmore, I see people who work at
8 Mercedes Benz. It's a big migration in the
9 afternoon, walking over there, and it just does -- it
10 takes the entire flavor and the notion of what a
11 neighborhood is and what we want as owners and
12 residents of this City. It totally detracts from
13 that, and I think that the comments that everybody's
14 made are so apropos, because we're talking about a
15 tremendous increase in the traffic that's going to be
16 flowing through those streets, one way or the other.

17 It's at a level that's pretty intolerable at
18 this point, and we don't even have that, you know,
19 the proposed development completed yet.

20 So I would really urge all of you to
21 consider these comments as basically -- almost as
22 understatements of what's really going on, because
23 the problems are already there.

24 MS. MORENO: Would you support a permit
25 parking program so that only neighbors would be

1 allowed to park on that swale?

2 MR. SUAREZ: I think that would be feasible,
3 and again, the concerns with parking is, you know, I
4 don't want the neighborhood filled with "No parking"
5 signs. I don't want to create barriers so that you
6 take away the neighborhood flavor and replace it by,
7 you know, architectural things that prevent people
8 from doing that.

9 I don't know what that would involve, to be
10 honest, if it would involve self-enforcement, us
11 calling if somebody is parked on the swale, up and
12 down, or if they have to display, maybe, a sticker on
13 their car, that might be a possibility.

14 But again, I think the basic solution is,
15 how do we accomplish that without putting undue
16 burden, in one way or another, on the residents who
17 live there, you know, with having them have to
18 enforce it?

19 MS. MORENO: Well, the ones that I've seen,
20 and I've seen them in cities like New York and
21 Chicago, you have a decal on your car that says you
22 park in Zone 5, and if that -- if the person doesn't
23 have the decal, they cannot park in Zone 5.

24 The problem with that is, when you have
25 visitors, you've got to park your visitors --

1 MR. SUAREZ: Correct.

2 MS. MORENO: -- within your property,
3 because if they park on the swale, they're going to
4 get ticketed, and we've brought that up here before
5 and we've been told that the neighborhoods do not
6 support it.

7 MR. SUAREZ: Yeah, but I don't --

8 MR. RIEL: Actually, there is a permit
9 parking program that's available, and we do have one
10 neighborhood that has utilized it, and if the
11 neighborhood gets together, they can contact the
12 Parking Department and they'll come out and explain
13 the program to you.

14 MR. SUAREZ: Yeah, and I guess -- how would
15 we advertise the permit, whether it's color or number
16 or zone or whatever? Would that require --

17 MS. MORENO: Well, Eric is suggesting, the
18 first lady that spoke to us -- I'm sorry, I forgot
19 your name.

20 MS. ANDERSON: Rhonda Anderson.

21 MS. MORENO: Okay. She said you were
22 organizing a neighborhood association. Maybe part of
23 your parking solution could be this permit parking
24 program, and you could meet with the Parking --

25 Who is it, Eric?

1 MR. RIEL: The Parking Department. Contact
2 the Parking Department.

3 MS. RUSSO: Bill Carlson.

4 MS. MORENO: With Bill Carlson, and see if
5 that is -- I'm not saying that it's the solution, but
6 I certainly think it's something you should explore.

7 MR. AIZENSTAT: But something that I heard
8 from this gentleman was that he didn't like -- it
9 disturbed the flavor of the neighborhood, with cars
10 actually parking in those areas. So what would be
11 the difference if it would be the residents parking
12 there or it would be somebody else?

13 MS. MORENO: Because if you limit it to the
14 residents --

15 MR. AIZENSTAT: As opposed to somebody
16 walking there, but you'd still have all those cars on
17 the swale.

18 MS. MORENO: If you limit the residents to
19 the parking, hopefully you'll have a lot less people
20 parking on that swale.

21 CHAIRMAN KORGE: Right. It's not going to
22 be the same as --

23 MS. MORENO: It's not going to be the same.
24 The Mercedes Benz people can't park there. So, you
25 know, if I -- in my situation, where I at one point

1 had three cars for my -- I had four cars. We had
2 three people park on our driveway and one person had
3 to park on the swale. Well, I would have to get a
4 parking decal for that car that's my car, but it's
5 certainly a lot less than having Mercedes Benz park
6 on it.

7 MR. AIZENSTAT: Is there a shortage of
8 parking in your neighborhood, presently?

9 MR. SUAREZ: I don't believe so, not for the
10 people who live there, but what you find, for
11 example, on the north side of Almeria, right as you
12 get to Segovia, you'll routinely have three or four
13 people parking on the swale area, such that it kills
14 the grass, and you see the same cars --

15 CHAIRMAN KORGE: Every day.

16 MR. SUAREZ: -- every day, week after week.

17 MS. MORENO: So this program would prevent
18 that.

19 CHAIRMAN KORGE: Right, and it may be only
20 necessary for a few streets, because people aren't
21 going to park six, seven blocks down and walk up.

22 MR. SUAREZ: Right.

23 CHAIRMAN KORGE: But, I mean, we --

24 obviously, we're not going to have the solution to
25 that here.

1 MR. SUAREZ: Yeah, and my concern, again,
2 is, you know, would we have to have signs all up and
3 down the street, saying you need this type of permit,
4 because, again, that just detracts, to me, from what
5 a neighborhood is.

6 MR. AIZENSTAT: That might be the only way
7 the police can enforce it.

8 MR. SUAREZ: Or maybe if there's one per
9 block or something like that.

10 Thank you.

11 MR. RIEL: Mr. Chair, we're having folks
12 come up and sign up to speak and they haven't been
13 sworn in.

14 MS. HERNANDEZ: Right.

15 MR. RIEL: Some people have spoken that
16 haven't been sworn in, so I just wanted to -- if we
17 could have those people -- I know it's after the
18 fact, but we had a couple of people.

19 CHAIRMAN KORGE: Okay, well, anybody who's
20 signed -- I thought we'd done this before, anybody
21 who's signed up --

22 MR. RIEL: There was only two or three
23 people, but we've gotten a number of cards since
24 then.

25 CHAIRMAN KORGE: Okay, well, anybody who

1 signed up, please stand up and be sworn in one more
2 time, please, even if you've already spoken.

3 (Thereupon, all speakers were sworn by the
4 court reporter.)

5 CHAIRMAN KORGE: Thank you.

6 MS. MENENDEZ-DURAN: Ani Victoriano.

7 MS. VICTORIANO: Hi. Ani Victoriano, 510
8 Catalonia.

9 Again, the traffic, the parking, I think
10 we've all discussed that, and the last gentleman
11 kind of touched it a little bit, but if you walk on
12 Hernando -- I live on Catalonia, and if you're facing
13 north on Hernando, there's like a garden of signs,
14 ugly signs. They put a four-way stop on the street
15 after Catalonia, I forget what it is, and now there's
16 a big sign, big yellow sign, saying that there's a
17 stop sign going in. So they put four stop signs
18 there, plus signs alerting the traffic that there's a
19 stop sign coming in, plus there's a gentleman on the
20 corner on the next street that has like four signs,
21 "No parking" signs, on that corner block. The same
22 thing with the other neighbor over here, and I
23 thought it's the City Beautiful.

24 If we're supposed to sell our homes, we're
25 only supposed to use signs that wee big, and now all

1 of a sudden, you know, these signs everywhere. It's
2 really affecting our homes. That's really ugly. I
3 would really like for you guys to take a walk down
4 Hernando and take a look at all the different signs.

5 MS. MENENDEZ-DURAN: Matthew Lambert.

6 MR. LAMBERT: Hi. I'm Matthew Lambert. I
7 live at 501 Santander, in the area affected.

8 I just want to be brief and bring up to the
9 Board's attention the issue of lane width on LeJeune
10 and -- on LeJeune, Valencia and Segovia, when these
11 improvements are done, that these streets are
12 actually much wider than they need to be, and this
13 encourages people to speed. You know, the posted
14 sign may say 30 miles an hour or 35 miles an hour,
15 but with a lane width of 11 and 12 feet, it
16 encourages the speed to be 40 and 45 miles an hour.

17 This is especially a problem on Valencia,
18 which is a through street. It has recently gotten a
19 stop light at Segovia, but the lanes are actually
20 much wider than they need to be, so when it comes to
21 the stop sign at Hernando, halfway through, the
22 people barely stop and they actually, you know,
23 continue through, because the road is designed to be
24 faster, as well as LeJeune, which is, of course, a
25 difficult problem when it comes with the DOT.

1 LeJeune -- and the 2002 Coral Gables Charrette report
2 just barely got over to this portion of LeJeune, but
3 it actually suggested a 30-mile-an-hour section,
4 which may not have -- may or may not have been
5 considered previously, in the DOT's plans, but this
6 is something that would also help restrict the speed
7 of cars on these local streets, because they wouldn't
8 be turning into them at such a high speed.

9 So, between Segovia, Valencia and LeJeune,
10 the speeding problem is also, in part, due to the
11 width of the streets.

12 MS. MENENDEZ-DURAN: No more speakers.

13 CHAIRMAN KORGE: That's it? Okay, then,
14 we'll close the public portion of the hearing.

15 Is there a motion for discussion? Do you
16 have a motion?

17 MR. SALMAN: I'd like to make a motion to
18 approve the project as presented, with the conditions
19 as outlined by Staff.

