

**City of Coral Gables
Planning and Zoning Board Meeting
Wednesday, February 11, 2015
Coral Gables City Commission Chambers
405 Biltmore Way, Coral Gables, Florida**

MEMBERS	J14	F11	M11	A8	M13	J10	J8	A12	S9	O14	N11	D9	APPOINTMENT
	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	
Eibi Aizenstat - Chair	P	P											City Manager
Marshall Bellin	P	P											Commissioner Vince Lago
Anthony Bello	P	P											Board Appointee
Jeffrey Flanagan - Vice Chair	E	P											Commissioner Pat Keon
Julio Grabiel	P	P											Mayor Jim Cason
Maria A. Menendez	P	P											VM William H. Kerdyk, Jr.
Alberto Perez	E	P											Commissioner Frank C. Quesada

**P = Present
E = Excused
C = Meeting Cancelled**

City Staff and Consultants:

Charles Wu, Asst. Development Services Director
Craig Leen, City Attorney
Jane Tompkins, Development Services Director
Ramon Trias, Planning & Zoning Director
Scot Bolyard, Principal Planner
Megan McLaughlin, City Planner
Jill Menendez, Administrative Assistant
Glenn Kephart, Public Works Director
Yamilet Senespleda, City Engineer

Susan Trevarthen, Esq.
Tim Plummer

City Commissioner Pat Keon

Court Reporter:
Joan Bailey

Attachments:

- A. 02 11 15 Planning and Zoning Board Verbatim Minutes
- B. Various comments submitted and entered into the record.

Page 1 1 CITY OF CORAL GABLES 2 LOCAL PLANNING AGENCY (LPA)/ 3 PLANNING AND ZONING BOARD MEETING 4 VERBATIM TRANSCRIPT 5 CORAL GABLES CITY HALL 6 405 BILTMORE WAY, COMMISSION CHAMBERS 7 CORAL GABLES, FLORIDA 8 WEDNESDAY, FEBRUARY 11, 2015, COMMENCING AT 6:05 P.M. 9 Board Members Present: 10 Eibi Aizenstat, Chairperson 11 Marshall Bellin 12 Anthony Bello 13 Jeffrey Flanagan, Vice-Chairperson 14 Julio Grabiell 15 Maria Alberro Menendez 16 Alberto Perez 17 City Staff and Consultants: 18 Charles Wu, Assistant Development Services Director 19 Ramon Trias, Planning Director 20 Craig E. Leen, City Attorney 21 Jane Tompkins, Development Services Director 22 Scot Bolyard, Principal Planner 23 Megan McLaughlin, City Planner 24 Jill Menendez, Planning Administrative Assistant 25 Glenn Kephart, Public Works Director Yamilet Senespleda, City Engineer Susan Lanelle Trevarthen, Esq. Weiss Serota Helfman Pastoriza Cole & Boniske Special Counsel to the City Tim Plummer, David Plummer & Associates City Commissioner Present: Pat Keon	Page 3 1 THEREUPON: 2 The following proceedings were had: 3 CHAIRMAN AIZENSTAT: Let's go ahead and 4 call the meeting to order, please. 5 Good evening, and welcome to the Planning 6 and Zoning Board meeting of Wednesday, February 7 11th, 2015. This Board is comprised of seven 8 members. Four members of the Board shall 9 constitute a quorum, and the affirmative vote 10 of four members of the Board present shall be 11 necessary for the adoption of any motion. A 12 tie vote shall result in an automatic 13 continuance of the matter to the next meeting, 14 which will be continued until a majority vote 15 is achieved. If only four members of the Board 16 are present, an applicant shall be entitled to 17 a postponement to the next regularly scheduled 18 Board meeting. 19 I would also ask that any person who acts 20 as a lobbyist, pursuant to the City of Coral 21 Gables Ordinance Number 2006-11, must register 22 with the City Clerk prior to engaging in 23 lobbying activities or presentations before 24 City Staff, Boards, committees and/or City 25 Commission. A copy of this Ordinance is
Page 2 1 2 Also Participating: 3 Sunrise Harbour: 4 Laura Russo, Esq., 5 On behalf of the Applicant 6 Mediterranean Village: 7 Mario Garcia-Serra, Esq., 8 On behalf of Agave Ponce LLC 9 Dan Freed, Architect 10 RTKL Associates 11 John McWilliams, Kimley-Horn & Associates 12 Chris Hagan, Kimley-Horn & Associates 13 Stan Eichelbaum, Marketing Developments/Planning 14 Developments, Inc. 15 Hector Fernandez, CEO, Agave Holdings, LLC 16 Eddie Avila, Agave Ponce, LLC 17 Public Speakers: 18 Mary Snow 19 Gonzalo Sanabria 20 Enrique Lopez 21 Paul Penny 22 Georges Berger 23 Daniel Siberio 24 (Speaking also for: 25 Natalie Tappert, Robert Canova, Denys Alt, Alicia Bache-Wiig, Carlos Dominguez, Jorge Azze, and Patricia Guarch) R. Larry Rentz Kirk Menendez Venny Torre Enrique Bernal Ramon Casas Frank Kelly Joseph Kirk Stephen Bittel Dr. Luis de la Vega Luis de la Vega, Jr.	Page 4 1 available in the Office of the City Clerk. 2 Failure to register and provide proof of 3 registration shall prohibit your ability to 4 present to the Board. 5 I now would like to call this meeting, at 6 6:07, on Wednesday, February 11th, 2015, to 7 order. 8 Jill, would you call the roll, please? 9 MS. MENENDEZ: Marshall Bellin? 10 MR. BELLIN: Here. 11 MS. MENENDEZ: Anthony Bello? 12 MR. BELLO: Here. 13 MS. MENENDEZ: Jeff Flanagan? 14 Julio Grabiell? 15 MR. GRABIEL: Here. 16 MS. MENENDEZ: Maria Menendez? 17 MS. ALBERRO MENENDEZ: Here. 18 MS. MENENDEZ: Alberto Perez? 19 MR. PEREZ: Here. 20 MS. MENENDEZ: Eibi Aizenstat? 21 CHAIRMAN AIZENSTAT: Here. 22 Charles, would you like to do the -- 23 MR. WU: Sure. 24 At this time, there are two cases on the 25 agenda, basically. One is the Mediterranean

Page 5 1 Village, and the second one is the Sunrise 2 Harbour. The Sunrise Harbour does not require 3 ex-parte communication, but we'd like to know 4 if you've had any ex-parte communication on the 5 Mediterranean Village, since it involves a site 6 plan. This is any discussions you've had with 7 members of the public or the applicant. 8 MR. LEEN: And Mr. Chair, I would just like 9 to add to that, that at the last meeting there 10 was a disclosure that the applicant had met 11 with you regarding the legislative aspects of 12 the application and not the quasi-judicial 13 ones -- 14 CHAIRMAN AIZENSTAT: Correct 15 MR. LEEN: -- and that's already been 16 disclosed. If you have anything in addition to 17 that, please disclose it now. 18 CHAIRMAN AIZENSTAT: Meaning any of the 19 Board members? 20 MR. LEEN: Any of the Board members, any 21 additional disclosures that need to be made. 22 MR. WU: On the Mediterranean Village case. 23 CHAIRMAN AIZENSTAT: Correct. 24 MS. ALBERRO MENENDEZ: None. 25 CHAIRMAN AIZENSTAT: None?	Page 7 1 MS. MENENDEZ: Julio Grabiell? 2 MR. GRABIEL: Yes. 3 MS. MENENDEZ: Maria Menendez? 4 MS. ALBERRO MENENDEZ: Yes. 5 MS. MENENDEZ: Albert Perez? 6 MR. PEREZ: Yes. 7 MS. MENENDEZ: Marshall Bellin? 8 MR. BELLIN: Yes. 9 MS. MENENDEZ: Eibi Aizenstat? 10 CHAIRMAN AIZENSTAT: Yes. 11 What we're going to do at this time is go 12 out of order. We have one item which was 13 slated on our agenda to be last, which is Item 14 Number 11, and it should be short, so we're 15 going to move that up front, real quickly, and 16 hopefully expedite that, if possible. 17 Let me read that in, please. 18 The first item is an Ordinance of the City 19 Commission of Coral Gables, Florida, providing 20 for text amendments to the City of Coral Gables 21 Official Zoning Code, by amending Appendix A, 22 "Site Specific Zoning Regulations," Section 23 A-95, "Sunrise Harbour," by adding provisions 24 for dock facilities for the Gables Harbour 25 Condominium; providing for severability,
Page 6 1 MR. WU: May the record show, there's been 2 no ex-parte communication. 3 Thank you. 4 CHAIRMAN AIZENSTAT: Thank you. 5 At this time, I'd like to ask everybody 6 that's going to be coming up to speak to please 7 stand up -- I'm sorry, to please stand up and 8 raise your hand, with the exception of 9 attorneys. 10 (Thereupon, all who were to speak were duly 11 sworn by the court reporter.) 12 CHAIRMAN AIZENSTAT: Thank you. It's also 13 a good time to ask everybody to please turn off 14 your cell phones or put them on vibrate. We'd 15 appreciate that. Thank you. 16 Let's take a look at the approval of the 17 minutes. Has everybody had a chance to take a 18 look at those? Is there a motion? 19 MR. GRABIEL: I move. 20 MR. BELLO: Second. 21 CHAIRMAN AIZENSTAT: Second. Any comments, 22 questions? No? 23 Call the roll, please. 24 MS. MENENDEZ: Anthony Bello? 25 MR. BELLO: Yes.	Page 8 1 repealer, codification and an effective date. 2 MR. LEEN: Thank you, Mr. Chair. 3 There will be a presentation by Mr. Wu, but 4 I will briefly speak, and then also, I believe 5 Laura Russo will be speaking on behalf of the 6 applicant. 7 This is actually an item that was placed on 8 the agenda by the City Attorney's Office, by 9 me. The reason why is, the finger piers 10 relating to Gables Harbour Condominium have 11 been in place since the early 1970s, over 40 12 years, and they have been there and the Zoning 13 Code has never reflected that. So they've 14 always been in sort of a limbo, in terms of 15 their legality. There's an argument that 16 exists that they're legally non-conforming. 17 There's also an argument that exists that they 18 may not be. 19 Regardless, the City has never pressed 20 forward on any sort of enforcement related to 21 these finger piers, and at this point, it's my 22 opinion that what is best for everyone is for 23 them to be legalized and them to be built in a 24 way that's safe. 25 One reason why I have that opinion, in

Page 9 1 addition, is because the neighboring building 2 has finger piers, as well, that have been 3 legalized, and it seems to me at this time it's 4 appropriate to legalize these. 5 The other reason that this is being brought 6 to you on a somewhat expedited basis is because 7 there is a DERM case related to them, and DERM 8 is prepared to allow these piers to proceed, 9 assuming they're structurally sound, but they 10 need the City of Coral Gables Zoning approval. 11 I could provide a temporary zoning approval 12 under my authority under the Code, based on 13 hold harmless agreements that we've reached 14 with the neighbors, but ultimately this needs 15 to go before the Planning and Zoning Board and 16 the Commission, and that's why this 17 site-specific amendment has been brought to you 18 today. 19 And with that, I would turn it over to 20 Mr. Wu. 21 CHAIRMAN AIZENSTAT: Thank you. 22 MR. WU: Thank you. 23 If we can pull up some slides, we just have 24 a handful of slides for the presentation. 25 This is the site specific Zoning Code text	Page 11 1 have fallen into disrepair, and DERM and the 2 condo association is in high desire of 3 repairing them as soon as possible. 4 The Code amendment is merely a reflecting 5 of what's in the water today. We had a lot of 6 specifics because we have to go through the 7 details, of the number of slips not to exceed 8 23, the way how it's oriented. Sometimes the 9 length of the slips are detailed. Pretty much 10 this reflects on what's in the water and does 11 not allow expansion of the existing finger 12 piers. 13 In summary, Staff recommends approval for 14 this housekeeping matter, and you do have an 15 attorney, Ms. Laura Russo, to answer any 16 questions you may have. 17 CHAIRMAN AIZENSTAT: Thank you. 18 Ms. Russo? 19 MS. RUSSO: Good evening, Mr. Chairman, 20 Members of the Board. For the record, Laura 21 Russo, with offices at 2655 LeJeune Road, and 22 I'm here this evening representing Gables 23 Harbour Apartments Condominium Association, 24 Inc., and just so you know, we have the 25 president, Mr. Nigel Patterson; Mr. Ed Portas,
Page 10 1 amendment to Appendix A, relating to Sunrise 2 Harbour, to allow these docks. 3 This is the location, Lots 1, 2 and 3, at 4 the end of East Edgewater Drive. Today's 5 zoning is pretty much MF2. Even though it's a 6 duplex zoning, the surrounding area in brown 7 are essentially condos, and all the area along 8 the water do have finger piers or docks today. 9 This is an aerial showing the existing 10 finger piers. As you can see, to the west, we 11 do have some finger piers, as well, at the 12 Gables Condo, and the project we have before 13 you is Gables Harbour. They have 23 docks 14 today. 15 As Mr. Leen mentioned, it was built in 16 around the early seventies. All along, it was 17 disclosed that they were including finger piers 18 in the approval by the City Commission. 19 Unfortunately, we could not find any permits 20 reflecting that. The only permits we have 21 found were pilings, and since then they have 22 constructed and renovated the finger piers, all 23 these past 40 years. 24 The reason why it's coming before you with 25 some urgency is, a lot of these finger piers	Page 12 1 secretary; Alan Glock, treasurer; Johann 2 Besserer, board member; Millie Garcia-Navarro, 3 board member; and Leo and Margie Iturralde, 4 Mike Curran, Jock and Linda Fink, owners, who 5 have taken time out of their day to come and 6 make sure that this is taken care of. 7 The history that you have heard from Staff 8 is that this four-story, 30-unit condominium 9 project was approved by the City Commission in 10 1969, with the developer proposing 30 boat 11 slips. The Commission approved it with 26. 12 The project was built, but the City -- neither 13 the City nor the County has all permits for the 14 existing pilings, finger piers, et cetera. So 15 there are bits and pieces that reference the 16 dock facilities, but nothing that encompasses 17 it all. As a result, for the last -- I want to 18 say five or six, seven years, when needed 19 repairs had to be made to the existing piers 20 and pilings, there were issues getting permits 21 with the City of Coral Gables and with DERM. 22 When I was brought in, we met with City 23 Staff, with Ramon Trias and with Charles Wu, 24 along with the City Attorney, and a 25 determination was made that the best way to

Page 13 1 handle this would be to approve what is 2 existing, detail it so that when repairs are 3 made or replacements, you're only repairing or 4 replacing what is there. 5 So we had a little field condition, so 6 along with the application, there's a field 7 condition telling you about the deteriorated 8 state of the existing facilities that are in 9 dire need of repair. We also submitted a copy 10 of the survey that gives you details as to the 11 length of the finger piers, the width, et 12 cetera, so that at the time permits are pulled 13 for the repair or replacement, they need to 14 match what is on file with the City of Coral 15 Gables. 16 So that you know, as in any other public 17 hearing, notice was sent to the surrounding 18 neighbors, which totaled over 1,500. We held a 19 neighbors meeting. The City Attorney was 20 gracious enough to attend. We had the 21 president and the manager of the Gables Club, 22 which is the neighboring high-rise condominium 23 to the west, and we had two neighbors from the 24 condominiums to the north. And when we 25 explained to them that we were really only	Page 15 1 we approve the application. 2 MR. PEREZ: I second. 3 CHAIRMAN AIZENSTAT: A motion and second. 4 Any discussion, any questions? 5 Call the roll, please. 6 MS. MENENDEZ: Julio Grabiell? 7 MR. GRABIEL: Yes. 8 MS. MENENDEZ: Maria Menendez? 9 MS. ALBERRO MENENDEZ: Yes. 10 MS. MENENDEZ: Alberto Perez? 11 MR. PEREZ: Yes. 12 MS. MENENDEZ: Marshall Bellin? 13 MR. BELLIN: Yes. 14 MS. MENENDEZ: Anthony Bello? 15 MR. BELLO: Yes. 16 MS. MENENDEZ: Eibi Aizenstat? 17 CHAIRMAN AIZENSTAT: Yes. Thank you. 18 MS. RUSSO: Thank you all very much. 19 CHAIRMAN AIZENSTAT: You're welcome. 20 The next items are all together, which 21 pertain to the Mediterranean Village. What I'm 22 going to do at this time is read them all into 23 the record together and we'll proceed from 24 there. 25 MR. LEEN: Mr. Chair?
Page 14 1 formalizing the existence of the existing dock 2 facilities, everybody was on board, and so I 3 respectfully request that you approve our 4 site-specific text amendment, which is an added 5 Section E, and if you look, at least on what I 6 submitted, it was the very last page, I 7 underscored all the the additional language, 8 which basically incorporates what's shown on 9 the sketch of survey which is attached and also 10 referenced there for the future. 11 If you have any questions, I'd be more than 12 happy to answer them. 13 CHAIRMAN AIZENSTAT: Thank you. 14 At this -- Does anybody have any questions 15 for Laura? 16 MS. ALBERRO MENENDEZ: No. I'm ready to 17 make a motion -- 18 CHAIRMAN AIZENSTAT: Well, let's see if 19 there's any public comment -- 20 MS. ALBERRO MENENDEZ: Oh, that's right. 21 CHAIRMAN AIZENSTAT: -- first. Is there 22 anybody here that wants to make any comment on 23 this subject? No? 24 The floor is closed. Board discussion? 25 MS. ALBERRO MENENDEZ: I make a motion that	Page 16 1 CHAIRMAN AIZENSTAT: Yes. 2 MR. LEEN: As we discussed, the Chair is 3 going to read them into the record. We're 4 going to have one public hearing on all of the 5 items at once, but they're going to be voted on 6 separately. Some of them are legislative; some 7 of them are quasi-judicial. 8 So, if that's okay with the Chair, we had 9 discussed that in advance, but just so the 10 public understands. 11 CHAIRMAN AIZENSTAT: Thank you. 12 The first item is an Ordinance of the City 13 Commission of Coral Gables, Florida, requesting 14 an amendment to the Future Land Use Map of the 15 City of Coral Gables Comprehensive Plan 16 pursuant to Zoning Code Article 3, "Development 17 Review," Division 15, "Comprehensive Plan Text 18 and Map Amendments," and Small Scale Amendment 19 Procedures, known as Florida Statutes 163.3187, 20 changing the boundaries between Commercial 21 Low-Rise Intensity, Commercial Mid-Rise 22 Intensity and Commercial High-Rise Intensity 23 Land Use designations on property generally 24 bounded by Sevilla Avenue on the north, Malaga 25 Avenue on the south, Ponce de Leon Boulevard on

Page 17 1 the west, and Galiano Street on the east, and 2 generally known as 2801, 2901 and 3001 Ponce de 3 Leon Boulevard, Coral Gables, Florida, as shown 4 in Exhibit "A" and legally described on Exhibit 5 "B"; providing for severability, repealer and 6 an effective date. The legal description of 7 the property is on file with the City. 8 The second item is an Ordinance of the City 9 Commission of Coral Gables, Florida, requesting 10 an amendment to the text of the City of Coral 11 Gables Comprehensive Plan Future Land Use 12 Element, Policy FLU-1.1.3, "Table FLU-2, 13 Commercial Land Uses," pursuant to expedited 14 State review procedures, Florida Statutes 15 163.3184, and Zoning Code Article 3, 16 "Development Review," Division 15, 17 "Comprehensive Plan Text and Map Amendments"; 18 amending the "Commercial High-Rise Intensity," 19 "Commercial Mid-Rise Intensity" and "Commercial 20 Low-Rise Intensity" Land Use Classifications to 21 provide that, (A), residential use shall be 22 permitted, and (B), intensity shall be 23 controlled by a Planned Area Development plan 24 instead of by Floor Area Ratio, in a project 25 developed in accordance with the Mediterranean	Page 19 1 severability, repealer, codification and an 2 effective date. 3 The next item is an Ordinance of the City 4 Commission of Coral Gables, Florida, granting 5 approval of a proposed Planned Area 6 Development, known as PAD, approval referred to 7 as "Mediterranean Village," pursuant to Zoning 8 Code Article 3, "Development Review," Division 9 5, "Planned Area Development," for the 10 construction of a project consisting a mix of 11 uses, including office, commercial, retail, 12 hotel and residential, consistent with the 13 separately proposed Section 3-510, 14 "Mediterranean Village Form-Based Code," on the 15 property legally described as Block 20, Block 16 23 (less Lot 12 and a portion of Lot 11), and 17 Block 30, Crafts Section, also generally known 18 as 2801, 2901 and 3001 Ponce de Leon Boulevard, 19 Coral Gables, Florida, including required 20 conditions; providing for severability, 21 repealer and an effective date. The legal 22 description of the property is on file with the 23 City. 24 Next we have an Ordinance of the City 25 Commission of Coral Gables, Florida, requesting
Page 18 1 Village Form-Based Code; and further amending 2 the "Commercial High-Rise Intensity" and 3 "Commercial Mid-Rise Intensity" Land Use 4 Classifications to provide that, in such a 5 Mediterranean Village project, additional 6 height may be granted for specific uses or 7 architectural embellishment; providing for 8 severability, repealer and an effective date. 9 Next we have an Ordinance of the City 10 Commission of Coral Gables, Florida, providing 11 for text amendments to the City of Coral Gables 12 Official Zoning Code by amending Article 3, 13 "Development Review," Division 5, "Planned Area 14 Development," to create Section 3-510, 15 "Mediterranean Village Form-Based Code," with 16 form-based development standards that modify 17 and supplement the existing Planned Area 18 Development standards and criteria to allow 19 appropriate infill and redevelopment in 20 urbanized areas if certain minimum requirements 21 are met; and amending Appendix A, "Site 22 Specific Zoning Regulations," Section A-36, 23 "Crafts Section," by removing Section A-36.B.5 24 regarding the use, design and number of stories 25 for development in Block 20; providing for	Page 20 1 partial abandonment and vacation of a 2 20-foot-wide public alleyway generally running 3 east-west, approximately 85 feet in length, 4 dividing Blocks 3, 4 and Tract F from Block 5 5 and Tract G of Ponce Place Villas East, 6 pursuant to Zoning Code Article 3, Division 12, 7 "Abandonment and Vacations," and City Code 8 Chapter 62, Article 8, "Vacation, Abandonment 9 and Closure of Streets, Easements and Alleys by 10 Private Owners and the City, Application 11 Process," and the dedication of a public access 12 easement generally running over an internal 13 driveway from Palermo Avenue to Coconut Grove 14 Drive, related to proposed development 15 consistent with the separately proposed Section 16 3-510, "Mediterranean Village Form-Based Code," 17 on the property generally known as 2801, 2901 18 and 3001 Ponce de Leon Boulevard, Coral Gables, 19 Florida; including required conditions; 20 providing for severability, repealer and an 21 effective date, the legal description of the 22 vacation (sic) on file with the City. 23 And finally, we have an Ordinance of the 24 City Commission of Coral Gables, Florida, 25 approving a Development Agreement pursuant to

Page 21 1 Zoning Code Article 3, Division 20, entitled 2 "Development Agreements," for a proposed 3 Planned Area Development referred to as 4 "Mediterranean Village," related to the 5 construction of a project consisting of a mix 6 of uses, including office, commercial, retail, 7 hotel and residential, consistent with the 8 separately proposed Section 3-510, 9 "Mediterranean Village Form-Based Code," on the 10 property legally described as Block 20, Block 11 23 (less Lot 12 and a portion of Lot 11), and 12 Block 30, Crafts Section, generally known as 13 2801, 2901 and 3001 Ponce de Leon Boulevard, 14 Coral Gables, Florida; providing for 15 severability, repealer and an effective date. 16 The legal description of the property is on 17 file with the City. 18 Before we proceed, I'd like to note for the 19 record that Vice-Chair Flanagan has arrived. 20 MR. LEEN: And, Mr. Chair, I would just 21 like to ask Mr. Flanagan about disclosure of 22 ex-parte communications. 23 Mr. Flanagan, as you may recall, last time, 24 there had been a communication with each of the 25 Board members relating to the legislative	Page 23 1 from Mahan Rykiel and Langan Engineering. 2 When we were here before you in December, 3 you were considering and we were presenting the 4 proposed amendments to the Comprehensive Plan 5 and the Zoning Code. These amendments can be 6 summarized as introducing form-based regulatory 7 concepts into the Zoning Code section on 8 Planned Area Developments. In other words, we 9 were proposing to replace some of the older 10 forms of zoning regulations, which segregate 11 uses and rely on mathematical formulas or 12 measures to control buildings with regulations 13 that encourage a mix of uses and try to control 14 buildings based on design, form, and relation 15 to the street and pedestrian. 16 You were receptive and appreciative of 17 these ideas, but basically told us that you 18 wanted to see how they were going to be 19 implemented and applied to this property in 20 particular before making a recommendation on 21 the various requests that we have for the 22 project. 23 Over the last two months since that meeting 24 in December, we have worked very hard to 25 finalize the site plan and related items which
Page 22 1 aspect of this application, which I gave an 2 opinion was proper, under Jennings, and there 3 was no discussion of quasi-judicial matters. 4 At this time, I would ask, have you had any 5 additional ex-parte communications, other than 6 the one that was disclosed, relating to a 7 legislative matter? 8 MR. FLANAGAN: No, I haven't. No, I have 9 not. 10 CHAIRMAN AIZENSTAT: Thank you. 11 At this time, what I'd like to do is, I'd 12 like to actually ask the applicant to go first 13 and do their presentation. 14 MR. GARCIA-SERRA: Good evening, Mr. Chair, 15 Members of the Board. Mario Garcia-Serra, with 16 offices at 600 Brickell Avenue, representing 17 Agave Ponce LLC, the applicant and property 18 owner. I'm accompanied today by Eddie Avila, 19 Hector Fernandez and Jorge Pinto, of Agave 20 Ponce; Dan Freed and Josh Bailey of RTKL, our 21 project architects; John McWilliams and Chris 22 Hagan of Kimley-Horn, who are our traffic and 23 parking consultants; and Stan Eichelbaum, who 24 is our retail consultant. I'm also joined by 25 our landscape architects and civil engineers	Page 24 1 are before you tonight, and we are here to 2 demonstrate to you how this project is 3 superior, not just in scope and size, but also 4 in quality and public benefit. 5 As Dan will describe for you in more 6 detail, the project is composed of hotel, 7 retail, office and residential components. But 8 this will not be any sort of standard uses or 9 standard projects or standard buildings. 10 Indeed, the project that's proposed is composed 11 of a five-star luxury hotel, with a rooftop 12 restaurant, discussed briefly during the last 13 meeting, of exceptional views and open to the 14 general public; a retail center that will add 15 to and enhance the existing Miracle Mile 16 shopping district, with larger size tenants 17 that cannot locate right now on the Mile, and 18 with international brands that have not yet 19 appeared in the United States; along with a 20 day-care facility and a VIP-style movie theater 21 of a quality not seen anywhere else in 22 Miami-Dade County. 23 Our office building will be a Class A 24 office building, which will serve to attract 25 more regional and headquarter offices and

Page 25 1 solidify this City's reputation as a premier 2 office location in South Florida. 3 And our residential component will be a 4 luxury residential component, composed of 214 5 multi-family condo and townhouse units, which 6 will provide great residences in the heart of 7 the City and residents to keep our restaurants 8 and retail locations in Downtown Coral Gables 9 busy during the traditionally off hours during 10 the week. 11 In short, we feel that this project is a 12 major step towards revitalizing an area which 13 has so much potential that my client is willing 14 to invest just half a billion dollars in 15 construction alone. 16 With that said, I'll ask Dan to come up 17 here and give you a presentation and show you 18 what we're proposing as far as the project is 19 concerned, in greater detail, as well as 20 certain off-site improvements. 21 Dan? 22 MR. FREED: Thank you. 23 Good evening, Mr. Chairman, Board Members. 24 My name is Dan Freed. I'm a vice-president 25 with RTKL, here at our offices here in the	Page 27 1 117,000 square feet of in-line retail and 2 another 98,000 retail in our north parcel, for 3 a mid-anchor -- a mid-size anchor, as well as 4 another 26,000 square feet for retail in a 5 south mid-size retail store, as well. 6 We have a total of 324,000 square feet of 7 commercial area, and that includes those retail 8 areas, as well as a cinema, which is 32,000 9 square feet. It includes a day-care that is 10 12,000 square feet, and a cinema that's 11 9,000 -- sorry, a gym that's 9,500 square feet. 12 We've mentioned that we have a five-star 13 hotel. It's 184 keys. We also have 314,000 14 square feet of Class A office, and we have 229 15 residential units. They are comprised of 15 16 town homes and 214 condo units. 17 Further down on the left side of this 18 chart, we describe building heights. Just to 19 be clear, we have 19 floors to the hotel. That 20 includes two levels of retail. The remaining 21 17 levels are hotel. In order to get to those 22 19 floors, we go to a height of 218 feet and 23 six inches. Essentially, the two top levels 24 exceed the 190.5 maximum height throughout the 25 Gables. The rest of the buildings on the site
Page 26 1 Gables, at 396 Alhambra. 2 The presentation today represents about 3 three years' worth of work. It will be three 4 years -- actually, over three years' worth of 5 work. We started, essentially, two months 6 before I moved to Coral Gables in November -- 7 October of 2011, and since that time, we've had 8 many meetings, obviously, with our developer, 9 with our consultants, as well as with City 10 Staff, and many meetings here in this room. 11 It's essentially a similar presentation 12 that I presented in December. I'll go into as 13 much detail as you would like, but I'll try to 14 be as brief as possible. 15 As you're already aware, our site is 16 bounded by Sevilla on the north and Malaga on 17 the south. Our client, Agave Development, owns 18 these three parcels, with the exception of this 19 area here on Coconut Grove Drive, which is 20 owned by -- which is still a private residence. 21 The area breakdown has not changed from the 22 last time that we presented. This is displayed 23 on Page 18 your packet. It's the 11-by-17 24 packet that I see in front of some of you. 25 I'll go through it very briefly, but there's	Page 28 1 are either at the 190.5 feet or below it. 2 The office is 13 levels. That includes two 3 levels of retail, 11 levels of office above 4 that retail, that's 190.5 feet tall, and then 5 three residential buildings; they are all 17 6 stories and they are all 190.5 feet, as well. 7 I've mentioned the cinema. The cinema is 8 on our eighth level, and its highest parapet is 9 at 116. 10 We have -- based on communication with 11 Staff, we have revised our shared parking 12 analysis from the last time that we presented 13 to you. Based on a shared parking analysis, 14 the site and our program requires 200-- sorry, 15 2,653 spaces. We are providing 2,691 spaces. 16 That includes 58 spaces of off-street -- sorry, 17 on-street parking. The remainder of the 18 parking spaces are within -- contained within 19 our building, either within two levels of 20 below-grade parking or five levels of 21 above-grade parking. 22 The chart on the right of Page 18 is really 23 defining our open space. It talks about the 24 required open space, on the top of the chart, 25 and then provides how we are meeting those

Page 29 1 requirements. Actually, at grade, we're 2 required to have about 20 percent open space. 3 We provide 21 percent open space on grade, and 4 that is not including the open space that we 5 provide on rooftops of numerous buildings as 6 parks, and I'll go through in more detail with 7 some graphics later on in the presentation, if 8 that's okay. 9 This is our illustrative site plan. It is 10 showing all three parcels of our site. The 11 white item here in the middle, the central 12 parcel, as we call it, is the private 13 residence, not owned by Agave. We're bound by 14 Ponce on the far west and bound by Galiano on 15 the far east. 16 I just want to mention, since we last spoke 17 to you, we've added a trolley stop and we've 18 also relocated the trolley stop that we had 19 previously. Based on suggestions from City 20 Staff, we've repositioned -- or added a trolley 21 stop here, just north of Sevilla on Ponce, and 22 the trolley stop that we had here on Ponce has 23 been relocated to just north of Malaga, here in 24 this location. 25 I think it's important to note that we have	Page 31 1 south end, here on Ponce de Leon. 2 We are -- I mentioned last time that we are 3 getting certified as a LEED-ND project. City 4 Staff has commented that they wanted us to do 5 that at a Stage 1 level. We're registered with 6 the project already, with USGBC, using Version 7 2009. Version 2009 has three stages for 8 approval and you have to do two of those, and 9 what we're suggesting is that we get a Stage 2 10 pre-certification, instead of the Stage 1 11 pre-certification that the City is asking for. 12 That allows us to go, after entitlement, back 13 to USGBC, and it's a common way of doing it. 14 We're also proposing that we jump to a 15 Version 4, which is the latest edition of the 16 LEED certification. That only has two stages. 17 They don't call them stages. There's a 18 pre-certification and the actual certification. 19 We planned on making that upgrade here in the 20 future as we move forward with the project. 21 That LEED-ND is -- that ND stands for 22 Neighborhood Design. That allows us to get the 23 whole sort of master plan development 24 LEED-certified, and with that certification, a 25 minimum of one of the major components of the
Page 30 1 two levels of parking below grade, at great 2 expense to do that. All of our servicing is 3 happening below-grade. I've mentioned 4 previously that we feel like there is no back 5 door to this project, and so all service trucks 6 and loading are entering our site and going 7 down-grade, down below grade, by way of ramps 8 that occur here on Sevilla. 9 One of the other tricks of doing all of 10 this below-grade parking and service is that we 11 need to maintain a flush condition for all 12 trees and amenities that are happening 13 on-grade, and we're doing that by greater depth 14 in our garage below-grades, and that's allowing 15 us to do tree pits and landscaping that's all 16 flush with the walking surfaces around the 17 entire site. 18 We talked previously, last time, in 19 December, that we've added a paseo on the north 20 side. I think it's important to note that 21 again, because the entire site can be walked 22 through with paseos that the project is 23 providing. Through the middle of each parcel, 24 you're able to get from the north side, on 25 Sevilla, the whole way through the site to the	Page 32 1 project will also be LEED-certified, in order 2 to meet the LEED-ND requirement. 3 There's a level of natural materials that 4 is being required by the Form-Based Code. 5 We're meeting that on walking surfaces as well 6 as all of the fenestrations of the project. 7 We're meeting the 30 percent -- the 30 percent 8 minimum native planting, which is a 9 requirement, and we're exceeding the Art in 10 Public Places budget, as we mentioned 11 previously. I believe the draft development 12 agreement mentions a 1.25 suggestion for a 13 percentage of the total construction budget 14 that would be dedicated to Art in Public 15 Places. 16 This is our basement level. I mentioned 17 the ramp that allows you to -- allows trucks to 18 access the lowest level of our garage. That 19 ramp is coming down here, off of Sevilla. 20 Truck loading and deliveries, as well as trash, 21 all occurs here in a common loading area that 22 would be privatized by component, and then from 23 those individual docks, there are trolley-ways 24 that allow those services to get to each 25 individual core of the project.

