

From: Leen, Craig
Sent: Thursday, July 21, 2016 12:26 AM
To: 'Donise Brown'
Cc: 'Laurie Rozen'; 'Jorge Martinez'; 'Sylvia Arbesu'; 'Iglesias, Peter; Ortiz, William; Roberts, Leonard
Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Importance: High

Donise,

As discussed on Wednesday morning, I am concerned that there was no visible implementation of the short-term solution in the parking lot. Please confirm that this has been fixed and that the short-term solution has been implemented.

Regards,
Craig

Craig E. Leen, City Attorney
*Board Certified by the Florida Bar in
City, County and Local Government Law*
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com



CORAL GABLES
THE CITY BEAUTIFUL

Celebrating 90 years of a dream realized.

From: Leen, Craig
Sent: Sunday, July 17, 2016 11:13 PM
To: 'Donise Brown'
Cc: Laurie Rozen; Jorge Martinez; Sylvia Arbesu; Iglesias, Peter; Ortiz, William; Roberts, Leonard
Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables
Importance: High

Good evening, Donise.

Our comments were focused on the short-term plan (please see paragraph 3 for further information). Thus, it is my understanding from your email that Starbucks has accepted the conditions. Here are our answers to your further questions:

1. By monitoring the situation, we meant that Code Enforcement would continue to monitor whether stacking is impeding traffic on US-1 in violation of the Zoning Code. We also would like Starbucks to regularly report on how the proposed short-term solution is working as well as progress on implementation of the long-term solution.
2. The \$250 fine would be paid in a check to the City. I am asking the Code Enforcement Director, Will Ortiz, to provide the specific information.
3. As mentioned, our comments were focused on the short-term plan. By compliance, we meant a working short-term plan that was implemented and working. We would like it to be fully in place and working prior to the upcoming July 26th Commission meeting. As for continued compliance, we believe that school traffic may eventually change the peak volume and peak time, and that October would be an important representative month to determine if compliance is continuing to be achieved. We agree that the long-term plan would require permitting by the City. The City would allow you to proceed to implement the long-term solution now at your own risk though. Final approval is conditioned based on actual performance of internal (in site) stacking and service efficiency (the parking lot should also function for standard service customers).
4. The Commission meeting starts at 9am on July 26th in the City Commission Chambers in Coral Gables City Hall (405 Biltmore Way). The matter will be on the agenda as a City Attorney Item, which will likely be towards the end of the meeting (and probably after lunch). We have a 1pm time certain so could hear it right after that if helpful to you (which would ensure it would not be reached earlier in the day).

We hope this answers your questions. Please feel free to contact Peter or me for additional information. I am available at 4pm on Monday if you would like to have a phone call.

Craig E. Leen, City Attorney
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405 Biltmore Way
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Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com



CORAL GABLES
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From: Donise Brown [mailto:dobrown@starbucks.com]

Sent: Saturday, July 16, 2016 4:25 PM

To: Leen, Craig

Cc: Laurie Rozen; Jorge Martinez; Sylvia Arbesu; Iglesias, Peter; Ortiz, William; Roberts, Leonard

Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Craig,

I have reviewed your email with our internal business team and would like to clarify the conditions noted in your July 15th email. Specifically, we want to confirm that in your statement that *"The City will approve Starbucks implementing this proposal immediately on a trial basis..."*, you are referring to the "Short Term Plan" set forth in the Starbucks proposal, as we cannot begin the implementation of the "Long Term Plan" until we have obtained any and all permitting/approvals required from the City and build out of the changes noted therein.