20 CHAIRMAN KORGE: Do you accept the
21 conditions?

22 MS. RUSSO: Yeah, I wish to make two
23 comments with respect to the Staff Report, because
24 although it wasn't something brought up here by these
25 neighbors, there are other neighbors with whom we

1 have met, who are some of the commercial neighbors.

2 With respect to all the conditions put in by
3 Staff, we're in total agreement except for two, one
4 of which I consider minor and one of which I think
5 Staff considers major. The major one is -- let me
6 see if I can -- and I've advised Staff that these
7 were issues that we were going to have.

8 Eric, do you know where this --

9 MR. RIEL: I understand one is on Page 3.
10 If you go down the pages, look at Number 2, drive-
11 through facility. You have an issue with Staff's
12 requiring security gates at the entrances.

13 MS. RUSSO: Okay. The minor issue is the
14 security gate entrances at the -- to restrict the
15 facility of the drive-through teller. There are
16 numerous drive-through tellers in the City. They
17 don't have security gates. To have roll-down
18 security gates would obviate the use the drive-
19 through ATM. One of the drive-through lanes is
20 dedicated for a drive-through ATM, which is safer
21 than a walk-up ATM. If you put security gates, which
22 Staff wanted when the bank building itself was
23 closed, then the drive-through ATM wouldn't be used.

24 Also, you couldn't do the type of gates that
25 go across this way, because it impacts on the

1 pedestrian safety features and also on visibility,
2 and where is that gate going to go, and if you do the
3 roll-down, then it creates sort of a different look.

4 So we would request that the security gates
5 on the drive-through entrance and exit not be
6 required, and the big issue that is the other
7 restriction or condition that's been placed by Staff
8 is that we do additional street landscaping on the
9 sides of the street. We have no problem with that in
10 the greening of the building. The problem we have is
11 that it be in conformity with the City master plan.
12 I haven't seen that City master plan. I tried
13 getting a copy, or the portion of it that would apply
14 to this project, from Dan Keys. But when we met with
15 a lot of the commercial owners, which are the small
16 buildings that abut on the east side of LeJeune,
17 their big issue is on-street parking.

18 A lot of those buildings, some of you may or
19 may not know, were built prior to the parking
20 requirements. So they don't have parking, or they
21 have one space behind the building. A lot of the
22 businesses that operate out of these buildings lease
23 parking spaces from the police station facilities or
24 they lease some of the surface parking lots. They
25 did not want us to do anything that would impact

1 on-street parking.

2 We said, the way that our buildings are
3 designed, we do not eliminate any existing on-street
4 parking. In fact, there may be a gain of one or two
5 spaces because of the elimination of some of the
6 drive-through lanes. However, I have -- Mr. Riel
7 informed me that the master plan streetscape does
8 require the loss of on-street parking spaces, because
9 of what he was telling me, there's like a corner
10 bulb-out with a tree, then every couple of -- every
11 two parking spaces, you're going to plant a tree.
12 There is no swale on those City streets, so you're
13 going to take a space.

14 We promised those commercial neighbors we
15 weren't doing anything to eliminate what is an
16 existing on-street parking shortage. So we want to
17 make sure that that condition is something you're
18 forcing us to do, that we're not agreeing to do,
19 because we represented to these neighbors that we
20 would do nothing to affect -- you know, they're
21 dentists, they're attorneys, they're architects in
22 there, that already have an existing problem, because
23 even though they reserve -- they pay for their
24 employees to park in other spaces so those spaces are
25 open, a lot of people park in the -- I guess the

1 police parking lot has been oversold, and they have
2 the same enforcement problem that the residential
3 people are complaining about, is that people park in
4 spaces even though they don't have permits to park in
5 those permit surface lots. So any loss of on-street
6 parking would be a hardship for them.

7 So I explained this to Mr. Riel. I
8 understand the need. We have no problem with the
9 additional greening landscape plant material, but we
10 do have a problem because we've made other
11 representations to those neighbors.

12 CHAIRMAN KORGE: Okay, do we have a --
13 before we make --

14 MS. RUSSO: And I do have a site plan and a
15 rendering. You guys haven't seen it, so I'd like to
16 at least show you what the building looks like. I
17 don't know if you've taken a moment to look at it.

18 CHAIRMAN KORGE: Robert, did you want to say
19 something?

20 MR. BEHAR: Yeah. Before we go there, I've
21 got a question for Mr. Smith, Dennis.

22 This project has gone through the Board of
23 Architects, correct?

24 MR. SMITH: Yes, sir.

25 MR. BEHAR: Has there been any comments from

1 the Board of Architects, and if there have, have they
2 been addressed?

3 MR. SMITH: The comments from the Board of
4 Architects, at this point, have been addressed.
5 There may be one or two minor detailing comments,
6 but --

7 I don't know, I think you addressed those
8 the last time?

9 That's the architect, is here. And all the
10 comments have been addressed. The comments pertained
11 to some of the detailing on the building. They went
12 back to the Board of Architects at the last meeting
13 and specifically went through the tables in the
14 Mediterranean Ordinance, to demonstrate how they were
15 earning the Mediterranean bonuses, for Table 1 and

16 Table 2. So they've done what they needed with the
17 Board of Architects.

18 MR. BEHAR: And the reason I'm asking, I
19 have a big concern with massing of this building.

20 MR. SMITH: Yes.

21 MR. BEHAR: Okay? And if I take the colors
22 away, and I'm sure the architect would not agree with
23 me, but when you look at the building that is on
24 Alhambra, another Codina project -- it's a very
25 massive building -- I'm afraid that we're going to

1 end up with the same, because we get a beautiful
2 representation on the prospective, but when
3 everything is said and done, we don't get that.

4 I think that -- I know you're allowed, with
5 Mediterranean, 16 stories in this location.

6 MR. SMITH: That's correct.

7 MR. BEHAR: Okay, I am more -- and I don't
8 have a problem with the height. I have a concern
9 with the massing of the project.

10 CHAIRMAN KORGE: It's the massing, yeah.

11 MR. AIZENSTAT: See, you don't show there
12 the building that's next door, and what it's going to
13 actually look like, in that rendering.

14 MR. SMITH: Well, the --

15 CHAIRMAN KORGE: Yeah.

16 MR. SMITH: Yeah, the building to the left
17 of it.

18 MR. AIZENSTAT: To the left.

19 MR. SMITH: Yeah.

20 MR. AIZENSTAT: And that's a massive
21 structure.

22 MR. SMITH: Well, actually, this building
23 here --

24 CHAIRMAN KORGE: To the north.

25 MS. RUSSO: To the north, which is the condo

1 building, the condo Gables Park Plaza. I think you
2 have a massing in the -- you have a contextual in
3 there.

4 CHAIRMAN KORGE: Yeah, but --

5 MR. SMITH: One of the things that I'll tell
6 you that we did do with this building was, Staff had
7 a big problem with the massing of the building, and
8 when they went to the Board of Adjustment the first
9 time, they got a variance for the height of the
10 building and they were seeking for a variance for an
11 enlarged base on LeJeune Road, and the reduction in
12 the mass of that base was a tremendous reduction in
13 the mass for the building.

14 In addition to that, they lowered the height
15 of the building from what was approved by the Board
16 of Adjustment at 215 feet, down to the permitted
17 height of 190 feet, six inches. So, although they
18 received eight variances from the Board of
19 Adjustment, two of the variances that they got at the
20 first meeting, they're not using. So that's down to
21 six variances, and then two of the other variances
22 were ministerial in nature, that had to do with the
23 time limit --

24 CHAIRMAN KORGE: Right.

25 MR. SMITH: -- on the variance and the

1 waiver of a one-year waiting period.

2 So these buildings really, at this point in
3 time, they've limited the variances that were given
4 to them by the Board of Adjustment, and they've
5 really worked hard to address the concerns over
6 massing that Staff addressed early on, with the
7 previous design of the project, and that the Board of
8 Architects addressed with the project.

9 CHAIRMAN KORGE: So they opted not to go as
10 high and to bulk out, is that what happened, or --

11 MR. SMITH: What they did was, they lowered
12 the height of the building --

13 CHAIRMAN KORGE: Right.

14 MS. RUSSO: And the mass.

15 MR. SMITH: -- by reducing the roof design.
16 Before, they had a very large pitched roof element on
17 the building, and this building is 15 stories instead
18 of 16 stories, and they're doing that because of some
19 of the unique requirements that Burger King, as a
20 corporate headquarters, has for a test kitchen -- I
21 think on the eighth floor? Eighth floor of the
22 building, which has a slightly higher floor-to-
23 ceiling height, because they have certain mechanical
24 requirements they have to meet with kitchens at that
25 elevation.

1 And then the other thing that they did do
2 is, on LeJeune Road, in the initial design, they were
3 going up seven stories and then it stepped back to
4 eight stories. This design came down to three
5 stories on LeJeune Road and then it steps up to the
6 seven stories, and then it steps up to the height of
7 the building.

8 In meeting with the architect -- one thing
9 is the detailing, and when I recently met with the
10 architect and when we met with the architect in the
11 Board of Architects, one of the issues that we
12 discussed with them was the detailing. Okay, we're
13 going to be looking at the detailing for the windows,
14 how far the window sets back, so that you don't get
15 that effect of the window right on the plane of the
16 building, and we discussed many of those details that
17 you see in the Mediterranean architecture that, if
18 they're not expressed properly, turns the building
19 into a more contemporary building, but if expressed
20 properly, helps the design of the building.