Page 33 1 The yellow cores are identifying the 2 residential buildings. All of those cores 3 obviously start at this B1 -- B2 level and go 4 the whole way up to the top of the buildings. 5 That would allow trash from the residential to 6 be loaded in chutes on particular floors and 7 unloaded here on the B2 level, in order to take 8 the trash to the loading area. 9 The blue is our office core, and that's 10 allowing service -- if you're moving in as a 11 tenant, that would allow move-ins to occur 12 through the loading dock here on the B2 level. 13 Purple is indicating our back-of-house area 14 for the hotel. It's fairly common in this size 15 of project to have back-of-house services not 16 seen by the public, but unfortunately used by 17 some of the hotel staff, below-grade, and we're 18 indicating that in the purple area. 19 I think it's also important to note, we 20 have a lot of spaces, car spaces, parking 21 spaces down here, and those are for residents, 22 hotel guests, as well as office workers and 23 shoppers here for the project. We are 24 dedicating about 383 spaces for valet. The 25 majority of those spaces are here in the	Page 35 1 then you're able to self-park, if you choose, 2 or valet, down a ramp that's here, directly 3 into the lower levels. If you're bringing your 4 car out or if the valet needs to bring your car 5 out of parking, it's coming up from below-grade 6 levels here. That's important, that ramping is 7 important, because it allows us to maintain all 8 of the hotel guest parking -- Once they pull 9 in, in front of hotel, none of it's going back 10 out onto the street in order to access 11 below-grade parking. 12 Office entrance here on Sevilla, and then 13 the three residential lobbies, one here in 14 yellow on Sevilla, one here on Palermo, and one 15 here on Malaga. My Alzheimer's hasn't gone 16 away yet, I don't think, so I'm still shaking. 17 The town homes, 15 town homes, mostly on 18 Malaga. I mentioned previously that we have an 19 alley, two-way alley, behind those town homes 20 that allows each town home to have two parking 21 spaces, and those parking spaces are counted in 22 our total parking count. 23 The dark gray areas are service areas for 24 the retail, the white is the private residence, 25 and the historic structure is here in the
Page 34 1 southernmost parcel of the B2 level. And we're 2 working with shoring engineers to go through 3 the process of making sure that we protect not 4 only the historic structure, which is located 5 here in our diagram, but also the private 6 residence, preconstruction, during 7 construction, and right up to occupancy. 8 This is our B1 level, and a little bit 9 larger area in the purple for hotel 10 back-of-house. The remaining light gray area 11 is the parking that I mentioned previously. I 12 think it's important to note that if you park 13 on the B2 level -- I'm jumping back to B2, I 14 apologize, but if you park on the B2 level, 15 you'll never be aware of the loading that's 16 down there. It's a completely separate element 17 that is not visible because of block walls that 18 we provide between them. 19 This is our ground level plan. The orange 20 is indicating commercial uses. The purple is 21 our hotel entrance. Here off of Ponce de Leon, 22 we have a two-lane porte-cochere that allows 23 you to get off Ponce de Leon, if you want to 24 pull in, drop off -- either valet your car here 25 or dropoff for a friend that's in the car and	Page 36 1 diagram, if anyone's confused. 2 Entry to parking for guests, residents and 3 shoppers are one here off of Malaga and one 4 here off of Sevilla, as well as one here off of 5 Palermo. So, once you enter off of Palermo or 6 Sevilla, you're able to get into ramps that 7 take you up and down in the retail -- in the 8 parking diagram, to go down to the B2 level, 9 the whole way up to the top level of parking, 10 which is Level 7. Remember, there's two levels 11 of retail and then five levels of parking above 12 that. 13 The next level up is Level 2, and that is 14 also commercial uses, restaurants, retail, and 15 it's shown in orange. It's an open air 16 condition and unconditioned space through the 17 paseo that is designed in a way that we're 18 providing a keyhole section that's ideal to 19 allow great visibility from the upper level 20 down to retail below, or vice versa, from 21 retail on the ground floor up to retail above. 22 That's important because we want this retail to 23 be very successful. The intimacy is 24 deliberate, as far as the scale of the paseo, 25 because we're all familiar with projects here

Page 37 1 in town that have a much grander feel, frankly, 2 to the retail environment, but you're not able 3 to shop from one side of the retail diagram to 4 the other in some of those other examples here 5 in town. So the intimacy is deliberate, and 6 you see also how the ramps go up through the 7 retail. If you're heading up to parking that's 8 above grade, it's a quick drive through those 9 ramps, up to the Level 3, which is the first 10 level of parking. That's shown here in this 11 diagram, and it is also the main check-in floor 12 for the hotel. There's essentially a sky 13 lobby. It's only on Level 3, but we call it a 14 sky lobby. The check-in happens there, the 15 three-meal restaurant happens there, a lobby 16 lounge, as well as a very nice ballroom and 17 meeting rooms occurring up on this level, as 18 well, all contained here in this gray-purple 19 color. 20 The brighter purple color is day-care. 21 Remember, if you recall, I said it was 12,000 22 square feet here, located on the third level, 23 and we have lined the entire parking deck with 24 office, from Level 3, the whole way up through 25 the parking, so that we never see parking	Page 39 1 can imagine the density, the amount of people 2 that can get into those auditoriums, is much 3 smaller than the typical percentage, and I 4 think that's important to note, just because 5 of -- It's also not very children-oriented, 6 because of the fact that they would be serving 7 alcohol, so it's a much more adult experience 8 and we think very appropriate to this type of 9 project that we're proposing. 10 I've mentioned the extensive and the 11 intensive green roofs. Any area over a 12 thousand square feet, fairly small in this size 13 project, the developer has committed to 14 providing an extensive green roof, essentially 15 a roof that is green planting, that retains 16 water and prevents dramatic runoff, so it's 17 environmental positives. There is the shading 18 that it provides. If you can imagine, 19 buildings underneath these extensive green 20 roofs don't heat up as much, so the heat load 21 on the entire project is less. 22 This is also showing our extensive green 23 roofs, which are -- This is actually only 24 showing our extensive green roofs, and they are 25 accessible by the public, and this smaller roof
Page 38 1 spaces or cars from the park when you're 2 looking at the project towards the east. 3 I think it's also important to note, as 4 you're going up in the diagram, you never see 5 parking spaces from the roof, either. All of 6 our parking spaces -- that top level of 7 parking, whether you're on the north, mid or 8 south parcel, is all covered by extensive or 9 intensive green roofs, two of which are 10 accessible to the public. 11 This is Level 8. It's generally showing 12 the typical layout for the guest rooms for the 13 hotel and the typical footprint for the office 14 building here in blue. It also shows the 15 typical footprint for the residential 16 buildings, and in orange is the cinema. I 17 mentioned, it's 32,000 square feet, and it is a 18 VIP cinema and I think best described by some 19 of these images that describe the sense that 20 you're able to -- It's still a stadium seating. 21 You're able to eat at the chairs, you're able 22 to order at your chair, and there is also a 23 beverage bar as well as a lounge as part of the 24 component, typical with this type of VIP movie 25 theater. Because of this type of seating, you	Page 40 1 here, or in this garden area here, on top of 2 the cinema, that is about a little over 40,000 3 square feet of publicly accessible parks. The 4 remaining -- the remaining parks on the roofs 5 of the project that are accessible are 6 accessible to residents as well as hotel 7 guests. So the hotel pool and event space is 8 located here on Level 4, essentially, of the 9 project; residential pool and amenity space 10 here for residential building one; and 11 residential buildings two and three share this 12 larger amenity space located here in the 13 diagram. 14 The office folks will also be able to have 15 access to roof, here in this location on the 16 top of the garage. So these are all the roofs 17 that are actually covering those parking levels 18 that I talked about previously, preventing you 19 from seeing any cars from above, if you're in, 20 for instance, the buildings across Ponce. 21 This is just a blowup of the plaza and 22 streets that we're suggesting around the 23 historic structure the Arts Center Building. 24 We are maintaining Palermo and Coconut Grove 25 Drive. We are suggesting that Coconut Grove

Page 41 1 Drive become a one-way, heading southeast, away 2 from Ponce, and that one-way street is allowing 3 us to get a much greater depth between the 4 historic structure and the edge of curb, and so 5 we're planning that to be a great outdoor space 6 that could provide outdoor dining or just 7 seating amenities, to allow people to hang out 8 there. 9 And then just today we were meeting with 10 Robert Parsley and City Staff. Robert Parsley 11 is providing some peer review on our landscape 12 design, and we were discussing this plaza and 13 some suggestions on providing additional 14 landscaping here in this location, to improve 15 that environment for the public. 16 We're always going to be aware of kind of 17 the visibility back to the historic structure. 18 That's very critical and has always been on our 19 mind, and essentially, it is the heart of our 20 project, so it's very important to us. We've 21 always tried to minimize the landscape in this 22 area, because we wanted to kind of frame it, 23 frame the historic structure, create a backdrop 24 with this landscape and allow the historic 25 structure to shine as much as possible.	Page 43 1 as, we changed the, I think, gold color to a 2 green color. That's the only difference in the 3 diagram. This is showing you the fact that we 4 need to provide 20 percent minimum open space 5 for the project. We are allowed to count 6 rooftops that are accessible. We haven't, in 7 this calculation. We have 61,000 square feet 8 of open space shown on the ground floor. 9 That's 21 percent of the site area. 10 And then this is showing the roof plan. So 11 we're providing another 26 percent open space 12 on rooftops. Those include publicly accessible 13 as well as the rooftops that are accessible to 14 the residents, to the office workers, to the 15 hotel guests. So our total open space on this 16 rooftop is 75,000 square feet and that brings 17 our total to 137,000 square feet of open space. 18 It's 47 percent of our total site area. 19 Activated roofs -- If it wasn't clear from 20 that last illustrative diagram, the dark green 21 are the two publicly accessible roofs. You 22 access them -- I'm got a diagram later, but 23 you're accessing them by elevators here and 24 here, and then the light green are those 25 rooftops that are accessible to -- essentially
Page 42 1 This is a view -- actually, the next -- I 2 apologize. The next paseo over is looking down 3 south. So we're on Palermo, looking south into 4 the retail paseos that exist throughout the 5 project. 6 This is just a blowup of the north -- 7 sorry, the southwest corner of the site. This 8 is Malaga and this is Ponce de Leon, providing 9 arcades to access the residential lobby here 10 for building one of the residential. We -- 11 This is a blowup of the porte-cochere for the 12 hotel, and the view -- the next slide is going 13 to be a view actually looking from the sidewalk 14 here on Ponce, looking into the paseo, so you 15 see the two-level retail environment. 16 A lot of the paseos will be protected with 17 a glass skylight that is operable, so that 18 we're purely trying to protect folks. If it's 19 raining, you can come here and shop during a 20 storm, you know you're going to be protected, 21 but also take advantage of beautiful days like 22 today, when the roof could open. 23 This diagram, it's Page 52 of your book, 24 it's color-coded a little differently, just to 25 make it stand out a little bit better, as far	Page 44 1 private access, if you will, rooftops. 2 I mentioned the Art in Public Places 3 program and exceeding the current minimum. 4 Here some general locations where we're 5 suggesting those might occur. If you notice, 6 that we're suggesting that they occur on 7 buildings, as well. City Staff had some great 8 recommendations on some of the public art not 9 just being about statues, you know, or fountain 10 pieces, but actually being incorporated into 11 the architecture, and we love that area and 12 we're suggesting that there might be three 13 areas where that makes sense. Those are shown 14 in these three rectangular blocks. 15 Just some examples of what that might be, 16 it could include a special fountain that an 17 artist proposes, it could be stand-alone 18 sculpture, as suggested here, or it could be 19 mosaic walls, as suggested here in this image. 20 And then on the roof, we'd like to propose 21 public art, as well, for the two publicly 22 accessible roofs. 23 I mentioned previously the Art Center 24 Building, obviously an important structure in 25 the City, as well as incredibly important for

Page 45 1 us because of its importance historically as 2 well as its place, if you will, in our diagram, 3 really at the heart of our project, at the 4 corner of Palermo and Coconut Grove Drive. 5 We're using a lot of details, and an example, 6 tile ideas to generate some of the ideas that 7 we're generating for the architecture for the 8 project. 9 This is diagramming where we expect service 10 locations and mechanical to occur for the 11 project. The slips or bays for the trucks are 12 numbered here in the diagram. This is Page 64 13 of your set, if you want to take a closer look. 14 The red service elevators are indicated as red 15 blocks, and they're tying every component of 16 the project, whether it be commercial, hotel, 17 residential, into this B2 level and allowing it 18 to access all levels of each particular 19 component. 20 We've circled, using a blue circle, the 21 trash locations. They're located at each 22 residential lobby, for residential trash. The 23 hotel back-of-the-house is circled in an orange 24 diagram line. 25 And then as we go up, we're showing how	Page 47 1 in the project, overall project. Actually, the 2 section is cut from Sevilla, the whole way to 3 Malaga. So this is Palermo and the historic 4 structure is right here. Five levels of 5 above-grade parking and two levels of 6 below-grade parking, which I mentioned 7 previously, shown in the gray. 8 This is identifying how you get into the 9 site if you're a guest or a resident, and 10 that's shown in the red arrows. This is Page 11 77 of your book, and the black arrows are -- is 12 the only entrance for loading trucks, garbage 13 here, happening off of Sevilla. We are -- and 14 then we diagrammed essentially how the garage 15 works and how, as a guest, you would park here, 16 or if you live here. 17 We've identified -- Kimley-Horn has done a 18 fairly extensive traffic analysis. There are 19 two intersections that they feel are possible 20 signalization locations. As you may know, the 21 County requires the building to be up and 22 running and to do an analysis of those signals 23 after the project is actually up and running, 24 so they get an accurate traffic count to 25 determine if they really do need signalization
Page 46 1 we're actually exhausting and providing fresh 2 air to the below-grade parking areas. The 3 fresh air for those two garage levels 4 below-grade are shown in the blue arrow. This 5 is Page 65 of your set. And the red is air 6 exhaust coming out of those areas. We tried to 7 use the ramps as much as possible to do that, 8 to avoid grilles that can sometimes be 9 unsightly, and any grilles we do have are 10 designed to happen along the alley, which is on 11 the south and east sides of the project, and 12 they're up at a third level, so people in the 13 town homes won't be aware of them, as well 14 as -- they won't impact the town homes and they 15 won't impact anyone down on the street. 16 Mario can speak more about the alley 17 vacation. We presented to the DRC, last week 18 or the prior week, the idea behind the alley 19 vacation in order to maintain access for the 20 private residence. We're doing that with -- 21 This is Page 69 of your book. We're doing that 22 with a public access easement, shown in the 23 light green, as well as the alley vacation 24 shown in the blue. 25 Sections through typical garage -- garage	Page 48 1 there, and we've also suggested in the draft 2 developer's agreement two options for enhancing 3 the existing trolley system. That's shown on 4 Page 85 of your book, and Option A is modifying 5 the existing hours. I believe the existing 6 hours are from 6:30 to 8:00, weekdays, and 7 Option A proposes that we extend those hours to 8 10:00 p.m. 9 And Option B is a completely different 10 idea, that would suggest -- sorry for the light 11 tones, but this light blue area is our proposal 12 as Option B, for a second route, that was, I 13 think, actually also proposed in a Master Plan 14 that was done recently for the City. And we're 15 suggesting a site adjustment to that loop. 16 That loop that it suggested is basically 17 four-sided, fairly simple. We're suggesting a 18 small deviation to allow it to come down to 19 Sevilla and attach to our site, if you will. 20 The red loop, as you all know, is the existing 21 trolley line, that exists today. 22 Along with the LEED-ND certification, we 23 will want to but also need to provide, for that 24 certification, bike storage. And we're 25 providing bike storage for the project at a

Page 49 1 ratio of 1 to 10 vehicles. So, for every 10 2 parking spaces, we've got a bike space, and all 3 of the little red dots represent what we need 4 to provide 20 parking spaces, and so, if my 5 math is right, I think we've got 13 red dots, 6 showing all of the locations where those 7 storage areas would occur. We're missing one 8 that occurs here. That's important, because 9 we've got three locations where that storage 10 for bicycles is protected, and we're also 11 providing two areas that allow for lockers and 12 showers. The public can use this location 13 right here for showers and lockers, if you're 14 biking to the site, and the office folks can 15 use this location here, adjacent to the office 16 core, in order to bike, shower, change and go 17 to work. 18 This is just diagramming pedestrian 19 circulation. I mentioned previously that the 20 two points of access for the public parks on 21 the roofs, one is located here on Coconut Grove 22 Drive, and one is located here, also on Coconut 23 Grove Drive. That gives you access to both. 24 We're creating features of those. There's two 25 elevators. There's a nice stair that would be	Page 51 1 on the residential tower on Sevilla. 2 Page 97 of your book is identifying the 3 rooftop heights of all the occupied uses of the 4 project. Again, all of the medium red, I guess 5 I would call it, is at the height limit, 6 typical height limit, throughout the City of 7 190.5. This dark red portion, the small square 8 here, is just the tippy-top of the hotel. It's 9 at 218.5, and it steps down. The footprint of 10 the tower gets larger. If you remember, the 11 footprint of the tower for the hotel is a bit 12 longer than this. That provides those rooftop 13 areas that I previously talked about, for 14 walking out at the top of the hotel. 15 The pink is the top of the cinema here, and 16 that's at 116, and then I can't read it but 17 hopefully you guys can, on Page 97, the heights 18 of the ballroom, of the gym, and the amenities 19 are also on that, as well. 20 So we talked about a lot of development -- 21 portions of the development agreement that the 22 developer is providing as a benefit to the City 23 or to the local neighborhood. This is 24 diagramming our proposal for development of 25 parkscape and landscape on the east side of
Page 50 1 detailed as a public -- not as a fire stair, 2 although these would function during an 3 emergency. It would be detailed in a way that 4 it would be nicely finished. 5 I mentioned previously the trolley, 6 obviously going up Ponce de Leon, and the red 7 dots which -- This is Page 87 of your book. 8 The red dots are shown here, indicating the 9 trolley stops that we're suggesting, and all of 10 the blue arrows are indicating the pedestrian 11 entries to the major components of the project. 12 On the roof -- This, Page 89, is showing 13 access to roofs. I didn't mention, but there 14 are two publicly accessible roofs associated 15 with the restaurant component that we're 16 proposing on the top of the hotel. So you 17 could have a drink or have dinner up there and 18 be enjoying a day like today, out on the 19 rooftop. 20 This is diagramming one of the -- City 21 Staff and -- We've been working with City Staff 22 for almost a little over two years now, but in 23 the last year we've made dramatic changes to 24 the project. This represents one of those 25 changes, with the setbacks that are occurring	Page 52 1 Ponce de Leon that gets you from our site to 2 Miracle Mile, and it also diagrams improvements 3 that Alex Adams has been working on, for 4 improvements to the east neighborhood, that 5 involve Sevilla, Palermo, Santander, Malaga and 6 Coconut Grove Drive. We've got blowups later. 7 This is a blowup of Ponce de Leon. This is 8 Page 101 of your book. And the right is a 9 blowup of this area, which is the corner of 10 Sevilla and Ponce de Leon, showing the 11 improvements that are happening with landscape, 12 parkscape and amenities such as planter pots 13 occurring along with paver and sidewalk 14 treatment upgrades. 15 I mentioned the east neighborhood, and 16 that's diagrammed here. It's Page 102 of your 17 book. The rest of the presentation in the book 18 are the renderings of the project. 19 Essentially, you've seen these previously. 20 This is the view at Ponce de Leon, looking back 21 down Palermo, as well as looking down Coconut 22 Grove Drive, with the historic Arts Center 23 Building here in the foreground. 24 Overall view of the project. You're 25 looking southeast. Coconut Grove Drive is in

Page 53 1 the background. Ponce -- Fred B. Hartnett Park 2 is here in the foreground. Office building 3 here, residential, residential, and 4 residential, with hotel on Ponce de Leon here. 5 A close-up view as you're standing in the 6 park, looking back down Coconut Grove Drive, 7 and the historic Arts Center Building is here 8 to the left, and this is a view, again, from 9 the park, looking down Coconut Grove Drive, 10 with the hotel component here on the right. 11 Residential at Malaga and Ponce de Leon, and 12 the Class A office building here, facing the 13 park on the left side of the rendering. 14 This is a view looking north on Ponce de 15 Leon. The two levels of retail are kind of 16 shown here, as well as the porte-cochere and 17 dropoff for the hotel. 18 A blowup of the view on Sevilla. We've 19 taken some artistic license and taken out a 20 building that's on the corner of Ponce de Leon 21 and Sevilla, in order to show you the front of 22 the office and the lobby entry condition, as 23 well as some of the retail environment that 24 shows up along that street and continues along 25 Ponce.	Page 55 1 acknowledge a lot of people live, a lot of 2 people work, and even more commute through 3 every day on their daily commutes. 4 So, on the important issues of traffic and 5 parking, I'm going to ask our traffic 6 consultant, John McWilliams, and our parking 7 consultant, Chris Hagan, to come up here and 8 just tell you about the studies they've done so 9 as to demonstrate to you that we've estimated 10 and tried to anticipate what the impacts of the 11 project will be, and have a plan to address 12 them. So if we could start off with John. 13 MR. McWILLIAMS: Good evening, Chair, Board 14 Members. John McWilliams, with with 15 Kimley-Horn Associates, with offices at 1221 16 Brickell Avenue. 17 I performed the traffic impact study for 18 the project. We have actually worked 19 extensively with Staff. We had a methodology 20 meeting and we memorialized the methodology. 21 The memorandum was reviewed by Staff. We 22 performed the study and we've actually gone 23 through about three or four rounds of 24 sufficiency reviews. 25 I'm happy to report at this point, on the
Page 54 1 A view looking south on Ponce de Leon, with 2 residential, office and hotel. A close-up view 3 on Sevilla, where you access the below-grade 4 parking, the truckloading doors that exist 5 here, adjacent to that, as well as the 6 residential building three entrance and office 7 entrance. 8 More views of the project from the 9 northeast, and this is Galiano as it turns to 10 Malaga with the three-story town homes. 11 Another view from Malaga, looking towards 12 Coconut Grove Drive. Still a view on Malaga, 13 but looking the other direction, towards 14 Coconut Grove Drive, a sense of the three-story 15 town homes that exist on both of those streets. 16 Overall view of the project, Page 119 of 17 your book, from the southeast. 18 MR. GARCIA-SERRA: Thank you very much, 19 Dan. 20 As you can see, it's a project which we 21 have put a tremendous amount of work and effort 22 into. It's a project we think very highly of, 23 but it's also a project that's not being built 24 in isolation. We're actually building this 25 project in the middle of a place where we	Page 56 1 final memo issued by David Plummer and 2 Associates, the few comments that remain relate 3 to some conditions you'll hear about later from 4 Staff on approval. Other than that, there's no 5 more technical comments related to the study. 6 We'll go to my slides. I'm going to use 7 two hands so I don't shake as much. I know 8 this diagram is very busy, but we're trying to 9 convey, you know, three inches' worth of 10 information in one diagram. 11 MR. FREED: This is Page 129 of your book. 12 MR. McWILLIAMS: The things I want to 13 highlight, and Dan had already mentioned, 14 essentially all the intersections that are 15 shaded, albeit whether they're in yellow, green 16 or blue, were intersections that were in the 17 study area, as agreed upon by Staff. The 18 intersections that are shaded in green are 19 intersections that operated at acceptable 20 levels of service, and the intersections shaded 21 in blue were intersections where we worked 22 extensively with Staff to determine the best 23 traffic-calming measures, what we call physical 24 restrictive measures, so those measures 25 actually restrict movements, to help reduce the

Page 57 1 project's impact to the neighborhood to the 2 east. And then the intersections in yellow are 3 intersections that, based upon our preliminary 4 analysis, would operate below the level of 5 service standard. 6 As Dan mentioned before, the two 7 intersections along Ponce that are candidates 8 for signalization were the ones at Sevilla and 9 Palermo. There was one other intersection that 10 operated poorly, over on Douglas, Douglas and 11 Almeria. It's in the same boat as the other 12 two. The volumes based upon the peak hour do 13 lend themselves to potential signalization. 14 They meet the spacing requirements the County 15 has between other signals, so there's no fatal 16 flaws there. Again, what the County does is, 17 they'll review our analysis. They typically 18 will say, you know, "When the projections are 19 realized and the building is built, we'll go 20 out and perform another study and demonstrate 21 that you meet the signal warrant criteria." 22 So we're committing to looking at all these 23 intersections, these three ones we've 24 identified, you know, to work with the County 25 to determine when it's appropriate to signalize	Page 59 1 acceptably, as well, so that's just a little 2 tweak we need to continue to work on. If, for 3 some reason, that condition would exist, 4 traffic would not back out into the treat, into 5 the public right-of-way. The traffic would be 6 backing -- you know, would be queuing into the 7 building itself. So, in terms of public safety 8 out in the street, it wouldn't be an issue. 9 But again, we're committed to addressing that, 10 you know, through the construction and CD 11 drawing process. 12 The study looked -- When we did the study, 13 we weren't really settled on the appropriate 14 traffic-calming plan for the east neighborhood, 15 so the study looked at both with these 16 restrictions, with these movement restrictions, 17 both with them in place and without them in 18 place, and the results were the same, either 19 way, relative to the deficiencies we found. 20 So, relative to the process of getting these 21 traffic-calming measures implemented, which has 22 to go through Miami-Dade County, if for some 23 reason the plan isn't exactly how we laid it 24 out, the study determined that even if we don't 25 lay them out exactly that way, we would still
Page 58 1 them, if the County permits us to do so. 2 As I mentioned, all the other 3 intersections, highlighted in green, met the 4 acceptable levels of service. The one 5 intersection internally that you can see yellow 6 is right here, and that's internal parking 7 garage entrance, right off Palermo, and that 8 intersection initially in the study is just 9 one-way stop control, so when you come out of 10 the garage, you stop, and traffic on Palermo is 11 free-flowing. The stop control, the stop 12 approach, operates poorly, and that's the 13 intersection that we'll continue to work with 14 Staff on, and the best way to handle it. 15 Signalizing the intersection is really not 16 appropriate, given the spacing and the nature 17 of that street. One potential idea was, 18 there's a -- in the site plan, there's a 19 roundabout feature just to the west of it, that 20 kind of helps dropoff and valet operations. 21 One potential mitigation would be to move that 22 or elongate that roundabout, so it can actually 23 serve the access point, so almost creating a 24 roundabout rather than just a single stop/flow 25 intersection. If we did that, it would work	Page 60 1 meet the acceptable levels of service for the 2 peak hours. 3 Let me see if I missed anything. They 4 covered a lot of the other multi-modal facets 5 of the project, you know, the bike lockers, the 6 bike parking, the trolley enhancements, things 7 like that, so I won't be redundant. The site 8 serves -- not only is it served by the trolley, 9 but there are four Miami-Dade Transit routes 10 that are within walking distance, within a few 11 blocks, between either Douglas or LeJeune, so 12 it's perfectly reasonable for, you know, folks 13 to be using that. We weren't very aggressive 14 in our modal split, and that was with 15 coordination with the City and their Staff. 16 The traffic study only assumed a six percent 17 multi-modal split. So that would generate more 18 vehicles than we would typically assume for an 19 area this urban, so that gave us a conservative 20 analysis relative to the number of vehicles 21 this project would generate. 22 So, I don't know, did you want to answer 23 questions or do you want to go into parking? 24 MR. GARCIA-SERRA: I think Chris will do 25 the next part.

Page 61 1 MR. McWILLIAMS: Sorry, big books. 2 MR. HAGAN: Good evening. My name is Chris 3 Hagan, also with Kimley-Horn and Associates, 4 offices at 1920 Wekiva Way, in West Palm Beach, 5 and I just wanted to elaborate a little bit on 6 what Dan had in his presentation. He touched 7 already on shared parking. I just want to 8 briefly go into the concept of shared parking, 9 and then how it was specifically applied here 10 on this site, and why it's appropriate in this 11 context to include it. 12 As was mentioned, the ultimate calculation 13 of parking for the site used the concept of 14 shared parking, which is a concept that's used 15 on a nationwide basis, but also here, all 16 throughout South Florida. It's especially 17 appropriate in a case where you have a compact 18 area here, with several different types of uses 19 that are sharing a common parking facility. It 20 takes into account that the different types of 21 uses that are located here on the site 22 experience their peak demand at different times 23 of the day. 24 You know, a good example of that is, 25 there's a significant amount of office use on	Page 63 1 it. 2 Again, it's a concept that's used 3 significantly, all throughout the nation. Here 4 in South Florida, many other local 5 municipalities have provisions in their code 6 that allow for it. City of Miami, City of 7 Miami Beach, Fort Lauderdale, Boca Raton, et 8 cetera, et cetera, all have provisions in their 9 code that allow for shared parking to be 10 applied, again, because it provides 11 efficiencies when we've got a mixed-use 12 development such as what we've got here. 13 What I then want to do is just explain 14 briefly how we applied it here on the site and 15 came up with the calculation that is ultimately 16 presented. This graph here just basically 17 shows the layering, according to the City of 18 Coral Gables Code, the Code requirements for 19 the different components of uses on the site. 20 So the bottom, that dark blue band you see is 21 your Code requirement for retail parking. 22 That's how many parking spaces would be 23 required. On top of that, cinema, restaurant, 24 day-care, hotel, office, gym, all the way up to 25 residential, and that top line for residential
Page 62 1 this site, which is going to be heavily 2 utilized in the 8:00 a.m. through 5:00 p.m. 3 hours. But then after 5:00 p.m., the demand 4 for that parking decreases substantially, yet 5 other uses on site -- and some examples of that 6 are the restaurant use and the cinema use -- 7 will then start to see their demand, which is 8 very low during the day -- a restaurant, you 9 know, will have a peak during the lunchtime 10 period, but that will start to rise in the 11 evening hours, when the office uses are not 12 occupied or not generating demand. 13 Another way of thinking about this is, for 14 example, in the City of Miami, those of you who 15 have ever gone down to a Heat game, you may 16 have parked in an office parking garage there, 17 and if the Heat game starts at 7:30 at night, 18 there's somebody out there at a nearby office 19 garage who's saying, "Park here for \$20," 20 because the whole garage is empty, and that's 21 the concept of shared parking, that if it's 22 full during the day, as the office workers are 23 all there, they leave during the day, but then 24 at night it turns into available parking for 25 another whole set of users to come in and use	Page 64 1 shows, if you cumulatively apply your Code 2 requirements, that you'd require 3,182 parking 3 spaces, and it just shows, again, that that's 4 the total that would be required. 5 What we went through in our analysis, 6 though, is, we started off with the Code 7 requirements for each of these uses, but then 8 we went to what's recognized as the nationwide 9 standard, which is a book that's published by 10 the Urban Land Institute, and the name of it is 11 Shared Parking. Right now they're on the 12 second edition of that publication. But that 13 goes through -- it's got an extensive set of 14 data that's been calculated at cinemas 15 throughout the country, at retail facilities 16 throughout the country, office uses throughout 17 the country, et cetera, et cetera, where 18 they've actually gone out and collected data to 19 determine how that parking demands fluctuates 20 throughout the day, and so you'll see, in the 21 off hours, the office use at midnight will 22 generate zero parking demand, but then at ten 23 o'clock in the morning, eleven o'clock in the 24 morning, it will be at 100 percent of its 25 demand, so there's variation throughout the

Page 65 1 day. 2 So we applied the factors that are 3 published by the Urban Land Institute to your 4 own City Code requirements, and then on top of 5 that, we did add a modal adjustment, consistent 6 with the traffic analysis, to account for the 7 fact that given the context here, there are a 8 number of trips that are going to be able to be 9 coming to and from the site, using the trolley, 10 via pedestrian, bicycle -- using bicycles, et 11 cetera, and so that that was also an additional 12 factor that was added on top of the analysis. 13 This graph then shows the application of 14 the actual -- of the parking variation based on 15 ULI standards. So, starting off at the bottom, 16 again, that dark blue is representing the 17 retail and how that sort of grows into its peak 18 demand during the late morning and through the 19 early evening hours. The cinema use is nothing 20 in the morning, because typically the cinemas 21 don't open until midday. You see it start to 22 grow around midday, and then its peak is in the 23 evening. Restaurant on top of that, and that 24 clearly shows a lunchtime peak and then a later 25 evening peak. On top of that, we layer other	Page 67 1 layered on top of that. 2 Again, because these uses fluctuate over 3 the course of the day, the ultimate result was 4 that we showed that shared parking, the shared 5 parking requirement, would be 2,869 spaces, and 6 then on top of that we added a modal reduction 7 that took it down to the 2,653 spaces that's 8 shown in the final documents. Again, there's a 9 surplus of supply that is being provided, which 10 is 2,691. So we are providing a few extra 11 spaces on top of what we showed the minimum 12 requirement would be, based on the shared 13 parking analysis. 14 I'll turn it back over to Mario now. 15 MR. GARCIA-SERRA: It's important to note 16 that what we are promising to do are not just 17 empty promises. Unique in the history of 18 private development in this City, we are also 19 agreeing to memorialize all the commitments and 20 promises that we are making in a development 21 agreement with the City. This development 22 agreement, which is one of the items that 23 you're reviewing this evening, is going to 24 memorialize such things as our commitment on 25 the quality of hotel that's going to be
Page 66 1 uses, until the top blue line is the hotel use, 2 and the cumulative effect of all of those uses 3 shows that for that set of uses, the peak 4 occurs in the early evening hours, 7:00, 8:00, 5 9:00 p.m., and that's consistent, if you start 6 to think of your retail, restaurants, et 7 cetera, that that's going to be a peak for 8 those types of uses. 9 The orange part of the curve, however, 10 represents the office use, and you see that 11 that use is up and it started to tail off at 12 that time of the day. So the office use, 13 instead, grows from nothing at 6:00 a.m., up to 14 100 percent of its needs and demand, and that 15 shifts the whole curve in terms of when the 16 peak occurs, to around 2:00 p.m., so that's 17 really driven by the office demand. 18 So, again, you can kind of see by the 19 layering of all this, that as the different 20 uses have different peaks, the retail, 21 restaurant, et cetera uses tend to have their 22 highest peak in the late evening. Office does 23 not have as high a peak at that time of the 24 day. So the overall curve is shifted to the 25 early afternoon, and then the residential is	Page 68 1 provided, the quality of office space that's 2 going to be provided, but also public benefits, 3 such as what park space we're going to provide 4 and on what terms, public art and at what cost 5 and in what locations, and so again, we are 6 willing to put in writing and be held to all 7 the promises that you've heard tonight or that 8 are included in the package. 9 I'll conclude by stating that this is a 10 project which honors this great City's past, 11 but looks towards its future. The project's 12 design and appearance are inspired by the 13 vision of Merrick and the subsequent planning 14 of the City, which gave us the great landmarks 15 such as the Biltmore Hotel, City Hall, and the 16 various themed villages throughout the City. 17 It is looking towards the future, with a mix of 18 uses to try to lessen our dependency on cars, 19 provide enhancements for people to walk, bike 20 or ride the trolley to their destination, and 21 then also those things such as utilization of 22 green building standards, underground parking 23 and loading, truly public open spaces available 24 for the use of everyone, concepts which marry 25 the best of the past with the knowledge of the

Page 69 1 present day, to provide for a development that 2 will finally fill this hole in the middle of 3 the City and make the City overall an even 4 greater City. 5 Lastly, I want you to know we have listened 6 to our neighbors. The single-family home 7 residents to the east of the project are going 8 to see traffic and streetscape improvements to 9 their specifications, after considerable 10 meetings and continued meetings with them, 11 which will enhance and connect their 12 neighborhood to the rest of City, and we have 13 listened to our Business District neighbors, by 14 providing a project which is going to connect 15 through streetscape and transit improvements, 16 discussed by Dan in his presentation, and which 17 will help all businesses to prosper and better 18 compete with the changing marketplace that we 19 have in retail in South Florida. 20 With that, I hope we made our presentation 21 as informative but also as concise as possible, 22 and I want to reserve some time, of course, to 23 respond to any sort of objections or questions 24 that might come up, but that will conclude our 25 initial presentation.	Page 71 1 has some extra copies right there on the table. 2 And the tabs that we have after the Staff 3 Report provide some additional information on 4 different topics that I think could be of 5 interest. 6 The Staff analysis deals with a variety of 7 topics, I think, that are before you, and as 8 you well know, there are six items that you 9 have to vote on separately, and I think that's 10 a big technical issue that we will discuss in 11 some detail, but I think that the presentation 12 that the applicant gave of the overall picture 13 is probably the easiest way to approach the 14 project. 15 In addition, in the Staff Report we have 16 some of the expert consultants that have given 17 Staff some opinions on the project. For 18 example, we have Susan Trevarthen, who's an 19 attorney and she's here today, and she will 20 also describe to you some of the technical 21 issues with the Comp Plan and with the Code. 22 The Form-Based Codes were prepared by top 23 professionals in the field, for Staff review 24 and also for your review. 25 In addition to that, we have an expert
Page 70 1 CHAIRMAN AIZENSTAT: Thank you. 2 Staff, if you'd do your presentation, 3 please. 4 MR. TRIAS: Thank you, Mr. Chairman. I 5 wanted to start the presentation by showing the 6 different materials that you have before you, 7 and also for the benefit of the people 8 watching, so they understand that there is a 9 variety of documents that were provided. This 10 very thick document right here is the complete 11 packet that we have. All of these documents, 12 by the way, are posted on the web, and they're 13 available for everybody. 14 The document that is shown in the image is 15 this Staff Report binder, which has all the 16 background materials, and I think it's fairly 17 easy to go through. 18 In addition to that, we have a list of the 19 different items that are in that Staff Report. 20 There is an Executive Summary that is available 21 for public view, which has two pages, one page 22 of text, one page of images. I think it's a 23 very clear summary of what the very complicated 24 project is about. 25 The Staff Report is also available. Jill	Page 72 1 panel on architecture, as you can see. Some of 2 the people listed on that panel you may know, 3 Elizabeth Plater-Zyberk, for example, was the 4 chairperson of that panel. She used to be the 5 Dean of the School of Architecture. 6 We also had a retail consultant, to review 7 the applicant's numbers and opinions about the 8 design of the project. We have a traffic 9 consultant, Tim Plummer, who's here, and he can 10 answer any questions you may have, and we also 11 had a landscape consultant, Mr. Parsley, who 12 met with the applicant today. 13 The project, as you can see -- and the 14 applicant has described the scope of the 15 project fairly clearly -- does not include a 16 single-family house that is right in the 17 middle. That is very clearly labeled, right 18 here. The owner of that single-family house 19 has provided comments, and they are printed, in 20 front of you, and he has provided comments in 21 the past, expressing his concerns about some of 22 the aspects of the project. 23 The location of the project, as has been 24 explained, is very close to other very 25 important areas of the City, such as Miracle