Assuming that your comments regarding were intended to address the proposed "Short Term Plan" on a trial basis, Starbucks accepts the City's and requests further clarification as noted below:

1. The City (in its regulatory capacity) and Starbucks will monitor the situation. If stacking continues, the City may withdraw its approval at any time and without notice. Starbucks has already begun work to manage cars in queues in the parking lot and retraining our baristas. We will continue these efforts and are currently seeing minimal issues with stacking. Can you explain what intended by “The City (in its regulatory capacity) will monitor the situation?” Is there an expectation of regular reporting by Starbucks to the City?
2. The citation remains active until it is determined whether compliance has been actually achieved by monitoring the situation. The City will stay further accumulation of the Code Enforcement fines while the parties determine if this solution will work and be finally approved. The stay will be effective as of the date of receipt of the proposal. At this time the fine is \$250, which Starbucks would pay. If the City determines that this proposed solution does not work, the fine will continue to accumulate at that time. Starbucks understands that we are required to pay the \$250 fine for submission of proposal one day after the deadline. Please provide the process/instructions for making this payment and we will do so promptly.
3. The matter will remain on the Commission agenda for the July 26th meeting. If the solution works, and there is compliance, the Commission would be informed at that time. If the solution does not work, and there is not compliance, the City would then review and take any action deemed appropriate pursuant to the lease in its proprietary capacity. As noted in the Starbucks Proposal, while we have already begun steps to implement both the Short Term and Long Term plans, the completion dates for both are after the July 26th Commission meeting. Can you please clarify what “compliance” the Commission is expecting Starbucks to demonstrate at the July 26th meeting?
4. Additional, can you also provide the time and location of the July 26th meeting to ensure that the Starbucks representative will be present.

Again, addressing the stacking concerns at this location is a priority for Starbucks and we are working diligently to resolve this issue and appreciate the City’s consideration and cooperation as we work towards a permanent solution.

Thank you,

Donise

Donise E. Brown
director, corporate counsel, real estate
Law & Corporate Affairs
Starbucks Corporation
95 Merrick Way
Suite 650
Coral Gables, FL 33134
dbrown@starbucks.com
954-850-7607 –direct



Coffee Master

Life isn't about waiting for a storm to pass, It's about learning to dance in the rain. I Hope You Dance !

From: Leen, Craig [mailto:cleen@coralgables.com]

Sent: Friday, July 15, 2016 4:50 PM

To: Donise Brown

Cc: Laurie Rozen; Jorge Martinez; Sylvia Arbesu; Iglesias, Peter; Ortiz, William; Roberts, Leonard

Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Importance: High

Donise,

The City will approve Starbucks implementing this proposal immediately on a trial basis with the following three conditions:

1. The City (in its regulatory capacity) and Starbucks will monitor the situation. If stacking continues, the City may withdraw its approval at any time and without notice.
2. The citation remains active until it is determined whether compliance has been actually achieved by monitoring the situation. The City will stay further accumulation of the Code Enforcement fines while the parties determine if this solution will work and be finally approved. The stay will be effective as of the date of receipt of the proposal. At this time the fine is \$250, which Starbucks would pay. If the City determines that this proposed solution does not work, the fine will continue to accumulate at that time.
3. The matter will remain on the Commission agenda for the July 26th meeting. If the solution works, and there is compliance, the Commission would be informed at that time. If the solution does not work, and there is not compliance, the City would then review and take any action deemed appropriate pursuant to the lease in its proprietary capacity.

Please confirm that Starbucks accepts this approval on a trial basis along with the stated conditions.

Craig E. Leen, City Attorney
Board Certified by the Florida Bar in

City, County and Local Government Law
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405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com



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From: Donise Brown [<mailto:dobrown@starbucks.com>]
Sent: Thursday, July 14, 2016 9:13 AM
To: Leen, Craig
Cc: Laurie Rozen; Jorge Martinez; Sylvia Arbesu
Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Craig,

Attached please find the correct Starbucks Proposed Long and Short Term plan for the above referenced location; the email I sent yesterday had the incorrect attachment.

Please reply to this email to confirm receipt.

Thank you,
Donise

Donise E. Brown

*director, corporate counsel, real estate
Law & Corporate Affairs
Starbucks Corporation
95 Merrick Way
Suite 650
Coral Gables, FL 33134
dobrown@starbucks.com
954-850-7607 –direct*



Life isn't about waiting for a storm to pass, It's about learning to dance in the rain. I Hope You Dance !