21 The average depth of the stucco on these
22 buildings is five eighths of an inch. We've told
23 them they need to do three quarters of an inch, so
24 that they can have reveals that actually read from
25 the street and they're not just a very thin line.

1 A lot of those details, we've been
2 discussing with them, and they are going to work out
3 in their construction documents, yet to be done but
4 that will be done, but that is something that we've
5 made them very aware of, because --

6 CHAIRMAN KORGE: And you control that,
7 right?

8 MR. SMITH: Yes.

9 MR. BEHAR: Well, Tom, I mean, I was on the
10 Board of Architects, you know, for the past -- I came
11 off last year. And a lot of times, what comes
12 through here or what goes through the Board of
13 Architects and what gets executed is not the same. I
14 mean, I'm a bit surprised that it really got the
15 Mediterranean bonuses, because there's two elements
16 that I guess comply with Mediterranean.

17 When you look at it, it is -- take out the
18 roof element that is on the front, and you get a big
19 box, and yet you're getting the bonuses for that.

20 MR. SMITH: The Board of Architects reviewed
21 it two times for Mediterranean approval, and the
22 applicant addressed their issues and concerns.

23 MR. AIZENSTAT: How many square feet is the
24 Mediterranean bonuses giving them, additional?

25 MR. SMITH: It gives them an additional .5

1 FAR on the building.

2 MR. AIZENSTAT: Translate it to this
3 project.

4 MS. RUSSO: 69,000 square feet. We're only
5 using 60 -- we're not using the entire amount, but
6 almost. We're using 3.44 instead of 3.5. I think
7 they're allowed --

8 MR. AIZENSTAT: So you're using 65,000
9 square feet?

10 MS. RUSSO: 315,000 square feet would be the
11 total, including the -- 315,000 square feet would be
12 with a .5 added on, and we're doing 310,000.

13 MR. AIZENSTAT: So you've got, what, about
14 an additional 65,000?

15 MS. RUSSO: Yes, approximately.

16 MR. AIZENSTAT: And that 65,000 encompasses
17 how many stories?

18 MS. RUSSO: The entire -- I mean, it's
19 spread across the --

20 MR. AIZENSTAT: But if you break it down to
21 15 stories --

22 MR. SMITH: What's the -- I'd have to ask
23 the architect the floor plate.

24 MS. RUSSO: Three?

25 MR. SMITH: Three floors?

1 That would encompass three floors.

2 MR. AIZENSTAT: The concern that I have with
3 this building, to be honest with you, is on Almeria
4 Avenue. I've driven by there several times,
5 actually, since I got the packet, to take a look, and
6 that building that's right there, put next to this
7 building, creates just massive, massive structures.
8 I don't know if there's a way to step this structure
9 back, also, from that street, on Almeria, so you
10 don't -- so you have the same type of effect as you
11 do on LeJeune, so you don't create two structures
12 going straight up on both sides.

13 I'm just afraid of what can happen if you
14 start having structures like that throughout the
15 City. It's really going to --

16 CHAIRMAN KORGE: It's on that street.

17 Forget throughout the City. We're talking about this
18 street.

19 MR. AIZENSTAT: Yeah, and your massing --
20 specifically, in this area, there's a lot of big
21 buildings that are being built, and to me, it's a
22 concern. I don't know if there's a way to address
23 that. I don't know if the architect has looked at
24 addressing that issue.

25 MR. SMITH: Well, the --

1 CHAIRMAN KORGE: I'm sorry, let me interject
2 and say -- I'm not an architect, so I'm probably
3 saying something wrong here, but as you were
4 suggesting, if the massing on Almeria -- and I guess
5 on Sevilla, but Almeria is probably a bigger
6 problem -- if it were stepped back in a manner
7 similar to LeJeune --

8 MR. AIZENSTAT: Exactly.

9 CHAIRMAN KORGE: -- then the building would
10 have to be taller, and that might not --

11 MS. RUSSO: It would have to be taller than
12 the 16 stories that are allowed in order to
13 accommodate the necessary FAR.

14 MR. SMITH: The --

15 MS. RUSSO: I mean, I don't want to say,
16 "Oh, we're not going to" -- you know, "we're not
17 going to look at it." I mean, part of the problem
18 here is the amount of square footage that's needed
19 for the corporate tenant, and the 15-story portion or
20 the 16-story portion, it's on a portion that's as of
21 right, so -- and the three stories is as of right.

22 So it's that component of the seven-story --

23 CHAIRMAN KORGE: Would you show us? I don't
24 understand.

25 MS. RUSSO: This here is -- this component,

1 this is a hundred feet from the property line.

2 CHAIRMAN KORGE: Right.

3 MS. RUSSO: The three-story, which is the 38
4 feet, goes back 64 feet, and then this piece is the
5 additional 36, and then you have the tower, which is
6 at a hundred feet from the property line.

7 This portion of the property is zoned CC,
8 high-rise, red. So, even if you tried -- the
9 development of that --

10 CHAIRMAN KORGE: Are you saying that's as of
11 right, the tower portion?

12 MR. BEHAR: At what height?

13 MS. RUSSO: At 13, without the bonus.

14 MR. BEHAR: As of right.

15 MS. RUSSO: Right.

16 MR. BEHAR: 13.

17 MS. RUSSO: But if you got bonuses there on
18 that piece, and not developing the front --

19 MR. BEHAR: Right.

20 MS. RUSSO: -- you would do it as of right,
21 because it's not across from the single-family.

22 MR. BEHAR: At what elevation? At how
23 high?

24 MR. SMITH: 190 feet, six inches.

25 MS. RUSSO: The same thing, the difference

1 being that we're combining it with the front piece.

2 MR. SMITH: Well, but let me address Mr.

3 Korge's question, because originally the tower was
4 set back an additional --

5 MS. RUSSO: 17.

6 MR. SMITH: -- I think 17 feet, and so the
7 massing on Almeria and on the other street, Palermo,
8 was less. In order to reduce the massing to the
9 duplex and single-family-zoned property across the
10 street on LeJeune, we had them bring that out, to
11 bring down the area that was most impacting the
12 single-family neighborhood.

13 So you go one way or the other. You go
14 either toward the single-family with more of an
15 impact or you go towards the commercial more with the
16 impact, and we felt that given the existing zoning on
17 the property, it was more appropriate to put the
18 impact on the commercial area and not the residential
19 area.

20 MR. AIZENSTAT: On Sevilla, to me, I don't
21 have so much of a concern, because of what you're
22 already building there. It's not that high. I
23 just -- how tall is the building that's across the
24 street on Almeria?

25 MS. RUSSO: As tall as this. It's a

1 16-story high-rise --

2 MR. SMITH: It's the same.

3 MS. RUSSO: -- condominium with retail on
4 the ground floor.

5 MR. BEHAR: You know, you made a comment, as
6 of right. But you're here because it's not as of
7 right.

8 MS. RUSSO: No, no, exactly, but what I'm
9 trying to say is, this property will be developed. I
10 mean, forget whether -- if this Burger King project
11 does not go forward and Burger King goes somewhere
12 else -- we're here because of Burger King and the

13 timetable -- the reality is, this property will be
14 developed, and if it's developed as of right, without
15 using the bonuses on the front portion, you won't see
16 it, because once it goes past that front portion,
17 it's not adjacent to or across the street from
18 single-family. So it won't prevent the high-rise
19 portion from being developed. Do you see what I'm
20 saying? So anything can be developed --

21 CHAIRMAN KORGE: So you have two buildings
22 there; is that what you're saying?

23 MS. RUSSO: What?

24 CHAIRMAN KORGE: You've got two buildings
25 there, one that is across the street from the

1 residential --

2 MS. RUSSO: Right.

3 CHAIRMAN KORGE: -- and the other would be
4 the tower.

5 MS. RUSSO: Would be the tower.

6 CHAIRMAN KORGE: Okay.

7 MS. RUSSO: And it could be as of right,
8 because it's CC zoning. What has been sort of
9 forgotten here is, CC zoning is the most intense
10 commercial category here. It allows superbox
11 retailer. It allows hardware. It allows wholesale
12 outlets. So, conceivably, someone could do -- not
13 that they would, but someone could say, "Wow, off of
14 LeJeune, demographically? Let me do some sort of
15 outlet." They don't even need the height, because
16 with those outlets, you only need a couple of floors,
17 and retail parking is less than office parking, and
18 you could have some sort of -- you know, as I said, a
19 DSW, Linens & Things, Bed, Bath & Beyond, right
20 there, and they never come before you, and no one
21 could tell me that that's not a more intense use than
22 an office building.

23 So I think sometimes there's a balancing act
24 that has to go with what the property can do, which
25 is sometimes much more than what someone is proposing

1 to do along, with mitigation. That other project
2 wouldn't have to mitigate. They would pay their
3 impact fees to, you know, the County, but they
4 wouldn't be here saying, "Well, we're going to impact
5 the traffic," and that would have much more traffic,
6 I guarantee you, coming through from the residential
7 areas.

8 So what I'm trying to say is, this property
9 will be developed somehow. Yes, we are here because
10 we need your approval. We know we're not doing it as
11 of right. But from the get-go, when we had the first
12 project, we heard neighbors' concerns. Before we
13 went to our first Board of Adjustment meeting, we
14 heard the neighbors say issues with parking. We
15 added a story to the City National Bank building, so
16 that we had another level, and it was just for
17 parking, to address the issue, to make sure there was
18 more parking, so people wouldn't be crossing the
19 street. The commercial residents were concerned that
20 we had enough parking so that our people wouldn't be
21 using their on-street parking spaces and create them
22 a loss.