Page 73 1 Mile, for example, so there has been some 2 discussion and some concern about the impact of 3 the project in other areas of the City. That 4 is a very valid issue that should be discussed, 5 if you choose to discuss it. Hopefully you 6 have enough information provided to you in the 7 Staff Report to make some decisions. But that 8 gives you a sense of the context. There's some 9 single-family to the east. There's some 10 mixed-use downtown development to the north. 11 And of course, LeJeune and Douglas are the 12 major roads that bind the overall traffic 13 effect that was studied by the consultant and 14 also reviewed by our team. 15 In the middle of the project, there is a 16 historic building, and that is labeled right 17 here. That's the Arts Center Building. It's 18 an existing building. It's a very significant 19 historic building, as Mr. Merrick, back in the 20 1920s, designed with his architects many of the 21 buildings in the City, right there. So that 22 has been a significant aspect of this project. 23 Most of the site is vacant. It may have 24 been a neighborhood at some point. Right now 25 there's only one house left, which is not part	Page 75 1 the project will go back, will go back and be 2 refined further, building by building, and 3 that's one of the conditions of approval that 4 you will see later on. So, in the summer, it 5 went to the Board of Architects. 6 Then it has been before you already, as a 7 workshop. 8 Then the required neighborhood meetings 9 took place in September. 10 In September, we also had the expert review 11 panel on architecture, which was held at the 12 University of Miami. 13 Then the Board of Architects also reviewed 14 it a second time. 15 We had another expert panel review. 16 And in December, you may recall, we were 17 before you with the legislative changes as 18 proposed, and your request was to come back 19 when the site plan was ready for review, which 20 is what we're doing today. 21 Then after the project was seen by you, it 22 went before the Historic Preservation Board, 23 also in December, and at that point, the 24 applicant listened to some of the suggestions 25 about how to deal with the historic building in
Page 74 1 of the project, and then a variety of land, a 2 significant area of land that is vacant, and 3 this is also part of the project. 4 The review of the project has taken at 5 least a year. In the past year -- I wanted to 6 list, for the public's benefit, for anybody 7 watching at home and for people here in this 8 room, some of the meetings that have taken 9 place, similar to this one, where the applicant 10 has shown the project and there has been a 11 chance to discuss the impacts. 12 The first item here is a Commission meeting 13 that happened in January last year, which was 14 the first discussion of the Form-Based Code in 15 a public setting, and some of the general ideas 16 about the project. 17 Then there was a meeting of the Development 18 Review Committee in April. 19 Then there was another workshop with the 20 Commission in June. 21 Then the project went before the Board of 22 Architects in July, and this is important, 23 because projects when they get to you have 24 already been reviewed by the Board of 25 Architects. In this case, we're expecting that	Page 76 1 the center of the project. 2 Then the Traffic Advisory Board, in 3 January, looked at the project and made some 4 recommendations. 5 Then the Development Review Committee 6 looked at the alley vacation separately, which 7 is fairly small, but it's a significant 8 decision that needs to be made by itself. 9 And here we are with the Planning and 10 Zoning Board meeting. 11 Then there will be a second meeting in a 12 few days with the Historic Preservation Board, 13 and we'll see what happens afterwards. 14 In a nutshell, what I want to point out is 15 that there have been 15 public meetings that 16 have been posted at City Hall. The materials 17 have been posted at the web site many times, 18 multiple times, including all the materials 19 that are here before you, and they're very 20 easily accessible. In fact, it's probably 21 better than the big box of material that we 22 delivered to your house, probably easier just 23 to look at the links in the web site, and I 24 would encourage you to use that process, and I 25 would encourage everybody in the City to do

Page 77 1 that. And in fact, the different meetings have 2 been televised five times. 3 So I think there has been a significant 4 amount of discussion and awareness of the 5 project as proposed. 6 Now, the applicant's request is a very 7 complex project, and I think that the applicant 8 has done a very good job explaining it. I 9 won't go into any details, but what I will 10 encourage you to do is to think in terms, 11 first, of big picture, whether it makes sense 12 in terms of the size, the massing, the type of 13 architecture, and in terms of the effect of the 14 public space. That would be very helpful, I 15 think, for the Commission, once they get a 16 chance to review the project. And then 17 ultimately, the overall impact. In fact, I 18 think it's very valid to think in terms of the 19 traffic impact and all of those discussions. I 20 would encourage you to have those 21 conversations. 22 What I would do at this point is, I would 23 ask Susan, if you could come up and explain 24 some of the different requests in the Comp 25 Plan, and then I will continue with the	Page 79 1 get under the Code that is possible with 2 Mediterranean level benefits. There is a 3 possibility of 4.375 under the Code with TDR, 4 but only within the Downtown area. So, in 5 relation to that, some of the public benefits 6 are the high-quality architecture and 7 materials. 8 The third request is a reduced step-back 9 from the residential, 50 to 70 feet, instead of 10 a hundred feet. The sustainable LEED-ND design 11 has been identified as a benefit related to 12 that. 13 Another request is the vehicular curb cuts 14 on Ponce de Leon, which is currently not 15 permitted, but will be part of the Form-Based 16 Code legislative package this evening and may 17 be recommended to go forward. Related to that, 18 the multi-modal transportation contributions, 19 which have been explained in detail by the 20 applicant. 21 Residential use in the commercial land use 22 category. Currently your Comp Plan calls for 23 residential only if it's in the MXD. The 24 nature of this plan changes to allow the 25 residential. Another benefit that comes is the
Page 78 1 presentation. 2 MS. TREVARTHEN: Thank you, Ramon. 3 Susan Trevarthen, Weiss Serota Helfman, 4 2525 Ponce. 5 So, picking up where Ramon left off, this 6 slide was prepared by Staff to depict the 7 relationship between the applicant's requests 8 and the proposed public benefits involved with 9 the project. 10 So, on the left, we have a request for 11 additional height for public uses, and that's 12 that two-story restaurant at the top of the 13 hotel. The proposed public benefit, Staff has 14 identified as the regional mixed-use 15 destination that comes with the project. 16 There's also a request for measuring the 17 intensity of this project by using the 18 Form-Based Code approach, rather than by FAR, 19 and to help you understand what that actually 20 means in terms that the City is customarily 21 using to review projects, we've calculated the 22 FAR with the applicant's input, and if this 23 were judged by FAR, if we did not go with the 24 Form-Based Code approach, this would be a 25 4.375, as compared to the 3.5 that you would	Page 80 1 rooftop public parks and the rooftop 2 restaurant, which have been described by the 3 applicant. 4 Additional height for architectural 5 features. This is the non-occupied space. 6 It's not a place where people are making money 7 or living, it's just architectural features, 8 currently limited to 25 under your Code. Under 9 these plans, they go up to 78 feet in certain 10 areas. The applicant is offering the enhanced 11 Art in Public Places contribution. 12 Finally, the shared parking and modal split 13 reductions that reduce the amount of parking 14 provided. As described by the consultants or 15 the applicant, we have the two levels of 16 underground parking and the complete 17 internalization of loading that they've done to 18 take that off of City streets. 19 So, moving from this kind of high level 20 view of what the requests are involved, let's 21 move through each of them, one by one. 22 So first we have a Comprehensive Plan map 23 amendment, and what that map amendment does, in 24 summary, is allow you to redistribute the 25 permitted height on site. I'll remind you that

Page 81 1 this site has three commercial categories and 2 the main difference, really the only 3 difference, is height. So that's why we 4 describe it this way. 5 There's also a Comprehensive Plan text 6 amendment, which adds the additional stories 7 for public uses over the hotel. Also, the 8 switch from the FAR control to the use of the 9 PAD plan, using Form-Based Code principles. 10 Finally, the addition of residential to 11 commercial. 12 In the Zoning Code text amendment, the 13 third application before you, we have the 14 creation of the Form-Based Code, and the 15 attributes of that include the control of the 16 intensity through the location, the design, the 17 form, all aspects of the Form-Based Code and 18 the proposal. 19 The integrated Mediterranean architectural 20 standards, which are important to note are 21 significantly more detailed and demanding of 22 the applicant than we have under our existing 23 Mediterranean level design review, or the Level 24 2 design review. There's also clear design 25 standards for pedestrian open space, that go	Page 83 1 entertainment, retail, and hotel, and as 2 mentioned, the parking spaces are proposed at 3 2691. 4 The fifth application is the alley 5 vacation. It is an 85-foot approximately long 6 portion of a 20-foot alleyway, and finally, the 7 development agreement in order to ensure the 8 high-quality design, construction and 9 maintenance of the project, and to memorialize 10 the public benefits and ensure that they are 11 delivered in the manner in which is understood 12 by the City and offered by the applicant. 13 So Application Request Number 1, this is 14 the reorganization of the commercial land use 15 categories. The dark red that you see is 16 high-rise, the bright red you see is mid-rise, 17 and the pink that you see is low-rise. So you 18 can see there's three colors on the left and 19 there's three colors on the right. We're just 20 moving around where they are, based on the 21 applicant's proposal, and you can see those 22 changes there, and of course, the excluded 23 parcel, which remains a residential property 24 with a single-family home. 25 The Comp Plan text amendment affects all
Page 82 1 above and beyond what your baseline Code would 2 require, the LEED-ND requirements, enhanced 3 public space and off-site improvements, 4 transit, optimizing the parking requirements 5 based on the context, and then removing the 6 site specifics. Like we have on most 7 properties in Coral Gables, there's a set of 8 site-specific restrictions that will become no 9 longer relevant if this project is approved. 10 So the fourth application before you is for 11 the approval of the Planned Area Development 12 site plan. That's the site plan that the 13 applicant has just presented to you in detail 14 and which you've received much documentation 15 on. That has the 4.375 FAR, if it were 16 measured on that basis. The heights are 17 summarized here. The low land uses are the 18 townhouse, the gym and the ballroom podium, the 19 mid-rise at the residential, amenity and 20 cinema, and the high-rise the three residential 21 towers and office tower and hotel towers. 22 Those detailed heights have already been 23 described; I won't go through that again. 24 The program, as mentioned, we have 25 residential use units, office, restaurant,	Page 84 1 three commercial categories, and in all three 2 categories, it creates the possibility of 3 residential use, the control of intensity by 4 Form-Based Codes, and the additional height 5 only applies to the high-rise and to the 6 mid-rise application. It is not a change to 7 the low-rise intensity commercial category. 8 So, looking specifically at what that says, 9 commercial high-rise use and intensity, you can 10 see where currently it says residential use may 11 be provided only as part -- oh, dear, I should 12 not have done that, pardon me -- as part of a 13 mixed-use development, and we're adding "or as 14 a Mediterranean Village," and then talking 15 about how the intensity of the project located 16 in the Mediterranean Village is not controlled 17 by FAR, but instead by the Form-Based 18 Mediterranean Village PAD plan. 19 The second change to the high-rise 20 intensity category of commercial is the height, 21 and we add this language about, the heights of 22 structures located in projects in a 23 Mediterranean Village may exceed the applicable 24 maximum only to the extent that's approved by 25 the City -- so it's not as-of-right, it's as

Page 85 1 approved by City -- and for those areas that 2 are either architectural embellishment or a top 3 floor, one or two-level dining, entertainment 4 or other similar destination use that's open to 5 the public, or three, a top floor containing an 6 activated rooftop, such as the roof level parks 7 that are being proposed. 8 In the mid-rise category, we have the same 9 change that allows residential and allows for 10 Form-Based Codes instead of FAR. In the 11 mid-rise, we also have the same change to 12 height. 13 And in the low-rise, the only change is 14 the allowance of residential and the switch to 15 Form-Based Code approach rather than FAR. 16 So that's everything that's happening in 17 the Comprehensive Plan. We've tried to slice 18 and dice it a couple of different ways, so you 19 can see how that works. 20 Moving on to your Zoning Code, the Zoning 21 Code text amendment, this creates the 22 Mediterranean Village Form-Based Code option 23 within your existing Planned Area Development 24 section of the Zoning Code, and this would 25 follow high standards for design and rigorous	Page 87 1 going to take place, whatever that project may 2 be, has to follow very strict criteria. So, 3 from that point of view, I think it's very 4 beneficial, from the point of view of review. 5 In addition to that, the Form-Based Code, I 6 think, has allowed us to propose some items 7 that are not currently available in the Zoning 8 Code. So there's some additional information 9 that the applicant has provided already, the 10 requirements for, let's say, LEED-ND, the 11 shared parking methodology. Those kinds of 12 issues, we have the opportunity to review now, 13 and if it makes sense for the City and if it's 14 the right thing that the City wants to do, then 15 I think it's one approach to do it effectively. 16 So, as I said, the maps give precision. 17 Then, in addition to that, there's a 18 variety of sections and plan drawings that are 19 fairly specific in terms of the setbacks that 20 are required, the places where parking may be 21 located, the fact that there are requirements 22 for liner buildings in front of parking in 23 order to enhance the quality of the 24 architecture. So all of that is very precise 25 regulatory language that I think could be
Page 86 1 public benefits requirements, as shown in your 2 packets. It's eligible to be applied for the 3 geographic area that's before you, so it's 4 eligible for the excluded property as well as 5 everything that's in the project before you. 6 It also involves removing site-specific text, 7 as mentioned previously. 8 So, with that, I'll turn it over -- back to 9 Ramon, to present the remainder of the Staff 10 Report. 11 MR. TRIAS: Thank you, Susan. 12 I think that the best way to look at the 13 proposed Zoning Code amendment is that it truly 14 benefits the City, from the point of view of 15 being able to control development and having a 16 very predictable outcome, and that is done in 17 at least two ways. One of them is the 18 regulating plan, which are the drawings that 19 you see here, that are very precise in terms of 20 where you can do a taller building, for 21 example, only in that red dot right there, 22 where you should have retail, and it's 23 mandatory and it's clearly shown, et cetera, et 24 cetera. So, from that point of view, the City 25 has much more control, and the project that is	Page 88 1 helpful for the City when reviewing projects. 2 In addition to that, there's some very 3 particular numbers and very serious data that 4 is attached to the Code, and also, this 5 Form-Based Code overlay deals with the space 6 between buildings, the streets. Right now, the 7 Zoning Code doesn't do that. So it's an 8 additional level, layer of review, that the 9 City may have at its disposal. 10 The last section that I think is very 11 significant is the architecture. The quality 12 of the architecture that is required by this 13 proposed Code is much higher than anything that 14 is in the current Code. The current Code is 15 very good. It has absolutely outstanding 16 architectural suggestions. This goes beyond 17 it. This really takes it to a level that I 18 think is very beneficial for the public and the 19 City. 20 As you can see, the kind of illustrations 21 that are included in this Code come from the 22 buildings from Coral Gables, the buildings that 23 make the heritage of the community so well 24 known and respected. 25 One of the other requests is an amendment

Page 89 1 to some site-specific language. It's a fairly 2 minor thing. It deals with some of the 3 language that was adopted when this project was 4 originally reviewed, or a project on this site 5 was originally reviewed, a few years ago. 6 And then the other request is the Planned 7 Area Development site plan, the PAD. So that, 8 in fact, is what the Code currently has, so the 9 applicant is following many of those same 10 requirements and so on, with those additional 11 regulations that are provided by the proposed 12 Code. And of course, the best way to describe 13 the Planned Area Development site plan is that 14 it is the overall image that shows the whole 15 picture of the project. 16 As I mentioned before, one of the 17 conditions is that the project should go back 18 to the Board of Architects for further review, 19 and I hope that you will agree with that 20 recommendation. 21 The alley, if you have any questions on the 22 alley, the alley, as you can see, the red is 23 what's being vacated. The bluish color area is 24 the proposed alley that the project has. It 25 has been reviewed by Public Works, and if you	Page 91 1 18 conditions that should be worked out prior 2 to Commission consideration. Those conditions, 3 from our perspective, are things that need to 4 be refined a little bit further, that in fact 5 would make the project better, and that the 6 applicant has agreed to perform. One of the 7 conditions, for example, was to have the peer 8 review of the landscape that took place today, 9 so they're working already on those issues. 10 And the second set of conditions are more 11 typical conditions of approval, that are 12 attached to a site plan once it's approved. 13 So Staff is recommending that if you follow 14 this line of thinking, the applicant should 15 work with Staff and the consultants to resolve 16 some minor issues of internal consistency 17 within the application -- it's a very complex 18 application, some things have changed, and 19 there's some numbers that, you know, we realize 20 may have been wrong and so on. Correct those 21 things. 22 Finalize the development agreement, which 23 you have a draft that I think is certainly in 24 the way of being complete, but it may require 25 some further refinement.
Page 90 1 have any questions, they're here to help you 2 through the process. 3 And then the development agreement, as the 4 attorney mentioned, memorializes a lot of the 5 language that has been described today. 6 Staff has reviewed all of these different 7 applications and has found that the 8 requirements of the Code are satisfied, and I 9 say that in general, but specifically, I want 10 to say that we are making some recommendations 11 for conditions of approval, should you choose 12 to forward this application further. But each 13 of the requests has been reviewed. The Zoning 14 Code text amendment also has been reviewed, 15 according to the standards of the Code, which 16 were satisfied. The PAD, which is also a very 17 strict review process, with criteria, was also 18 satisfied. The alley vacation, the fact that 19 there are some reasonable public benefits to 20 this request, that also -- the criteria is also 21 satisfied. And the development agreement is 22 satisfied, in terms of the criteria that the 23 Code requires. 24 Having said all of that, Staff does 25 recommend two types of conditions, one set of	Page 92 1 Finalize the landscaping. As I said, we 2 worked on that today. 3 Finalize the signage plan. They have some 4 work on that in the package that you have 5 before you, but I think that there were some 6 requests that we needed to review a little bit 7 further. 8 Finalize the transit improvement plan. 9 There are two options right now. The options 10 are not explained completely. There were some 11 questions about the actual impact, in terms of 12 the numbers of riders and so on, and I think 13 all of that can be resolved and should be 14 resolved. 15 Finalize the Art in Public Places 16 requirement. It's going to be more than any 17 other requirement in any other project. Let's 18 figure out how much more. That still has to be 19 finalized. 20 Finalize the Arts Center Building plan, 21 what exactly is going to happen. They have 22 said that they want to preserve the building. 23 Very good. They also are making some 24 improvements around it, in terms of a plaza, 25 but the actual use and the actual standards of

Page 93 1 restoration need to be finalized. 2 Make sure that the grading of the project 3 is just right. I mean, I had some concerns 4 about some sidewalks that were not exactly at 5 the right level and so on. With two levels of 6 underground parking, this is critical. It has 7 to be just perfect. In fact, if you look at 8 the arcade across the street, the arcade on the 9 Regions Bank building, at one end, it's at 10 grade; at another end, it has two or three 11 steps. We don't want to have those kinds of 12 conditions. Everything should be flush and 13 perfectly accessible for people. 14 Make sure that the parking garage works 15 well. There were some concerns about the 16 internal layout and circulation and dimensions 17 that Staff identified, and the applicant is 18 working on that. 19 Demonstrate that the single-family 20 residence is going to be able to survive this 21 construction process, in the form of a staging 22 plan and a feasibility plan that explains that 23 a little bit better. 24 The architect talked about LEED-ND. We 25 recommended that they complete Stage 1. They	Page 95 1 happened about a week ago, so that's in the 2 works, and then any additional comments that 3 you may have or may result from the public 4 discussion. 5 The conditions of approval basically deal 6 with typical requirements that you would find, 7 in terms of making sure that all the supporting 8 documents are in the application, that there's 9 a restrictive covenant that deals with any 10 encroachments, et cetera, within 30 days of 11 approval, that the development agreement is 12 properly recorded, that there's a bond in case 13 there's some issues with the implementation of 14 the project. 15 We are requesting specifically additional 16 reviews by the Board of Architects, and maybe 17 even by the Planning & Zoning Board if the 18 project were to change in a significant way, 19 that the traffic study issues be resolved, that 20 the encroachment plan be prepared. There's 21 significant encroachments, as you know, 22 below-grade, at-grade, above-grade. It's a 23 complex proposal that we're dealing with. 24 That the historic Arts Center Building have 25 a structural report, a plan that explains how
Page 94 1 have said that they are doing something 2 similar. Fine, we'll need to discuss it 3 further and make sure that we understand it, so 4 the Commission can review it and approve it or 5 not approve it. 6 The utilities plan needs to be reviewed a 7 little further. 8 The traffic analysis, there were some 9 discussions about the specifics of a few 10 intersection designs and so on. I think that 11 the big picture has been agreed upon, but there 12 may be some need to refine some of the actual 13 design. 14 The parking analysis, Mr. Plummer had some 15 comments. It had to do with the split of the 16 modes and so on. I think that he could explain 17 it further. 18 The valet operations analysis. In this 19 project valet parking is really a major piece 20 of the puzzle, each puzzle here, and there were 21 some issues that our consultant believed that 22 needed to be addressed a little bit further. 23 As I said, the parking garage design and 24 then the alley vacation, there were some Staff 25 comments at the DRC meeting, which just	Page 96 1 it's going to be safeguarded and restored, and 2 in fact, we're also requesting as-built 3 drawings at the level of the Historic American 4 Building Survey, to record the existing 5 conditions, for the future. 6 There are some conditions about the 7 existing single-family residence that deal with 8 the construction process, the construction 9 staging, the way that the building will be 10 integrated into this whole process, which I 11 think is something that needs to be discussed. 12 Then there's some construction information 13 requirements. There's also a request that a 14 private provider do the review of the building 15 permit set. 16 Some notice requirements. 17 The Art in Public Places requirements, 18 which typically is a condition of approval. 19 The right-of-way and public areas 20 improvement plan. 21 The requirement of underground and 22 utilities, which is also a typical requirement 23 of site plan approval. 24 The on-street parking, there's some 25 discussion about the exact number of parking

Page 97 1 spaces, how they should be counted. The 2 Parking Department is working on that, and 3 that's one of the issues that I think could be 4 resolved. 5 The alley vacation conditions that should 6 be fulfilled prior to the issuance of a CO for 7 the project. 8 And then some traffic calming, some 9 specific traffic-calming studies that are being 10 requested for residential streets, and this has 11 been the result of the discussion with the 12 consultant, just to see what happens with the 13 project. This is not unusual in projects this 14 size. 15 Some discussion about the actual allocation 16 of parking, to make sure that the shared 17 parking ideas work. 18 And this concludes my presentation, and we 19 have our consultants here ready, and the rest 20 of our Staff, to answer any questions. 21 Thank you very much. 22 CHAIRMAN AIZENSTAT: Thank you. 23 Craig? 24 MR. LEEN: So, Mr. Chair, at this point, I 25 would just like to raise two points. One is	Page 99 1 is basically the site plan. 2 Remember, when you're considering the 3 legislative change, that is not an evidentiary 4 proceeding. You have the ability to use your 5 best judgment, and you don't necessarily -- and 6 just because you approve the legislative change 7 doesn't mean you have to approve the 8 quasi-judicial one, or vice versa. Obviously, 9 the legislation needs to change in some ways to 10 approve this project, I mean, as a practical 11 matter, but the two are not exactly tied 12 together in that way, and they have different 13 standards. So the legislative standard is 14 called fairly debatable, but ultimately, if 15 you're using your best judgment as to what's in 16 the best interest of the City, it's a 17 legislative change. You're acting as a 18 legislature, or as a recommender to a 19 legislative body. 20 As to the site plan, that is an evidentiary 21 proceeding. It's quasi-judicial. You are 22 going to hear evidence. You have the right to 23 recommend conditions and to recommend, in the 24 end, what you think is the best -- what you 25 think, hearing all the evidence, is in the best
Page 98 1 based on some questions I received. 2 Regarding the Comp Plan changes and the 3 increased height in the two commercial 4 districts, mid-level and high-level intensity, 5 I just want to clarify for the public that this 6 only relates to the Mediterranean Village. 7 These Comp Plan changes would not increase the 8 maximum heights in other parts of the City. 9 Also, I was asked whether you could add an 10 FAR limit somewhere, and the FAR limit of 4.375 11 FAR. That could be added, if you wanted to. 12 That's not exactly consistent with a Form-Based 13 Code, but it is permissible. You could put 14 that there, and that is more of the traditional 15 zoning that we've done in the City. 16 Those were some inquiries I received, and I 17 wanted to make sure all the Board members 18 received the same answer. 19 Now, as to how to proceed, I just want you 20 to know that today, of course, you're going to 21 hear from the public and then discuss the 22 matter. You have both the legislative 23 component of this, which is the Comp Plan 24 change and the change to the Zoning Code, and 25 you also have a quasi-judicial component, which	Page 100 1 interest of the City, but it's going to be 2 reviewed under a higher standard of review, and 3 that standard is basically, they're going to 4 look to, one, whether due process has been 5 provided; two, whether you followed the law or 6 whether there's been a departure from the 7 essential requirements of law, which I don't 8 believe would happen here today, and if you 9 have any legal questions, please ask me or 10 Susan Trevarthen, who are prepared to answer 11 any questions you have; and then three, whether 12 there's competent, substantial evidence, and 13 that's what I want to talk to you today about. 14 Any conditions that you recommend or impose, or 15 any decision you ultimately make, needs to be 16 supported by competent, substantial evidence in 17 the record. Now, you've received a lot of 18 evidence today, both in the record and I'm sure 19 you're going to hear from -- you've heard, 20 obviously, from Staff and from the applicant. 21 You're going to hear from residents. Any 22 decision you make, though, needs to be based on 23 that evidence that you receive in this 24 proceeding. So, with that, that's basically 25 the standard. Are there any questions?

Page 101 1 CHAIRMAN AIZENSTAT: Thank you. 2 Let's go ahead and take about a five or 3 ten-minute break. We have some requests, and 4 then we'll continue from there and open it up 5 for public comment. Thank you. 6 (Thereupon, a recess was taken.) 7 CHAIRMAN AIZENSTAT: If everybody will 8 please take their seats. Thank you. 9 All right, everybody, please take a seat. 10 We'd like to get started. We have 17 speakers. 11 Thank you. For the public comment tonight, 12 we have 17 speakers. What I'm going to ask is, 13 everybody, to please limit your time of 14 speaking to a maximum of three minutes, and 15 what I will also ask is, if possible, not be 16 repetitive. If you want to mention that you 17 agree with somebody, that's great, but we 18 welcome fresh insight into this project in what 19 you have to say. 20 With that said, please call the first 21 individual. 22 MS. MENENDEZ: Mary Snow. 23 MS. SNOW: Good evening, Chairman, Board 24 Members. My name is Mary Snow. I'm the 25 executive director of the Coral Gables	Page 103 1 might be -- they might include a large ballroom 2 space or large meeting space in their facility. 3 If they do, the Community Foundation would love 4 to host our gala there. We do a gala every 5 year. It's about 400 people. It's our biggest 6 fundraiser of the year, it's growing every 7 year, and since we're the Coral Gables 8 Community Foundation, we have to hold our 9 events in Coral Gables, and we are running out 10 of places to hold it, so we would love to use 11 that space if it happens, and thank you very 12 much. 13 CHAIRMAN AIZENSTAT: Thank you. 14 MS. MENENDEZ: Gonzalo Sanabria. 15 MR. SANABRIA: Good evening, Mr. Chairman. 16 Gonzalo Sanabria, 944 San Pedro Avenue. This 17 thing is menacing. Okay. 18 Thank you for serving the City of Coral 19 Gables. As you know, I have a career 20 background in land use, and I was the chairman 21 of the Planning Advisory Board of Miami-Dade 22 County for five consecutive years, and I have 23 some comments in support of this application. 24 I'd like to compare it first to Merrick Park. 25 As you know, Merrick Park is a wonderful
Page 102 1 Community Foundation. Our office is at 3001 2 Ponce de Leon Boulevard, in the Agave Building. 3 Agave has been our landlord since 2001. 4 They have been strong supporters of the 5 Community Foundation since then, having 6 provided us with office space at no cost, and 7 not only to our Community Foundation, but to 8 other nonprofits in our building, so we're very 9 thankful for them. 10 All of the money that we raise as the 11 Community Foundation, we like to put all of it 12 right back into the community, and Agave has 13 enabled us to do that by being just very strong 14 supporters of ours and, you know, helping us 15 with anything we need in that respect. You 16 know, as a small nonprofit community 17 organization, it means a lot to us and has 18 afforded us the ability, again, to contribute 19 all of our earnings back into the community and 20 not have it all go towards our rent. I find 21 that the company is completely invested in this 22 community. Again, they've always been very 23 supportive of us, and, you know, I wish them 24 the best. 25 One other thing. I've heard that there	Page 104 1 experiment, and it worked fantastic, but as you 2 know now, you get continuing applications from 3 adjoining properties that want to be a part of 4 that quadrant, and it's multiple applications, 5 one after the other, and they all have their 6 own component. 7 The beauty of this project is that it's a 8 single applicant, a single project, and it's 9 all in one, so you have the ability to plan 10 this project into an entity that is symbiotic 11 and you don't have to worry about somebody else 12 coming and doing something different, because 13 it encompasses that whole entire property. 14 The other thing I want to emphasize, to 15 keep it simple, is that the majority of traffic 16 flows to the west, to the west and to the 17 southeast, and I saw that traffic-calming 18 processes are going to be implemented and I 19 think they're very positive, and I think it 20 will be a minimal impact on residential. On 21 top of that, there's a study that the applicant 22 made that there's actually an increase in 23 property values to the adjoining properties of 24 five to six percent because of the proximity of 25 this terrific project.

Page 105 1 The one thing that benefits the City the 2 most is the economic impact and the quality of 3 life, and let me explain how. This project 4 will create 1,682 permanent jobs, with a 5 payroll of 47 million dollars. Aside from 6 that, it will create another 43 million dollars 7 from accessory jobs that will service this 8 complex. Aside from that, for the City, it 9 will create a six million dollars in revenue, 10 and like Maria Menendez, who is very familiar 11 with bonding, you use a component of 10 times, 12 and that means that it's 60 million dollars of 13 new bondable money that will come to the City. 14 This is a wonderful project. It's a 15 Merrick Park, a Mary Brickell Park, but it's 16 with the ability to project it into one 17 application. So I fully recommend you endorse 18 it. Thank you very much. 19 CHAIRMAN AIZENSTAT: Thank you. 20 MS. MENENDEZ: Tony Puente. 21 Tony Puente? 22 Enrique Lopez. 23 MR. LOPEZ: Good evening, Mr. Chair, 24 Members of the committee, City Staff, 25 Applicant, my fellow residents and businesses.	Page 107 1 the right, competent people. 2 Specifically, the density, FAR, way out of 3 line, 4.375, too high. We can sit here and hem 4 and haw, and talk about shared parking, and we 5 can talk, but this is about quality of life. 6 The gentleman, Gonzalo, mentioned Village 7 of Merrick. Village of Merrick has 800,000 8 square feet, two thirds of the square footage 9 of this project. Village of Merrick has three 10 times the land space, 19.2 acres, and Village 11 of Merrick has 3,800 parking spaces. By the 12 way, that's not my stats. Those are the stats 13 of Kimley-Horn in one of the many reports that 14 have been regurgitated throughout the process, 15 so -- and I'll be more than glad to share with 16 you. 17 The height issue, I don't think I need to 18 beat that one, 16 to 19 stories. 19 Parking, 651 short. 20 Ladies and gentlemen, there's a major 21 problem here. We have 14 major projects who 22 will be in front of you in the near future, 23 asking for zoning variances. This is the 24 largest, but nobody in the City -- and Mr. 25 Trias can attest to that -- has ever sat down
Page 106 1 If I were to call -- If I had a title for 2 the recommendation by Staff, I would call it 3 neglect of duty, and let me share with you why. 4 I have no problem with conditions. What I do 5 have a major problem is with Staff 6 recommending, with issues still pending to be 7 resolved before going to the Commission. I 8 understand the Commission's role, but frankly, 9 I'm going to tell you something. I don't trust 10 them to evaluate parking garages, traffic 11 analysis, parking analysis, valet operations, 12 and many are the very same things that have 13 made this project an issue. Frankly, I trust 14 you all more, and frankly, I have to say, based 15 on the three years that Staff has had it, and 16 it ranges between 18 months and three years, I 17 frankly don't trust Staff to do that. 18 So I have a major concern, and I would ask 19 that you consider that, because it is the 20 purpose of this Board to look at the zoning 21 issues that are now being pending to be 22 resolved before going to Commission. There 23 seems to be a push to get it to the Commission, 24 I don't know why, but frankly, I think it needs 25 to be dealt with at the right levels, and with	Page 108 1 since 2002, the Charrette -- am I correct, 2 Mr. Trias? That is correct, thank you -- to do 3 any master planning. So we take every little 4 project individually, one by one. Oh, 600 5 parking spaces here, 300 there, and the next 6 thing you know, as the applicant calls himself, 7 they are a community within a community. Well, 8 there's a saying in Cuba called, "We're trying 9 to put Havana in Guanabacoa." We're 10 undoubtedly trying to put New York City into 11 Coral Gables. And by the way, I want this 12 project, but a very downsize-scaled project. 13 The parking, traffic and transit. The 14 study by Kimley-Horn and by the City consultant 15 requires that we at least have five to six 16 trolleys. Ladies and gentlemen, that's double 17 the size, and all we hear is, "Oh, we will, 18 we'll consider." Don't consider, commit. Make 19 it a condition. 20 Anyway, bottom line is, we need to look at 21 this thing, not from a popularity, not from 22 income, but from the fact of a quality of life. 23 Coral Gables is not New York. 24 Thank you very much. 25 CHAIRMAN AIZENSTAT: Thank you.

Page 109 1 MS. MENENDEZ: Paul Penny. 2 CHAIRMAN AIZENSTAT: Jill, what I wanted to 3 ask you, is it possible to go from green -- 4 No, please come up, please come up. 5 -- from green to yellow to red, as opposed 6 to go right -- because it's going from green to 7 red, so the individuals don't know when it's 8 time to wrap up, on the timer, please. 9 MR. PENNY: Good evening. I'm Paul Penny. 10 I'm a homeowner at 30 Palermo, and I'd like to 11 say that the existing City Code has served the 12 City very well, and it's dealt with an issue 13 that I haven't heard mentioned yet. The issue 14 is a transition from one new project to the 15 adjacent neighborhoods. This unit is so much 16 larger than what had been planned before in the 17 Spanish Village, and it looks to me like it's 18 going to just be jarring to the local 19 neighborhoods, and that's what I have to ask. 20 Short enough? 21 CHAIRMAN AIZENSTAT: Thank you, sir. 22 MS. MENENDEZ: Georges Berger. 23 MR. BERGER: Good evening, Mr. Chairman and 24 Board. I'm Georges Berger. I have two 25 businesses in Coral Gables, Chocolate Fashion,	Page 111 1 awful. We've been living with this for eight 2 years, since the prior project went bankrupt. 3 We've got issues with crime in the area. 4 Specifically, moving forward, we've hired Laura 5 Russo to file an application to vacate the 6 dead-end street on Santander, because when this 7 project -- hopefully, this project will move 8 forward -- we're going to have to, you know, 9 eliminate that, which is today a big problem 10 for us, due to the fact that it was closed off 11 in '99, and that dead-end street is crime, 12 loitering and all kinds of problems. 13 The only condition that we have for the 14 project is the improvements, the improvements 15 that are being offered for the neighborhood, 16 which we not only expect but believe that the 17 developer will deliver. The improvements 18 include the trees. There was a study that was 19 recently done by the City. We want shade 20 trees. We don't want palm trees. 21 We want traffic mitigation, that's being 22 discussed here. A lot of it has already been 23 discussed. 24 The sidewalks, we've been living with 25 Coconut Grove Drive, you know, up and down, no
Page 110 1 and I -- 2 CHAIRMAN AIZENSTAT: Could you state your 3 address, please? 4 MR. BERGER: 248 Andalusia Avenue. 5 CHAIRMAN AIZENSTAT: Thank you. 6 MR. BERGER: And I love this project. I 7 think it will bring a lot of good things for us 8 and for the City, for the evening time, for -- 9 to keep the neighborhood and the customers 10 here, and I love the project and I come here to 11 push this project. 12 CHAIRMAN AIZENSTAT: Thank you. 13 MS. MENENDEZ: Daniel Siberio. 14 MR. SIBERIO: Hello. Good evening. Daniel 15 Siberio, at 3021 Coconut Grove Drive. I'd like 16 to also invite that my fellow neighbors, who 17 are here today, Alicia -- they're all standing, 18 by the way, here -- Denise, Robert, Carlos. We 19 all live on Coconut Grove Drive. We are the 20 most impacted by this project, without a doubt, 21 if you saw the pictures, and they can bring 22 them up, and we're totally in favor of going 23 forward with the project. It's very simple. 24 If you saw the pictures of what's there now, 25 it's an empty parking lot, at best. It's	Page 112 1 sidewalks, for who knows how many years now. 2 Lighting has been an issue, a big issue, 3 and continues to be an issue. And of course, 4 the developer will do so, because they do have 5 the resources. They're bringing on board a 6 landscape architectural firm, and we ask that 7 the residents be included in the process of 8 choosing what's going to go on and be 9 implemented in the neighborhood. It only makes 10 sense, because what's the point of putting in 11 palm trees when in fact we want oak trees for 12 shade trees? If you're going to, you know, 13 reroute traffic and everything else, let's make 14 sure we're all on board. If you're going to do 15 any type of traffic speed-bump mitigation, 16 let's make sure, you know, everybody is in 17 agreement it's the right thing to do. 18 And that said, I believe that this is the 19 best thing that will happen for Coral Gables 20 and all its residents, no question about it, 21 because with what's going on with the rest of 22 Miami and the City, Brickell and World Center 23 and everything else, it's critical that you 24 approve this project. Thank you. 25 CHAIRMAN AIZENSTAT: Thank you.