From: Donise Brown
Sent: Wednesday, July 13, 2016 7:47 PM
To: 'Leen, Craig'
Cc: Laurie Rozen; Jorge Martinez; Sylvia Arbesu
Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Craig,

Attached please find the Starbucks Proposed Long and Short Term plan for the above referenced location.

Please reply to this email to confirm receipt.

Thank you,
Donise

*Donise E. Brown
director, corporate counsel, real estate
Law & Corporate Affairs
Starbucks Corporation
95 Merrick Way
Suite 650
Coral Gables, FL 33134
dobrown@starbucks.com
954-850-7607 –direct*



Life isn't about waiting for a storm to pass, It's about learning to dance in the rain. I Hope You Dance !

From: Leen, Craig [<mailto:cleen@coralgables.com>]
Sent: Wednesday, July 13, 2016 12:54 PM
To: Donise Brown
Cc: Laurie Rozen; Jorge Martinez; Iglesias, Peter; Ortiz, William
Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Good afternoon, Donise. The extension of time has now expired without compliance by Starbucks. Code Enforcement is proceeding with enforcement today. At this time, the specific fine will be \$250 per day until compliance is achieved. Please note, the City has the authority to impose a fine up to the maximum of \$500 per day at a later time within its regulatory discretion. These actions are being taken in the City's capacity as regulator and is governed by its Code Enforcement procedures.

Please let me know if you would like to discuss.

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From: Donise Brown [<mailto:dobrown@starbucks.com>]
Sent: Wednesday, June 29, 2016 12:13 PM

To: Leen, Craig
Cc: Laurie Rozen; Jorge Martinez
Subject: FW: Starbucks #11784 - 475 S. Dixie- Coral Gables

Craig,

Thank you for the additional time.

Happy 4th of July!!!
Donise

Currently on TLA at SSC (Seattle-Pacific Time)

Donise E. Brown
director, corporate counsel, real estate
Law & Corporate Affairs
Starbucks Corporation
95 Merrick Way
Suite 650
Coral Gables, FL 33134
dobrown@starbucks.com
954-850-7607 –direct



Coffee Master

Life isn't about waiting for a storm to pass, it's about learning to dance in the rain. I Hope You Dance !

From: Leen, Craig [<mailto:leen@coralgables.com>]
Sent: Wednesday, June 29, 2016 8:49 AM
To: Donise Brown
Cc: Iglesias, Peter; Ortiz, William; Ramos, Miriam
Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Good morning, Donise,

The City grants a final extension until July 12th. That date would be two weeks before the Commission meeting on July 26th where the Commission will decide how to proceed (I am placing the matter on the Commission agenda). The two weeks would give City staff the ability to fully evaluate any written proposal prior to that meeting. No further extensions would be granted.

Regards,
Craig

Craig E. Leen, City Attorney
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Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com



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From: Donise Brown [<mailto:dobrown@starbucks.com>]
Sent: Monday, June 27, 2016 6:12 PM
To: Leen, Craig
Subject: FW: Starbucks #11784 - 475 S. Dixie- Coral Gables

Hi Craig,

It looks like our Project Manager has finally been able to contact with Peter. Given that we are approaching a holiday weekend, do you think we will be able to get another extension (at least an addition week). I have not spoken with Jorge yet, but I am doubtful we will have a short term or long term plan in place to send to you by Wednesday.

I will be traveling back to Florida on Thursday and will be out until Tuesday, July 5th. Again, I have not connect with our construction or business teams. Just reading the email and understating our process, I wanted to get ahead of the date by requesting the extension now.

Regards,
Donise

Currently on TLA at SSC (Seattle-Pacific Time)

Donise E. Brown
director, corporate counsel, real estate
Law & Corporate Affairs
Starbucks Corporation
95 Merrick Way
Suite 650
Coral Gables, FL 33134
dobrown@starbucks.com
954-850-7607 –direct



Coffee Master

Life isn't about waiting for a storm to pass, It's about learning to dance in the rain. I Hope You Dance !