23 Then, when we didn't get the variance for
24 the seven stories on LeJeune, we went back and,
25 working with Staff, we worked for a way to bring the

1 building down so that the impact to the neighbors,
2 which is across the street, which is what you're
3 looking at, at LeJeune -- and that's where the site
4 approval is, is for the impact to the neighbors

5 across the street, on single-family and duplex across
6 from LeJeune. It's not the impact on the commercial
7 properties, that it's a mixed-use property.

8 So, really, your review has to be focused to
9 the impact on single-family and duplex across the
10 street. I think if you take in the impact, you're
11 going, you know, outside the scope of what that site
12 plan's locational approval allows you to do.

13 CHAIRMAN KORGE: And to be clear, just --
14 I'm repeating myself here, or repeating what I think
15 you said, is that it cannot -- the building could not
16 go higher -- the tower cannot go higher and then be
17 stepped in, because the square footage wouldn't work
18 out.

19 MS. RUSSO: Right, because once you do that,
20 you ruin the floor plate of what a corporate tenant
21 wants, and then you have parking issues. See,
22 before, when we had the seven stories --

23 CHAIRMAN KORGE: You don't need to explain.

24 I believe you. I just --
25 MS. RUSSO: I mean --

1 CHAIRMAN KORGE: -- want to be sure I
2 understood that correctly.

3 MS. MORENO: Laura, to go back to your issue
4 with respect to the parking spaces that are being
5 taken away by the landscaping, are you providing any
6 public parking in the building?

7 MS. RUSSO: No. We meet our parking. We
8 know that it's more parking than we need, just based
9 on, you know, calculations done by actual usage, but
10 we only exceed the required Code parking by a couple
11 of spaces. So we will not have public parking in
12 our --

13 MR. SALMAN: But my understanding -- excuse
14 me. My understanding of your request for relief from
15 that condition had to do with not having to create
16 the streetscape as per the master plan, with planting
17 areas dividing up the parking spaces.

18 MS. RUSSO: No. See --

19 MS. MORENO: I think her -- what she wants
20 us to say is, we're imposing this condition on her.

21 CHAIRMAN KORGE: She doesn't agree to it.

22 MS. MORENO: And they have raised the
23 objection because of their commitment to the
24 neighbors, but we had imposed --

25 MR. SALMAN: And the ultimate loss of spaces

1 are what, two spaces?

2 MS. RUSSO: It could be, and I don't know,
3 because I haven't seen the plan, but because you're
4 talking Almeria, Sevilla and Palermo on both -- you
5 know, on both sides of two of the streets, it could
6 be -- and I don't know without seeing the plan, but
7 when you take the length of the building, it could be
8 six, eight spaces. I mean, I'm guessing. But we
9 specifically told those neighbors, the way we had
10 calculated the drive-throughs, the entrances and the
11 exits, it was done precisely to not create a loss of
12 on-street parking.

13 So, if we sit here and say, "Yeah, we agree
14 to that," because now we're going to take away
15 spaces, these people are going to say, "Why did you
16 make those representations?"

17 CHAIRMAN KORGE: Well, we can't --

18 MS. RUSSO: We're happy to do the
19 landscaping --

20 MR. RIEL: But also understand, the
21 developer made representations that they wouldn't
22 remove spaces on a public space, which they really
23 don't have.

24 MR. AIZENSTAT: They can't do that.

25 MR. RIEL: So understand, the Commission has

1 asked Staff to do a master streetscape plan that
2 deals with the entire City.

3 CHAIRMAN KORGE: Right.

4 MR. RIEL: The result will be whether or
5 not -- if we choose to have green, the cars are going
6 to have to go. So that choice has to be made. That
7 plan is coming forward in the next month or so. This
8 is a typical condition we put on all developments,
9 so that when the plan is done, they will implement
10 the plan pursuant to that plan.

11 CHAIRMAN KORGE: We can't -- it seems to me
12 that, as a Board, we can't just ignore, you know, the
13 landscape plan that the City is doing, and just for a
14 particular project say, "Well, since the developer
15 won't agree to it -- they're willing to pay for it,
16 but they don't agree to it because they made
17 representations to the contrary -- "

18 MR. SALMAN: Yeah, but they made
19 representations on something that they don't own or
20 control.

21 CHAIRMAN KORGE: That's fine, so we're just
22 going to impose it on them. I think that's the
23 bottom line.

24 MS. MORENO: That's the bottom line. We're
25 going to impose it.

1 MR. SALMAN: Exactly.

2 CHAIRMAN KORGE: And Ms. Russo is --

3 MR. SALMAN: You shouldn't have made that

4 promise to begin with, Ms. Russo.

5 MS. RUSSO: Well, because what they were

6 worried about is whether or not --

7 MR. SALMAN: You were not in your right to

8 do so. So we're going to impose it upon you.

9 CHAIRMAN KORGE: So do we have -- well, do
10 we have a motion, or are we still not to a motion?

11 MR. SALMAN: I made the motion to approve
12 with all the Staff recommendations, and I said all of
13 them.

14 MS. MORENO: And I second.

15 CHAIRMAN KORGE: Okay, and you've accepted
16 all of them except the one, but the motion is with
17 all the conditions.

18 MS. MORENO: With all the conditions.

19 CHAIRMAN KORGE: And there's a second. Is
20 there any more discussion on this? Eibi, you were
21 going to say something?

22 MR. AIZENSTAT: I'd like to have more
23 discussion on it, to be honest with you.

24 CHAIRMAN KORGE: Well, sure, go ahead.

25 MR. AIZENSTAT: But if there's a motion

1 that's made, I think you need to take --

2 MR. SALMAN: No, we can -- it can be part of
3 the discussion on the motion.

4 CHAIRMAN KORGE: Discussion on the motion.

5 That's why I wanted a motion.

6 MR. AIZENSTAT: If you take a look at your
7 parking that you have on here, there's tandem spaces,
8 which would be two spaces, for the big tower. If you
9 take a look at your floors, Floor 2, and then 5
10 through -- is it 5 through 7, or so forth? You've
11 got some areas that you're providing parking for
12 three cars. Is that counted in your tandem? Do you
13 count three cars, or how do you work with that?

14 MS. RUSSO: Yes.

15 MR. AIZENSTAT: So now you have three cars
16 that are backed one in there, and you're calling them
17 tandem?

18 MS. RUSSO: Three cars?

19 MR. BEHAR: And there are six levels of
20 those, and there's 12 per level; is that right?

21 MS. RUSSO: If you look, there's a little
22 table that tells you, on the first floor there's
23 eight tandem spaces, and then on the second floor,
24 there's 38.

25 MR. AIZENSTAT: Yeah, but it shows -- that

1 table tells me one thing, but if I take a look at the
2 actual layout, it shows me areas where you actually
3 have three cars going in there, into those spots, as
4 opposed to just two cars.

5 MS. RUSSO: I'm going to look at your
6 page --

7 MR. AIZENSTAT: Please.

8 MS. RUSSO: -- so that I don't try to fumble
9 and see where --

10 MR. AIZENSTAT: See these spots, right
11 here? You've got one, two, three cars.

12 MS. MORENO: There's no Number 12.

13 MR. AIZENSTAT: One, two, three cars. One,
14 two, three cars, and so forth.

15 MS. RUSSO: And which would -- the second --

16 MR. AIZENSTAT: This is the plan of the
17 second floor, and then if you take a look at
18 floors -- third through four, you've got the same
19 scenarios, these spaces right here, and these
20 spaces.

21 (Inaudible comments)

22 MR. AIZENSTAT: I'm sorry, say that? I --

23 MS. RUSSO: Yeah, you're going to have to
24 stand in front of the microphone.

25 MR. AIZENSTAT: Yeah, so she can take it.

1 MS. RUSSO: Say it in the microphone.

2 MR. RIEL: I'm sorry, we have to get
3 everything on the record --

4 MR. AIZENSTAT: Right.

5 MR. RIEL: -- so you have to stand in front
6 of the mike.

7 MS. RUSSO: Let me show you the pages where
8 he's talking, so you'll have them.

9 CHAIRMAN KORGE: Sir, would you --

10 MR. ALLEMAN: Phillip Alleman, with Nichols,
11 Brosch, Wurst, Wolfe, Architects.

12 CHAIRMAN KORGE: I'm sorry, would you
13 repeat that?

14 MR. ALLEMAN: Phillip Alleman, with Nichols,
15 Brosch, Wurst, Wolfe, Architects.

16 CHAIRMAN KORGE: Thank you.

17 MR. ALLEMAN: The parking plan on the second
18 floor indicates that we have a scenario where
19 there's a triple parking tandem space, where the
20 first one is counted as the standard space, and the
21 second two are counted as tandem.

22 MR. AIZENSTAT: Standard space?

23 MR. ALLEMAN: And that's indicated in the
24 table as shown. Those numbers are reflected in the
25 same table.

1 MR. AIZENSTAT: Even though you've got three
2 spaces there, you're counting it as one space; is
3 that what you mean?

4 MR. ALLEMAN: We count the first space as a
5 standard space and the second two as tandem.

6 CHAIRMAN KORGE: Huh?

7 MR. SALMAN: Huh?

8 MS. MORENO: Why?

9 MR. SALMAN: No, no, no.

10 MR. BEHAR: No --

11 MR. ALLEMAN: The first space.

12 MR. AIZENSTAT: No.

13 MS. RUSSO: The first space being which
14 one?

15 MR. SALMAN: You brought up a point which I
16 saw while we were looking at the plans, and I took it
17 as a drafting error, that actually those are spaces
18 you pull straight into, and the two tandems are
19 behind it, because you can do it. I just figured
20 they put the stop at the wrong place.