Page 113 1 MR. LEEN: Mr. Chair -- 2 CHAIRMAN AIZENSTAT: Yes. 3 MR. LEEN: I'd just like to put on the 4 record that we met about the dead-end street. 5 I know, I met with you. Please have Laura 6 contact me directly. I know that the City is 7 concerned about that and the issues that you've 8 raised. I just wanted to put that on the 9 record. 10 MS. MENENDEZ: Larry Rentz. 11 MR. RENTZ: Good evening, everybody. I'm 12 Larry Rentz. I'm with the Allen Morris 13 Company, for 42 short years, with offices at 14 121 Alhambra Towers. Allen personally sends 15 his regrets. He had a prior commitment. We're 16 building an apartment building in 17 St. Petersburg, so -- 18 Mediterranean Village used to be Old 19 Spanish Village, and Allen and I spent hours 20 and hours with Ralph Sanchez, may he rest in 21 peace, but that was 10 years ago when Ralph 22 assembled this seven acres, and it's still 23 vacant. So we believe, and all our experts -- 24 We tried to -- We also tried to buy the 25 property, and the Agave people won first prize.	Page 115 1 MS. MENENDEZ: Kirk Menendez. 2 MR. MENENDEZ: Good evening. Kirk 3 Menendez, 346 Malaga Avenue. 4 Perhaps, out of anyone here in this room, I 5 have a history with the Crafts Section. I've 6 lived in the Crafts Section since 1962, so I've 7 seen the transformation, not only of the City, 8 but of the Crafts Section, where the 9 Mediterranean Village project will be located, 10 and I'm here today not only on behalf of myself 11 and my family, but other residents on the 12 Malaga Avenue, 346, 333, 323, 341, and my 13 neighbor, Julio Webel, who's here, 309 Malaga 14 Avenue. 15 We've spoken with our neighbors for several 16 years, and I could say that between Catalonia 17 Avenue and Malaga Avenue, the majority of them, 18 the ones that we've been able to speak to, are 19 in support of this project moving forward. 20 Now, the interesting part, based on the 52 21 years that I've lived in the Crafts Section, I 22 know the history of that specific area, because 23 I lived on 109 Sevilla, which actually, you try 24 to look it up, it doesn't exist, because there 25 were single-family homes there and in 1980,
Page 114 1 It is important to the City, Mediterranean 2 Villages. It will attract new residents. It 3 will provide needed retail of a larger scale in 4 the Downtown area. Many retailers have told us 5 that they don't locate in Coral Gables because 6 they need 10,000, 20,000, 30,000 square feet, 7 and you can't find it anywhere. And it will 8 help Coral Gables compete nicely, so with 9 Brickell Avenue, off Brickell, Swire, Coconut 10 Grove, and I am sure the Agave people will put 11 in tenants that complement and don't compete 12 with Merrick Park. 13 Allen and I are familiar with the Agave 14 association and its executives, who have 15 demonstrated their capabilities as a developer 16 here in Coral Gables, building the beautiful 17 office building at 396 Alhambra Plaza. Agave 18 and its people are first class. Mediterranean 19 Village will be also first class, when it's 20 built by Agave, and it will be an asset to the 21 residents, to the City, and to the visitors 22 here in Coral Gables. We support Agave and 23 Mediterranean Village, a hundred percent. 24 CHAIRMAN AIZENSTAT: Thank you. 25 MR. RENTZ: Thank you.	Page 116 1 '81, they tore them down to make parking for 2 one of the banks at the corner of Ponce. But 3 at the time that I was living there, as a small 4 child, the 2801 building was erected, and that 5 was erected right next to single-family homes. 6 In fact, that was mostly single-family homes. 7 The wall was separating the residential 8 single-family from the actual building, which I 9 think at the time was the tallest building in 10 Coral Gables at that time. So that area has a 11 history of change, and the change is Coral 12 Gables moving to the next level. 13 I agree with some people, we're in 14 competition with Midtown Brickell. I, for 15 example, like to think of Flagler, where the 16 courthouse is. That area is going to be very 17 difficult to move to the next level. Why? 18 Because it's a hodgepodge of owners, hodgepodge 19 of stores. There's no continuity. You look at 20 that area, it's hodgepodge. Coral Gables is 21 famous, well known, well received, because of 22 the continuity. 23 This project, I personally believe, will 24 connect the Miracle Mile area to an area which 25 has, in reality, been sort of blighted for

Page 117 1 several years. Not only did the 2801 building 2 get demolished or imploded, but that whole 3 area, the area businesses are struggling 4 because there isn't activity. People like to 5 walk, but that area, as a resident said, the 6 crime rate -- I walk with my family to Miracle 7 Mile. When I get to that area, I'm a little 8 concerned, because there's nothing going on. 9 We'd like to bring movement. We'd like to 10 bring culture. We'd like to bring society into 11 the area, make it a lively place for residents 12 to be able to enjoy themselves. 13 I know traffic is a concern, but traffic's 14 been a concern for the last 10 years and 15 traffic is going to be a concern for the next 16 30 years in Coral Gables, regardless of whether 17 the project moves forward or doesn't. 18 I do want to thank Agave for reaching out 19 to Banyan Day School on the 300 block. They've 20 been working with the small school. They've 21 had traffic issues before and are trying to 22 rectify it. 23 At the end of the day, the key point is, 24 this is a dream-come-true project for Coral 25 Gables. You will never have a higher quality	Page 119 1 adjustments, will forever change our Central 2 Business District, a Downtown that has for 3 decades been associated and viewed by our 4 residents and by the South Florida community as 5 being primarily composed of Miracle Mile and a 6 few other blocks in its surrounding area. 7 This is not meant to be a negative comment; 8 however, economic forces are driving all of 9 South Florida, and Miami in particular, which 10 is on a very fast track to being a world-class 11 city. Coral Gables should not and cannot be 12 left behind. We, too, should stay competitive 13 and reach for the greatness for our Downtown. 14 However, it is precisely the transformative 15 nature of this project that demands that we use 16 this unique moment to, one, consider how we can 17 protect our quality of life and at the same 18 time enhance it; two, how this project can 19 bring with it positive changes while keeping 20 true to George Merrick's original urban core 21 principles and mostly his vision. 22 The Business Improvement District is 23 dedicated to the responsible growth and 24 development in Downtown Coral Gables, with the 25 goal of keeping a historic City Beautiful CBD
Page 118 1 project come your way, at least for the next 10 2 years or further, and I hope you embrace it, 3 because I think Coral Gables needs to embrace 4 it in order to move forward to the next level. 5 Thank you. 6 CHAIRMAN AIZENSTAT: Thank you. 7 MS. MENENDEZ: Venny Torre. 8 MR. TORRE: Good evening, Mr. Chair, 9 Members of the Board. For the record, Venny 10 Torre, representing the Business Improvement 11 District, at 220 Miracle Mile. 12 Thank you for allowing the BID to make this 13 statement. We appreciate your commitment to 14 our community and to the thoughtful approach by 15 which you will be making the decision on how to 16 proceed on the Mediterranean Village project 17 tonight. 18 The Business Improvement District of Coral 19 Gables, its mission is to promote commercial 20 vitality to Miracle Mile, Downtown Coral 21 Gables, and to act as a strategic catalyst for 22 the overall improvement of the area. 23 We understand that this project, whether 24 approved in the manner it is presented today or 25 even with modifications, revisions or	Page 120 1 vibrant, exciting and competitive. For 2 example, it is through the BID's commitment and 3 persistence to this principle, along with the 4 collaboration of the City and other 5 stakeholders, that the Streetscape Project for 6 Miracle Mile, an 18 million dollar improvement 7 to our Downtown infrastructure, was brought to 8 fruition. 9 With that same focus on the continued 10 betterment of Miracle Mile and our Downtown, 11 appointees to a working committee formed by the 12 BID board have spent considerable time 13 consulting and meeting with the developer, 14 Commissioners, community leaders, business 15 owners, retail experts, residents and many 16 others. The BID has pushed hard regarding our 17 concerns and convictions. One thing we have 18 learned through this process is that our voice 19 has been heard and we have a partner in a 20 developer that shares our common goal, which is 21 overall improvement of the area and promoting 22 commercial vitality. 23 An item of great discussion has been the 24 quantity, design and the quality of the retail 25 component of this project. We have looked at

Page 121 1 this from every angle, not to find negatives 2 but to find ways that the Downtown and our 3 community in general can benefit. In other 4 words, we looked at this with a global view. 5 I would ask if you let me continue my -- 6 proceed to finish. 7 CHAIRMAN AIZENSTAT: Go ahead. 8 MR. TORRE: Thank you. 9 A global view of our Central Business 10 District, taking into consideration our 11 strengths and our weaknesses, and our long-term 12 plan of thoughtful development and continued 13 controlled zoning. 14 To that end, we'd like to address a 15 discussion point and others with the Board, as 16 follows: 17 Characterization of the retail component. 18 The quantity of retail space is much more 19 acceptable to the BID in keeping with a better 20 overall solution for the Central Business 21 District, provided the developer commits to 22 using for the retail as defined in the proposed 23 site plan, in particular, keeping the two large 24 retail spaces indicated at the north and south 25 corners of the project as just that, large	Page 123 1 Planning and Zoning Board and the Commission to 2 seek specific language towards this regard. 3 Continuity. The City and the BID have made 4 a commitment to a multi-million dollar 5 investment in the Streetscape Improvement 6 Project, the design of which is well underway. 7 Therefore, it is imperative that the developer 8 contribute to this initiative by funding, to 9 the east and west side of Ponce de Leon 10 Boulevard, from the north side of the 11 developer's project at Ponce Circle to the 12 south side of Miracle Mile, which plans shall 13 be done by Cooper Robertson, the architectural 14 firm currently designing the streetscape for 15 Miracle Mile. The solution should be in 16 accordance with their best recommendations and 17 solutions for this enlarged CBD. 18 Connectivity. Connectivity, reducing 19 traffic and enhancing our Downtown experience 20 is critical to accomplishing our common goal of 21 creating a collaborative and unified Downtown. 22 To promote connectivity, the developer should 23 fund in a Downtown loop trolley that shall 24 serve several stops on Miracle Mile and other 25 points to be determined along Galiano, Alhambra
Page 122 1 retail spaces of 98,700 square feet and 26,000 2 square feet on two floors. 3 The developer should be obligated to leave 4 no stone unturned in securing one tenant to 5 occupy each of the large spaces as anchor 6 tenants, as this size space can currently not 7 be accommodated within the BID. 8 Further, in the event that the project's 9 second floor of the retail space cannot be 10 successfully leased, the developer shall 11 convert all of the large-scale second floor 12 space to professional use, and not be able to 13 cut the space into smaller tenant spaces. 14 In addition, the quality of the tenant mix 15 the developer leases needs to be as defined in 16 the presentation previously given to us and to 17 others, that is, aspirational fashion, tenants 18 in active and global markets, emerging global 19 tenants, contemporary experiential retailers 20 not duplicated in our trade area. 21 Defining the quality and caliber of the 22 tenant mix is difficult, especially a few years 23 out, but the developer has indicated that 24 they're willing to be specific in defining the 25 character of the retailers. The BID urges the	Page 124 1 and Sevilla, for three years following the 2 start of their operations, or until the City 3 has put in place a mechanism to do so. 4 Convention space. We appreciate the 5 developer has listened to our group and has 6 committed to creating conference facilities 7 which can accommodate 350 guests for a sit-down 8 dinner and 700 guests for a cocktail reception. 9 We urge the developer to continue working ways 10 to increase the capacity, as size convention 11 space within our Downtown is noticeably absent. 12 The BID also encourages that the developer 13 agree to be bound by a plan that requires it to 14 adapt to future worsening traffic conditions 15 that may arise and provide alternate solutions, 16 should they be required, in the future. With 17 all the best intentions and predictions, there 18 is no guarantee that the solutions studied and 19 provided will work. 20 Cohesive and unified Downtown. As a result 21 of this project, and as our Downtown business 22 community continues to grow, the efforts and 23 benefits afforded by both the BID and the 24 Mediterranean Village should be not 25 independent; there can only be one Downtown.

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1 For that reason, the BID may review and make 2 recommendations that the boundaries be 3 extended. Should the BID choose to make this 4 change, the developer should be required to 5 support the modifications and become a BID 6 member. Until such time, we would like the 7 developer to opt-in member -- to be an opt-in 8 member in perpetuity, thus creating a cohesive 9 and unified Downtown. We are talking about one 10 Downtown, the Downtown. 11 I'd like to have my closing statement, if 12 you don't -- 13 CHAIRMAN AIZENSTAT: Quickly, please. 14 MR. TORRES: Thank you. 15 The BID respects the way the developer has 16 pursued this large development and will rely on 17 our congenial and cooperative partnership to 18 strive for only the very, very best for Coral 19 Gables. The addition of a five-star hotel and 20 over 225 residential units is a great benefit 21 to our Downtown, because as we know, retail 22 follows rooftops. 23 We respectfully request Planning and Zoning 24 and the City Commission to incorporate the 25 points we've discussed today into the	1 attraction is really centered towards Miracle 2 Mile. 3 To us, the benefit of this development is 4 in establishing the beginning of a more 5 extended Ponce de Leon as a retail area and an 6 area that will have more traffic for all of the 7 mixed-use condominiums that have been approved 8 and built in our area and that are sadly 9 lacking in customer base because there is no 10 anchor, and we hope that this may be a model 11 for future anchor development in the north 12 side, and we will encourage you to proceed with 13 approving this project. 14 Thank you. 15 CHAIRMAN AIZENSTAT: Thank you. 16 MS. MENENDEZ: Jeff Welch. 17 MR. CASAS: Mr. Welch had to leave, to 18 Coral Gables Hospital. He's the CEO of Coral 19 Gables Hospital. He just asked me to say he 20 was here. 21 CHAIRMAN AIZENSTAT: Can you come up, 22 please? 23 MR. CASAS: I'm not speaking today. 24 CHAIRMAN AIZENSTAT: But just state your 25 name and address and tell us what you want to
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1 development agreement. 2 To recap, characterization of the retail 3 component, continuity with the streetscape, 4 connectivity for consumers and transit, 5 convention and gala meeting space, and most 6 important, a cohesive and unified Downtown. 7 Mr. Chair, thank you for your time, and I 8 apologize for the length. 9 CHAIRMAN AIZENSTAT: Thank you. 10 MS. MENENDEZ: Enrique Bernal. 11 MR. BERNAL: Good evening. My name is 12 Enrique Bernal. I live at 1607 Ponce de Leon 13 Boulevard, and I'm the president of the Ponce 14 de Leon Condominium Association, a mixed 15 community in the north side of the Downtown 16 area. 17 In addition to all the very, very eloquent 18 comments that have been made about the benefits 19 of this project, one of the considerations for 20 us is that, you know, we feel the need to 21 establish an extended Ponce de Leon Boulevard 22 as a viable retail area, which it's not right 23 now. We have many retail spaces that have not 24 been successful because of the lack of traffic 25 in the area and the fact that most of the	1 say. 2 MR. CASAS: Ray Casas, 461 San Juan Drive, 3 Coral Gables. Mr. Welch was here earlier 4 today. He had to go back to the hospital. He 5 asked me to put on the record the fact that he 6 was here, in support of the project. Thank 7 you. 8 CHAIRMAN AIZENSTAT: Thank you. 9 MS. MENENDEZ: Frank Kelly. 10 MR. KELLY: Good evening, Mr. Chairman and 11 Members of the Board. My name is Frank Kelly. 12 I'm a resident of 314 Catalonia. I'm also a 13 filmmaker and a local producer, so I think it's 14 only fitting I tell you a story. I moved to 15 this part of Coral Gables about 12 years ago, 16 and when people ask us, "Why did you move to 17 that area," just west of the Ponce de Leon 18 Circle, I tell them it's because it's the 19 closest we can get to an urban lifestyle 20 experience in Coral Gables. We're able to walk 21 to the Gables on a weekday night, on a weekday 22 afternoon, or even on weekends, to enjoy this 23 urban experience we have in Coral Gables, that 24 is, dining at Houstons or Friday nights or 25 going to the park or having coffee at

Page 129 1 Starbucks, and, you know, the trend is urban 2 lifestyle across the country, across the world, 3 and I think that the addition of this 4 incredible project, the Mediterranean Village, 5 allows us to have more of this urban lifestyle, 6 this urban experience. 7 You know, right now, we have two daughters, 8 a two-year-old and a one-year-old, and we have 9 a bicycle. We ride them on bike. But it's sad 10 to see the trek home from Ponce de Leon and 11 Miracle Mile, as we go through the Ponce Circle 12 and we see the wasteland that is currently the 13 space east of the park, and as many people have 14 brought up before, we're tired of seeing that 15 wasteland. We're tired of seeing that vacant 16 space. So I, as well as my other fellow 17 neighbors do, we support the Mediterranean 18 Village, and I look forward to the day where I 19 can take my little daughter to go see a movie 20 at the theater. Thank you very much. 21 CHAIRMAN AIZENSTAT: Thank you. 22 MS. MENENDEZ: Joseph Kirk. 23 CHAIRMAN AIZENSTAT: Come on up, but before 24 Mr. Kirk speaks, we need to look at extending 25 our time from nine o'clock. Is there a motion?	Page 131 1 MR. KIRK: No problem. Mr. Chairman, 2 Members of the Board, my name is Joseph Kirk. 3 I live at 117 Santander Avenue. That is the 4 street immediately south of the project, and 5 the cross street is Ponce de Leon. I'm here on 6 behalf of myself and my neighbors. 7 I've lived in the neighborhood since before 8 Old Spanish Village was approved, and as you 9 know, a lot of the Old Spanish Village property 10 was single-family homes. This project is much 11 larger than Old Spanish Village. It has a 12 hotel, which Old Spanish Village did not. It 13 has a movie theater. The density is much 14 greater, much more retail. This is going to 15 bring a lot of traffic onto Ponce de Leon 16 Boulevard, and we already get traffic on our 17 street, on Santander, because of people looking 18 for parking in the commercial area near our 19 homes. There's also an alleyway behind 20 Christie's Restaurant that a lot of cars take 21 to cut through, to go from Ponce to Malaga. 22 It's a hazard to pedestrians because there's a 23 blind spot. So this is going to be 24 substantial, the amount of traffic on Ponce. 25 It's very nice, the fact that the developer
Page 130 1 MR. FLANAGAN: I'll move to extend to 9:30. 2 MS. ALBERRO MENENDEZ: I'll second. 3 CHAIRMAN AIZENSTAT: To 9:30, or should we 4 go a little bit longer so we don't have 5 to interrupt? 6 MR. FLANAGAN: 9:30. 7 CHAIRMAN AIZENSTAT: There's a motion of 8 9:30, and a second? 9 MS. ALBERRO MENENDEZ: Second 10 CHAIRMAN AIZENSTAT: Call the roll. 11 MS. MENENDEZ: Maria Menendez? 12 MS. ALBERRO MENENDEZ: Yes. 13 MS. MENENDEZ: Alberto Perez? 14 MR. PEREZ: Yes. 15 MS. MENENDEZ: Marshall Bellin? 16 MR. BELLIN: Yes. 17 MS. MENENDEZ: Anthony Bello? 18 MR. BELLO: Yes. 19 MS. MENENDEZ: Jeff Flanagan? 20 MR. FLANAGAN: Yes. 21 MS. MENENDEZ: Julio Grabiell? 22 MR. GRABIEL: Yes. 23 MS. MENENDEZ: Eibi Aizenstat? 24 CHAIRMAN AIZENSTAT: Yes. 25 Sorry about that.	Page 132 1 has looked and is making streetscape 2 improvements and traffic calming to the 3 single-family homes to the east of the project. 4 We're immediately south, one block south, and 5 there's been no accommodation for us. There's 6 been no consideration for streetscape 7 improvements, traffic calming or anything on 8 our block, and I ask that if you do approve 9 this project, that you make it conditioned that 10 the developer and the City look into that area 11 and determine how the traffic is going to 12 affect us, specifically, to make accommodations 13 to reduce traffic and improve the street, as 14 well. 15 Thank you. 16 CHAIRMAN AIZENSTAT: Thank you. Could you 17 state your address again, please? 18 MR. KIRK: 117 Santander Avenue. 19 CHAIRMAN AIZENSTAT: Thank you. 20 MR. KIRK: Thank you. 21 MS. MENENDEZ: Stephen Bittel. 22 MR. BITTEL: Mr. Chairman and the 23 Commission, I'm Stephen Bittel. I'm the 24 chairman of Terranova Corporation. We own 25 eight buildings on Miracle Mile, particularly

Page 133 1 220, where Starbucks is. 2 I certainly appreciate the complexity of 3 this undertaking. I sit in development 4 meetings and review plans every single day, for 5 the last 30 plus years, and for you to sit here 6 and review this and these kinds of books and to 7 switch from a Code that you're familiar with to 8 a Form-Based Code, as requested, is a daunting 9 task that I don't quite understand myself. 10 So, the Agave people are wonderful. They 11 are honest. They care. They have done their 12 best to come up with a project that works. The 13 sheer mass and scale of it scares me, and I 14 wonder about how it fits within the 15 neighborhood, so I would encourage your great 16 caution. I have shared with them all my 17 concerns. They have hosted me twice, as 18 recently as last week, and I appreciate their 19 openness to hear other opinions. 20 The stacking at the hotel entrance along 21 Ponce scares me. I worry that it holds up 22 traffic all over the street. I've proposed to 23 them alternate ways to stack the traffic in the 24 center of the project, so that it doesn't stop 25 traffic on that street when everyone is trying	Page 135 1 also an enormous amount of retail deep into the 2 project that will be tough to lease, too, and I 3 have shared this with Agave, and I think 4 they're still listening, and I appreciate that. 5 Great streets -- great cities have great 6 streets, and great streets are active, with 7 people walking and umbrellas and tables and 8 chairs. Dragging the retail activity to the 9 second floor and deep in the street violates 10 those principles and won't be in the best 11 interest of our community, and so I've 12 encouraged Agave to eliminate the deep retail 13 and eliminate the second-floor retail and 14 consider other uses, and I would encourage you 15 to make that part of the development order, for 16 the best interest of the entire City. 17 The idea that this piece of land is a scar 18 on the community, we all agree with. But that 19 doesn't mean our options are this exact 20 project, with its height and great density and 21 retail in places that won't lease. That's not 22 the only option. They can make changes and 23 they can make this project still better, and 24 it's wonderful today but it can be a lot 25 better, and I think it's incumbent upon you to
Page 134 1 to get in. 2 Second-floor retail just doesn't work. 3 Agave has a wonderful list of very smart and 4 highly paid consultants, many of whom are in 5 the room, filling the room, and they have lots 6 of good opinions in support of their project, 7 which is their job, to support the project, but 8 second-floor retail doesn't work all over 9 Miami, it fails all over South Florida, it 10 fails all over the country, and I worry that it 11 will fail here, and in so doing, create a drag 12 on the value of the retail on Miracle Mile, 13 especially at a moment in time when the City 14 boldly has decided to move forward on a very 15 wonderful streetscape project, of which I'm on 16 the steering committee, and delighted that it's 17 going forward, which is a big shift, because 11 18 years ago, when first proposed and when we 19 first bought eight buildings on Miracle Mile, I 20 opposed it, but I have learned and I have 21 listened, and we are moving in the right 22 direction, and to spend that money at the same 23 time as you would impair the retail by adding 24 not only a huge quantity of second-floor retail 25 that will be very challenging to lease, but	Page 136 1 make those recommendations and incorporate 2 these kinds of ideas into into your approval. 3 Thank you. 4 CHAIRMAN AIZENSTAT: Thank you. 5 MS. MENENDEZ: The last speaker is Luis de 6 la Vega. 7 DR. DE LA VEGA: There are two of us. I'm 8 just going to introduce my son. 9 CHAIRMAN AIZENSTAT: If you can each 10 take one mike -- no, I'm just kidding -- and do 11 it in stereo. 12 DR. DE LA VEGA: I've been a resident of 13 Coral Gables -- 14 CHAIRMAN AIZENSTAT: State your name and 15 address, please. 16 DR. DE LA VEGA: Dr. Luis de la Vega, 1624 17 Granada Boulevard. I've been a resident of 18 Coral Gables for 30 -- over 36 years now, and 19 we also own an office building on Douglas, 2850 20 Douglas, between Palermo and Sevilla, and we're 21 totally in favor of the project, and as my son 22 has just become the CEO of my company, I want 23 him to be the one to talk for us. 24 MR. DE LA VEGA: My name is Luis de la 25 Vega. I'm a resident of the Coral Gables, at

Page 137 1 438 Alcazar, and five years ago, we moved our 2 business, as my father said, to 2850 Douglas 3 Road. We've been there for roughly five years, 4 and during those five years, we have employed 5 several hundred people in Miami-Dade, many of 6 whom live and work in Coral Gables. 7 My employees are excited to be in Coral 8 Gables, and the few of them who have heard 9 about this project have come up to us 10 personally, to tell us how excited they are at 11 the prospect of being able to walk two blocks 12 instead of eight blocks to lunch. Many of my 13 employees run to lunch, to then run back to the 14 office, and many of my employees would love the 15 amenities that are being offered by this 16 project, and I wanted to give a special thanks 17 to the Agave Group, who went out of their way 18 over the past two weeks to come to our office 19 and kindly and patiently walk us through 20 numerous documents, answer all of our 21 questions, and we are strongly in favor of the 22 project, and I think that's it. Thank you very 23 much. 24 DR. DE LA VEGA: Thank you very much. 25 CHAIRMAN AIZENSTAT: Thank you.	Page 139 1 project, that's more self-sustaining, that is 2 still in keeping with the community. There is 3 a transition in height, going from Ponce to the 4 single-family residences, and remember, that 5 FAR number that we so often use can sometimes 6 be a bit deceiving, because when you look at 7 the Zoning Code of Coral Gables, FAR doesn't 8 count parking, and parking is one of the 9 biggest contributors to mass of a building. 10 In this project, this developer is doing 11 the unique effort of going two levels 12 underground of parking, at a cost of over 100 13 million dollars, in order to help control the 14 mass of the of building, and as you may 15 remember from an exhibit that we showed you at 16 the last meeting, if you were to factor in the 17 parking garage space, this is roughly 18 equivalent in size, the building that we're 19 proposing today, than what would be proposed 20 under the existing Code when you factor in the 21 amount of parking that there is. 22 You know, the other issues, sort of, there 23 was briefly raised there's too many open issues 24 here. Quite the contrary. Has this Board ever 25 seen a submittal before of this size, of this
Page 138 1 Jill, that's it? 2 MS. MENENDEZ: That's it. No more 3 speakers. 4 CHAIRMAN AIZENSTAT: At this time, I'm 5 going to close it to speakers. 6 Mario? 7 MR. GARCIA-SERRA: Exactly, Mr. Chair. If 8 I could just have a few minutes to perhaps 9 respond to some of the objections, concerns and 10 questions that were raised, and also just 11 summarize our conclusion. 12 You know, the few speakers that got up and 13 spoke in opposition to the project or had 14 objections or had questions, you could sort of 15 categorize what their concerns were, and one of 16 them is sort of the category of too big, that 17 this is too big of a project. And in response 18 to that, I would say, we have to keep sight of 19 what the property is currently zoned for, right 20 now, which is a fully zoned commercial site, 21 which would permit a little bit over a million 22 square feet of commercial space, which could be 23 a mixture of retail, you know, hotel and 24 office, perhaps, and what we're trying to do 25 here is trying to do more of a mixed-use	Page 140 1 magnitude, with these number of reviews by the 2 City, by these number of independent panels 3 that have been asked to review, or peer 4 reviews? This is a project that has been 5 dissected to an exceptional extent because of 6 its size and importance, and indeed, are there 7 still things to work out? In every project, 8 there is. In every project, there's things 9 that you take care of at the zoning approval 10 stage, other items that you address prior to 11 building permit, and other items that you 12 address prior to CO, and those of you involved 13 in construction know that even after CO, 14 there's probably still things that are being 15 worked out, when you're developing and building 16 a building. 17 The concern of the 100 block of Santander, 18 we have heard their concerns before, certainly. 19 There are streetscape improvements that we can 20 propose for that area, similar to the 21 streetscape improvements that we're doing in 22 the other residential streets to the east. 23 On the issue of traffic calming, we'll have 24 to -- traffic engineers will have to take a 25 look, to see what is appropriate and what is

Page 141 1 justified for that area. 2 Lastly, on the point of retail, I'm going 3 to ask Stan Eichelbaum, our retail expert, to 4 come up here and give sort of his conclusions 5 and studies and analysis that he has done, 6 which are very similar to the study 7 commissioned by the City and done by 8 Mr. Lambert, and indeed, at the end of the day, 9 what both of those studies are acknowledging is 10 the changing marketplace in South Florida and 11 the fact that we're having projects like 12 Brickell City Center and Miami World Center 13 coming on. These projects are somewhere in the 14 vicinity of 600,000 to 900,000 square feet in 15 size. 16 If you look at the amount of retail that 17 there is on Miracle Mile today, it's roughly in 18 the 300,000 range. What we're proposing in 19 this project is roughly around 300,000. By 20 putting them together, by doing the connections 21 that we're doing, by trolley and by 22 streetscape, we're going to have a business 23 district that's going to be able to compete 24 with these and attract the tenants that we want 25 in the City. It's that critical mass that we	Page 143 1 background. We've been involved in projects 2 across the United States and in 48 countries 3 around the world. We have been leaders in 4 involvement, to lifestyle retail, urban retail, 5 festival marketplaces, outlet, and all other 6 kinds of other retail. We've also been heavily 7 involved in mixed-use projects. We also have 8 been advisory to a number of cities, including 9 Portland, Oregon; Pensacola, Florida; and a 10 number of others that have had great 11 transformation of their downtowns. 12 So we represent both sides and we tell 13 developers, we care greatly about community. I 14 come out of the Rouse Company roots, which are 15 the roots of turnaround in Boston, Philadelphia 16 and others, where we learned not to build 17 parcels, but to build city improvement at every 18 turn. It was a commitment we took for our 19 company, that has stayed with us throughout our 20 careers, I think, I hope. 21 In the case of this, we looked at it, and 22 the first words out of our mouths were the need 23 to make sure that this was all about Miracle 24 Mile, Downtown, the connectivity, that it all 25 had to end up being one project, and that's how
Page 142 1 need, and we need it done correctly. 2 On other issues, such as, what do we do 3 with the second level, we're the first ones 4 that want to have a successful project. If 5 there are any issues with retail on the second 6 level, then of course, what makes sense is for 7 us to convert that to an office use, perhaps, 8 or something else that will work. But 9 remember, that sort of sweet spot number, the 10 600,000 square feet that we're looking for in 11 total retail between Miracle Mile and the 12 project, requires that we be at somewhere 13 around 300,000 with the project right now, and 14 to sort of back up that conclusion, I'll ask 15 Stan to come up here and sort of give a 16 five-minute or less presentation, and with 17 that, we will be concluding. 18 MR. EICHELBAUM: Thank you. Stan 19 Eichelbaum, Marketing Developments/Planning 20 Developments, Inc., Downtown Fort Lauderdale. 21 We've been involved in this project now for 22 several years, and when we got involved, we 23 went through extensive study of the 24 feasibility, and it started with, as we do with 25 all projects -- and I should give you	Page 144 1 we've envisioned it, from Day One. 2 We went through a feasibility study, the 3 economics of the project. In fact, that has 4 been studied by Lambert Associates, your peer 5 group, at the University of Miami, with a 6 prominent competitor of ours, Bob Gibbs. They 7 both verified the need for 300,000 square feet 8 of retail to make the acceleration of space. 9 We did a second study of the impact that it 10 would have on Miracle Mile, which I am 11 impressed with Agave Ponce that they were 12 concerned that we are right, that it was a 13 positive impact. 14 We did an analogy study across the country, 15 what is happening to districts like Miracle 16 Mile. We studied it very intensely, looking at 17 places like Birmingham, Michigan, outside of 18 Detroit, Georgetown, Kansas City, the Country 19 Club Plaza, Rodeo Drive, and other urban 20 districts. We looked at ones that have malls 21 near them and how they fight off. We've been 22 slowly watching the process evolve here, 23 realizing the competitiveness that you are up 24 against as a district, up against World 25 Center's development, up against Brickell City

Page 145 1 Center. We've been navigating that and making 2 sure that the project would have the 3 prominence. 4 We did a second impact study and we 5 realized that communities that, as many of the 6 speakers have acknowledged, don't come forward 7 and expand have been left behind. They become 8 a service district. There's a need to get to a 9 certain threshold. Approximately 600,000 feet 10 seems to be the minimal level. And as we 11 studied the feasibility of it, we found that if 12 you stayed as a service district and remained 13 as a service district, and I think you can look 14 at the retailers today with great appreciation, 15 that Coral Gables is a prominent retail 16 community, but it does not have a lot of 17 prominent retail, because it doesn't have the 18 build-to-suit, the larger box capability that 19 we could bring to that district, and it would 20 probably stagnate sales with a 10 percent hit, 21 with the opening of each of these projects. So 22 it would stay probably in the mid 300s to high 23 300s per square foot. With the acceleration 24 following the districts that have gotten more 25 prominent, you go to 600 plus a square foot.	Page 147 1 look at 2020, where is retail heading, and 2 we're analyzing and we're watching what's 3 happening in Latin America, we're watching 4 what's happening in Europe and Asia and 5 throughout the United States. 6 With all due respect, there are a number of 7 concepts, now, that if you shape your pro forma 8 right, you put your land costs into the grade 9 level and then reduce your costs for the second 10 level. Retailers are looking at that price 11 advantage passed on, as an enlargement of their 12 mid-size boxes. They're gaining that space and 13 they're using it very effectively in many parts 14 of the world, including several experimenting 15 within the United States. Even groceries in 16 some spots are looking at that concept. So we 17 are watching that. 18 We have studied the inventory from Day One. 19 One of the things we do when we look at this 20 type of thing is, we will not recommend a 21 project unless we have a depth chart. We have 22 a group that fortunately is in a board room of 23 what kind of new concepts are coming out in 24 retail right now. They hear what people are 25 envisioning. Obviously, this project has taken
Page 146 1 We think of Country Club Plaza, in Kansas 2 City, where there's a respect for the 3 architecture. The combining with the district 4 is very prominent to this, there's a few other 5 studies, when you can make sure that you're 6 creating a cohesive district. From Day One, 7 we've said, the key is the connectivity of 8 Ponce de Leon. We need to make that a 9 connective retail corridor. The improvements 10 talked about were something we believe in very, 11 very much, a lot of other issues like that. 12 There have been comments about the 13 internalization, which Lambert also, in your 14 advisory to the City made that comment, and the 15 second-level space, and also the irregular 16 shapes. Those are concerns that we have 17 voiced, over and over again, but we also have 18 to get to a level of retail. We would not 19 endorse something we did not think was 20 achievable. We've worked all over the world. 21 We have a reputation for the integrity, we have 22 a reputation for assessing what's going on in 23 retailing. 24 When we get into it, we differ from a lot 25 of other groups, that we don't look at 2014, we	Page 148 1 a period of time. We've seen some of those 2 retailers go by the wayside. But we still see 3 enough activity that we are still pretty deep 4 in the inventory of retail as a universe, that 5 we have confidence in it. 6 Would we recommend going back to office if 7 there was a problem? Yes, we would. If there 8 was a paradigm change totally in retail, we 9 could agree with that, but right now, we're 10 pretty comfortable. We can give you the 11 300,000 feet that Gibbs, Lambert and we all 12 have advised is necessary to give you the girth 13 of retail to be a prominent, continuing retail 14 district, in fact, a well improved retail 15 district. 16 As far as the internalization of space, we 17 are working with that space. The layout you've 18 seen, we have said will change a lot. Retail 19 changes throughout the development. We realize 20 that our equity is on Ponce de Leon. It is 21 that frontage. We want to make as much of that 22 frontage connect to the retail space as 23 possible, so we're of the same mind, but we 24 still have to get the girth and we are going to 25 use concepts that are evolving around the world

Page 149 1 to make the rest of the space work, or else we 2 wouldn't even try it, but we're seeing enough. 3 I'm pretty confident there. 4 Irregular space, yes, we have to work with 5 the -- Right now, you are charged with the 6 footprint. We have to divide it and get the 7 build-to-suit to the retailers, and make it all 8 work. So we're cognizant and we agree pretty 9 much with all the comments, but we believe 10 we're well on the way to the right prominence, 11 based on the fact of the great heritage of 12 Coral Gables as a retail district. Now we've 13 got to match the retail to that heritage and 14 move it towards a future, which we're always 15 trying for. 16 I'm available for questions. 17 CHAIRMAN AIZENSTAT: Thank you. 18 MR. GARCIA-SERRA: Thank you very much, 19 Stan. 20 I will just conclude now by saying, I think 21 it was communicated through all the comments 22 that the public gave, the majority of the 23 comments, at least, that both residents who 24 live around this project and the business 25 community are supportive. The comments and	Page 151 1 ask the questions related to traffic, comment 2 about parking -- I'm assuming there's comments, 3 maybe there isn't -- ask the questions about 4 parking, get them out of the way -- you know, 5 in other words, phase it so that we can keep 6 the comments together, so that we're not 7 jumping around? At least at this time of the 8 night, after sitting through so many public 9 comments, I would love to have it structured in 10 a way where we can focus on each component of 11 the site or of the project, if that's 12 acceptable to you all. 13 CHAIRMAN AIZENSTAT: Is everybody okay with 14 that? 15 MR. BELLIN: How do you propose to do that? 16 MS. ALBERRO MENENDEZ: We start, like 17 saying -- I have questions concerning parking. 18 I have questions concerning traffic, I have 19 questions concerning the site plan, I have 20 questions concerning Form-Based Code, and I 21 have questions concerning the massing of the 22 project, so -- 23 MR. PEREZ: How I would suggest we do it 24 is, maybe your questions drive our agenda, and 25 as you go one by one, by --
Page 150 1 suggestions that we've gotten from other 2 elements of the business community, such as the 3 BID and Mr. Bittel, we are more than open to 4 continue considering those and to incorporate 5 them so that their -- to address their concerns 6 within the development agreement or any other 7 document that's here. 8 And so it's been a long road, I think that 9 this proposal is ready for your review, and I 10 think it's one that merits the Staff 11 recommendation and your support, and I would 12 ask that you act upon all the items that are 13 before you tonight. Thank you. 14 CHAIRMAN AIZENSTAT: Thank you. 15 At this point, since we've closed the floor 16 for public comment, let's go ahead and open it 17 up for Board discussion. 18 MS. ALBERRO MENENDEZ: Can I make a 19 suggestion? 20 CHAIRMAN AIZENSTAT: Go ahead, please. 21 MS. ALBERRO MENENDEZ: For the purposes of 22 our discussions, if you all agree, of course, 23 you know, there's so many different topics that 24 have to do with this development, could we take 25 like maybe comments about the traffic together,	Page 152 1 MS. ALBERRO MENENDEZ: If you guys want. 2 MR. PEREZ: -- your items, we can chime in 3 on it, at least of her -- 4 CHAIRMAN AIZENSTAT: There seems to be five 5 items, correct? Parking, traffic, site plan, 6 massing, and what was the last one? 7 MS. ALBERRO MENENDEZ: Parking, traffic, 8 site plan, massing and the Form-Based Code. 9 CHAIRMAN AIZENSTAT: And the Form-Based 10 Code. 11 MS. ALBERRO MENENDEZ: And some of those 12 will go together. 13 CHAIRMAN AIZENSTAT: Which in general is 14 the scope of the project. 15 MS. ALBERRO MENENDEZ: Right. I'd say 16 Form-Based Code, the site plan and massing 17 probably will go together, but I mean, that's 18 how I would love -- 19 CHAIRMAN AIZENSTAT: Why don't you start? 20 MR. LEEN: Mr. Chair? 21 CHAIRMAN AIZENSTAT: Yes, go ahead. 22 MR. LEEN: Based on how you proposed to 23 proceed, I would recommend that you address the 24 time now, because you're going to run into the 25 time probably in the first or second category.