From: Jorge Martinez
Sent: Monday, June 27, 2016 3:01 PM
To: piglesias@coralgables.com
Cc: Leen, Craig (cleen@coralgables.com); Donise Brown; Laurie Rozen; zamoraassociates@aol.com; Cory Bertram
Subject: FW: Starbucks #11784 - 475 S. Dixie- Coral Gables

Peter,

Thanks again for your time this afternoon and here is a recap of our phone conversation:

- Option A layout (from scan 701) would be the better one with detail adjustments to meet the DOT standards for right out exit driveway and if also accepted being it's before the entrance drive.
- Scan 702 would be another option, but car stack #10 would start blocking the internal site flow. Splitting the IN-OUT driveway connection to US 1 would meet more of the DOT standards. Jerry Zamora with Zamora Engineering, informed me he has a meeting with DOT later this week on another project and can also review this with them for feedback.
- These layouts are following David Plummer & Associates proposed schemes assuming the West Fire House city property can be encroached into.
- Per our conversation, you will send these to the Parking Director of Public Works to review and see what effects these layouts may have encroaching into the proposed Fire house-Trolley development already designed and even if it's feasible.
- The relocation of the speaker and menu board into the north side Railway property to allow 5 car stack is out of the city's control and Starbucks would need to ask permission to the rail authority. This would enhance the timing and flow of the drive thru if allowed. Please let me know if the city has the appropriate contact information we could have to follow up.
- You mentioned if there was a traffic study conducted or planned for and I'm not aware of any, but can ask.

Please let me know if I missed anything and also your findings on the Fire House-Trolley development, as this has an impact of the layouts conducted and what the next steps would be.

Thanks,

Jorge Martinez
Project Manager-Construction
Starbucks Coffee Company
Florida Region
Email: jmartine@starbucks.com
Cell: 305-849-3541

From: Jorge Martinez
Sent: Monday, June 27, 2016 2:43 PM
To: 'Iglesias, Peter'
Cc: Leen, Craig; Donise Brown; Laurie Rozen; zamoraassociates@aol.com
Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Peter,

Thanks for calling me back. Per our phone conversation, attached are rough ideas using David Plumber's alternative concepts that we can discuss later when we meet. We have also contracted with Zamora Engineering and discussed with him our situation and he's reviewed these sketches in an effort to improve the stacking.

Just let me know at what time to meet,
Thanks again,

Jorge Martinez
Project Manager-Construction
Starbucks Coffee Company
Florida Region
Email: jmartine@starbucks.com
Cell: 305-849-3541

From: Iglesias, Peter [<mailto:piglesias@coralgables.com>]
Sent: Monday, June 27, 2016 12:06 PM
To: Jorge Martinez

Cc: Leen, Craig; Donise Brown; Laurie Rozen
Subject: Re: Starbucks #11784 - 475 S. Dixie- Coral Gables

Just called.

Peter J. Iglesias, PE
Assistant City Manager

Sent from my iPhone

On Jun 27, 2016, at 11:56 AM, Jorge Martinez <jmartine@starbucks.com> wrote:

Hi Peter,
I just called you and left you a message to call me back.
Thanks,

Jorge Martinez
Project Manager-Construction
Starbucks Coffee Company
Florida Region
Email: jmartine@starbucks.com
Cell: 305-849-3541

From: Laurie Rozen
Sent: Friday, June 24, 2016 6:56 PM
To: piglesias@coralgables.com; Jorge Martinez
Cc: Leen, Craig; Donise Brown
Subject: RE: Starbucks #11784 - 475 S. Dixie- Coral Gables

Hi Peter, thanks getting back with us, I know you've had a busy week, we look forward to working with you. As per our conversation just now, Jorge will be in touch on Monday to further discuss the above referenced site, the plans forwarded by the City and next steps to meet and discuss. Thanks and have a great weekend.

<image001.jpg>
Laurie Rozen
Starbucks Coffee Company
Director Store Development -Florida
954.999.5778 cell 954.591.9184

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