21 CHAIRMAN KORGE: I don't understand.

22 MR. SALMAN: You've got three spaces.

23 CHAIRMAN KORGE: Uh-huh.

24 MR. SALMAN: Two rows of three spaces.

25 CHAIRMAN KORGE: Right.

1 MR. SALMAN: You have access from both
2 ends. I'm saying that there's two that are tandem,
3 and then there's one that's straight in, is the
4 standard one.

5 MS. MORENO: How do you get in there?

6 MR. SALMAN: I just thought it was a
7 drafting error.

8 MS. RUSSO: Right. I think you --

9 MR. SALMAN: I didn't think you were
10 actually going to build three in a row, because you
11 can't, because I'm sure that they wouldn't have given
12 you a variance for it. I'm sure they would not have
13 given you a variance for it.

14 MR. AIZENSTAT: This is what's being
15 presented to us, though. So whatever we're going to
16 vote, we're going to vote based upon what's being
17 presented.

21 MR. BEHAR: But then they are short these
22 spaces.

23 MR. SALMAN: No, there's no net loss of
24 space.

25 CHAIRMAN KORGE: Well, before we get into

1 that, Cristina, will you accept that as a --

2 MS. MORENO: It's his motion.

3 CHAIRMAN KORGE: -- friendly amendment?

4 MS. MORENO: It's his motion. I seconded.

5 CHAIRMAN KORGE: You seconded. Do you

6 accept that change in his motion?

7 MS. MORENO: Yes, I do.

8 CHAIRMAN KORGE: Okay.

9 MS. RUSSO: What was the change, if you

10 could --

11 MR. SALMAN: That you limit tandem spaces to

12 no more than two cars deep.

13 MS. RUSSO: To two cars deep. Okay.

14 CHAIRMAN KORGE: Okay.

15 MR. SALMAN: Am I reading that plan right?

16 Is there two-way access along both sides of that

17 three-step row, three-space row? Am I suggesting

18 something that's not -- that's impossible?

19 MR. ALLEMAN: For part of it.

20 MR. SMITH: For part of it, not all of it.

21 MR. SALMAN: Not all of it?

22 MR. SMITH: Some of it is triple, but

23 they'll agree to the condition.

24 MS. RUSSO: But we'll agree to the

25 condition, so that that doesn't exist, and have no

1 more than the one behind the other tandem.

2 CHAIRMAN KORGE: The same number of tandem
3 as before.

4 MS. RUSSO: The same number, just
5 distributed so that you don't have --

6 CHAIRMAN KORGE: Three in a row.

7 MS. RUSSO: Right, so that you only have a
8 car and a car behind it.

9 CHAIRMAN KORGE: Right. Okay.

10 Any more discussion?

11 MR. AIZENSTAT: I'd like to hear from
12 Dennis.

13 MS. RUSSO: Uh-huh.

14 MR. AIZENSTAT: Dennis, you've gone through
15 this project, I'm sure, quite extensively. Give me
16 your feedback. Tell me how you see this project.
17 Tell me how you see this project in relation to the
18 building that's across the street.

19 MR. SMITH: On Almeria?

20 MR. AIZENSTAT: On Almeria.

21 MR. SMITH: Well, at this point --

22 MR. AIZENSTAT: And if I may, I'm sorry to
23 interrupt you, but is this going to start something
24 within that whole area of big buildings, where people
25 are going to just build straight boxes up and that

1 are going to create -- blocking everything, from
2 building to building, and shadows and so forth,
3 around our City?

4 MR. SMITH: It's -- well, I'm going to have
5 to show you -- I'm showing it to you close because
6 it's two different tones of red and it's hard to
7 see. Here's the site, okay? And this dark red here
8 and this dark red here and this dark red here, all
9 the way up to Valencia, okay, is high-rise.

10 MR. AIZENSTAT: Okay.

11 MR. SMITH: Okay? Then around it, where you
12 have the pink, okay, that's low-rise, and the lighter
13 red there and in here is mid-rise, six to eight
14 stories.

15 CHAIRMAN KORGE: What is low-rise? What is
16 the height of low-rise?

17 MR. SMITH: Three stories. So, you know,
18 you're going to have a variety of heights in there,
19 but just about in this area, almost on a
20 block-by-block basis, for these four blocks, are all
21 zoned high-rise. So you're going to have a high-rise
22 area there, with different building sites that are
23 developed as high-rise sites. For example --

24 CHAIRMAN KORGE: And that's from Miracle
25 Mile south --

1 MR. SMITH: No, from Valencia --

2 CHAIRMAN KORGE: From Valencia?

3 MR. SMITH: No, Andalusia, here.

4 CHAIRMAN KORGE: Andalusia south to Palermo?

5 MR. SMITH: To Palermo, and then across from
6 Palermo, you have the St. George's Cathedral --

7 CHAIRMAN KORGE: The church property.

8 MR. SMITH: -- then the two low-rises. So,
9 potentially, the Publix block could come in as a
10 high-rise building site, in the future. We have
11 these two -- Block 9 here has Stanley Davidson's
12 building. There already is a high-rise.

13 CHAIRMAN KORGE: Right.

14 MR. SMITH: And then there's the building
15 that you're talking about, the mixed-use building, is
16 a high-rise, and it has a little corner over here
17 that has some low-rise structures on it, and they
18 have the ability to assemble, just barely, a site for
19 a high-rise, but it would be a minimal size, because
20 they would only have 20,000 square feet of site area.
21 So you're taking about a 75 or 70,000-square-foot
22 building there.

23 So that's what could happen in this area, if
24 people assemble the sites necessary to do high-rise,
25 because even though you have property that's zoned

1 for high-rise and planned for high-rise, it cannot be
2 used as a high-rise site unless you have a minimum of
3 200 feet of street frontage on the primary street
4 where it faces and a minimum of 20,000 square feet of
5 site area.

6 So some of those sites have small buildings
7 that have been redeveloped, that unless they go into
8 the mix, they can't be. So that is potentially what
9 can happen in that area.

10 Now, as far as this project goes, except for
11 this right here, they wouldn't be here.

12 MR. AIZENSTAT: So, in other words, they
13 could build that tower and not be here?

14 MR. SMITH: Without this, right there.

15 MS. HERNANDEZ: What is that, office space?

16 MR. SMITH: That's parking.

17 MS. RUSSO: More parking.

18 MR. SMITH: Okay?

19 MS. HERNANDEZ: Would they meet the parking
20 requirements without that?

21 MR. SMITH: They would have to redesign the
22 parking, to put the parking in. They could do
23 underground parking, and they could meet the parking
24 requirements for the project that way. There's many
25 ways that they can do things to comply with the

1 parking requirements and build a three-story building
2 on LeJeune that didn't use the Mediterranean and that
3 met the parking requirements, and then build the
4 tower behind it and use the Mediterranean bonuses,
5 without having to come here, because they would be
6 two separate buildings.

7 CHAIRMAN KORGE: Right.

8 MR. AIZENSTAT: But just to be clear, the
9 tall structure, they don't need to be here to build
10 that tall structure?

11 MR. SMITH: No, that's correct.

12 MS. RUSSO: Well --

13 MR. SMITH: Well, to build a structure like
14 that.

15 MR. AIZENSTAT: Well, they would have to
16 come here because of the parking, or would they be
17 able to get away without -- with doing the parking in
18 a different way?

19 MR. SMITH: If they did parking in a
20 different way, if they put underground parking in --

21 MR. AIZENSTAT: Right.

22 MR. SMITH: -- then they could probably go
23 ahead and provide the parking, with still the
24 necessity of going to the Board of Adjustment --

25 CHAIRMAN KORGE: For a variance.

1 MR. SMITH: -- for some tandem parking
2 spaces.

3 MR. AIZENSTAT: Because if it's only that
4 area, that doesn't bother me. To be honest with you,
5 what's bothering me is the tall structure.

6 MS. HERNANDEZ: No, no, but you're looking
7 at the --

8 MS. RUSSO: Right.

9 MS. HERNANDEZ: Okay, I don't want the Board
10 to be inadvertently misled. They are here because
11 they need approval. You are looking at the totality
12 of the project.

13 MR. AIZENSTAT: Understood.

14 MS. HERNANDEZ: Any attempt to dissect it
15 into areas, that doesn't work. They're here on a --

16 MR. AIZENSTAT: I understand.

17 MS. HERNANDEZ: -- total project, and that's
18 what you are charged with looking at, and to say
19 you're only charged with looking at a tile, because
20 that's why they're here, no. You're here to review
21 the entire project.

22 MS. MORENO: Right, Liz, I understand that,
23 but I think that, at least for me, for my analysis --
24 to me, I don't want to say no to this project because
25 it's high on Almeria, if someone could build a

1 project as of right that is just as high on Almeria.