Page 153 1 I have looked at the Code, and my 2 interpretation of the Code is, if you do an 3 express vote, you can go beyond 10:00, although 4 the Code generally calls for it ending at 5 10:00, but it says "unless otherwise approved 6 by the Commission," so I've always -- My 7 interpretation has been that you can go beyond 8 10:00 if you wish, but I want to put that out 9 there now, because, you know, ultimately you're 10 going to have to decide. I don't want you to 11 have to rush it, but I also know that it's now 12 before you and you've heard everything and this 13 is the best time to discuss it. 14 CHAIRMAN AIZENSTAT: Is there a motion to 15 go to 10:00? 16 MS. ALBERRO MENENDEZ: I'll make the 17 motion. 18 MR. GRABIEL: Second. 19 CHAIRMAN AIZENSTAT: First and second. Any 20 comments? 21 Call the roll, please. 22 MS. MENENDEZ: Maria Menendez? 23 MS. ALBERRO MENENDEZ: Yes. 24 MS. MENENDEZ: Alberto Perez? 25 MR. PEREZ: Yes.	Page 155 1 part of the shared use. It's more, right, the 2 overall supply. 3 MR. HAGAN: Uh-huh. 4 MS. ALBERRO MENENDEZ: You're also taking 5 into account the on-street parking that's 6 adjacent to perhaps other commercial areas? 7 So, in other words, I notice on Sevilla, you're 8 counting those, you're counting some on Malaga. 9 MR. HAGAN: Yeah. I mean, in terms of the 10 overall supply -- and I think the architect may 11 be able to help determine -- the supply of the 12 2,691 spaces, the bulk of that is in the 13 garage, but it does include some of the 14 on-street. 15 MR. FREED: There's 58 spaces that surround 16 our site, as on-street parking. 17 MS. ALBERRO MENENDEZ: Right. So that's 18 part of mostly the Form-Based Code, as far as a 19 component of it, allowing you to do that; is 20 that correct? 21 MR. FREED: That's my understanding. 22 MS. ALBERRO MENENDEZ: Okay. 23 CHAIRMAN AIZENSTAT: What percentage would 24 that 58 be, out of your total parking? 25 MR. FREED: It's late.
Page 154 1 MS. MENENDEZ: Marshall Bellin? 2 MR. BELLIN: Yes. 3 MS. MENENDEZ: Anthony Bello? 4 MR. BELLO: Yes. 5 MS. MENENDEZ: Jeff Flanagan? 6 MR. FLANAGAN: Yes. 7 MS. MENENDEZ: Julio Grabiell? 8 MR. GRABIEL: Yes. 9 MS. MENENDEZ: Eibi Aizenstat? 10 CHAIRMAN AIZENSTAT: Yes. 11 Why don't we go ahead and start by looking 12 at the parking, which was the first item. 13 Maria? 14 MS. ALBERRO MENENDEZ: Can I have the 15 parking consultant? 16 I'm familiar -- Hi, how are you? I'm 17 familiar with shared-use parking. I'm not as 18 familiar with the one that you introduced, 19 although I read about it in your reports. The 20 shared-use parking, I know that you also have a 21 component where you're taking into account the 22 on-street parking. Is that correct? 23 MR. HAGAN: Well, it's taken into account 24 in the overall supply. 25 MS. ALBERRO MENENDEZ: Okay, so it's not	Page 156 1 MS. ALBERRO MENENDEZ: Yes. 2 MR. HAGAN: It's just slightly over two 3 percent. 4 CHAIRMAN AIZENSTAT: Okay. So it's a small 5 amount. 6 MR. HAGAN: Uh-huh. 7 MR. BELLIN: Maria, I'd like to ask a 8 question, to clarify. 9 MS. ALBERRO MENENDEZ: Sure. 10 MR. BELLIN: How is the parking related to 11 the Form-Based Code? 12 MR. FREED: There's certain -- I'm not sure 13 I'm the right person to speak to the Form-Based 14 Code, but there's certain requirements of any 15 code that provide requirements for parking, and 16 so the Form-Based Code also has its 17 requirements, because its intention is to 18 replace the City Code for this district. So it 19 has to define what our parking requirements are 20 and what can be counted and what can't be 21 counted. 22 MR. GARCIA-SERRA: Dan, if I might, I think 23 the most direct answer is that the Form-Based 24 Code amendment that's being proposed permits us 25 to utilize the shared parking methodology, in

Page 157 1 order to provide the amount of parking that 2 we're proposing to provide. 3 Perhaps there's some other things, such as, 4 permit you to count the on-street spaces, but 5 the big answer, I think, is, it permits us to 6 use the shared-parking methodology. 7 CHAIRMAN AIZENSTAT: Let me let Maria 8 continue. 9 MS. ALBERRO MENENDEZ: You also have the 10 trolley stops. Are you planning to -- on 11 Ponce. Are you planning to provide a proper 12 trolley stop, a physical one, where you go in 13 and out, or are you just dependent on the 14 street? My concern, if you're going to manage 15 that the way we manage our current trolley 16 stops, it's going to interfere with traffic and 17 add to the traffic congestion. So how are you 18 planning to do your trolley stops? 19 MR. FREED: We have not proposed lay-bys 20 for the trolley. 21 MS. ALBERRO MENENDEZ: You have not? 22 MR. FREED: We have not. 23 MS. ALBERRO MENENDEZ: So you're going to 24 do it on the street? 25 MR. FREED: As all of the other trolley	Page 159 1 and -- you know, to bring them into the trolley 2 and take them down -- 3 MR. GARCIA-SERRA: Sure. 4 MS. ALBERRO MENENDEZ: -- it's going to 5 take time. You're going to have people stacked 6 up. It happens now. 7 MR. GARCIA-SERRA: Yeah. 8 MS. ALBERRO MENENDEZ: I mean, I love our 9 trolley system. Don't get me wrong. Some of 10 us were part of it, when it first came in, but 11 I'm trying to see if we can take advantage of 12 the fact that we're redoing all of the 13 sidewalks and maybe there's a way of doing it 14 where it works. 15 MR. GARCIA-SERRA: And our answer on that 16 is, what the City wants, and this Board is part 17 of that process, we will provide. So, if the 18 conclusion is separate areas where they can 19 pull off, we'll do it. 20 MS. ALBERRO MENENDEZ: Well, they're 21 listening, so maybe they will -- 22 MR. TRIAS: Mr. Chairman, if I could 23 explain. 24 CHAIRMAN AIZENSTAT: Yes, Ramon. 25 MR. TRIAS: The Public Works Department,
Page 158 1 stops do. 2 MS. ALBERRO MENENDEZ: I understand, but 3 we're doing a new development. We're doing a 4 new development, a little more intense. 5 MR. FREED: Sometimes an argument can be 6 made that that lay-by actually causes more 7 delay, because of the trolley having to pull 8 off and its pulling back into traffic. 9 MR. GARCIA-SERRA: If I might, Dan. 10 When I first discussed that, I said we 11 should have a space where the trolley goes in 12 there and doesn't block me -- 13 MS. ALBERRO MENENDEZ: There you go. 14 MR. GARCIA-SERRA: -- when I'm trying to 15 speed down Ponce to get to an appointment here 16 or whatever it might be. But the response 17 actually came from the City Public Works that 18 we don't want that separate area for the 19 trolley to pull off in, because then it's hard 20 for the trolley to get back into the traffic. 21 MS. ALBERRO MENENDEZ: I understand that, 22 but we're expecting -- I would expect you're 23 going to have a large amount of your hotel 24 guests and perhaps even your office staff using 25 the trolley, and so to bring those people up	Page 160 1 who runs the trolley, said that they prefer -- 2 MS. ALBERRO MENENDEZ: I heard that, yes. 3 MR. TRIAS: Okay, so that's the reason. 4 MS. ALBERRO MENENDEZ: Got it. 5 MR. TRIAS: So, if they want something 6 else -- 7 MS. ALBERRO MENENDEZ: Thank you. 8 Let me get back to the parking, if I may. 9 From this, I think it's part of your report -- 10 MR. HAGAN: Uh-huh. 11 MS. ALBERRO MENENDEZ: The City of Coral 12 Gables parking requirements is 3,182; is that 13 correct? 14 MR. HAGAN: Correct, based on Code, adding 15 up all the uses in Code. 16 MS. ALBERRO MENENDEZ: Right. The shared 17 parking is -- allows you a 10 percent 18 reduction, and it goes down to 2,869, which is 19 a difference of 313 spaces. 20 MR. HAGAN: Correct. 21 MS. ALBERRO MENENDEZ: So I'm assuming that 22 based on your analysis, you determined that the 23 uses in the site allows for those types of 24 reduction? 25 MR. HAGAN: Right.

Page 161 1 MS. ALBERRO MENENDEZ: Talk to me about 2 this modal split, because it's an additional -- 3 actually, it's an additional seven percent 4 reduction, for a total, in addition to the 5 shared parking, of 529 spaces. 6 MR. HAGAN: Uh-huh. 7 MS. ALBERRO MENENDEZ: Can you just share 8 with me what that -- bicycles, I imagine. Can 9 you just -- 10 MR. HAGAN: Pedestrian activity, et cetera, 11 yes, and it is exactly that, and part of it is, 12 a lot of the data is predicated on suburban 13 style development where, you know, everyone 14 would be driving to a site, parking and 15 leaving, and given the -- and you've heard it 16 tonight in some of the public comment, of 17 people who came up here and said that they 18 really look forward to having this place to 19 walk to and to grab Starbucks and visit it, and 20 that's exactly what this is accounting for, is 21 just the fact that with the trolley service, 22 the bicycle ability and the pedestrian 23 amenities, et cetera, that there are a lot of 24 opportunities for people to come here without 25 driving a car at all, and so that's just taking	Page 163 1 2.15 percent of our parking is on-street. 2 CHAIRMAN AIZENSTAT: Thank you. 3 MR. GRABIEL: I have a question. 4 CHAIRMAN AIZENSTAT: Yes, go ahead. 5 MR. GRABIEL: When you consider reduction 6 of parking, did you take into consideration the 7 internal population of the development, in 8 other words, the office users and the 9 residential? Are those considered to be 10 used -- to walk, obviously, down to the retail 11 and therefore do not need additional parking, 12 or is that added on top of it? 13 MR. HAGAN: It's not added on top. We 14 mentioned in the report that we did not take an 15 internal capture reduction, so that is sort of 16 reflected more in the multi-modal capture that 17 we did take, and that is one aspect of shared 18 parking that I'll note. For example, an office 19 user, a tenant in the office space, may walk to 20 where the restaurant's there on site for lunch, 21 and in the shared parking methodology, what 22 happens is, that car never moves, but in our 23 graph it kind of goes from the office category 24 to the restaurant category, because that's 25 where the person is going. So it sort of --
Page 162 1 that aspect into account, and the reductions 2 were based on data that was in the -- let me 3 make sure I get the exact name on the record -- 4 the American Community Survey for Miami-Dade 5 County, that data set that was provided in 6 there, and that was included as an exhibit in 7 the report. But again, it's just taking into 8 account the urban nature of this and that it 9 lends itself to being served by a lot of other 10 modes, other than people -- everyone driving 11 their car and parking. 12 MS. ALBERRO MENENDEZ: Okay, thank you. 13 MR. HAGAN: Uh-huh. 14 CHAIRMAN AIZENSTAT: Let me ask you a 15 question. Your office space, that is rental or 16 condo or how are you -- 17 MR. FREED: The office space is for lease. 18 CHAIRMAN AIZENSTAT: Strictly for lease, 19 it's not going to be condo or anything? 20 MR. FREED: Correct. 21 CHAIRMAN AIZENSTAT: Okay. 22 MR. FREED: This owner is intending for 23 this project to be long-term hold, and so the 24 idea of condo for the office is not an option. 25 I have an answer for your question. It's	Page 164 1 you know, and again, that gets taken into 2 account in the time of day variation. So the 3 capture is sort of taken into account in two 4 different ways, sort of the way in which it 5 goes from -- that the person gets assigned from 6 one use to another, but also the fact that 7 they're walking internally, and we take -- you 8 know, consider that as modal, you know, as a 9 modal trip. 10 CHAIRMAN AIZENSTAT: As part of the City's 11 review process of the parking, done by Plummer, 12 it spoke about part of your drives having a 13 dead end and needing the ability to turn a car 14 around. Have you taken a look at that? 15 MR. FREED: Actually, since those City 16 comments, we have made a lot of adjustments to 17 those areas. 18 CHAIRMAN AIZENSTAT: Okay. 19 MR. FREED: The project is in schematic 20 design. We have many months ahead of us, in 21 order to get through our design process and 22 ultimately to our documentation process, 23 but -- 24 CHAIRMAN AIZENSTAT: But by doing that, how 25 many spaces are you going to lose within the

Page 165 1 project, by doing those areas that you need to 2 turn around, that you can't, currently? 3 MR. FREED: Most of them are -- Josh is 4 reminding me that we've resolved all of the 5 dead ends, so the count is up-to-date and 6 current. 7 CHAIRMAN AIZENSTAT: Okay. 8 Questions about parking? Marshall? 9 MR. BELLIN: One of the things that 10 concerns me -- excuse me. One of the things 11 that concerns me is, how many parking spaces 12 will you end up losing when you provide the 13 landscape that's going to be required? Because 14 you're going to put mature trees in, and 15 obviously you can't put those on top of a slab. 16 You've got to have some depth. 17 MR. FREED: Correct, and what we've 18 previously mentioned is that the depth of the 19 garage is going to accommodate those tree pits, 20 so we normally provide about a four-foot pit 21 for the root ball, in depth, and that pit is 22 continuous, covering multiple trees, as much as 23 possible, in order for the trees to have as 24 much area for roots to grow as possible, and so 25 there's no tree loss -- there's no parking loss	Page 167 1 and the direction of Staff was concern about 2 the neighborhood to the east. So we collected 3 an extensive amount of data, including daily 4 volumes in the neighborhood to the east, to 5 better understand the current conditions on 6 those roadways, relative to the thresholds to 7 implement traffic-calming measures. Miami-Dade 8 County has very specific rules about when you 9 can -- 10 MS. ALBERRO MENENDEZ: Correct. 11 MR. McWILLIAMS: Right, and they're based 12 upon some daily criteria. So we had collected 13 that additional data for the purpose of 14 determining whether those corridors would be 15 eligible. It was in the report because it was 16 collected, although in the traffic impact 17 analysis, in this report, this was focused 18 strictly on a peak hour analysis. 19 With your question to the west, 20 essentially, that issue has not -- We had 21 public meetings and we didn't have a lot of 22 public input relative to traffic-calming 23 measures to the west, but if you look at the 24 condition, and I believe it was suggested by 25 Tim Plummer, and we've agreed to this
Page 166 1 based on that. The project is designed with a 2 depth to that B1 level that already 3 accommodates tree pits. 4 MR. BELLIN: Okay. 5 CHAIRMAN AIZENSTAT: Jeff, comments on 6 parking? 7 MR. FLANAGAN: Not on parking. 8 CHAIRMAN AIZENSTAT: Any comments? 9 Maria? 10 MS. ALBERRO MENENDEZ: No, no more. 11 CHAIRMAN AIZENSTAT: Go ahead and move on 12 to your next -- 13 MS. ALBERRO MENENDEZ: Traffic, one of my 14 favorite subjects. I notice that in your 15 traffic study, you had daily volume counts for 16 the area east of the development, and I'm 17 wondering why you didn't provide the volume, 18 daily volume traffic counts, for the west -- 19 MR. McWILLIAMS: Sure. 20 MS. ALBERRO MENENDEZ: -- of the 21 development in particular, because this map 22 shows that there is going to be some traffic 23 going through there. 24 MR. McWILLIAMS: Essentially, when we 25 started this project, one of the major focuses	Page 168 1 condition, is that we're going to conduct 2 after-studies, both on the east and the west, 3 to better understand what the impacts are, and 4 then we'll have to go ahead and implement some 5 traffic-calming to the west -- 6 MS. ALBERRO MENENDEZ: Right. 7 MR. McWILLIAMS: -- if it's determined 8 warranted. 9 MS. ALBERRO MENENDEZ: The issue that I 10 think you have now is that the existing volume, 11 daily volumes on the west, are high. And I 12 don't know if you should not necessarily base 13 it on resident input, because we can all tell 14 you that there's a lot of traffic there, or on 15 actual counts. 16 So, if you look at the volume, daily volume 17 now, of the west side, I think you'll see that 18 there are issues, and perhaps the impact of 19 this project will contribute even more issues, 20 MR. McWILLIAMS: And -- 21 MS. ALBERRO MENENDEZ: I'm just saying it 22 needs to be part of the -- The area that's 23 being studied for traffic needs to be complete 24 for the entire area. You can't, in my opinion, 25 pick and choose based on what a resident might

Page 169 1 tell you, because for the most part, I hear 2 that a lot of people are excited about the 3 project, but we also need to address the 4 impact. 5 MR. McWILLIAMS: Understood. I can tell 6 you that just one issue that did come out of 7 the public meetings was the Banyan Day School, 8 which is a -- 9 MS. ALBERRO MENENDEZ: That's on Palermo. 10 It's commercial 11 MR. McWILLIAMS: Yeah. It's to the west, 12 yes, and we actually met with the school and we 13 worked with the County to get some 14 improvements. So we didn't ignore the west. 15 We addressed the issues that came up. 16 I would say that, you know, the condition's 17 going to require us to do it if there's 18 something -- you know, and I don't want to 19 speak for the team, but if it's something we 20 need to do prior to CO, prior to, you know, 21 building permit, it's something we could study 22 earlier. 23 MS. ALBERRO MENENDEZ: I just would like it 24 to be part of the study, as I mentioned, I 25 think, the last time we met, because I noticed	Page 171 1 CHAIRMAN AIZENSTAT: Jeff? 2 MR. FLANAGAN: Yeah, can I just -- 3 I think, following up on that, one of the 4 Staff conditions, I think it's Number 9, it 5 says the traffic calming studies will be done, 6 what I read it to say is, six to 12 months 7 following the project opening. And it lists 8 some very specific streets and areas where the 9 calming studies will be performed. 10 I would suggest that multiple studies be 11 required at defined intervals -- maybe that's 12 six, 12 and 18 months -- and that the area be 13 expanded, because when you're talking east of 14 LeJeune, you're talking Malaga and Catalonia 15 only. I begin to worry, there's been no focus 16 on the residential section south of University 17 between LeJeune and Ponce. And as you're 18 coming up LeJeune, if you have the slightest 19 inkling of Coral Gables and the grid pattern, 20 it's very easy and extremely convenient to hop 21 through that residential neighborhood. So, 22 basically, between University and Bird Road on 23 the south, LeJeune on the east -- I'm sorry, on 24 the west, Ponce on the east, it should include 25 that entire section, because those are very
Page 170 1 that that was missing. I think it needs to be 2 part of the study because it does serve as a 3 baseline. It does serve for -- and, you know, 4 to follow what is being recommended from the 5 City's traffic consultant, which is, establish 6 a baseline, you know, identify what the daily 7 volumes of traffic are, so that if it does 8 increase, you can address it. 9 You know, this isn't new to the City. We 10 did this with the Bacardi building, when it was 11 being built. They established a baseline and 12 they came back and did improvements when 13 necessary. It's not something new to our City, 14 so -- 15 MR. McWILLIAMS: I totally understand. We 16 addressed -- you know, as I mentioned before, 17 we went through four rounds of sufficiency and 18 we didn't get a comment from Staff or from the 19 review consultant until this very last round of 20 sufficiency relative to traffic-calming the 21 area. I assure you, if we would have -- you 22 know, if it would have been mentioned earlier, 23 we certainly would have addressed it prior to 24 this meeting. 25 MS. ALBERRO MENENDEZ: Okay.	Page 172 1 convenient and I think relatively high- 2 traveled, pass-through traffic for people 3 trying to get from Bird, LeJeune, University, 4 and skirt their way over very quickly to Ponce. 5 So I would put that out there as thoughts 6 for continued discussion. 7 MR. McWILLIAMS: Okay. 8 MR. FLANAGAN: Should I keep going, with 9 the trolley? 10 MS. ALBERRO MENENDEZ: Oh, of course, 11 absolutely. Well, can I just ask one question? 12 MR. FLANAGAN: Sure. 13 MS. ALBERRO MENENDEZ: Do you have anywhere 14 in your report -- because I couldn't find it -- 15 the projected vehicles, volume of the vehicles 16 per day that's going in and out of the 17 development? Again, it's primarily based on 18 peaks, and I just wanted to know the total 19 in-and-out daily volume that's expected to be 20 driven by the project. 21 MR. McWILLIAMS: Sure. In preparation for 22 this hearing, I went ahead and did that 23 analysis. Again, the focus and I guess the 24 standard that's typically used for traffic 25 impact studies, you know, in probably the last

Page 173	Page 175
1 two decades, has been the peak hour. So that 2 was the focus of the study, because that's 3 where you can look at the microscopic 4 intersection operations. You can't really do 5 that from a daily basis. 6 MS. ALBERRO MENENDEZ: Right. 7 MR. McWILLIAMS: But based upon the same 8 assumptions we used to develop the peak hour 9 trip generation, the volume is expected to be 10 around 14,000 a day, total. 11 MS. ALBERRO MENENDEZ: Let me ask you, in 12 the concurrency statement that the City issued, 13 it says site demand for trips is 27,266. Who 14 came up with that number? 15 MR. McWILLIAMS: You'd have to speak to 16 Staff. 17 MS. ALBERRO MENENDEZ: Staff, does anybody 18 know who came up with the 27,266? 19 Where is Ramon when we need him? 20 MR. TRIAS: Here. Your question is, who in 21 the Staff -- 22 MS. ALBERRO MENENDEZ: In this 23 concurrency -- 24 MR. TRIAS: Yeah, that is -- 25 MS. ALBERRO MENENDEZ: -- statement, it	1 eat and they continue on, that's a pass-by 2 trip. That's not a new trip on the network. 3 MS. ALBERRO MENENDEZ: Right. 4 MR. McWILLIAMS: So we take a reduction for 5 it. Similarly, the internalization that you 6 started to talk about with parking, well, if 7 someone visits two uses, you know, in one 8 visit, the car doesn't move, we actually do 9 take a credit for that in the traffic study, 10 because that car never went out on the street. 11 It stayed there for multiple use visits. So we 12 take an internalization. 13 If you go and back up in this calculation, 14 all the way back to before we take any of these 15 reductions for these different captures, we 16 actually are around 22,800 trips a day, which 17 is probably more consistent with the 27. My 18 guess is, that's the concurrency system that 19 the City probably uses. It probably uses some 20 different trip generation rates that may be a 21 little older than the most recent version of 22 the trip generation rates, which we used here. 23 My experience is, most of the concurrency 24 systems around Dade County typically use the 25 fifth edition of trip generation. We're using
Page 174	Page 176
1 says trips, 27,266. 2 MR. TRIAS: That was prepared by Sebrina 3 Brown, who works in my division. 4 MS. ALBERRO MENENDEZ: So you don't know 5 how it came up? You don't know how it was 6 determined? 7 MR. TRIAS: I don't know the details at 8 this point -- 9 MS. ALBERRO MENENDEZ: Okay. 10 MR. TRIAS: -- but certainly I can review 11 that. 12 MS. ALBERRO MENENDEZ: All right. 13 MR. McWILLIAMS: Yeah, I can shed a little 14 bit of light on it. I just looked here. You 15 know, when I mentioned the 14,000 trips a day, 16 that accounts for reductions for pass-by 17 capture, which is, for instance, for retail, if 18 someone is driving by the site, stops at a 19 retail establishment and continues down the 20 road, if they were already on that street but 21 they stopped at the site -- 22 MR. FREED: And normally driving by the 23 site. 24 MR. McWILLIAMS: Yeah, normally driving by, 25 on their commute, they stop, they get a bite to	1 the ninth in this study. 2 MS. ALBERRO MENENDEZ: Ninth? Okay. 3 MR. BELLIN: I'd like to ask a question. 4 MR. McWILLIAMS: Sure. 5 MR. BELLIN: You've done studies to 6 determine traffic impact and so on. What 7 happens if your studies are not correct? What 8 kinds of remedies are there if it turns out 9 that there is a big traffic problem? 10 MR. McWILLIAMS: Well, I guess I can speak 11 to one of the reasons, for instance, Miami-Dade 12 County, with the issues of -- We've identified 13 some intersections in the study, based upon 14 projections that we'll fail to meet the level 15 of service standard, and what the County is 16 going to likely tell us is that that's based 17 upon your projections. When you actually build 18 the project and you actually can go see 19 traffic, you know, out on the street, go ahead 20 and count them again and then we'll consider 21 what the appropriate measure will be, 22 potentially signalization. 23 Given that this is not -- This is what I 24 guess -- and I'm kind of speaking out of my 25 area a little bit. This is a developer that's

Page 177 1 going to keep the property for a long period of 2 time, instead of a developer who may sell the 3 property after it's entitled or built. It 4 really behooves us to make sure traffic flows 5 well after the project is built, because the 6 project won't be successful. So I think you're 7 going to see a different standard of care 8 relative to any congestion or any issues that 9 would occur in and around the site, because the 10 site is just not going to perform well, from a 11 business standpoint, if the traffic conditions 12 are poor. 13 MR. GARCIA-SERRA: And if I may add, also, 14 two important things to note. The City 15 required that we use very conservative 16 assumptions in doing the traffic study so as to 17 minimize the sort of risk of what happens if 18 the study is wrong. 19 And secondly, the Staff recommendation is 20 also recommending, as a condition of approval, 21 these after-CO traffic studies, follow-up 22 traffic studies, so that if it wasn't right, 23 the original studies weren't right and the 24 generation is greater in a different area, we 25 can address it then with improvements	Page 179 1 the peak, so that would be the typical way to 2 approach it, these days, in a very urbanized 3 area, because obviously we're not going to 4 widen the road to six lanes or anything like 5 that. 6 MR. BELLIN: No. 7 CHAIRMAN AIZENSTAT: I wanted to ask you a 8 little bit about valets. 9 MR. McWILLIAMS: Okay. 10 CHAIRMAN AIZENSTAT: The numbers that I see 11 in the report about valets, it's a large number 12 of valets at one time that are needed, whether 13 it's for the hotel or for certain areas. 14 MR. FREED: It's the worst case scenario. 15 CHAIRMAN AIZENSTAT: That's what I wanted 16 to ask you. 17 MR. FREED: The valet system was designed 18 at its peak. It wouldn't -- 19 CHAIRMAN AIZENSTAT: The hotel has a -- I'm 20 sorry to interrupt you, but let's say the hotel 21 has a function, which if you're having the 22 ballrooms, the hotel is going to have functions 23 and so forth. I think your numbers were like 24 23 to 29 valets, or somewhere in that area. 25 MR. McWILLIAMS: The actual hotel valet was
Page 178 1 recommended by those studies. 2 MR. BELLIN: I mean, it seems like the 3 problem is, after the project is built, there 4 ain't a whole lot you can do about alleviating 5 the traffic problem. Are there remedies? You 6 say signalization, but are there any other 7 things that you can do to -- as a backup plan? 8 MR. McWILLIAMS: In an urbanized, built-out 9 area, obviously, there's very little room to 10 expand roadways, add turn lanes, things like 11 that. Really, what most of the movement is now 12 going towards for improving traffic flow is 13 more about the computerized traffic control 14 system. It's the system that tries to make the 15 intersections -- the signals at the 16 intersections progress in the most efficient 17 manner. That's an area that's constantly 18 evolving, and the County is actually 19 implementing a whole new system that gives them 20 more control, right now. So that would 21 probably be the focus, is install more 22 sophisticated traffic signal control equipment, 23 that would help change traffic timing in real 24 time, rather than having a set amount of time 25 for each approach at an intersection go during	Page 180 1 between five and six attendants. That actually 2 was one of the lowest ones. On some of the 3 other mixed -- 4 CHAIRMAN AIZENSTAT: The north valet 5 station. 6 MR. McWILLIAMS: Yeah, the north valet, 7 which would serve some retail and serve the 8 residential, was a higher number. 9 Just to explain the assumptions we have to 10 use -- 11 CHAIRMAN AIZENSTAT: Okay. 12 MR. McWILLIAMS: -- in the valet analysis, 13 we do two different numbers. We do what we 14 call the average demand, which is consistent 15 with the peak hour of an average day, and then 16 we also do the highest demand scenario, and 17 that highest demand scenario which results in 18 those higher numbers is assuming that every 19 different use on-site is peaking at the exact 20 same time. It's not really a realistic 21 scenario, but it's just trying to give you 22 another data point. 23 So that would mean, for instance, like a 24 restaurant -- kind of like the parking, the 25 restaurant is peaking at the exact same time

Page 181 1 that the retail is peaking, that the movie 2 theater is peaking, and those may not actually 3 coincide within one single hour. 4 Now, I can tell you, I know there was some 5 concern that the numbers were in the 20s. We 6 studied numerous valet operations throughout 7 South Florida. Just to give you some ideas, I 8 don't know if any of you have been to the Rusty 9 Pelican restaurant. They consistently staff 25 10 to 30 valets during their peak times. We were 11 actually out there, counting, several years 12 ago, on that. 13 A lot of the larger Muvicos -- Boynton 14 Beach, we've actually observed Muvicos in 15 Boynton Beach and Pembroke Pines, also Icon 16 Brickell. Boynton Beach has 30 attendants 17 during their peak time, the Muvico. The Muvico 18 in Pembroke Pines has 25 to 35 attendants 19 during their peak time. Icon Brickell, 20 Downtown Miami, has 22 to 30 attendants we 21 observed during their peak time, so -- and I 22 can go on. I have several other hotels at 23 Miami Beach that staff that level of valets. 24 So I know the number seems high, but you 25 don't really see the back-of-house operation	Page 183 1 Enforcement, for certain types of violations. 2 We can also pull back certain approvals because 3 they're not meeting a condition of approval. 4 So there's multiple ways that we can enforce 5 something like that. 6 CHAIRMAN AIZENSTAT: Thank you. 7 MR. McWILLIAMS: I just want to reiterate, 8 there's even more assumptions in that analysis 9 that make it very conservative, in my opinion. 10 We had to use a confidence interval, which is, 11 what percent of the time would the valet queue 12 ever exceed the storage. The City requested 13 that we use 95 percent, which is the highest 14 I've ever used in a valet analysis. I've 15 typically used 90, 85, something like that. So 16 every assumption in that analysis, we pushed to 17 the limit of being conservative. So, again, 18 it's kind of like what Mario said before. All 19 of our analysis, we tried to create a margin of 20 error by using very conservative assumptions. 21 Yes, sir? 22 MR. GRABIEL: A question on valet. You 23 have valet serving the north tower, residential 24 tower, and you have a valet in the center, 25 serving the retail, and you have a valet for
Page 182 1 that goes on with the valet. Half of those 2 valets are down in the garage, because it's 3 more efficient to actually put some valets 4 down, some valets up, so when a car gets 5 called, they don't have to run down and pull it 6 and bring it up. So what you may think of as a 7 lot, you may see 15 valets out there, and that 8 may be half of the valets that are actually at 9 the building. 10 CHAIRMAN AIZENSTAT: Okay. 11 Craig, let me ask you a question. 12 MR. LEEN: Yes. 13 CHAIRMAN AIZENSTAT: Going on that, is 14 there -- How does the City make sure that the 15 project has enough valet on staff? 16 MR. LEEN: For example, if they don't have 17 the valet, how do we enforce it? 18 CHAIRMAN AIZENSTAT: Yes. 19 MR. LEEN: Well, there's different ways we 20 can enforce it. Obviously, there will be 21 certain requirements, for example, in the 22 development agreement or in the Code, and those 23 can be enforced in multiple ways. One, we can 24 seek specific performance of the development 25 agreement. We can cite people under Code	Page 184 1 the hotel, but I don't see a valet for the 2 southern tower. Why is that? 3 MR. FREED: Staff asked us to remove that. 4 I think it was their traffic consultant that 5 suggested we don't have valet there. 6 MR. McWILLIAMS: Given the location -- 7 MR. FREED: The intention now would be to 8 serve that property with the hotel valet, 9 because that building is also intended to be a 10 serviced condominium, meaning the hotel would 11 actually provide services to that, so it's 12 logical to assume that that connectivity and 13 functionality could occur. 14 MR. GRABIEL: So a user or a guest going to 15 that tower uses the hotel valet, but then has 16 to walk on the sidewalk around the corner to 17 get into their lobby? 18 MR. FREED: There's actually an interior 19 connection through paseos. 20 MR. GRABIEL: There's a passage between the 21 lobby of the hotel and that office -- and that 22 other tower? 23 MR. FREED: Correct. 24 MR. McWILLIAMS: And just to be clear, our 25 analysis for the hotel valet included the south

Page 185 1 tower, so that request to remove the south 2 tower valet when it was stand-alone, and 3 consolidate it with the hotel, that was 4 included in our report. 5 MR. LEEN: Mr. Chair, also, I should add 6 that enforcement of valet has actually been an 7 issue of late, where the City has been quite 8 strict. It came up recently regarding Miracle 9 Mile, and I was meeting with Kevin Kinney, our 10 Parking Director, about it. And we will fine 11 someone significantly, like for example, if 12 they park a valet car in a parking spot that 13 would otherwise be available. They're not 14 supposed to do that. They'll get a significant 15 fine if they do that, and -- 16 CHAIRMAN AIZENSTAT: Who gets the fine? 17 MR. LEEN: The valet company gets the fine. 18 Now, this might be something different, 19 because we could potentially fine the valet 20 company, but also the actual property owner 21 here is on the hook -- 22 CHAIRMAN AIZENSTAT: Right. 23 MR. LEEN: -- for these types of 24 obligations. So, you know, in parallel 25 situations, where we have a tenant and an	Page 187 1 essentially another -- 25? 25 units that are 2 going to be apartment-like units, that are 3 going to be sold as condos, with service being 4 provided by the hotel, you know, you have the 5 advantage of the valet service of the hotel, 6 and then every other residential unit in the 7 other towers is a standard condominium unit. 8 It's going to be for-sale condominiums. 9 MR. FLANAGAN: Serviced by the hotel? 10 MR. FREED: No, I believe only the building 11 one has the opportunity to be serviced by the 12 hotel, because of the proximity. 13 MR. FLANAGAN: Building one being -- 14 MR. FREED: The southernmost, on Malaga. 15 MR. FLANAGAN: Plus the 20 units on top of 16 the hotel? 17 MR. GARCIA-SERRA: Right. 18 MR. FLANAGAN: Right, so the condos in the 19 southern building can or will be serviced by 20 the hotel? 21 MR. FREED: That option is possible, yes. 22 MR. FLANAGAN: Okay, we'll go back to that. 23 CHAIRMAN AIZENSTAT: Marshall? 24 Anthony? 25 MR. PEREZ: Do the streetscape enhancements
Page 186 1 owner, both of which have committed a 2 violation, particularly now, we've been even 3 stricter with Code Enforcement, but we have the 4 ability to cite both. 5 CHAIRMAN AIZENSTAT: Okay. 6 Jeff, did you have a -- 7 MR. FLANAGAN: Yeah. I don't want to get 8 off topic, but while we just mentioned it, with 9 the southern condos being serviced by the 10 hotel, I saw that in the minutia of the 11 development agreement. Is it a condo hotel or 12 is it purely a function of -- 13 MR. FREED: There's about 20 units on the 14 top of the condominium, approximately, that are 15 intended to be residential, serviced as well by 16 the hotel, and those units, those residential 17 units, are counted in our 229 number, as part 18 of the condos. 19 MR. FLANAGAN: I'm sorry, Mario, just 20 clarify that. What units are where? 21 MR. GARCIA-SERRA: Yeah, okay. 184 is the 22 number of hotel units, and those are not going 23 to be in the condominium form of ownership. 24 That's going to be under one ownership, those 25 184 units. In the hotel tower, there are	Page 188 1 fall under traffic? 2 MS. ALBERRO MENENDEZ: I'm sorry? 3 MR. PEREZ: Are we including streetscape 4 enhancements under traffic? 5 MS. ALBERRO MENENDEZ: Yes. 6 MR. PEREZ: We are? 7 MS. ALBERRO MENENDEZ: Yes, absolutely. 8 MR. PEREZ: So, in looking to the overall 9 site map of what's being proposed for the 10 streetscape enhancements, what's the thought 11 behind not including the 27, 28 and 29 and 30 12 blocks of Ponce on the west side? The fact 13 that the entire area is being enhanced and 14 upgraded, it just seems to me that not paying 15 attention to those four or five blocks on the 16 west side doesn't seem or look right. So I 17 would like or ask that you guys consider 18 enhancing the west side, as well. 19 And then on the topic of connectivity 20 between Miracle Mile and the Mediterranean 21 Village, I understand that there's already a 22 designer that's been selected by the City and 23 those designs are ongoing, so I would ask that 24 you look into perhaps -- speak with that 25 designer or perhaps study their plans and have

Page 189 1 synergies between what's being improved on 2 Miracle Mile and the entire drive from Miracle 3 Mile south to University. 4 MR. FREED: With Cooper Robertson 5 identified as the designer for Miracle Mile, 6 it's my understanding that Robert Paisley is 7 also assisting with some peer review on that. 8 He's assisting with us on our peer review. 9 It's our intention to coordinate heavily and 10 make it as cohesive as possible. 11 We have the same intent with Fred B. 12 Hartnett Park, which I believe is under another 13 City development proposal, and our intention is 14 to be as cohesive as possible. 15 I can't speak to the -- Certainly the 16 development agreement is going to -- will 17 ultimately decide and be agreed upon by the 18 developer, as far as development on the east 19 side or west side of -- 20 MR. PEREZ: And I understand the 21 development agreement is ongoing, and that 22 leads me to my second question. The timing on 23 these enhancements, obviously, not knowing what 24 the schedule looks like for the construction of 25 this project -- I'm not sure if it's going to	Page 191 1 wants to be CO'd, all the off-site has to be 2 done. 3 MR. PEREZ: And I would assume that -- How 4 is this being -- I mean, every phase has a 5 permit or how is that being conducted? 6 MR. WU: Whenever the first phase comes in, 7 possibly it's the office building, and if 8 that's ready to go, to be occupied, we'll ask 9 for the off-site improvements to be completed, 10 as well. 11 MR. FREED: I think it's important to note 12 that it's the owner's intention to build the 13 project as one phase. In an ideal world, we'd 14 be getting the north parcel moving ahead as 15 quickly as possible, because there is a new 16 potential tenant for a good portion of that 17 office building that would like to be in by a 18 certain time, and so -- but it's always been 19 the owner's intent of not phasing the project. 20 There's certainly staging that's involved in 21 the construction, so a novice eye, looking at 22 the site, might see development happening in 23 different stages, but the intent is for the 24 project to be built at one time. And your nine 25 to 10-year -- assuming the power of this Board,
Page 190 1 happen all at once or phased out, et cetera, 2 but as far as you guys know, the timing for the 3 streetscape enhancements, once again, from the 4 area towards Miracle Mile, working its way 5 south, is that going to be a condition of CO? 6 Is that going to be work that's going to be 7 done on the onset? Just to get a clear picture 8 as to what timing is, because I, for one, 9 wouldn't want to see those enhancements occur 10 towards the latter part of the project, because 11 once again, not knowing how long this project 12 is going to take, to wait five, six, seven, 13 eight, nine, 10 years for these enhancements to 14 be put in place is not something that I 15 personally would like to see, so -- 16 MR. WU: Mr. Chair, it's conditioned upon 17 the very first CO of the project. 18 MR. PEREZ: Excuse me? 19 MR. WU: The very first CO of the project, 20 all these off-site improvements have to be 21 completed. 22 MR. PEREZ: On the first CO? 23 MR. WU: CO. 24 CHAIRMAN AIZENSTAT: On the first CO. 25 MR. WU: So, whenever the first building	Page 192 1 we hope that the nine and 10-year -- That's not 2 part of our vocabulary. We're assuming a -- 3 MR. PEREZ: No, I understand. I was 4 putting a worst case scenario time frame. But 5 my point is that I just don't -- I wouldn't 6 want to see those improvements happen at the 7 very end of the project, whenever that may be. 8 CHAIRMAN AIZENSTAT: Craig, let me ask you 9 a question. We're getting close to the ten 10 o'clock. 11 MR. LEEN: Yes. 12 CHAIRMAN AIZENSTAT: Explain to us our 13 options. 14 MR. LEEN: So what the Code says is, at ten 15 o'clock, there must be a motion made to 16 continue this hearing till 9:00 a.m. tomorrow, 17 unless the Commission determines otherwise. 18 I've always interpreted that to mean that you 19 could extend the meeting. You don't have to 20 continue it to 9:00 a.m. tomorrow. But you 21 have to do something at 10:00. You'd either 22 have to extend the meeting or you continue it. 23 I'd recommend, based on how you're doing it -- 24 it's completely up to your discretion, but you 25 might consider extending it to 10:30.

Page 193 1 MS. ALBERRO MENENDEZ: I move to extend it 2 to 10:30. 3 MR. PEREZ: I second. 4 CHAIRMAN AIZENSTAT: We have a second. 5 Call the roll, please. 6 MS. MENENDEZ: Marshall Bellin? 7 MR. BELLIN: Yes. 8 MS. MENENDEZ: Anthony Bello? 9 MR. BELLO: Yes. 10 MS. MENENDEZ: Jeff Flanagan? 11 MR. FLANAGAN: Yes. 12 MS. MENENDEZ: Julio Grabiell? 13 MR. GRABIEL: Yes. 14 MS. MENENDEZ: Maria Menendez? 15 MS. ALBERRO MENENDEZ: Yes. 16 MS. MENENDEZ: Alberto Perez? 17 MR. PEREZ: Yes. 18 MS. MENENDEZ: Eibi Aizenstat? 19 CHAIRMAN AIZENSTAT: Yes. 20 We were talking about parking. Alberto, 21 Tony, any comments? 22 MR. BELLO: No. 23 CHAIRMAN AIZENSTAT: No? Anything else on 24 parking, while we're on the subject? 25 MR. BELLIN: Traffic.	Page 195 1 basically from -- it's above the eighth story, 2 which seems to differ in height, that the 3 massing seems to decrease. Do we have or do 4 you have the square footage of all the various 5 floor plates above the eighth floor, such 6 that -- it's like the floor plan for Levels 8 7 to 13 of the north office, the plate size of 8 the north residential tower, Level 8 to 17, the 9 same for tower two, residential -- so 10 residential are one, two, three. Office, 11 Levels 8 to 13. Hotel, 8 to 19, and it looks 12 like cinema, while it technically terminates on 13 the eighth level, that's actually, what, 116 14 feet versus, give or take, 80 feet for the 15 other buildings? 16 MR. FREED: Correct. The cinema is at 116. 17 MR. FLANAGAN: Okay. 18 MR. FREED: And it's 32,000 square feet. 19 Unfortunately, I don't have the square footage 20 by level for each individual tower. 21 MR. FLANAGAN: Or not even by -- So we 22 don't know, once we hit, effectively, the ninth 23 floor, what the dimension is of each of those 24 structures? 25 MR. FREED: It hasn't been documented in
Page 194 1 CHAIRMAN AIZENSTAT: I'm sorry, traffic. I 2 apologize. No? 3 Maria, let's move on. 4 MR. McWILLIAMS: Thank you. 5 MS. ALBERRO MENENDEZ: You know, the rest 6 of my -- I don't have any more questions. I 7 really just have comments and perhaps, you 8 know -- 9 CHAIRMAN AIZENSTAT: As far as traffic? 10 MS. ALBERRO MENENDEZ: No, comments to 11 deliberate among ourselves. 12 CHAIRMAN AIZENSTAT: Let's -- 13 MS. ALBERRO MENENDEZ: Those types of 14 things, but I don't have any more questions -- 15 MR. FLANAGAN: I have some questions. 16 MS. ALBERRO MENENDEZ: -- for the 17 developer, but I'm sure others have. 18 CHAIRMAN AIZENSTAT: Does anybody have any 19 questions specific to site plan? 20 MR. FLANAGAN: I do. 21 CHAIRMAN AIZENSTAT: Let's take up site 22 plan right now. Jeff? 23 MR. FLANAGAN: If I understand the plans 24 correctly, most buildings go up to eight 25 stories, in the whole project, and it's	Page 196 1 the set that we've given you, and I don't have 2 it in front of me. 3 MR. FLANAGAN: All right. I'm just trying 4 to get a better idea in my mind of how much 5 square footage or building mass is above 80 6 feet, versus what do we have from zero to 80 or 7 zero to 116. So maybe we'll get to -- go ahead 8 and look at that. 9 Part of my comment goes back to the 10 traffic, although I think it's more site plan 11 related. I have a very serious concern with 12 the hotel entrance. I have a concern with the 13 hotel entrance, in and of itself, being on 14 Ponce. I have a bigger concern with its 15 proximity to the University Drive intersection 16 of Ponce, which is further exacerbated by the 17 location of the trolley stop, because if I read 18 these correctly, the trolley stop is in the 19 northbound travel lane of Ponce, but at the 20 southern entrance of the hotel valet, so there 21 are significant conflicts already with the 22 City's trolley service, and I agree with Maria, 23 I think the trolley service in this City is 24 amazing, it works wonderfully. It's too bad we 25 don't have more trolleys going around so we

1 have a shorter wait time, but it happens
 2 constantly, because they stop in the travel
 3 lane, traffic does back up. Traffic in the
 4 right-hand lane now starts to try and quickly
 5 jut over and merge into the pass-through
 6 traffic in the left lane. Then you get people
 7 who then -- maybe they want to take a
 8 right-hand turn into one of the side streets.
 9 The trolley is stopped at a trolley stop. It's
 10 like, do they go for it and hope they're not
 11 going to get broadsided by the trolley, or are
 12 they now holding up traffic, in the left travel
 13 lane. So you've got somebody wanting to make a
 14 turn, holding up traffic, and the trolley
 15 holding up traffic. So it happens all the
 16 time, as it is, and when I see the trip
 17 generation and the location of all of this,
 18 there's no question -- I don't have a question
 19 about it. I just have a very serious concern
 20 about its location.

21 It has -- As the talk went on tonight about
 22 concerns about the depth of the retail, and I
 23 think I heard your retail consultant say
 24 there's concern about that -- I know it was the
 25 gentleman from Terranova who was concerned

1 about that, that it may not work. I would
 2 suggest, and I'm not the site plan architect,
 3 and you've spent plenty of time and money and I
 4 know that, but why would you not consider
 5 putting the retail on Ponce? You then wouldn't
 6 have any curb cuts on Ponce. You are going to,
 7 I think, at that point, limit or inhibit any
 8 conflicts, and you could put the hotel entrance
 9 on the side street, which some of the other
 10 hotels in town have done, and that way you do
 11 activate the Ponce streetfront with the retail,
 12 you've taken the traffic off, and you've put
 13 that somewhere deeper in the project, where
 14 it's not going to be a problem.

15 So I'd just put that out there for thought
 16 and discussion.

17 MS. ALBERRO MENENDEZ: But I would think
 18 that they would want that hotel to be on Ponce,
 19 because that's like a very nice, prominent
 20 entry, but let me just -- let me just add on
 21 the comment related to the trolley again,
 22 because I sit here and I kind of like
 23 remembered -- I'm sure, and Public Works is
 24 here and they can speak for themselves, that
 25 perhaps they didn't want the pull-out because

1 of the timing. There's a timing with the
 2 trolley. They're trying to meet certain times
 3 to get everyone along the route. However, I
 4 would tell them, and they're here, that I think
 5 they're going to have a lot more passengers
 6 getting on that trolley, and as a result of
 7 that -- at that area, at that area. So, as a
 8 result of that, that delay is going to occur on
 9 the street, which is a less preferable delay.

10 In other words, if you have five, six
 11 people, which is not typical of our trolley,
 12 our trolley picks up three, maybe at max four,
 13 unless you're at the Metrorail, that's where
 14 they get the bulk of their ridership -- If they
 15 have more than three, four, and you have a lot
 16 more at that corner of the development, it's
 17 going to delay it at that point. So I really
 18 think perhaps a new location, perhaps an area
 19 maybe not particularly on the site, but
 20 somewhere where they can safely get on and off
 21 without interfering with traffic, I really
 22 think that would win -- I mean, that would work
 23 and be a better win for everyone.

24 MR. GARCIA-SERRA: Understood, and we've
 25 made the commitment, whatever the conclusion is

1 or the collective wisdom of the City and
 2 whatever our team can help with, we will go by
 3 that conclusion and that recommendation
 4 regarding the trolley stop and the location of
 5 it.

6 Addressing the issue of the hotel driveway
 7 and where it is right now, fronting Ponce, it's
 8 interesting because indeed that same
 9 conversation, we were having three days ago,
 10 after we had had a meeting with some of the
 11 representatives of the BID, and indeed, it's a
 12 tug and pull between, well, does a hotel want
 13 to have frontage and the grand entrance on
 14 Ponce? Would it prefer it somewhere
 15 internalized and we prefer to have more retail
 16 there? And it is something that, you know, I
 17 guess could be further studied, and if we come
 18 to another conclusion, relocate it, but the
 19 sort of issues that you identified are indeed
 20 the issues on our plate, and it's hard, I
 21 guess, to identify, okay, what really does a
 22 hotel operator want, until we have the hotel
 23 operator on board, or, you know, specific
 24 retailers, to know what the depth should be and
 25 so forth. But it's certainly something that

Page 201 1 we're willing to continue to -- 2 MR. FLANAGAN: But, Mario, you know, I 3 mean, if you travel there a lot, that 4 intersection, during the rush hour -- 5 MR. GARCIA-SERRA: Sure. 6 MR. FLANAGAN: -- both morning and p.m., 7 and especially morning, with people coming 8 northeast on University, so that they're 9 approaching the Christie's and the US Century 10 Bank intersection, and then they want to go 11 north, you've got two lanes where you can take 12 left turns, and there's just a lot of 13 confusion, a lot of conflicts, and when you 14 start throwing in trolley stops and you start 15 throwing in people trying to get into the valet 16 and back out of the valet, I just think that 17 really becomes a terrible possible situation, 18 and also, when I see -- I know at this point 19 nothing is planned to be signalized, but when I 20 see on the traffic report, the traffic summary 21 sheet, that a couple of these are candidates 22 for signalization, one of them, is that -- I 23 think it's Palermo and Ponce -- 24 MR. FREED: Correct. 25 MR. FLANAGAN: So it's basically just at	Page 203 1 MR. FLANAGAN: Thank you. 2 MR. FREED: And I'm sorry, to answer your 3 question, and I think it does answer your 4 question about floor areas, if you use -- if 5 you go to -- It's Tab 6 of the big binder and 6 it's A-0.15.1 and .2, we have two sheets of FAR 7 diagrams that define by level the total -- 8 MR. FLANAGAN: Tab 8 at what? 9 MR. FREED: Tab 6, and then it's A-0.15.1, 10 and .2. So these are defining -- 11 Unfortunately, we group all of the residential 12 by level. So, for instance, residential Level 13 12, if you put together all three buildings, 14 it's 41,000 square feet of area. We do define 15 the office separately by level, and the hotel 16 by individual levels, as well. 17 MR. GARCIA-SERRA: Mr. Flanagan, I just 18 want to make sure that -- There's one thing, 19 that we're both on the same page, which is, as 20 far as the frontage on Ponce, which is 21 designated Commercial High now and it's going 22 to remain designated Commercial High under our 23 proposal, the maximum height permitted there is 24 190 feet and six inches. I'm not sure if that 25 was part of your question or not.
Page 202 1 the beginning of Hartnett Circle. Another one 2 of those that I have to say, you know, wow, 3 that should never happen, should never even be 4 a candidate for it, because I can't even 5 imagine northbound traffic -- You've got 6 southbound traffic on the circle that comes 7 around to try and go back north, because 8 they've missed a turn or something -- the 9 potential, again, for continued delays and 10 conflicts. 11 MR. FREED: We understand your concerns. I 12 would say that we are trying to use our best 13 experience in designing projects like this all 14 over the world, and we find that five-star 15 hotel operators are going to demand an address 16 that is prominent, that is beneficial to their 17 flag, and our goal is to get the best flag that 18 we can get here. 19 I will also say that previously in our site 20 plan, we did have a lay-by to allow for dropoff 21 or access to our porte-cochere, and we would 22 certainly be open to that if it was preferred, 23 and of course, the trolley stop location is -- 24 we're at the mercy of Staff on telling us where 25 they want that to occur.	Page 204 1 MR. FLANAGAN: No. 2 MR. GARCIA-SERRA: Okay. 3 MR. FLANAGAN: But it's 190 feet now? 4 MR. GARCIA-SERRA: Right. 5 MR. FLANAGAN: And you want to go, 6 basically, with the 218? 7 MR. GARCIA-SERRA: On one portion. 8 MR. FREED: 218.5, the tower. 9 MR. FLANAGAN: Right. I mean, that played 10 into -- Obviously, that was the root of my 11 question, trying to -- 12 MR. GARCIA-SERRA: Okay. 13 MR. FLANAGAN: So the height is one thing. 14 Height plus mass is something entirely 15 different, and it looks like the massing -- 16 That's what I'm trying to understand. 17 MR. GARCIA-SERRA: You're trying to know 18 how much massing is -- 19 MR. FREED: This defines it. If I may, 20 this defines it, Level 18 and Level 19. The 21 area of Level 18 for the hotel is 5,089 square 22 feet. The area footprint of Level 19 is 4,799. 23 As a comparison, the typical floor plate 24 for the hotel tower is 14,728, so almost -- 25 it's limited to about one third of the total

1 footprint of the hotel building.

2 MR. FLANAGAN: Okay. Thank you.

3 MS. ALBERRO MENENDEZ: I have a --

4 CHAIRMAN AIZENSTAT: Go ahead.

5 MS. ALBERRO MENENDEZ: No, no, it's -- I
6 have a question for Staff, but I can wait.

7 CHAIRMAN AIZENSTAT: Jeff?

8 MR. BELLIN: Eibi, I would like to clarify
9 something in my mind. Our job is to make
10 recommendations to the Commission.

11 CHAIRMAN AIZENSTAT: Okay.

12 MR. BELLIN: And at some point in time, we
13 have to do that.

14 CHAIRMAN AIZENSTAT: Okay.

15 MR. BELLIN: And if we want to see this
16 project built in Coral Gables, I think it's
17 time for us to make the decision whether we
18 deny it or approve it. We have to get to that
19 point. I would make a motion that we approve
20 with the conditions, recommendations by Staff,
21 and one thing that I'd like to have clarified
22 is, who is going to be -- who's going to
23 determine compliance to the conditions? Is it
24 going to be the Commission? Is it going to be
25 Staff?

1 CHAIRMAN AIZENSTAT: Craig?

2 MR. LEEN: The compliance with the
3 conditions would normally be Staff, in the
4 sense that it would be Code Enforcement or the
5 Development Services Department. That can
6 sometimes go up to the Commission if there's an
7 appeal. So the Commission always has the final
8 say, unless it's the Code Enforcement Board,
9 which sometimes would have the final say.

10 As for your motion, all I would say is, I
11 would interpret your motion to be that you
12 would want to move to a vote on these, but
13 remember, I think that we should vote -- I
14 recommend that you vote on these separately.

15 MR. BELLIN: I would prefer to vote on
16 everything at one time.

17 MR. LEEN: I would recommend that if you do
18 that, that you separate out the legislative and
19 quasi-judicial items.

20 MR. BELLIN: Okay.

21 CHAIRMAN AIZENSTAT: You have to separate
22 those.

23 MR. BELLIN: Okay.

24 MR. FLANAGAN: And I would suggest we
25 follow legal counsel's advice and take them one

1 by one.

2 MR. BELLIN: I didn't hear.

3 MS. ALBERRO MENENDEZ: So are we saying
4 we're not going to ask more questions?

5 MR. FLANAGAN: No, I have more questions.
6 Marshall put a --

7 MS. ALBERRO MENENDEZ: Marshall put a --

8 MR. FLANAGAN: I know. There's no second
9 yet, and if there is and there's no time for
10 more questions, so be it, but if it does get to
11 that point, I would suggest we follow legal
12 counsel's sage advice and take them one by one.

13 MR. BELLIN: Okay.

14 CHAIRMAN AIZENSTAT: How many more
15 questions do you have?

16 MR. FLANAGAN: No, I don't have that many
17 more, but I read this, and there's a lot of
18 detail and I come up with some conflicts and
19 items that I don't see mesh, and so I'm trying
20 to sort through that. Let me back up.

21 Maybe, Marshall, this will help. You
22 understand where I'm coming from.

23 MR. BELLIN: I --

24 MR. FLANAGAN: We don't have -- Staff's
25 report, and if I read, even the applicant has

1 agreed that the development agreement is not
2 ready for review. There needs to be some
3 significant changes and adjustments to it.
4 Staff's own report says there's enough
5 outstanding that they can't make a
6 recommendation as to the development agreement.
7 That's one of the items that's before us. Now,
8 if we take them separately, we could vote that
9 differently than the others, but to me, they
10 all go hand in hand, so if we're going to vote
11 on the entire concept, which we need to do,
12 because I'm getting tired of carrying these
13 around -- but if we are, I'd like to make sure
14 that we're in a position where we can vote on
15 them all and not -- at least in my mind, not be
16 able to vote on one or two because there's
17 insufficient information. And that's the way I
18 read the Staff Report regarding the development
19 agreement.

20 Then I also read the other conditions, and
21 this project is significant. It's very
22 technical. It's complex. We all have that.
23 And while there's always conditions to
24 recommendations or to approvals, and everything
25 is somewhat of a moving target, when I read

Page 209 1 these conditions of approval, I said, some of 2 these tell me that we're trying to get this to 3 a finish line as fast as possible, and that's 4 great, but that there's so many outstanding 5 questions that I think are substantive 6 questions, based on Staff's comments about what 7 needs to be done, resolved or answered before 8 it gets to the City Commission level, and I've 9 always appreciated the fact that we basically 10 get the full package. We may have some 11 recommendations, comments, concerns. That gets 12 transmitted to counsel, also. But we don't get 13 them in this stage. 14 And, Mario, I know you said before, to the 15 contrary to what somebody else said, that this 16 may be -- I'll use the word premature. You 17 said, this thing has been sliced, diced and 18 vetted so many times more than any other 19 application, but I think that's going to happen 20 because of the complexity, and there's only one 21 application previously, since I've been on this 22 Board, that I thought wasn't ripe or ready for 23 us to decide, and that was some property over 24 off of U.S. 1 and Grand Avenue, and I think 25 that got pushed because of some grant money	Page 211 1 it's going to be no less than a 16-foot 2 ceiling. So, as minor as they may be, these 3 things cause me concern, based on, how is the 4 entirety of the project going to be developed, 5 because if you have -- That may bring -- If 6 it's going to have a building over that, that 7 may bring building mass closer to the residents 8 to the east. There's a single-family home in 9 the middle of all this, that there's only so 10 much that anybody can do for it, if anything, 11 but is it a right-of-way? Is it an easement? 12 Is it open to the sky above? Is it covered? 13 That was one the questions that I had, still. 14 MR. GARCIA-SERRA: If I may, just to sort 15 of state what our position is on some of those 16 issues. With regards to the development 17 agreement, and I would say the application in 18 its entirety, we feel that it is at a point of 19 sufficient elaboration that it's ready for a 20 vote, you know, by this Board, and to be taken 21 forward to City Commission. 22 You know, I would characterize the 23 development agreement in particular as issues 24 that are sufficiently elaborated for this point 25 in the zoning approval, maybe not for execution
Page 210 1 that was maybe set to expire. 2 So, based on Staff's recommendation, based 3 on their conditions of the recommendation, 4 personally, I feel that this is not in a state 5 where it's ready for our full recommendation to 6 the City Commission, and especially when I tie 7 in the development agreement, which I think 8 both parties, both the City and the applicant, 9 have agreed has too many issues outstanding in 10 order for anybody to make a recommendation on 11 it, so that's where I'm coming from. 12 And so, in the process, I'm just trying to 13 figure out in my mind some answers to things 14 that I see as inconsistencies. One of those is 15 the alleyway that's going to be created, and I 16 don't know where I read it, at this point. I 17 think it was in Staff's report. In one place, 18 it says it's going to be an easement. Another 19 place, I read that the condition is that it has 20 to be a dedicated right-of-way. Right there, I 21 have a conflict. I don't know if we're getting 22 an easement or we're going to have a dedicated 23 right-of-way. 24 In one place, it says it's going to be open 25 to the sky above. In another place, it says	Page 212 1 of that document, but there's always, you know, 2 subsequent changes that happen, at least in the 3 context of other development agreements that 4 the City has done on City-owned property. 5 We have to be careful that this project 6 doesn't die the death of a thousand paper cuts. 7 Although it is big, it is complicated, we've 8 elaborated more than probably any other private 9 sector project that's come forward, and we just 10 need to make progress on the zoning approval 11 stage in order to justify putting more time, 12 resources and effort into working out the 13 details that might remain 14 CHAIRMAN AIZENSTAT: Jeff, let me ask you a 15 question. There are six items on the agenda. 16 MR. FLANAGAN: Right. 17 CHAIRMAN AIZENSTAT: Are there any of those 18 six items that, at this point, you feel 19 comfortable with the information that you have, 20 in order to vote on any of those six items? 21 MR. FLANAGAN: See, I think when I see 22 Staff recommend -- some of the Staff conditions 23 involve, I think, flushing out some details and 24 inconsistencies in the site plan and the 25 analysis, and so I really think it's beneficial

Page 213 1 to us -- no, because they all tie together. 2 MR. LEEN: Mr. Chair, can I add one point 3 on that, just for Mr. Flanagan's consideration? 4 CHAIRMAN AIZENSTAT: Yes, please. 5 MR. LEEN: The Comprehensive Plan 6 amendments and the Zoning Code amendments, you 7 cannot place any conditions on those. Those 8 are legislative changes -- 9 MR. FLANAGAN: Right. 10 MR. LEEN: -- and I've also already given 11 an opinion that whether you vote on those today 12 or not, this is not going to go to the 13 Commission on second reading without all of 14 them being together. So, I do think that you 15 could -- Even though they're related, I don't 16 think we can say they're tied together, because 17 one is legislative and one is quasi-judicial, 18 and the legislative item is before you now in 19 two meetings. I do think you should consider 20 that. 21 MR. FLANAGAN: That's fair. 22 MS. ALBERRO MENENDEZ: I really need to ask 23 Staff something, if I may. Who from Staff 24 knows about mixed-use ordinance, the mixed-use 25 ordinance we have?	Page 215 1 MS. ALBERRO MENENDEZ: Right. So, if we 2 were to have amended the ordinance to 3 accommodate -- because some of the amenities 4 from the Form-Based Code are good. 5 MR. TRIAS: Yes. 6 MS. ALBERRO MENENDEZ: Rooftop parks, 7 pedestrian amenities -- what else? I mean, 8 there's a whole bunch of great things, a green 9 building. If we would get the mixed-use 10 ordinance and had provided a lot more items 11 that a developer would be required to 12 incorporate in their project and still have an 13 FAR requirement, whether it's 3.5, whether it's 14 where it is now, whether it's a little more, a 15 little less, I'm not telling you where it is, 16 but couldn't we have accomplished a development 17 that would have also been sensitive -- because 18 the biggest problem I have with the Form-Based 19 Code, I don't think it works next to a 20 neighborhood, single-family neighborhood. But 21 I love the project. 22 MR. TRIAS: Yeah. 23 MS. ALBERRO MENENDEZ: I think it works in 24 a commercial, purely commercial setting, where 25 everything is urban. I mean, that's how I view
Page 214 1 MR. TRIAS: Yes. 2 MS. ALBERRO MENENDEZ: Okay, can you 3 explain to me how that works? What's the FAR 4 on mixed-use ordinance, on mixed-use projects? 5 MR. TRIAS: 3.5 would be the maximum you 6 can do. 7 MS. ALBERRO MENENDEZ: Right, and then in 8 that ordinance, does it basically require the 9 developer to do certain things, in order to be 10 able to take advantage of the 3.5? 11 MR. TRIAS: Yes. That would be the Med 12 Bonus Level 2, yes. 13 MS. ALBERRO MENENDEZ: Right. So all these 14 things that we're considering through the 15 Form-Based Code -- 16 MR. TRIAS: Code, yes. 17 MS. ALBERRO MENENDEZ: -- couldn't that 18 have been done through the mixed-use ordinance? 19 MR. TRIAS: Some of them, yes. Not all of 20 them, but some of them. 21 MS. ALBERRO MENENDEZ: Which ones could not 22 be done? 23 MR. TRIAS: Well, there are some things 24 that are not in the ordinance, like the shared 25 parking --	Page 216 1 it. I think it works when there's commercial 2 surrounding it, but I think that an intensity 3 of this nature does impact the residents to the 4 east, primarily, and I don't think they realize 5 it now. I think it's a -- Again, I think it's 6 beautiful, what they're doing for them, the 7 landscaping. It's warranted. The traffic 8 calming is warranted. I'm just concerned with 9 the intensity. When you look at the land use, 10 we've gone from what Old Spanish Village was, 11 which was very sensitive to the neighborhood -- 12 it was, I think, mid or low intensity -- to 13 some more commercial high-rise intensity. A 14 beautiful project. They've done a great job in 15 transitioning from the high intensity to the 16 townhouses to the residential, but it's 17 intense. 18 You know, you are gaining, as a result of 19 going with a Form-Based Code, which gives you 20 an FAR of 4.375, as compared to 3.5 -- if 21 that's the FAR, you're gaining over 250,000 22 square feet, you know? Again, I just think 23 that next to a neighborhood, I think it's 24 challenging for any Form-Based Code that 25 exceeds what we have, you know, kind of like

Page 217 1 successfully done in our City, which is 2 maximize a 3.5. 3 If you look at the Village of Merrick Park, 4 that's at a 1.27, but I wouldn't even go there. 5 That's a different project itself. This is not 6 in a purely commercial area. 7 MR. TRIAS: If I could clarify -- 8 MS. ALBERRO MENENDEZ: It's got residents 9 to the east and it's got residents to the west 10 and it's got residents to the south. 11 CHAIRMAN AIZENSTAT: But, Maria, one thing, 12 though, is, the residents that you speak about 13 to the east, they all came up here -- 14 MS. ALBERRO MENENDEZ: Because they 15 don't -- 16 CHAIRMAN AIZENSTAT: -- in great favor. 17 MS. ALBERRO MENENDEZ: Right. Right, 18 because the development is a beautiful 19 development. It's a beautiful development, but 20 the impact of the development is going to be 21 tested in the future, with traffic -- 22 CHAIRMAN AIZENSTAT: But are we to tell 23 those residents that they're wrong? 24 MS. ALBERRO MENENDEZ: No, not at all. I 25 think the project is going to move forward.	Page 219 1 applicant. 2 MS. ALBERRO MENENDEZ: I understand. 3 MR. TRIAS: And you have the option or you 4 could recommend to the Commission that it be 5 something different. Now, the form-based 6 component to that discussion gives the City 7 more control, not less. 8 Now, in addition to that, just like the -- 9 MS. ALBERRO MENENDEZ: But -- I'm sorry to 10 interrupt you. In what way do we get control? 11 MR. TRIAS: In the way that things are very 12 clearly delineated, with sections and plans, 13 the fact that we now have -- 14 MS. ALBERRO MENENDEZ: You can achieve that 15 through just modifying the mixed-use ordinance. 16 MR. TRIAS: No, I don't believe you can, at 17 that level of detail. Now, you can do some 18 things to make it better, but certainly the 19 form-based component is in the interest of the 20 City being able to control things here. 21 MS. ALBERRO MENENDEZ: No, I find there's a 22 lot of great things in the form-based 23 component, but the liberty of allowing a 24 development next to a single-family residence 25 to build at whatever -- you know, and I know
Page 218 1 The question is, at what intensity? Do we 2 allow it to go forward with the Form-Based 3 Code, which is at a 4.375, or do you try to 4 bring it down a little bit as far as intensity, 5 to reduce a little bit of the parking 6 requirements, to reduce a little bit of -- what 7 else? Parking, traffic, impact, to reduce -- I 8 mean, those are the things I wanted to talk to 9 you about, but I wanted to know a little bit 10 more of how we're managing the mixed-use 11 ordinance. 12 MR. BELLIN: Maria, what -- 13 MR. TRIAS: May I just make one comment? 14 MR. BELLIN: Go ahead. 15 MR. TRIAS: The issue of the FAR and the 16 issue of Form-Based Code are really unrelated. 17 In fact, the City Attorney mentioned earlier -- 18 MS. ALBERRO MENENDEZ: I know that, but 19 what you -- in one of your Staff reports, you 20 gave us a sheet that clearly demonstrates the 21 results of the amount of square footage that 22 the proposed project is requesting, as compared 23 to the mixed-use, which is a 3.5. Their FAR 24 results in a 4.375. 25 MR. TRIAS: And that is the request of the	Page 220 1 that the objective is to achieve the design, 2 but at what cost, as it relates to a 3 single-family residence right next door? 4 MR. TRIAS: Yeah, and that's a policy call, 5 in terms of FAR and massing, not the technique 6 of Form-Based -- There's a distinction. 7 MS. ALBERRO MENENDEZ: No, no, I 8 understand, but my whole -- The whole concept 9 of form-based does not cap -- I know that Craig 10 said a little while -- well, a few hours ago, 11 that we could cap it -- 12 MR. TRIAS: Yes. 13 MS. ALBERRO MENENDEZ: -- but in reality, 14 that's not the objective of the Form-Based 15 Code. The Form-Based Code -- 16 CHAIRMAN AIZENSTAT: Well, then you may as 17 well not do the Form-Based Code if you -- 18 MS. ALBERRO MENENDEZ: That's my point. I 19 mean, that's my point. You can -- 20 CHAIRMAN AIZENSTAT: But supposedly, from 21 what I understand, the Form-Based Code allows 22 for a specific type of design. If we weren't 23 using the Form-Based Code and we were going 24 back to what you're saying, they would have to 25 go through variance and variance and variance