2 So I believe that the discussion Dennis just
3 went through addresses that issue, at least for me,
4 because it tells me --

5 CHAIRMAN KORGE: Right.

6 MS. MORENO: -- that someone could take the
7 same piece of property and put a building just as
8 tall as this one --

9 CHAIRMAN KORGE: Just as massive.

10 MS. MORENO: -- just as massive, without
11 coming before us, as of right.

12 MS. RUSSO: That's correct.

13 MS. MORENO: There are other components of
14 this building that require that it be before us.

15 MS. RUSSO: Right.

16 MS. MORENO: But the height issue on that
17 back piece would be there on an as-of-right project.

18 MS. HERNANDEZ: Okay, and an as-of-right
19 project would still have to go to the Board of
20 Architects, so --

21 MS. MORENO: Yes.

22 MS. HERNANDEZ: -- you may not necessarily
23 get the same diagram, but I can tell you that Staff
24 will work with the Board to deal with the issues of
25 massing and whatnot, regardless of whether they're

1 coming for Mediterranean or not, because that is what
2 they're charged with under the ordinance that this
3 Board drafted and recommended to the City Commission.

4 So, again, you're looking at the totality of
5 a project, and to look at hypotheticals that could or
6 could not come before one of the City's boards may
7 potentially distract you from your charge, and I just
8 wanted to be sure that you understood that you're
9 looking at an entire project.

10 MR. SMITH: If I may, Mr. Aizenstat, you
11 asked me about my feelings on this project, and I'll
12 tell you what. From where it started, this is like
13 night and day, okay? Because my concern was that,
14 before, it wasn't that they were -- that they had
15 tandem parking spaces. Before, it was that they had
16 a shortage of parking. Our insistence in regards to
17 reviewing their parking request was to ensure that
18 they had the correct number of parking spaces. They
19 did that.

20 The other issue that we had that was a major
21 issue was the massing of this project on LeJeune
22 Road, directly across the street from duplex property
23 and a substantial single-family neighborhood. And
24 they addressed that by bringing it down from seven
25 stories to three stories, right on LeJeune Road, for

1 that entire distance back, which I think is like

2 60 --

3 MS. RUSSO: 64 to 66.

4 MR. SMITH: 64 feet or so. So, you know,
5 that was a major concern of ours, and the height of
6 the tower before was much taller. Instead of 190
7 feet, six inches, it was 215 feet, because of the
8 roof design, and it had a very -- in our opinion, a
9 very massive roof structure, and so, you know, as far
10 as bringing the massing down on this building,
11 they've certainly done that. So, you know, we're
12 very comfortable with that aspect of the building.

13 MS. MORENO: Thank you.

14 MR. AIZENSTAT: Eric, with the new zoning
15 rewrite code, how would this fall in there?

16 MR. RIEL: In terms of what?

17 MR. AIZENSTAT: The whole structure, the
18 whole project.

19 MR. RIEL: In terms of the height, the
20 massing?

21 MR. AIZENSTAT: Yes.

22 MR. RIEL: I mean, the new Zoning Code
23 rewrite creates two commercial districts. So the
24 differentiation between a mid and a high-rise will
25 basically go away. But the Comp Plan is what

1 governs, so -- but if I'm not mistaken, if you're
2 across from duplex, you have to go a hundred feet
3 back, and the maximum height is three stories or 45
4 feet.

5 MS. RUSSO: Right, so --

6 MR. RIEL: So you would never be able to get
7 anything higher than three stories or 45 feet, which
8 they got a variance for that portion.

9 MS. RUSSO: For that portion.

10 MR. RIEL: For that portion. So, by saying
11 that it would be eight stories on LeJeune is
12 incorrect. There's another limitation in the Code
13 that says it's a maximum of 45 feet.

14 MR. AIZENSTAT: Okay.

15 MR. RIEL: So --

16 MR. AIZENSTAT: What variances did you not
17 get, if I may ask? I'm just curious.

18 MS. RUSSO: The variance that we did not
19 get, there were two -- one was deferred, which was
20 the variance on how to calculate the parking for the
21 test kitchen and for the employee cafeteria, and so
22 they basically deferred that one, and that one was
23 changed a little bit in the design modification that
24 occurred between the first and the second Board of
25 Adjustment hearing.

1 And the variance that we did not get was for
2 the first design of this building, which was the
3 seven-story structure, which is the piece that you
4 see now extended all the way to LeJeune, and then
5 there was another bulb-out above that. So there was
6 an eight-story structure a little bit further south
7 than the one, I mean, a little bit further away, but
8 you had seven stories coming out, which was mostly
9 retail on the ground floor, and the rest was parking
10 component, but then the tower, instead of starting at
11 a hundred feet from LeJeune, started at 117 feet from
12 LeJeune, and one of the board members at the Board of
13 Architects made the comment, because the impact and
14 the reason for the special locational approval is,
15 you get special locational approval when you are
16 across the street or abutting single-family and
17 duplex property.

18 So one of the board members at the Board of
19 Adjustment suggested that to lessen the impact, that
20 if we could lower -- move the tower, increase the
21 size of the tower to take up some of the volume that
22 you were going to lose in your parking when you
23 reduced it from seven to three, and you gain 17 feet,
24 going all the way up 15 stories, which creates the
25 issue that you have on Almeria. But he was viewing

1 it in terms of what the special locational is
2 supposed to -- criterion is supposed to do, which is
3 the impact on single-family or duplex across the
4 street from the project.

5 MR. BEHAR: Dennis, to recap, the tower is
6 plates. As of right, 13 stories. With
7 Mediterranean, you're allowed to go up to 16
8 stories?

9 MR. SMITH: That's correct.

10 MR. BEHAR: You know, as of right.

11 MS. RUSSO: For that.

12 MR. SMITH: Just the tower alone, that is
13 correct. This project, though, because of that --

14 MS. RUSSO: Little piece.

15 MR. SMITH: -- little seven-story notch,
16 okay, has to come to you for review and approval.

17 The other thing is, on LeJeune, the height
18 limit isn't just three stories. It's three stories
19 or --

20 MS. RUSSO: 45 feet.

21 MR. SMITH: -- 45 feet, and they're actually
22 at -- 38? 38 feet.

23 MS. RUSSO: 38 feet here.

24 MR. BEHAR: And 52 on the other side.

25 MS. RUSSO: Yes, on the other --

1 MR. BEHAR: But the other building is a very
2 nice-looking building.

3 MR. SMITH: Yeah.

4 MR. BEHAR: You know, as a matter of fact,
5 he's done a very -- and it's articulated even
6 differently.

7 MR. SMITH: Yes, it is.

8 MR. BEHAR: Which is not consistent with the
9 tower --

10 MR. SMITH: That's correct.

11 MR. BEHAR: -- which would be --

12 MR. SMITH: It gives a variety to the
13 streetscape.

14 MR. BEHAR: Yes.

15 MR. SALMAN: Dennis, did you look at
16 upper-story landscaping for that parking area, where
17 it comes out?

18 MR. SMITH: The --

19 MR. SALMAN: Where that piece of
20 landscape -- where that piece of the parking garage
21 actually juts forward, one of the reasons that we're
22 here, that upper area, where you have cars exposed to
23 the sun, because that's why I'm looking and I'm --

24 MR. SMITH: It's actually going to have some
25 upper-level landscaping.

1 MR. RIEL: We included it as a condition,
2 to add more green to the face of the building on all
3 sides, including upper levels.

4 CHAIRMAN KORGE: Right.

5 MR. SALMAN: Okay.

6 MR. SMITH: Under the Mediterranean
7 Ordinance, they have a number of different ways that
8 they can do landscaping. They can do it off-site.
9 They can do it at upper levels. They can do it at
10 the street level. They have some areas of the
11 building that are in and out a little bit, around on
12 the ground floor.

13 So they're picking up their landscaping in
14 bits and pieces throughout the building --

15 MS. RUSSO: Correct.

16 MR. SMITH: -- but their total requirement
17 for landscaping is, I believe, 10 percent of the area
18 of the site.

19 MS. RUSSO: But one of the conditions that
20 Staff placed here --

21 MR. SALMAN: Yeah, I see it.

22 MS. RUSSO: -- was for the -- was to
23 increase the greening on the --

24 MR. SALMAN: I would suggest to you, in the
25 form of a suggestion only, that you look at

1 developing landscaping on that setback, to visually
2 push that tower back, as well, and soften that edge.

3 MR. SMITH: On some of those boundaries.

4 MR. SALMAN: Again, as these towers start

5 coming together and the streetscapes become narrower.

6 The upper-story landscaping is going to become much,
7 much more important, especially in a green city like
8 we live in.

9 To answer Robert's concern, you say that
10 you're going to be reviewing the fenestration
11 detailing and the depth of the fenestration and the
12 shadowing? Because, you know, we can render whatever
13 you want, but if we get a white box with just a
14 picture of a building on it, it's a lot different
15 than if we get a work of architecture, with depth and
16 shadow and space.

17 I think that was your concern, having seen
18 other similar projects being presented to this Board,
19 the Board of Architects, as well as to the public,
20 where we have a richness of detail and color on a
21 rendering that doesn't get translated into the final
22 building product.

23 CHAIRMAN KORGE: Right, and remind everybody
24 that's why we --

25 MR. SALMAN: But to remind everybody, it's

1 going to go back to the Board of Architects for
2 review, as part of the final review, and through your
3 offices for that.

4 MR. SMITH: I think that we're doing some
5 things a little bit differently now than we used to,
6 okay? Since we've revised the Mediterranean
7 Ordinance, okay -- and Robert, I don't know if you've
8 seen any buildings. Some of the ones you mentioned
9 were before we revised the Mediterranean Ordinance,
10 but since we've done that, okay, we've had cases not
11 only -- we're paying a lot more particular concern to
12 these large structures because of the quality of the
13 detailing we're seeing.