Page 221 1 to achieve -- 2 MS. ALBERRO MENENDEZ: No, no, they could 3 do it through a PAD, is my understanding. They 4 could do it -- 5 CHAIRMAN AIZENSTAT: Mario? 6 MR. LEEN: Mr. Chair, I would be concerned 7 with just using the mixed-use ordinance, 8 because that applies throughout the City, but 9 you could do it as a PAD. You could do it as a 10 PAD -- 11 MS. ALBERRO MENENDEZ: You could do it as a 12 PAD. 13 MR. LEEN: -- but you have to make 14 exceptions in the best interest of the City. 15 You'd have to make a number of them. 16 MS. ALBERRO MENENDEZ: And they could move 17 forward -- they could move forward as it is. 18 MR. LEEN: I should -- I don't mean to 19 interrupt. I'm sorry. 20 CHAIRMAN AIZENSTAT: No, no, I just want 21 to -- 22 MR. LEEN: I should say, though, that, you 23 know, the request, in fairness, although you 24 are not bound to it, and you could definitely 25 recommend against a Form-Based Code -- you	Page 223 1 MS. ALBERRO MENENDEZ: The massing. 2 MR. BELLIN: But what happens is, the 3 massing has to do really with height. What you 4 could do on a site that's 250,000 square feet 5 is do a six-story building and cover the whole 6 site, and you've got the same FAR, so -- 7 MR. FREED: And over a million square feet 8 of retail, if we choose to use that 3.5 as in 9 the current Code. 10 MR. BELLIN: And I think your objection is 11 more the height of the buildings than it is the 12 intensity. 13 MR. FREED: We're providing 500,000 square 14 feet of residential. It's the largest 15 component of the project, and I think the 16 diversity of this project is sort of to the 17 benefit of the City, and no one's acknowledging 18 that. 19 MS. ALBERRO MENENDEZ: My concern is the 20 size -- 21 CHAIRMAN AIZENSTAT: Maria, let me stop you 22 a second, I'm sorry, because of the time. 23 Is there a motion to extend? 24 MS. ALBERRO MENENDEZ: I'll move -- 25 MR. FLANAGAN: We can extend to 10:45.
Page 222 1 know, the City asked them to look at doing this 2 Form-Based Code and putting it together and 3 going through all this review, so -- 4 MS. ALBERRO MENENDEZ: Oh, the City did? 5 The City did? 6 MR. LEEN: The City. My understanding is, 7 City Staff did. 8 MS. ALBERRO MENENDEZ: I didn't know that. 9 MR. LEEN: So the -- It was mutual. I 10 mean, there was a -- But I do think that at 11 some point, the Commission has to decide that, 12 but perhaps your recommendation would be not to 13 do the Form-Based Code. 14 MS. ALBERRO MENENDEZ: I'm just one vote. 15 MR. LEEN: No, no, I understand that. I 16 understand that. 17 CHAIRMAN AIZENSTAT: Craig, let me ask you 18 a question. Right now, we're just about at 19 10:30. 20 MR. LEEN: Yes. You would have to vote to 21 extend. There is a motion to approve, but I 22 don't think it was seconded. 23 MR. BELLIN: It wasn't, but I'd like to ask 24 you a question, Maria. What is the objection 25 that you have, that the --	Page 224 1 MS. ALBERRO MENENDEZ: I'll second it. 2 CHAIRMAN AIZENSTAT: First and second. 3 Call the roll, please. 4 MS. MENENDEZ: Anthony Bello? 5 MR. BELLO: Yes. 6 MS. MENENDEZ: Jeff Flanagan? 7 MR. FLANAGAN: Yes. 8 MS. MENENDEZ: Julio Grabiell? 9 MR. GRABIEL: Yes. 10 MS. MENENDEZ: Maria Menendez? 11 MS. ALBERRO MENENDEZ: Yes. 12 MS. MENENDEZ: Alberto Perez? 13 MR. PEREZ: Yes. 14 MS. MENENDEZ: Marshall Bellin? 15 MR. BELLIN: Yes. 16 MS. MENENDEZ: Eibi Aizenstat? 17 CHAIRMAN AIZENSTAT: Yes. 18 Now, Maria -- 19 MS. ALBERRO MENENDEZ: My biggest -- 20 CHAIRMAN AIZENSTAT: If I may, just going 21 back on that, I remember at the last meeting 22 that we were here, we took a straw poll that 23 had to do with extending that height, whether 24 to do the restaurant or not the restaurant. 25 MS. ALBERRO MENENDEZ: I still like that.

Page 225 1 CHAIRMAN AIZENSTAT: And what the developer 2 told us is that they would do the restaurant at 3 the 200 and so forth, or they would go to the 4 190 or whatever that height would be, without a 5 restaurant. 6 MS. ALBERRO MENENDEZ: Right. 7 MR. FERNANDEZ: Right. 8 MS. ALBERRO MENENDEZ: But that's -- 9 CHAIRMAN AIZENSTAT: I mean, that's what we 10 spoke about. So now are we going back on that? 11 MS. ALBERRO MENENDEZ: No. From my 12 perspective -- I can only speak for myself -- I 13 never have -- No, that's a nice component of 14 the project. It's a significant component. 15 CHAIRMAN AIZENSTAT: So you'd be okay at 16 the 218 -- 17 MS. ALBERRO MENENDEZ: Right. 18 CHAIRMAN AIZENSTAT: -- with that 19 restaurant? 20 MS. ALBERRO MENENDEZ: Well, but remember, 21 the 218 is not a block. It's not -- 22 CHAIRMAN AIZENSTAT: I understand. It's 23 just that -- 24 MS. ALBERRO MENENDEZ: It's not -- It's a 25 component of the design.	Page 227 1 massing -- 2 MS. ALBERRO MENENDEZ: Well, that's what I 3 thought. That's what I said, massing, but 4 they're saying that I have a problem with the 5 height. 6 MR. BELLIN: I think that's the problem. 7 You're talking about the massing, but it's 8 really the -- It's not the mass of the 9 building, it's the height. It's 218 feet. 10 MS. ALBERRO MENENDEZ: Well, I think it's 11 the size that's driving so much impact into the 12 area. It's the size. Whichever way you want 13 to say, whether it's the height, the massing, 14 it's the size that's driving so much traffic, 15 that's driving so much, you know, parking 16 demands, that's driving so much, that I'm 17 concerned that it's going to have an adverse 18 impact in an area that has residents. 19 MR. BELLIN: What's driving all these 20 things is the intensity. 21 MS. ALBERRO MENENDEZ: Right. 22 MR. BELLIN: It's not the height, it's the 23 intensity. 24 MS. ALBERRO MENENDEZ: Okay, I'll take 25 the --
Page 226 1 CHAIRMAN AIZENSTAT: I understand. 2 MS. ALBERRO MENENDEZ: Now, someone might 3 have a different view. That's simply my view. 4 CHAIRMAN AIZENSTAT: But the reason I 5 mention it to you is because you're talking 6 about height. 7 MS. ALBERRO MENENDEZ: No, I -- 8 CHAIRMAN AIZENSTAT: Where that 9 restaurant -- where that feature doesn't offset 10 mass. 11 MS. ALBERRO MENENDEZ: I didn't say height. 12 I don't think I said height. I said massing. 13 MR. BELLIN: Yeah, but I think your 14 objection is the height. That's what the 15 bottom line is. 16 CHAIRMAN AIZENSTAT: That's what I'm 17 hearing, also. 18 MS. ALBERRO MENENDEZ: The height? 19 MR. BELLIN: It's the height. 20 MS. ALBERRO MENENDEZ: Well, because of the 21 Commercial Intensity Low, versus -- Is that 22 what you're talking about? My reference to the 23 land use, is that what you're talking about, 24 that you went from here to here? 25 MR. PEREZ: With reference to the	Page 228 1 MR. BELLIN: You know, at some point, if 2 you don't want the project to move ahead as it 3 is, then you deny. 4 I'd like to make a motion, the one that I 5 started -- 6 CHAIRMAN AIZENSTAT: If you may, just, 7 Julio wanted to say something. 8 MR. BELLIN: Oh, okay. 9 MR. GRABIEL: I've been trying just to jump 10 in. Okay, let me start with saying that I like 11 the project very much. 12 The Form-Based Code, I think it's a benefit 13 to the City. The elements that we're getting 14 in this project because of that, it would be 15 very difficult to get otherwise. Everything's 16 possible -- 17 MS. ALBERRO MENENDEZ: Right. 18 MR. GRABIEL: -- but the probability of 19 getting the quality of design that we're 20 getting with this project, without this 21 approach, would be very, very difficult. 22 The liner of offices in front of the 23 parking garage. I'm so sick and tired at 24 looking at all the buildings in Downtown Coral 25 Gables, where all we see is parking, and

Page 229 1 somewhere above, there is activity of people, 2 you know. Luckily, we've eliminated parking 3 coming down to the ground, that's no longer 4 acceptable, but I think that's one of those 5 issues. The arcades, the streetscape, the 6 ability of getting retail all the way around 7 the block. The developer is doing an 8 incredible project, of synching two levels of 9 parking underneath the street, and that is 10 reducing the bulk and mass of the project. 11 MS. ALBERRO MENENDEZ: That's true. 12 MR. GRABIEL: Okay? If you look at one of 13 the sketches, I don't remember which page it 14 was, if we were to do the parking above-grade, 15 the building would be bulkier, and still 16 acceptable within the parameters of our Zoning 17 Code, but it would be a much taller building. 18 I think they've actually been able to reduce 19 the massing of the project by taking the 20 parking and putting two levels underneath. 21 That's probably an incredible cost. I've done 22 buildings with parking, and they're going to be 23 building a swimming pool. That's going to have 24 to be inspected by people with underwater fins, 25 to be able to do the structural inspection.	Page 231 1 you again, on this project. 2 MS. ALBERRO MENENDEZ: Let me ask you 3 something. You don't have a problem with the 4 location of the form-based project being next 5 door to residential? 6 MR. GRABIEL: No, not at all. The City of 7 Coral Gables, and I think I mentioned this 8 before, has -- Look at the Biltmore. The 9 Biltmore is sitting in single-family 10 residential and it's a tower that is huge, and 11 it's a huge mass, and it's there. 12 I mean, George Merrick located down in 13 South Dade, where the -- Edgewater. They have 14 towers sitting down to single-family 15 residential. For some reason, it works within 16 the City of Coral Gables. 17 And then, if we had gotten all of the 18 neighbors in that neighborhood coming here and 19 complaining about it, I would then have had 20 serious doubt about it. But when we get a 21 response from those residents that they like 22 the project and they're encouraging the 23 project, I don't have a problem. 24 Now, I do want to put a condition that as 25 the project goes into construction -- I know
Page 230 1 All of those things, I think, will benefit 2 the City. There might be minutia that we need 3 to look at, but I understand that the developer 4 and the City feel that they can come to terms 5 with all those issues that have been put on the 6 table, you know, and -- 7 MR. FERNANDEZ: Absolutely. Absolutely. 8 MR. GRABIEL: The only thing I would want 9 to suggest is that there's a tremendous 10 opportunity in this City since the Miracle Mile 11 study is being made, and you're taking the 12 development and the landscaping all the way to 13 there, that it must be the same. The sidewalk, 14 the texture, the fabric, the planting, the 15 material, it should be -- flow completely. It 16 would be an incredible benefit to the City if 17 we could do that. So that's one of the things 18 that I would encourage both the City and the 19 developer, to try to make those -- not just 20 talk to each other, not just take it to Cooper 21 Robertson, but actually work it out so all of 22 the materials on all of them are the same. 23 But I think it's a great project, and I 24 would like to move. I don't want to come back. 25 I like you, Mario, but I don't want to see	Page 232 1 that you put an individual to be the liaison 2 between the developer and the residents, but I 3 think, beyond that, there should be an analysis 4 and study of how to minimize the impact of the 5 construction on the site, in other words, no 6 concrete trucks running through the residential 7 neighborhood. 8 MR. GARCIA-SERRA: Of course. 9 MR. GRABIEL: Okay, and I would like to 10 have that plan address those issues and brought 11 into the City so they have control of that. 12 MR. WU: Mr. Chair, that's a Code 13 requirement, that they have a construction 14 staging plan, in advance of construction. So 15 that's already codified, City-wide. 16 MR. GARCIA-SERRA: We can emphasize that 17 construction staging plan will take into 18 consideration minimizing impacts on the 19 residential areas. 20 CHAIRMAN AIZENSTAT: Alberto, you had -- 21 Alberto had a comment that you wanted to 22 make? 23 MR. PEREZ: Yeah, I just have a question 24 for Staff, but before I get there, I wanted to 25 go with Julio's comment. I mean, these guys

Page 233 1 have put a ton of work into this, and going 2 back, you know, the past year that you guys 3 started this process, I mean, I'm of the 4 opinion that, you know, the ownership has heard 5 all our comments, and I know the work and the 6 commitment that's goes to undertaking a project 7 such as this, and I mean, I want to commend 8 these guys for doing a lot of good work in 9 this, and I feel confident it's going to be a 10 great project in the future. 11 My question is for Ramon. Going back to 12 your earlier slide, and this is just from my 13 personal knowledge, and walking away with the 14 comfort that this would be the case, I know 15 there's been sort of inconsistencies, or 16 internal inconsistencies that are still being 17 worked through between ownership and the City, 18 et cetera, but with having to do with total 19 FAR, and obviously not knowing yet what that 20 total FAR is, and going back to Mr. Leen's 21 comment earlier on, is there -- the FAR that's 22 being shown currently, is that the cap that 23 it's going to be, or is that FAR still going to 24 fluctuate over and above what's being shown 25 now? Because, again, I want to kind of leave	Page 235 1 flux at this point, or certainly not anymore. 2 MR. PEREZ: And basically -- I'm sorry, 3 Marshall, but -- I guess the timing on that 4 would be arrived to or set from the development 5 agreement or the overall PAD or at what point 6 in time does Staff truly determine where you 7 arrived at, size-wise, of the project? 8 MR. TRIAS: Well, at the approval level, 9 certainly it's at the site plan level approval, 10 which is what we're going through right now. 11 Then, when they submit a building permit, 12 that's further reviewed and verified by the 13 zoning technicians, to make sure that they are 14 complying with the approved site plan, so 15 there's a two-stage -- 16 MR. PEREZ: But, again, the benchmark, once 17 it goes through zoning analysis, the benchmark 18 that we're setting is basically what's being 19 shown in that. 20 MR. TRIAS: Whatever is approved, that's 21 the benchmark. 22 MR. BELLIN: I'd like to say something. 23 CHAIRMAN AIZENSTAT: Marshall? 24 MR. BELLIN: To put it in perspective, 25 let's say that the zoning didn't change. It's
Page 234 1 here with the fact that the cap is what's being 2 shown now, and I get it, I understand there's 3 still work to be done, but that we're not going 4 to sit here, X amount of months from now, and 5 the project has grown. 6 MR. TRIAS: That's the cap, and it's a 7 reduction from a prior design that they had. 8 So that was the result of discussion, and my 9 intent is that that -- if you think that's a 10 good number and if the Commission agrees, that 11 that certainly is reasonable. 12 MR. PEREZ: Okay, and then I -- 13 MR. LEEN: Let me add something to that. 14 When we did the trolley building case, it 15 became very clear at the Commission level that 16 4.375 was a precedent, in the sense that we 17 would not want things to go above that. By 18 "we," I mean the City Commission. They made 19 that very clear in that case, and there was 20 significant controversy there and discussion, 21 and yet even then, the Commission indicated 22 that. So I think that's why Staff took that 23 number. 24 Mr. TRIAS: Yeah, and that number is set. 25 That's one of the few things that is not in	Page 236 1 a "C" zoning and it's high intensity. So you 2 could go to 190 feet or a little more, under 3 that present zoning. 4 I don't think they're going any higher than 5 that, up to the single-family residence. In 6 fact, I think one of the towers was changed 7 because of some of the comments that were made. 8 MR. FREED: Of course, we eliminated one. 9 MR. BELLIN: Eliminated one of the towers. 10 So, basically, there isn't a whole lot of 11 difference between what they have under this 12 ordinance or what they would have, just as the 13 allowable from the Zoning Code. 14 MS. ALBERRO MENENDEZ: I'm just hoping 15 that, at the end of the day, that all that's 16 been promised to the area residents, we come 17 through, because, you know, they came here and 18 they supported the project, and I'm just 19 concerned that they might have -- They're going 20 to, I mean, be impacted a little bit more than 21 what they think, in particular with traffic and 22 parking, which is always a challenge in our 23 commercial area, and they're so close to the 24 development, I just hope that their on-street 25 parking doesn't become the developer's

Page 237 1 on-street parking for the uses that are in 2 there. So -- 3 MR. GARCIA-SERRA: And everything that 4 we've -- 5 MR. FERNANDEZ: Can I speak? I'm sorry, 6 I'm Hector Fernandez, CEO of Agave Holdings. 7 What I just want to say is that we are really 8 committed. We will comply with whatever we 9 have to comply. 10 I don't know why there were some two years 11 and a half like erased before, but we had tens 12 or maybe dozens of meetings with Pat Salerno, 13 and we have been working on this project for 14 two years and a half. We have, in that piece 15 of land, a hundred million dollars invested, 16 and we're going to invest another 500 million 17 dollars, and we are committed with the City and 18 you will be proud of the project that we are 19 going to build there. Your grandsons and I are 20 going to walk there every day, being really 21 proud of what we are -- we have been planning 22 to do and what we did. 23 And what we did with Alhambra -- 396 24 Alhambra, you can see that project. That is 25 only an example of what we're going to do.	Page 239 1 fail anybody in this City. 2 MS. ALBERRO MENENDEZ: Thank you. I 3 appreciate that. 4 MR. BELLIN: Before we run out of time, I'd 5 like to make my motion. 6 CHAIRMAN AIZENSTAT: Before you do that, is 7 there -- 8 MS. ALBERRO MENENDEZ: Timing is 9 everything. 10 CHAIRMAN AIZENSTAT: We have to extend if 11 we're going to make some motions. 12 MR. GRABIEL: It's better than a minute a 13 motion? 14 CHAIRMAN AIZENSTAT: I'd rather not cut it 15 that -- 16 MS. ALBERRO MENENDEZ: Let's just play it 17 safe and go to 11:00. We're not going to go to 18 11:00. I'll make the motion. 19 MR. GRABIEL: Second. 20 CHAIRMAN AIZENSTAT: We have a motion and 21 we have a second. Call the roll, please. 22 MS. MENENDEZ: Jeff Flanagan? 23 MR. FLANAGAN: Yes. 24 MS. MENENDEZ: Julio Grabiell? 25 MR. GRABIEL: Yes.
Page 238 1 We're going to improve that project. We invest 2 more millions than no other developer are 3 willing to invest, because these properties are 4 for our family for the next generations. This 5 is a patrimonial investment for the next 6 hundred years. Our family -- our company is a 7 13 generations company, since 1857, and these 8 investments are for our next generations, and 9 we choose Coral Gables because we knew the high 10 standards to approve the projects and we wanted 11 to compete just with the best developers. We 12 were tired to compete with developers who were 13 willing to invest small money and bringing down 14 the prices of the rent for the tenants and for 15 selling the residential. 16 My only point is, we were committed with 17 that building and during the crisis, the worst 18 crisis in this century, we commit with the 19 Mayor and with the Commissioners to build that 20 building, and we did it. We were the only 21 crane during the crisis in Miami. We put all 22 equity, all equity in that building, 140 23 million dollars, because we were committed. 24 This is going to be better than that. Thank 25 you very much. We are committed. I will not	Page 240 1 MS. MENENDEZ: Maria Menendez? 2 MS. ALBERRO MENENDEZ: Yes. 3 MS. MENENDEZ: Alberto Perez? 4 MR. PEREZ: Yes. 5 MS. MENENDEZ: Marshall Bellin? 6 MR. BELLIN: Yes. 7 MS. MENENDEZ: Anthony Bello? 8 MR. BELLO: Yes. 9 MS. MENENDEZ: Eibi Aizenstat? 10 CHAIRMAN AIZENSTAT: Yes. 11 MR. FLANAGAN: Marshall, I know you want to 12 get there, but one quick question, Mario. The 13 single-family house in the middle of the 14 project -- 15 MR. GARCIA-SERRA: Right. 16 MR. FLANAGAN: Are they on septic or sewer, 17 do you know? 18 MR. GARCIA-SERRA: That's on sewer. 19 MR. FLANAGAN: They're on sewer? 20 MR. GARCIA-SERRA: Right. 21 MR. FLANAGAN: Okay. 22 MR. GARCIA-SERRA: Yeah, and if I could 23 just conclude, I think that if there's any 24 lingering concern left, it's perhaps on scale 25 of the building. We sincerely believe that the

Page 241 1 scale is appropriate, that the transition to 2 the single-family residence is appropriate, 3 also, too, and that the Form-Based Code is the 4 way to get the quality of design and the amount 5 of public benefits that were proposed. 6 CHAIRMAN AIZENSTAT: And you still have to 7 go through all the processes for each building? 8 MR. GARCIA-SERRA: Sure. Yeah, Board of 9 Architects review, building permit review, and 10 so forth, Art in Public Places review. 11 CHAIRMAN AIZENSTAT: With the money that's 12 given for Art in Public Places, how is that 13 decided? What do we do? 14 MR. GARCIA-SERRA: Well, standard projects 15 are required one percent of hard construction 16 costs. 17 CHAIRMAN AIZENSTAT: Right. 18 MR. GARCIA-SERRA: We are proffering 1.25 19 percent of construction costs, which in this, 20 considering the large amount of construction 21 costs that are involved here, is an extra 22 million dollars. Normally, it would be five 23 million, the commitment. We're making a 24 commitment of six million. 25 CHAIRMAN AIZENSTAT: And who decides what	Page 243 1 approve -- 2 MR. WU: The Comprehensive Plan amendment. 3 MR. BELLIN: The Comprehensive Plan 4 Amendment Number 1. 5 MS. ALBERRO MENENDEZ: Is it safe to follow 6 this little -- Is this consistent with the 7 ordinances, this little thing that Staff had as 8 part of their presentation? There's six items. 9 Is that six items? 10 MR. FLANAGAN: There's six, but it differs. 11 The language differs. 12 MS. ALBERRO MENENDEZ: It differs? 13 MR. FLANAGAN: The language is different 14 than that. 15 MS. ALBERRO MENENDEZ: All right. 16 CHAIRMAN AIZENSTAT: We should go by the 17 sheet. 18 MR. BELLIN: So my motion is to approve 19 Amendment Number 1. 20 MR. GRABIEL: Second. 21 MS. ALBERRO MENENDEZ: And which is -- Your 22 motion is to which one, this first one? 23 CHAIRMAN AIZENSTAT: That's Item Number 5 24 on our list. 25 MS. ALBERRO MENENDEZ: Okay, I know which
Page 242 1 art and so forth? 2 MR. GARCIA-SERRA: After we obtain zoning 3 approvals, we go through the Art in Public 4 Places approval, which is reviewed by the Art 5 in Public Places Advisory Panel, Cultural 6 Development Board, and the City Commission. 7 CHAIRMAN AIZENSTAT: And you've looked at 8 the historic building as a part of the Art in 9 Public Places? 10 MR. GARCIA-SERRA: It's a work-in-progress. 11 It depends on what adaptive re-use we think we 12 can bring to the historic building. The 13 historic building may very well end up being 14 indeed some sort of art installation or 15 exhibition. 16 MS. ALBERRO MENENDEZ: A little museum or 17 something. 18 MR. GARCIA-SERRA: Exactly. 19 CHAIRMAN AIZENSTAT: Is there -- Marshall? 20 MR. BELLIN: I want to make a motion, and I 21 guess what we have to do is vote on each one of 22 these individually, all six, and then include 23 the Staff recommendations, which they're going 24 to add one to that. 25 Okay, I'd like to make a motion to	Page 244 1 one it is. It's this one. 2 CHAIRMAN AIZENSTAT: So Item Number 5. 3 MS. ALBERRO MENENDEZ: It's redistribution 4 of permitted height on site. That's what Item 5 5 is. 6 CHAIRMAN AIZENSTAT: It's the first item -- 7 MS. ALBERRO MENENDEZ: Right. 8 CHAIRMAN AIZENSTAT: -- which is Item 9 Number 5. 10 MR. LEEN: It's been requested -- It's 11 listed as Applicant's Request Number 1, which 12 is the Comprehensive Plan Map Amendment. 13 That's the map amendment. 14 MS. ALBERRO MENENDEZ: Which is the 15 redistribution? 16 MR. LEEN: Yes. 17 MR. GRABIEL: That's the one you -- 18 CHAIRMAN AIZENSTAT: Right, but with our 19 sheet, it's Number 5. 20 MR. LEEN: It's Number 5 on the agenda. 21 CHAIRMAN AIZENSTAT: On the agenda, right. 22 MR. GARCIA-SERRA: I see what you're 23 saying. 24 CHAIRMAN AIZENSTAT: That's what I'm 25 saying.

Page 245 1 Ramon, were you -- 2 MR. TRIAS: I was just going to say that. 3 MR. LEEN: It is the Comprehensive Plan Map 4 Amendment. 5 MS. ALBERRO MENENDEZ: Right, which is this 6 one, right, this one? 7 CHAIRMAN AIZENSTAT: Yes. 8 MR. TRIAS: The first two pages or the 9 three pages of the Staff Report have the actual 10 language, in case you're interested. That's in 11 Tab 2, if you want to follow that. 12 MR. LEEN: There's a motion and there's a 13 second. 14 CHAIRMAN AIZENSTAT: There's a motion and a 15 second. Any comments? 16 Call the roll, please. 17 MS. MENENDEZ: Julio Grabiell? 18 MR. GRABIEL: Yes. 19 MS. MENENDEZ: Maria Menendez? 20 MS. ALBERRO MENENDEZ: Yes. 21 MS. MENENDEZ: Alberto Perez? 22 MR. PEREZ: Yes. 23 MS. MENENDEZ: Marshall Bellin? 24 MR. BELLIN: Yes. 25 MS. MENENDEZ: Anthony Bello?	Page 247 1 CHAIRMAN AIZENSTAT: It's a text change. 2 MS. ALBERRO MENENDEZ: This is just the 3 language? 4 CHAIRMAN AIZENSTAT: This is just the 5 language. 6 MS. ALBERRO MENENDEZ: Okay. 7 MR. WU: The strike-through/underlined 8 points. 9 CHAIRMAN AIZENSTAT: So strike the 10 recommendations from the City on that. 11 MR. GRABIEL: I second it. 12 CHAIRMAN AIZENSTAT: We have a motion. We 13 have a second by Julio. Any comments? No? 14 Call the roll, please. 15 MS. MENENDEZ: Maria Menendez? 16 MS. ALBERRO MENENDEZ: Yes. 17 MS. MENENDEZ: Alberto Perez? 18 MR. PEREZ: Yes. 19 MS. MENENDEZ: Marshall Bellin? 20 MR. BELLIN: Yes. 21 MS. MENENDEZ: Anthony Bello? 22 MR. BELLO: Yes. 23 MS. MENENDEZ: Jeff Flanagan? 24 MR. FLANAGAN: Yes. 25 MS. MENENDEZ: Julio Grabiell?
Page 246 1 MR. BELLO: Yes. 2 MS. MENENDEZ: Jeff Flanagan? 3 MR. FLANAGAN: Yes. 4 MS. MENENDEZ: Eibi Aizenstat? 5 CHAIRMAN AIZENSTAT: Yes. 6 Is there a motion on the second item? 7 MR. BELLIN: I'll make a motion, and what 8 number is it, Number 2 here? 9 CHAIRMAN AIZENSTAT: The second item, go 10 ahead. 11 MR. WU: The second item is the 12 Comprehensive Plan text amendment. 13 CHAIRMAN AIZENSTAT: Correct. 14 MR. LEEN: For those following, that's the 15 second request. It's the sixth item on the 16 agenda. 17 CHAIRMAN AIZENSTAT: On the agenda, but 18 it's the second item, and with the City Staff 19 recommendations? 20 MR. BELLIN: With the City Staff 21 recommendations. 22 MR. WU: There are no conditions pertaining 23 to that. 24 MR. LEEN: There are no conditions on the 25 Comprehensive Plan text amendment.	Page 248 1 MR. GRABIEL: Yes. 2 MS. MENENDEZ: Eibi Aizenstat? 3 CHAIRMAN AIZENSTAT: Yes. 4 MR. BELLIN: Okay. I make a motion -- 5 CHAIRMAN AIZENSTAT: Go ahead. 6 MR. BELLIN: -- to approve -- I'm a little 7 confused. 8 MR. WU: The third one is the Zoning Code 9 text amendment to adopt the Form-Based Code 10 language. Again, it's the Zoning Code 11 amendment to adopt the Form-Based Code -- 12 CHAIRMAN AIZENSTAT: For this specific 13 project. 14 MR. WU: -- for this specific project. 15 MR. LEEN: That's the third request and the 16 seventh item on the agenda. 17 CHAIRMAN AIZENSTAT: Seconded? 18 MR. FLANAGAN: Second. 19 CHAIRMAN AIZENSTAT: Mr. Flanagan seconded. 20 With Staff's -- 21 MR. BELLO: No. 22 CHAIRMAN AIZENSTAT: There's no -- It's 23 just the Form-Based -- sorry. That's correct. 24 MS. ALBERRO MENENDEZ: May I make a request 25 for a friendly amendment? The issue on the

Page 249 1 on-street parking, where there's other 2 commercial, do you have any objections in the 3 Form-Based Code not allowing that to be used 4 when there's commercial across from it? In 5 other words, that other commercials are 6 dependent also on that parking; therefore, it 7 shouldn't be exclusive to the development, in 8 the calculations. 9 MR. GARCIA-SERRA: So not counting 10 on-street parking towards required parking when 11 you have commercial uses -- 12 MS. ALBERRO MENENDEZ: Across from it. 13 MR. GARCIA-SERRA: -- also on the street? 14 MS. ALBERRO MENENDEZ: I mean, what are 15 your thoughts on it? Is that a big thing? I 16 mean, it's just the whole thought process of 17 allowing them to get credit for parking spaces 18 that they're not the only ones using. 19 MR. TRIAS: It's not a big thing. 20 MR. GARCIA-SERRA: Yeah. 21 MS. ALBERRO MENENDEZ: It's not a what? 22 MR. TRIAS: It's not a big thing. 23 MS. ALBERRO MENENDEZ: Well, I think I need 24 to hear from the developer if it's a big thing. 25 MR. FREED: Our current requirement, we're	Page 251 1 design the project differently. 2 MS. ALBERRO MENENDEZ: All right. 3 CHAIRMAN AIZENSTAT: We have a motion. 4 Maria, we have a motion; we have a second. 5 MS. ALBERRO MENENDEZ: No, no, I'm seeing 6 if -- No? 7 MR. HAGAN: Again, Chris Hagan, from 8 Kimley-Horn. Our surplus, including -- our 9 total surplus, when we include the on-street 10 parking, is 38 spaces, I believe, and so there 11 are 58 on-street that we were counting. I 12 would say, you know, if we're looking at being 13 equitable, at least some of them should count. 14 I mean, ideally, we think that all should 15 count, but you're saying -- 16 MS. ALBERRO MENENDEZ: Okay, so you 17 have wiggle room there, that some you might 18 need or some you don't -- It's just the whole 19 thought process. Other Form-Based Codes will 20 be coming before us, maybe, maybe not, and this 21 is already setting a precedent that they can 22 use on-street parking for their parking 23 calculations, and I just -- If there's other 24 commercial establishments depending on that, 25 because some of that area does not have
Page 250 1 already over the required. 2 MS. ALBERRO MENENDEZ: So you're okay? 3 MR. FREED: So -- and we're already 4 building 1.3 million square feet of parking 5 area. So ultimately it's a big deal to add 6 additional space. We have a very efficient 7 parking garage, and so we would prefer not to 8 have to do that. It wasn't our idea to include 9 on-street parking. It was Staff's idea to 10 include on-street parking. And so our 11 preference as designed would be not to have to 12 include additional parking in the current 13 design. 14 MS. ALBERRO MENENDEZ: Right, but aren't 15 you using the on-street parking to help you get 16 to the numbers that you need to come -- to get 17 the numbers of on-street parking? 18 MR. FREED: Our difference is -- We're 19 over, but we're not over by 58 spaces. So we 20 do need some on-street parking in order to meet 21 that number. 22 MS. ALBERRO MENENDEZ: Okay, so you're not 23 over? You need it? 24 CHAIRMAN AIZENSTAT: They need it, is what 25 they're telling us. If not, they've got to	Page 252 1 parking, I feel kind of funny saying, "Yeah, 2 sure, take it all." I mean, it should be all 3 yours. So it's more of a philosophical thing, 4 but -- 5 CHAIRMAN AIZENSTAT: Is the 20 going to 6 matter to the City? 7 MS. ALBERRO MENENDEZ: Well, it's mostly 8 the Form-Based Code. 9 CHAIRMAN AIZENSTAT: I understand, but -- 10 MS. ALBERRO MENENDEZ: So let's just move 11 forward, you know. 12 CHAIRMAN AIZENSTAT: I would just be 13 concerned that then -- 14 MS. ALBERRO MENENDEZ: I don't have a 15 problem. I'm not going to kill the project for 16 some parking spaces. 17 MR. LEEN: Based on your comment, they can 18 look at that. I mean, they certainly can look 19 at that before the Commission. 20 CHAIRMAN AIZENSTAT: Yeah. 21 MS. ALBERRO MENENDEZ: The objective is -- 22 you know, if the parking spaces are being 23 shared by other commercial next to it and 24 they're also dependent on those spaces, that we 25 don't just call it -- that we don't just

Page 253 1 calculate it as part of their parking 2 requirements. 3 MR. GARCIA-SERRA: We can word it as, 4 decrease or eliminate reliance on any on-street 5 parking spaces that may be required by other -- 6 or maybe in front of other properties. 7 MS. ALBERRO MENENDEZ: Right. I mean, it's 8 not all of them. It's just those that are 9 impacted by some of them being in front, 10 just -- 11 CHAIRMAN AIZENSTAT: Will you make a 12 friendly amendment? 13 MR. BELLIN: If they can. 14 MS. ALBERRO MENENDEZ: They said yes. 15 MR. BELLIN: Okay, fine. 16 MS. ALBERRO MENENDEZ: Okay. Let's move 17 forward. 18 CHAIRMAN AIZENSTAT: So we'll go ahead and 19 amend it as such? 20 MR. FLANAGAN: Sure. 21 CHAIRMAN AIZENSTAT: Jeff seconded. 22 MR. BELLIN: Now I'll make a motion to -- 23 CHAIRMAN AIZENSTAT: Wait. We haven't 24 called a vote. 25 Any comments or questions?	Page 255 1 MR. WU: It is the site plan. 2 CHAIRMAN AIZENSTAT: Okay. 3 MR. PEREZ: Does the site plan include the 4 streetscape enhancements? 5 MR. WU: Yes, it includes all the 6 conditions -- 7 CHAIRMAN AIZENSTAT: And what about looking 8 at the west side, which -- 9 MR. GARCIA-SERRA: You know, that's 10 something that we could clarify easily. Our 11 most recent commitment is indeed to do the west 12 side of Ponce, as indicated on the off-site 13 streetscape plan that was provided. 14 MR. WU: I believe the off-site is more 15 pertaining to the development agreement. I'm 16 turning to Staff to clarify that. 17 The off-site improvements is more for the 18 development agreement, as opposed to the PAD? 19 MS. TREVARTHEN: I'm sorry? 20 MR. WU: The off-site improvements pertain 21 more to the development agreement, as opposed 22 to the PAD? 23 MR. TRIAS: Yes. The answer is yes, and it 24 could be defined according to your 25 recommendation.
Page 254 1 Call the roll, please. 2 MS. MENENDEZ: Alberto Perez? 3 MR. PEREZ: Yes. 4 MS. MENENDEZ: Marshall Bellin? 5 MR. BELLIN: Yes. 6 MS. MENENDEZ: Anthony Bello? 7 MR. BELLO: Yes. 8 MS. MENENDEZ: Jeff Flanagan? 9 MR. FLANAGAN: Yes. 10 ms. MENDENDEZ: Julio Grabiell? 11 MR. GRABIEL: Yes. 12 MS. MENENDEZ: Maria Menendez? 13 MS. ALBERRO MENENDEZ: Yes. 14 MS. MENENDEZ: Eibi Aizenstat? 15 CHAIRMAN AIZENSTAT: Yes. 16 MR. BELLIN: I want to make a motion to 17 approve the PAD. 18 MR. PEREZ: I second. 19 MR. WU: Pursuant to the Staff 20 recommended -- Could we -- 21 MR. LEEN: This is the site plan. 22 MR. BELLIN: Yeah. 23 CHAIRMAN AIZENSTAT: This is the site plan? 24 MR. WU: Yes. 25 CHAIRMAN AIZENSTAT: Correct?	Page 256 1 MR. WU: So we'll hold that thought for the 2 very last item, which is -- 3 CHAIRMAN AIZENSTAT: Okay. 4 MR. WU: -- the development agreement. 5 MR. LEEN: Mr. Bellin, so your motion 6 includes all of the conditions recommended by 7 Staff? 8 MR. FLANAGAN: But I would like to suggest 9 a slight amendment to a Staff condition. 10 And, Albert, it goes with yours. 11 Everything in here talks about prior to a CO 12 being issued. I would prefer it say prior to a 13 TCO being issued. 14 CHAIRMAN AIZENSTAT: Is that okay with -- 15 MR. FERNANDEZ: Yes. 16 MS. ALBERRO MENENDEZ: Can I also ask that 17 you also look at the trolley stop? Because 18 that's where this would probably fall into. 19 Remember, we talked about the trolley, the in 20 and out? 21 MR. GARCIA-SERRA: Yeah. 22 MS. ALBERRO MENENDEZ: Okay, thank you. 23 MR. LEEN: Mr. Bellin, do you -- 24 MS. ALBERRO MENENDEZ: Do you accept that, 25 Marshall?

Page 257 1 MR. BELLIN: Yeah, and I also want to make 2 an amendment to the Art in Public Places, the 3 Staff recommendations. I think the wording is 4 wrong. They used the word "may," where it 5 should be "shall." 6 CHAIRMAN AIZENSTAT: "Shall," correct. 7 MR. LEEN: Are you okay with that, Mario? 8 MR. GARCIA-SERRA: Let me take a look. 9 MR. BELLIN: It's Number 7 in the Staff 10 recommendations. 11 MR. GARCIA-SERRA: What page are you on? 12 MR. LEEN: I prefer them to agree. 13 MR. BELLIN: 20, under Tab 2. 14 MR. GARCIA-SERRA: Okay, but note that that 15 is -- Those are the proffered conditions of 16 approval that I gave for the development 17 agreement. The actual condition of approval 18 for Art in Public Places, you've got to go 19 further in the package, and it is at Number 13, 20 on Page 43. "Prior to the issuance of a 21 Temporary Certificate of Occupancy, the 22 applicant/property owner, its successors or 23 assigns shall comply with all City requirements 24 for Art in Public Places," and so where we 25 really want to put that is in the development	Page 259 1 We have a motion, and who seconded that, 2 please? 3 MR. PEREZ: I did. 4 CHAIRMAN AIZENSTAT: Alberto? Okay, thank 5 you. 6 Call the roll, please. 7 MS. MENENDEZ: Marshall Bellin? 8 MR. BELLIN: Yes. 9 MS. MENENDEZ: Anthony Bello? 10 MR. BELLO: Yes. 11 MS. MENENDEZ: Jeff Flanagan? 12 MR. FLANAGAN: Yes. 13 MS. MENENDEZ: Julio Grabiell? 14 MR. GRABIEL: Yes. 15 MS. MENENDEZ: Maria Menendez? 16 MS. ALBERRO MENENDEZ: Yes. 17 MS. MENENDEZ: Alberto Perez? 18 MR. PEREZ: Yes. 19 MS. MENENDEZ: Eibi Aizenstat? 20 CHAIRMAN AIZENSTAT: Yes. 21 MR. BELLIN: I'd like to make a motion to 22 approve the -- 23 MR. WU: Abandonment. 24 MR. BELLIN: -- alley vacation. 25 CHAIRMAN AIZENSTAT: Say it again.
Page 258 1 agreement, which is going to be next, I think. 2 CHAIRMAN AIZENSTAT: Correct. 3 MR. GARCIA-SERRA: And you're right, I 4 don't know how it's worded there right now, but 5 we'll make sure it's "shall," the 1.25 percent. 6 MR. BELLIN: You know, "may" implies it's 7 up to them, and "shall" you know, is mandatory, 8 so I'd like to see that as "shall." 9 MR. GARCIA-SERRA: For the 1.25 percent. 10 CHAIRMAN AIZENSTAT: Right. 11 MR. BELLIN: Yes. 12 MR. LEEN: So, Mr. Chair, just to clarify, 13 so the motion is to include all of Staff's 14 conditions, including the point about the 15 trolley, and there was one other point. What 16 was that, again? 17 MR. FLANAGAN: The TCO. 18 CHAIRMAN AIZENSTAT: The TCO. 19 MR. LEEN: The TCO instead of CO. 20 MR. GARCIA-SERRA: Fine. 21 MR. PEREZ: To do it on the first phase. 22 MR. LEEN: Yes, and then the one about the 23 "may" and "shall" will come up with the 24 development agreement. 25 CHAIRMAN AIZENSTAT: Correct.	Page 260 1 MR. BELLIN: I'd like to make a motion to 2 approve the alley vacation. 3 MR. BELLO: Second. 4 MS. ALBERRO MENENDEZ: Can I ask for a 5 friendly condition? 6 MR. BELLIN: Okay. 7 MS. ALBERRO MENENDEZ: That the portion of 8 the alley that provides access to the resident, 9 you know, always gets maintained. I haven't 10 seen the details of the conditions of the 11 alley, I'll be honest with you. So, if that 12 can just be ensured, as long as that resident's 13 there. 14 MR. GARCIA-SERRA: Okay, I see what you're 15 saying. The remaining portion of the alley 16 that leads to his property -- 17 MS. ALBERRO MENENDEZ: Yes. 18 MR. GARCIA-SERRA: We'll take care of it. 19 MS. ALBERRO MENENDEZ: Yes. 20 MR. GARCIA-SERRA: And make sure it's in 21 good shape. 22 MS. ALBERRO MENENDEZ: No, take care that 23 it's in good shape and that it always provides 24 the access to the resident. 25 MR. GARCIA-SERRA: Okay.

Page 261 1 MS. ALBERRO MENENDEZ: Because in that mix 2 of the development, that resident needs to 3 ensure that -- 4 MR. GARCIA-SERRA: Sure. That's already 5 been done. 6 MS. ALBERRO MENENDEZ: -- he can get in and 7 out of the back of his house. 8 MR. GARCIA-SERRA: No, that's our intent. 9 MR. LEEN: So you agree? 10 MR. GARCIA-SERRA: Yes. 11 MR. LEEN: Okay. 12 Is that okay? Is that part of your motion, 13 Mr. Bellin? 14 MR. BELLIN: Yes. 15 MR. FLANAGAN: Can I just ask for -- I need 16 clarification. The item says it's -- the alley 17 gets abandoned, but there's also a dedication 18 of a public access easement over the new 19 internal driveway which is going to be created. 20 MS. ALBERRO MENENDEZ: This one. 21 MR. FLANAGAN: I know, but my question 22 is -- I'd still like clarification. Is it an 23 easement or is it going to be dedicated as a 24 right-of-way? 25 Ramon or Jane?	Page 263 1 MS. ALBERRO MENENDEZ: Yes. 2 MS. MENENDEZ: Albert Perez? 3 MR. PEREZ: Si. 4 MS. MENENDEZ: Marshall Bellin? 5 MR. BELLIN: Yes. 6 MS. MENENDEZ: Eibi Aizenstat? 7 CHAIRMAN AIZENSTAT: Yes. 8 Go ahead, please. 9 MR. KEPHART: Thank you, Chair, Board 10 Members. Yeah, just as a clarification, it is 11 our intent that it would be a public access 12 easement, and so it's clear, it's the 13 developers to maintain, although we maintain 14 rights to use it as if it were a public 15 right-of-way, but it's not ours to maintain. 16 CHAIRMAN AIZENSTAT: So the developer will 17 also pay taxes on the property, on that part? 18 MR. KEPHART: Of course, yes. 19 MR. GARCIA-SERRA: Yes. 20 CHAIRMAN AIZENSTAT: So it's an easement 21 and it's incorporated, which is a benefit to 22 the City which it did not have before. 23 MR. LEEN: Correct. 24 MR. GARCIA-SERRA: And provides better 25 access, I would say, also.
Page 262 1 CHAIRMAN AIZENSTAT: It's all easement. 2 MR. FLANAGAN: The item is advertised as an 3 easement, but -- Mario? 4 MR. GARCIA-SERRA: We're proffering it as 5 easement. I see where you're coming from. I 6 wouldn't have used the word dedication in 7 that -- 8 MR. FLANAGAN: Somewhere, it might be part 9 of the development agreement -- 10 CHAIRMAN AIZENSTAT: Wait, Jeff. I just 11 don't want to get into a situation that we 12 voted on something or we spoke on something 13 past the time. Is there a motion to extend it 14 another 10 minutes? 15 MS. ALBERRO MENENDEZ: I move. 16 MR. FLANAGAN: Second. 17 CHAIRMAN AIZENSTAT: First and second, to 18 11:10. Call the roll, please. 19 MS. MENENDEZ: Anthony Bello? 20 MR. BELLO: Yes. 21 MS. MENENDEZ: Jeff Flanagan? 22 MR. FLANAGAN: Yes. 23 MS. MENENDEZ: Julio Grabiell? 24 MR. GRABIEL: Yes. 25 MS. MENENDEZ: Maria Menendez?	Page 264 1 CHAIRMAN AIZENSTAT: Right. And it has to 2 meet all fire -- 3 MR. GARCIA-SERRA: Emergency vehicles. 4 CHAIRMAN AIZENSTAT: Emergency vehicles' 5 access and so forth, yes. 6 MR. FLANAGAN: Ramon -- Ramon, there's a 7 condition somewhere that says the applicant 8 will dedicate the right-of-way. 9 MR. TRIAS: Yeah, and if it says that, 10 that's incorrect. It's an easement, and Public 11 Works is the department that handles the 12 requirements. 13 MR. WU: Mr. Chair, just for the record, 14 finally, on Page 4 of the abandonment 15 ordinance, it states that, "The applicant/owner 16 of record, by proper instrument, shall grant a 17 public access easement." That is, quote, 18 unquote, from the ordinance. 19 MR. FLANAGAN: It's there, but it's 20 elsewhere in my packet -- Elsewhere in my Staff 21 Report is a condition that the applicant will 22 dedicate the property. 23 MR. WU: What governs is the ordinance 24 you're making a recommendation on tonight. 25 MR. FLANAGAN: I understand, but I'm trying

Page 265 1 to make sure that I'm not confused when I vote 2 on it and that we have consistency. So, if the 3 answer is, it's an access easement, then -- 4 MR. GARCIA-SERRA: Right. 5 MR. FLANAGAN: And anything else that's 6 inconsistent will be -- 7 MR. TRIAS: That is the answer. 8 MR. FLANAGAN: -- will be -- 9 MR. TRIAS: That's the only answer we've 10 ever worked under. 11 MR. LEEN: So that condition will not be 12 part of this approval. 13 MR. WU: It's already in the ordinance. 14 MR. FLANAGAN: Yeah, got it. Thank you. 15 MR. TRIAS: Thank you. 16 MR. BELLIN: I make a motion to approve 17 Number 6, which is the development agreement. 18 MR. PEREZ: I second. 19 MS. ALBERRO MENENDEZ: Can I make a 20 friendly amendment? 21 MR. BELLIN: Yes. 22 CHAIRMAN AIZENSTAT: Wait. 23 MS. MENENDEZ: We didn't vote on it. 24 CHAIRMAN AIZENSTAT: We didn't vote. We 25 didn't vote.	Page 267 1 MS. MENENDEZ: Marshall Bellin? 2 MR. BELLIN: Yes. 3 MS. MENENDEZ: Anthony Bello? 4 MR. BELLO: Yes. 5 MS. MENENDEZ: Eibi Aizenstat? 6 CHAIRMAN AIZENSTAT: Yes. 7 MR. BELLIN: Okay. 8 CHAIRMAN AIZENSTAT: Last. 9 MR. BELLIN: I'd like to make a motion to 10 approve the development agreement. 11 MR. WU: Pursuant to Staff's conditions? 12 MR. BELLIN: Yeah. 13 MR. WU: And there was discussion about the 14 off-site improvements west of Ponce. I just 15 wanted to bring that to the table. 16 MS. ALBERRO MENENDEZ: Yeah. 17 CHAIRMAN AIZENSTAT: That will be in there, 18 and also, I think, Art in Public Places -- 19 MR. GARCIA-SERRA: Shall be 1.25 percent. 20 CHAIRMAN AIZENSTAT: "Shall," in this part. 21 I would encourage for the developer to look at 22 the historic site as part of the Art in Public 23 Places. It does have quite a bit of 24 significance in our City. 25 MR. GARCIA-SERRA: That's our intent, also.
Page 266 1 MR. LEEN: There's been no vote on the 2 alley. 3 MS. ALBERRO MENENDEZ: On the alley. 4 CHAIRMAN AIZENSTAT: On the alley vacating. 5 MR. BELLIN: Okay. 6 CHAIRMAN AIZENSTAT: So you made the 7 motion. Who seconded? 8 MR. BELLO: I seconded. 9 CHAIRMAN AIZENSTAT: And it was seconded. 10 MR. LEEN: And there was an additional -- 11 MS. ALBERRO MENENDEZ: There was a 12 condition. 13 MR. LEEN: Which everyone agreed to, it 14 sounded like. 15 CHAIRMAN AIZENSTAT: Correct. 16 Any questions, comments? 17 Call the roll. 18 MS. MENENDEZ: Jeff Flanagan? 19 MR. FLANAGAN: Yes. 20 MS. MENENDEZ: Julio Grabiell? 21 MR. GRABIEL: Yes. 22 MS. MENENDEZ: Maria Menendez? 23 MS. ALBERRO MENENDEZ: Yes. 24 MS. MENENDEZ: Albert Perez? 25 MR. PEREZ: Yes.	Page 268 1 MS. ALBERRO MENENDEZ: Can you also -- In 2 the development agreement, the rooftop parks -- 3 MR. GARCIA-SERRA: Uh-huh. 4 MS. ALBERRO MENENDEZ: -- that the City 5 have input or certain requirements to make sure 6 that that's open to the public? 7 MR. GARCIA-SERRA: Indeed. No, in the 8 development agreement, we're already providing 9 for it to be open -- 10 MS. ALBERRO MENENDEZ: Okay. 11 MR. GARCIA-SERRA: -- you know, generally, 12 throughout the day, to the public, only perhaps 13 closed at certain late night hours, you know, 14 just to avoid any sort of negative uses, and 15 indeed we want it to be a public park, just 16 like Ponce Circle Park is, you know, people to 17 be all over up there. 18 MS. ALBERRO MENENDEZ: And then if we 19 can -- I don't know if the development 20 agreement was the proper place -- but ensure 21 that we establish or that we follow the 22 recommendation of the City's consultant, 23 whereby establishing the baseline for the 24 traffic -- daily traffic volume that's in the 25 west of Ponce.

Page 269 1 MR. GARCIA-SERRA: Uh-huh. 2 MS. ALBERRO MENENDEZ: You guys did it for 3 the east. For the west of Ponce, or west of 4 the development, so that we can evaluate it 5 when the development is in, to ensure that if 6 there's any significant or impact, as similar 7 to how we did with the Bacardi development, 8 that the proper traffic modification measures 9 be put in place. 10 MR. GARCIA-SERRA: So, basically, it's to 11 baseline of daily volume counts for -- 12 MS. ALBERRO MENENDEZ: Whatever is -- I 13 know that that's one of the requirements of the 14 County and also of the City. I think it's 15 daily volume and also per hour, daily hour, I 16 don't know, but whatever needs to be 17 established so that if there's any impact, that 18 we can address it. 19 MR. GARCIA-SERRA: Yes. 20 MR. BELLIN: Craig, I'd like to make an 21 additional recommendation, and that is, I'd 22 really like it clarified as to who is going to 23 be responsible for the enforcement of the 24 recommendations. 25 MR. LEEN: That issue came up before, and I	Page 271 1 Would this be a consideration to include in the 2 development agreement, a maximum FAR, or not? 3 CHAIRMAN AIZENSTAT: It's not in this 4 motion. 5 MS. ALBERRO MENENDEZ: What was Charles' 6 statement? 7 MR. WU: Whether you want to consider, 8 because it was discussed at length earlier, a 9 maximum FAR for the project. 10 CHAIRMAN AIZENSTAT: Of the 4.375. 11 MR. WU: 375. 12 CHAIRMAN AIZENSTAT: But my understanding 13 was that that was exactly -- 14 MR. TRIAS: That is -- By approving the 15 PAD, the site plan, that's what you've done. 16 You've capped it at four point -- yeah. 17 CHAIRMAN AIZENSTAT: That was my 18 understanding. 19 MR. TRIAS: It's been done already. 20 CHAIRMAN AIZENSTAT: So are you saying that 21 it's not, that we haven't? 22 MR. WU: No, I'm saying it's not in the 23 development agreement. 24 MR. TRIAS: It's not. It's not. It's in 25 the PAD site plan.
Page 270 1 wanted to make sure I understood it. Do you 2 mean the actual conditions of approval passed 3 by the Commission, or do you mean the 4 conditions -- the other types of conditions, 5 the ones like before Commission approval and 6 things like that? 7 MR. BELLIN: No, when it gets to the 8 Commission, whatever they've agreed to, I just 9 want to make sure we know who is going to 10 enforce the agreements that they made. 11 MR. LEEN: You know, ultimately, it's the 12 City Manager. 13 MR. BELLIN: Whoever it is, I just would 14 like to know that. 15 MR. LEEN: But it's generally Code 16 Enforcement, acting with the authority of the 17 City Manager. That's -- 18 MR. BELLIN: All right. 19 MR. LEEN: The Commission has certain 20 oversight authority, obviously, but it would be 21 that, and as I mentioned before, the City would 22 enforce all these provisions. 23 MR. BELLIN: Okay. 24 MR. WU: Mr. Chair, just for the record, 25 Board Member Perez brought up about the FAR.	Page 272 1 MR. GARCIA-SERRA: Well, let me point 2 something out, because the development 3 agreement does reference and require that we 4 develop the project pursuant to the PAD site 5 plan. If you approve, then it indeed has a 6 4.375. 7 MS. ALBERRO MENENDEZ: So it's covered. 8 MR. TRIAS: Right. So you've done that 9 already. 10 MR. LEEN: And you're agreeing -- Mario, 11 are you agreeing to that, the 4.375? 12 MR. GARCIA-SERRA: Sure. That site plan 13 that we've proposed, we're living by, and 14 indeed, it has a 4.375 FAR. 15 MR. LEEN: Understood. 16 MR. GRABIEL: May I make an amendment, 17 also? 18 CHAIRMAN AIZENSTAT: Yes. 19 MR. GRABIEL: I thought Mr. Flanagan's 20 comment about the neighborhood between Ponce 21 and LeJeune and south of University, could be 22 impacted by traffic in the future, it's a very 23 valid point. I would like to add that when you 24 do the future traffic study, that that 25 neighborhood is also included.

Page 273 1 MR. GARCIA-SERRA: Okay. 2 MS. ALBERRO MENENDEZ: As well as San 3 Sebastian, which also, the gentleman that spoke 4 earlier had a -- 5 MR. GARCIA-SERRA: Let me make sure I'm 6 clear, because I thought we already talked 7 about that with Maria, but -- 8 MS. ALBERRO MENENDEZ: No, they're talking 9 about that area, but also the area to the south 10 of University. 11 MR. GARCIA-SERRA: Okay. 12 MR. GRABIEL: University between Ponce and 13 LeJeune. 14 MS. ALBERRO MENENDEZ: Because that area 15 has -- If you look at the traffic distribution, 16 it says it's going to receive 18 percent. 17 MR. GARCIA-SERRA: Okay, between Ponce and 18 LeJeune -- 19 MS. ALBERRO MENENDEZ: Because they're 20 going straight towards the development. 21 MR. GARCIA-SERRA: -- south of University, 22 north of Bird Road. Okay. Now I know what 23 you're talking about, okay. 24 CHAIRMAN AIZENSTAT: So we've added that, 25 also. Are you okay with that?	Page 275 1 together very quickly, so I'm sure Staff will 2 go over all of that. So I vote yes in concept, 3 but it needs a lot of work. 4 CHAIRMAN AIZENSTAT: Okay. 5 MS. MENENDEZ: Eibi Aizenstat? 6 CHAIRMAN AIZENSTAT: Yes. 7 MR. GARCIA-SERRA: Thank you so much. I 8 assure you that this is going to be a project 9 that you'll be very proud of your vote today 10 and your involvement in it, and hold us to it, 11 if there's ever any doubts. Thank you very 12 much. 13 CHAIRMAN AIZENSTAT: Thank you. When is 14 our next -- 15 Jill, when's our next meeting? 16 MS. MENENDEZ: March 11th. 17 CHAIRMAN AIZENSTAT: March 11th? 18 (Thereupon, the hearing was adjourned at 19 11:08 p.m.) 20 21 22 23 24 25
Page 274 1 MR. BELLIN: Yes. 2 CHAIRMAN AIZENSTAT: Okay, we're good. 3 MR. LEEN: And the second? 4 CHAIRMAN AIZENSTAT: Is there a second? 5 MR. LEEN: There's still a second? 6 MR. GRABIEL: Second. 7 CHAIRMAN AIZENSTAT: Julio, second. 8 Any comments? No questions? 9 Call the roll. 10 MS. MENENDEZ: Julio Grabiell? 11 MR. GRABIEL: Yes. 12 MS. MENENDEZ: Maria Menendez? 13 MS. ALBERRO MENENDEZ: Yes. 14 MS. MENENDEZ: Alberto Perez? 15 MR. PEREZ: Yes. 16 MS. MENENDEZ: Marshall Bellin? 17 MR. BELLIN: Si. 18 MS. MENENDEZ: Anthony Bello? 19 MR. BELLO: Yes. 20 MS. MENENDEZ: Jeff Flanagan? 21 MR. FLANAGAN: In concept, yes. I think 22 the language, and especially all the language 23 in the exhibits -- The exhibits, there's 24 non-sentences and plenty of typos, and 25 somebody, I think, cobbled the exhibits	Page 276 1 C E R T I F I C A T E 2 3 S T A T E O F F L O R I D A : 4 S S . 5 C O U N T Y O F M I A M I - D A D E : 6 7 I, JOAN L. BAILEY, Registered Diplomate 8 Reporter, Florida Professional Reporter, and a Notary 9 Public for the State of Florida at Large, do hereby 10 certify that I was authorized to and did 11 stenographically report the foregoing proceedings and 12 that the transcript is a true and complete record of my 13 stenographic notes. 14 I further certify that all public speakers were 15 duly sworn by me. 16 17 DATED this 19th day of February, 2015. 18 19 20 21 22 23 24 25 SIGNED COPY ON FILE _____ JOAN L. BAILEY, RDR, FPR Notary Commission Number EE 083192. My Notary Commission expires 6/14/15.

My name is Orlando Capote. Lucia Capote and I are property owners of and have resided at 2915 Coconut Grove Drive since 1989. The following are our comments to the changes proposed by the applicant to the City's Comprehensive Plan and Zoning Code. It is our understanding that the proposed changes will be considered by the City's Planning and Zoning Board on February 11, 2015. As such we respectfully request that our comments be incorporated as part of the formal record for the February 11, 2015 Public Hearing.

We object to any Comprehensive Plan, Zoning Code language changes and proffered development agreements that will allow any of the following:

- 1) **Structures higher than 36 feet, and/or non-residential structures of any size, to surround and be across our property.** Such structures will block sunlight, impede air flow and create uninhabitable conditions. Our property is zoned single family residential. The current Code does not allow any structures higher than 36 feet and non-residential use to surround and be across properties zoned single family residential. This requirement ensures a single family residential quality of life with open, unrestricted air space around our property for air flow and sunlight to reach all parts of our home and property. In our humid and hot climate, sunlight and airflow are required to maintain healthy living conditions.
- 2) **A change to the current use of, and access to, our property.** We object to any language change that allows the development to remove the direct alley connection from the back of our property on Block 23 to Galliano Street. This open direct alley to the back of our property is the only open source of direct fresh ground level air flow to the back of our property. This alley gives us, emergency and police vehicles a short, direct linear and safe access from the back of our property to Galliano Street.
- 3) **Remove public streets and alleys, which serve a public purpose, and turn them over to a private development for private use.** The alleys in Block 20, 21, 22, 23 and 30 were set in place by the original City design. These alleys are aligned with corresponding alleys on the surrounding blocks. The alleys are used regularly by service and maintenance vehicles. The alleys also provide alternate access routes during emergencies and street closures.
- 4) **Allow increased densities above those allowed by the original Zoning Code.** The requested increase in the density of the proposed development will increase vehicular traffic into the tens of thousands of vehicle trips per day. This will impact city traffic for miles around the development.
- 5) **Change the traffic flow on any block along Coconut Grove Drive, which is the most direct route from the Coral Gables Hospital to the Fire and Police Station.** We rely on this two way street to access the front of our property. Police, Fire Trucks and Fire Rescue vehicles frequently travel both directions along this two way street. Check the number of Fire Rescue trips to the Coral Gables Hospital. On average, at least once per day a Fire Rescue vehicle uses Coconut Grove Drive to take patients to the Hospital or return from the Hospital to the Fire Station. Any change in this traffic flow will result in longer travel routes for police and emergency vehicles leading to longer response times thereby creating a public safety issue.

We object to the Form Based Code proposed by the applicant and any proffered development agreement that attempts to increase the Floor to Area Ratios. Form Based Codes are less restrictive than the City's conventional Zoning Code. When projects are not allowed under local zoning laws, new urbanists seek other approval techniques, such as Form Based Codes, which result in a more dense development. These alternate approval techniques may not ensure compatibility with the surrounding single family residential community. If the City Beautiful truly intends to stay Beautiful, then the City must make certain that the City maintains the current Conventional Zoning Code.

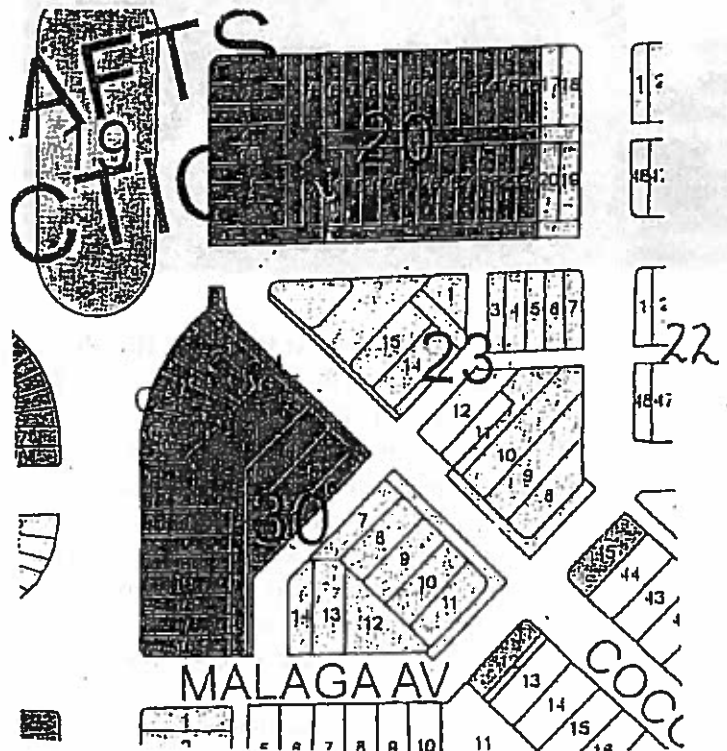
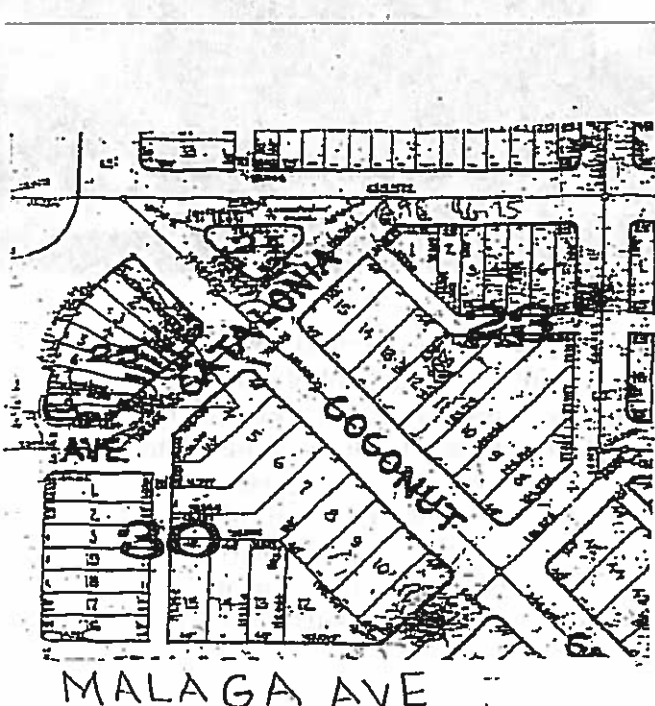
Respectfully submitted,

Orlando Capote,

February 9, 2015

We are Lucia Capote and Orlando Capote, long term residents and property owners at 2915 Coconut Grove Drive. The back of our property is adjacent to the original City owned alley to Galiano Street. This alley gives us, emergency vehicles and the police a short, linear, direct and safe access from the back of our property to and from Galiano Street. Vacating the alley would result in an unreasonable access route to the back of our property. We ask that the request made by Application No. PW-15-01-0142 to vacate the alley be denied.

Below on the left is the original City layout design for Blocks 30 and 23. Please note the original City design intended to have the alleys to be located at mid-block and aligned with the alleys on the adjacent blocks. On the right is the Future Land Use Map dated July 2013, as posted on the City's web site, depicting the alley layout as it should have been built by the Old Spanish Village project. The original alleys were to be vacated, but new replacement alleys were to be built in close proximity. An alley section was added NW of our property on Block 23, which provided new direct alley connection from Coconut Grove Drive to Galiano Street. This new alley was part of an alley swap for the vacated alley on Block 20. The alley adjacent at the back of our property, which gives us direct access to Galiano Street and is aligned with the alley on Block 22, was to remain as per the original City design.



The Old Spanish Village project took out Catalonia Court on Block 23, vacated the alley to Palermo Avenue on Block 23 and vacated the alley to Malaga Avenue in Block 30. Yet none of the replacement alleys for the vacated alleys on Block 30 and Block 23 were ever built. The alley section NW of our property on Block 23 was partially built but was not completed and never opened to the public. This alley section was taken out when the townhomes were demolished in October 2014. This demonstrates why the City must require private developers to have performance bonds when working on projects that impact public right of ways. The bond can be used to complete any work that is left unfinished by the developer.

The importance of keeping the original City Street and Alley design was demonstrated by the accident that took place on April 2, 2014, at the intersection of Malaga Avenue and Ponce de Leon Boulevard. Refer to the pictures below. The police isolated the accident area by closing Malaga and re-directing traffic. Westbound vehicles on Malaga Avenue used the alley north to the privately owned parking lot on Block 30, then out to Ponce de Leon Boulevard. If the replacement alley on Block 30 had been built, there would have been an alternate alley route from Malaga Avenue to Coconut Grove Drive.



We ask that the request to vacate the alley adjacent at the back of our property to Galiano Street be denied. The alley must remain open and under the ownership and jurisdiction of the City of Coral Gables. Then any alley work required to maintain access to the back of our property can be quickly done by the City. Property owners need to have access to the back of their properties as they have always had since the community was originally platted. Property owners rely on this access as part of the ownership of their property. The City also needs to keep this alley open so that someday the alley connection between Malaga Avenue, Coconut Grove Drive and Galiano Street can be completed. This will provide an alternate route for police and rescue vehicles to reach the residents east of the Ponce Circle in the event of emergencies and street closures.

We respectfully request that this correspondence be made part of the public record for the February 11, 2015 public hearing on Application No. PW-15-01-0142.



February 9, 2015

Mr. Ramon Trias
Planning and Zoning Director
City of Coral Gables
427 Biltmore Way, 2nd Floor
Coral Gables, FL 33134

*Miami's Premier Steakhouse
and Piano Bar*

Re: Letter in Support of Mediterranean Village

Dear Mr. Trias:

3101 Ponce De Leon Blvd
Coral Gables, FL 33134
Tel 305-446-1400
Fax 305-446-3257
www.christysrestaurant.com

As a resident and Coral Gables business owner, I am writing to express support for the proposed Mediterranean Village project.

I am one of the original owners of Christy's Restaurant which has continuously operated at the same location, the corner of Ponce de Leon Boulevard and Malaga, since 1978. Christy's is immediately adjacent to the proposed project and a property that will be significantly impacted by the development and construction of Mediterranean Village. It is literally at "ground zero". From a purely parochial perspective, we wish to avoid any construction that would interfere with or inconvenience our customers, employees, and suppliers. That said, we recognize that we operate in an urban environment and that change can be healthy, if not essential, to sustain economic activity and enhance and rejuvenate the City. After serving the community and operating at the same location for over 35 years, it is our hope that our customers will remain loyal and help us financially bridge the period of construction. In that regard, it is our hope, too, that reasonable measures can be taken during the planning process to condition the predictable impact on our operations.

As a Coral Gables resident and homeowner, however, I have a somewhat different perspective; namely, the mixed use character of Mediterranean Village will revitalize the neighborhood and make the downtown Coral Gables area even more attractive and important as a living, shopping, eating and entertainment destination.

My view in this regard is informed by my work several years ago with the Pennsylvania Avenue Development Corporation ("PADC") in Washington, DC, which I had the privilege of serving as chairman. The PADC was charged with and was responsible for the revitalization of the north side of Pennsylvania Avenue between the Capitol and the White House. By all accounts, the efforts of the PADC were hugely successful in restoring life to

Pennsylvania Avenue and stimulating approximately \$1.3 billion of private development of commercial, residential, arts, and retail uses in the downtown. Mediterranean Village has the potential, in my view, for a similar stimulative effect for the prominent north-south axis of Ponce de Leon Boulevard. Mediterranean Village will create an economic anchor on the south that will promote activity and responsible, quality growth along Ponce de Leon. The Project's mix of uses and quality architecture will enliven this area, which has been neglected far too long.

In closing, I support the Mediterranean Village project and respectfully urge Planning & Zoning and the City Commission to approve it. This is a great opportunity for the City. .

Sincerely yours,

A handwritten signature in black ink, reading "Richard A. Hauser". The signature is written in a cursive style with a large, stylized "R" and "H".

Richard A. Hauser

cc: The Honorable Mayor and Commissioners of the City of Coral Gables