14 On the residential project for Hines, if you
15 go by and you look at the detailing on that, the
16 contractor -- it happened to be the same architect.
17 The contractor was doing it with the score line, and
18 when they started doing that, I went out there with
19 an architect that works with us and we reviewed that,
20 and we had them retool the tools that they were using
21 to cut the score lines and increase the thickness of
22 the stucco where they have those blocks cut out, so
23 that you could read them.

24 When Hines was doing their GFRC, their
25 fiberglass reinforced concrete panels on the

1 building, I was up on the scaffolding, seeing how
2 they were doing that, and we were inspecting how they
3 were doing the stucco work on the building. They had
4 a rush to get into that building, and some of the
5 stucco work wasn't done correctly and we had them go
6 back and substantially patch some areas and redo some
7 areas.

8 We've had other buildings since we've done
9 the -- redid the Mediterranean Ordinance that we've
10 had them recut in their score lines, reset their
11 precast moldings that weren't done correctly or
12 levelly or where they've had corbels that were out of
13 plumb, had them fix those. So we are doing a lot
14 more in the inspection process for those quality of
15 details.

16 CHAIRMAN KORGE: Right. Remember, that's
17 why we rewrote the Mediterranean Ordinance, because
18 we ended up with just a big box that had a picture of
19 a building on it, and really didn't have the
20 detailing. I mean, it was -- you remember, that was
21 a big --

22 MR. SMITH: Yes.

23 CHAIRMAN KORGE: A big thing, a big fight
24 over that, and, you know, if we end up --

25 MS. MORENO: I think the point that they

1 were making about the fenestration, which I take to
2 be the windows, they need to be more recessed, and
3 you're going to make sure that that happens?

4 MR. SMITH: Yes.

5 MR. BEHAR: Not only more recessed, but, you
6 know, we don't want to get a value engineer, where
7 they've got, you know, little windows, like you see
8 on Alhambra, and I hope and I trust this architect to
9 make sure that doesn't happen, because, you know,
10 really, I think that between you and the architect, I
11 think you can accomplish that.

12 CHAIRMAN KORGE: Because, to be candid with
13 you, they're squeezing every square foot they can out
14 of this site. So, you know, we expect --

15 MR. SMITH: Not quite.

16 CHAIRMAN KORGE: Pretty darn close.

17 MR. BEHAR: Dennis, 315,000, and you go for
18 310. Come on.

19 CHAIRMAN KORGE: And it's massive, and
20 they're doing it in a way that --

21 MR. SMITH: I've seen them a lot closer,
22 though, I'll tell you.

23 CHAIRMAN KORGE: -- it meets the needs of
24 their tenant, and that's great, but, you know, in
25 return, the City expects them to do a better job than

1 they've done in the past. I mean, it's really not
2 asking too much to put a little money into the
3 building that's going to be there for 30 years or 40
4 years, or 50 years, you know. So --

5 MR. SALMAN: Dennis, you're unfortunately
6 charged with making sure that that extra area that
7 we're granting them by approving this project, we get
8 out of them in a quality of building, which is the
9 whole point of this exercise, and we're going to be
10 looking at the depth of the fenestration, the depth
11 of the differentials between the planes that have not
12 been detailed on these plans, and, you know, a foot
13 ain't going to do it, two feet ain't going to do it.
14 It's going to have to be something real.

15 MR. BEHAR: And yes, we want Burger King in
16 Coral Gables. There's no question about it.

17 MS. MORENO: Can you take that message back
18 to the Board of Architects, that that's what we're
19 looking for and that's what we're trusting them to
20 enforce?

21 MR. SMITH: Yes, and that is what the Board
22 of Architects has been looking for.

23 MS. MORENO: Okay.

24 MR. SMITH: Now, the Board of Architects
25 just -- you know, it doesn't have, really, so much to

1 do with this project, but just as a general policy,
2 what they've started doing is, when you come in with
3 a project, they don't give you -- they won't do a
4 preliminary approval and a Mediterranean design
5 approval together. They will do the preliminary
6 approval first, so they can concentrate on that, and
7 they'll make you come back at a subsequent meeting to
8 do a separate review for the Mediterranean.

9 MR. AIZENSTAT: That's good.

10 MR. SMITH: So, you know --

11 MS. MORENO: Okay.

12 MR. SMITH: -- there's a lot of things that
13 we're doing, since we amended the Mediterranean
14 Ordinance, better than we had before.

15 MR. AIZENSTAT: Eric, just one last thing.

16 The 150,000, you're fine with that, for the traffic?

17 MR. RIEL: Yes.

18 MR. AIZENSTAT: You think that's sufficient?

19 MR. RIEL: It provides for the completion of
20 the study and an amount of monies available to
21 actually do the improvements.

22 MR. AIZENSTAT: And the implementation?

23 MR. RIEL: Yes, absolutely.

24 MR. AIZENSTAT: For sure?

25 MR. RIEL: The reason we're asking for it

1 within six months is so it actually does occur within
2 a timely manner. They're actually going to start the
3 study as soon as they get approval.

4 MR. SALMAN: Eric, do you know what the
5 street impact -- the roadway impact fees are going to
6 be?

7 MR. RIEL: \$547,000.

8 MR. SALMAN: And that's what you're
9 limiting yourself to funding?

10 MS. RUSSO: Repeat that?

11 MR. RIEL: 547,000.

12 MR. SALMAN: 547,000.

13 MS. RUSSO: Approximately.

14 MR. RIEL: Yes, approximately.

15 CHAIRMAN KORGE: So this study begins, the
16 traffic study begins, when we get approval.

17 Vis-a-vis the completion date for the
18 buildings, will that traffic study be finished before
19 the buildings are done?

20 MR. RIEL: I would assume, yes.

21 MS. RUSSO: Oh, yes, sure.

22 MR. SALMAN: You need them for a DOT permit.
23 You can't build a road --

24 MR. AIZENSTAT: And the implementation?

25 MR. RIEL: Well, the implementation --

1 MR. AIZENSTAT: Is that going to be applied
2 to the project?

3 MR. RIEL: -- I can't comment on, but the
4 intent is to move forward.

5 MS. RUSSO: The intent is for a lot of the
6 traffic calming to be in place by the time the large
7 building is built. It's going to be built with --
8 the small building will be built first. Then the
9 City National Bank will be moved over, and then that
10 building will be demolished and the new structure put
11 in, and the anticipated completion date for the large
12 building is -- I believe, 2008?

13 MR. ALLEMAN: Fall.

14 MS. RUSSO: Fall of 2008, and it is
15 anticipated -- and we said this from the first
16 meeting with the neighbors, that we wanted the
17 traffic calming to start while we were working on the
18 little building, so they would already be in place
19 when the big building came on board.

20 So that's something we've represented to the
21 neighbors from Day One.

22 MR. RIEL: And since they've had the
23 neighborhood meetings and they actually went to the
24 Traffic Advisory Board, they're way ahead of the
25 curve, in terms of moving forward on this.

1 MR. BEHAR: All right.

2 MR. AIZENSTAT: Let's call the roll.

3 CHAIRMAN KORGE: Any more discussion?

4 MS. MORENO: No.

5 CHAIRMAN KORGE: Hearing none, let's call
6 the roll on the motion.

7 MS. MENENDEZ-DURAN: Eibi Aizenstat?

8 MR. AIZENSTAT: Yes.

9 MS. MENENDEZ-DURAN: Robert Behar?

10 MR. BEHAR: Yes.

11 MS. MENENDEZ-DURAN: Cristina Moreno?

12 MS. MORENO: Yes.

13 MS. MENENDEZ-DURAN: Javier Salman?

14 MR. SALMAN: Yes.

15 MS. MENENDEZ-DURAN: Tom Korge?

16 CHAIRMAN KORGE: Yes.

17 The motion passes. I guess that's all we

18 have for the meeting. The next meeting is when,
19 Eric?

20 MR. RIEL: The next meeting is December
21 14th.

22 CHAIRMAN KORGE: December 14th.

23 MS. RUSSO: Thank you very much.

24 MR. AIZENSTAT: That motion passes with the
25 way we've specified --

1 CHAIRMAN KORGE: Yes.

2 MR. AIZENSTAT: -- including those tandem
3 parking spaces?

4 MR. RIEL: Yes, with that additional
5 condition.

6 MS. RUSSO: It went in with all conditions,
7 with the additional condition --

8 MS. HERNANDEZ: Right.

9 MS. RUSSO: -- of no more than two --

10 CHAIRMAN KORGE: The motion was stated,
11 with the amendments.

12 MS. RUSSO: With the amendments.

13 MR. AIZENSTAT: Thank you.

14 MR. SALMAN: Thank you.

15 MR. BEHAR: Mr. Chairman, December 14th, I
16 will not be present. I will be out of town.

17 CHAIRMAN KORGE: You'll be out of town?

18 MR. BEHAR: Yes.

19 CHAIRMAN KORGE: Okay.

20 MR. RIEL: We have another member out, so we
21 have five members, so hopefully we'll be able to
22 still have a meeting.

23 CHAIRMAN KORGE: Okay.

24 MR. RIEL: And then in January, we will be
25 meeting frequently.

1 MR. SALMAN: Frequently, every Wednesday.

2 MS. HERNANDEZ: Now, this is -- what you

3 just approved is going to the City Commission?

4 MR. RIEL: It's going to the City Commission

5 December 13th.

6 MS. HERNANDEZ: Okay.

7 MR. RIEL: All right. Thank you.

8 (Thereupon, the hearing was adjourned at

9 8:20 p.m.)

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1 CERTIFICATE

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3 STATE OF FLORIDA:

4 SS.

5 COUNTY OF MIAMI-DADE:

6

7 I, JOAN L. BAILEY, Registered Diplomate
8 Reporter, and a Notary Public for the State of
9 Florida at Large, do hereby certify that I was
10 authorized to and did stenographically report the
11 foregoing proceedings and that the transcript is a
12 true and complete record of my stenographic notes.

13

14 I, JOAN L. BAILEY, a Notary Public in and
15 for the State of Florida at large, do hereby certify
16 that all witnesses were duly sworn by me.

17

18 DATED this 5th day of December, 2005.

19

20

21

22 JOAN L. BAILEY, RDR

23

24 Notary Commission Number DD 190412.
25 My current notary commission expires 6/14/07.

December 13, 2005 - UPDATED for City Commission

City of Coral Gables - Planning Department

Letters Received from Property Owners

Application No. 05-05-350-P and 08-05-388-P (Special Location Site Plan and Conditional Review)

	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
1.	11/29/05 via email	Walter Fonseca gablesfonseca@yahoo.com	X			<p>To Whom it may Concern at the Planning Board,</p> <p>With reference to public hearing 05-05-350-P and 08-05-388-P to be heard on November 30Th, 2005:</p> <p>Please do not permit any variances as to set-backs or height, as there is no hardship to justify any variances. And please ensure Codina provides green space on the ground floors as the code requires which he always failed to do on his other projects in the Gables and always got away with it.</p> <p>Please note that the alley on Block 16 was permitted to be used when City National Bank built it's office Building so much less than the code permitted. The alley belongs to the city; it is 20ft wide and 275ft long, a total of 5,500 square feet- which Codina proposes to use with the Mediterranean Bonuses, (5,500x3.5) to give him 19,250 additional square feet of building . The value of the 5,500 sq.ft of land is \$200.00 per. sq.ft. amounting to \$1,100,000.00 (according to the recent sale of the church property which sold for \$200.00 per sq.ft. (only one block away at Lejeune and Valencia). Since the alley is the cities property and if the city decides to sell it, the city should collect a minimum of \$1,100,000.00 for it or perhaps be open it to bids.</p> <p>Yours Truly, A concerned city resident.</p>
2.	11/29/05 via email	The "Le Jeune - Segovia Neighborhood Association" (see attached list of names)	X			<p>Members of the Planning and Zoning Board City of Coral Gables Coral Gables, Florida 33134</p> <p>Re: Codina/ Burger King / City National Bank Development on Le Jeune Road Zoning Meeting to be held on November 30, 2005</p> <p>Dear Members of the Board,</p> <p>We have formed an association called the "Le Jeune-Segovia Neighborhood Association" to address our current traffic problems and to prevent an undue burden from the development of the Burger King Headquarters, Codina Headquarters and City National Bank Building.</p> <p>We have 56 households and our numbers are growing. The area we represent includes the residential streets directly across from the development and the entire impacted area. This development will have a substantial negative impact on our quality of life. We are requesting that the developer and the City present a comprehensive plan that includes the traffic calming plan in the impacted area.</p>
						<p>The Traffic Advisory Board voted unanimously to address our traffic concerns. A traffic study was conducted and the results for our area demonstrated to the Board that our problem is current. This development will only add to our problems and lead to a greater deterioration of our quality of life and our property values.</p>

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	Date Received	Name and Address	Object	No Objection	No Comment	Comments (Verbatim)
						<p>We are faced with an extremely large development that will house almost 1000 employees or more plus visitors. We do not want these vehicles to join the heavy traffic flow already existing in our neighborhood. Currently the traffic is disruptive, noisy and presents a safety hazard for the residents and their families who use the public sidewalks, etc.</p> <p>We also have grave concerns about vehicles visiting the building parking on our parkways, destroying the grass and ambiance of the community. While suggestions were made to simply add no parking signs in front of all the residences that solution will decrease the home values by thousands of dollars, and, most often is not enforced unless the homeowner calls. Thus, such parking will remain unchecked during the hours that most of us are at work, and destroy the parkways that all the neighbors strive to maintain.</p> <p>At the various neighborhood meetings convened by Codina through his spokespersons, Laura Russo, Esquire and Codina's company vice president Jose Gonzalez, we were assured and promised that they would make certain that traffic devices and or closure to the entrance of our streets would be part of their plan. Mr. Codina personally stated before the Board of Adjustment that he was willing to pay for all the necessary costs for the construction of traffic devices that would restrict the additional traffic coming into our streets.</p> <p>It is imperative that the traffic and parking issues be addressed before approval of the plans presently submitted. Therefore, we request that you do not grant the developers any approvals without the above traffic issues being a condition of your approval.</p> <p>It is imperative that this type of mass development include a comprehensive plan for the impacted area. Our concerns should not be an afterthought. The traffic calming plan and parking plan should be an integral part of the overall development plan.</p> <p>We have met and organized to address this grave threat to our neighborhood. We hope you will support us in our efforts. Please find attached documents completed by fifty six households in the impacted area stating our concerns and our suggestions for traffic calming. Thank you for your attention and anticipated support.</p> <p>Sincerely, The "Le Jeune – Segovia Neighborhood Association"</p>
3.	11/29/05 via email	Vaso Perimenis mskefala@mindspring.com	X			Dear Mr. Carlson, My name is Vaso Perimenis and I reside at 431 Sevilla Ave. As you know, the local community that lives across the street from the proposed Burger King Headquarters is extremely concerned about planned development of the City Bank property. We have

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City of Coral Gables - Planning Department

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						<p>held several meetings with representatives of Codina as well as a neighborhood meeting, during which we created an association to deal with the traffic concerns and issues.</p> <p>I am planning to attend the planning and zoning meeting tomorrow evening but wanted to take some time now to express our concerns about the project. It is imperative that the traffic and parking issues be addressed before approval of the plans presently submitted. Therefore, we request that you do not grant the developers any approvals without the above traffic issues being a condition of your approval. It is imperative that this type of mass development include a comprehensive plan for the impacted area. Our concerns should not be an afterthought. The traffic calming plan and parking plan should be an integral part of the overall development plan.</p> <p>Thank you for your consideration, Vaso Perimenis</p>
4.	11/29/05 via email	John Lindsay jklindsay@bellsouth.net	X			<p>11/28/05 Mr. Carlson, My name is John Lindsay and I live at 635 Palermo Avenue with my wife and two children. While I support, in concept, the new Burger King being developed by Codina Group I am VERY CONCERNED about the TRAFFIC IMPACT. During commute times Palermo Avenue often resembles the Homestead Speedway as people race to and from work. I am very interested in seeing how the City and Codina Group plan on addressing the severe impact this new development will have on the surrounding residential areas. I will see you on Wednesday evening. Thanks.</p> <p>John Lindsay</p>
5.	11/23/05	Brian & Tammy Lee 518 Almeria Ave. Coral Gables, FL	X			We object to allowances set by the Mediterranean bonus. This only serves to increase height and density.
6.	11/22/05 via email	Robert M & Alicia S Layne 500 Almeria Ave. Coral Gables, FL 33134 rmlaynesr@bellsouth.net				<p>November 21, 2005</p> <p>We previously responded to the notice sent to homeowners regarding the proposed Codina/Burger King development on LeJeune Road fronting the entrance to Almeria Ave. However, we wish to restate our position after reviewing various comments or statements from news articles regarding this matter.</p> <p>We are faced with an extremely large building that will be occupied by 600 employees or more plus visitors. Possibly between 800 to 1000 cars will be thrown in the mix with Coral Gables traffic. We don't want these cars to join the heavy traffic flow already existing in our neighborhood that has gotten to the point where it is disruptive, noisy and presents a safety hazard for the residents and their families who use the public sidewalks etc.</p> <p>At the various neighborhood meetings convened by Codina through his spokespersons, Laura Russo, esquire and Codina's company vice president Jose Gonzalez, we were assured and promised that they would make certain that traffic</p>

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						<p>devices that would restrict the additional traffic coming into the area.</p> <p>We request that you do not grant the developers any approvals without the traffic issues being a condition of your approval.</p> <p>Sincerely, Robert M & Alicia S Layne 500 Almeria Ave., Coral Gables, FL 33134</p>
7.	11/21/05	David Dolinger P.O. Box 430831 (2940-80 Ponce De Leon Blvd.) Miami, FL 33243		X		
8.	11/18/05	Robert M and Alicia Layne 500 Almeria Ave. Coral Gables, FL 33134	X			<p>We object to the approval IF it does not provide for appropriate traffic diversion from the entrance of the intersection of Almeria at Le Jeune Road to eliminate the impact of the traffic and parking from these proposed buildings.</p> <p>The most recent traffic study by the City that Mr. Delgado shared with the Traffic Advisory Board shows high volume of traffic:</p> <p>From 7:30 to 9:30 AM 119 cars use Almeria</p> <p>From 5:00 to 7:00 PM 151 cars use Almeria</p> <p>Please enforce the building code and protect our neighborhood.</p>