

1 MS. VELEZ: Thank you.
 2 CHAIRMAN AIZENSTAT: That is noted.
 3 Any other comments?
 4 Good pick up.
 5 No?
 6 Is there a motion? We have a second. No
 7 discussion? Call the roll, please.
 8 THE SECRETARY: Robert Behar?
 9 MR. BEHAR: Yes.
 10 THE SECRETARY: Marshall Bellin?
 11 MR. BELLIN: Yes.
 12 THE SECRETARY: Julio Grabiell?
 13 MR. GRABIEL: Yes.
 14 THE SECRETARY: Maria Velez?
 15 MS. VELEZ: Yes.
 16 THE SECRETARY: Eibi Aizenstat?
 17 CHAIRMAN AIZENSTAT: Yes.
 18 What I'd like to do at this time is change
 19 the order, and I'd like to start first with the
 20 Discussion Item, which is on the agenda as Item
 21 Number 6, which is the update to the Venera
 22 Mixed-Use Site Plan.
 23 MR. BEHAR: Mr. Chair --
 24 CHAIRMAN AIZENSTAT: Yes.
 25 MR. BEHAR: -- for the record, I will

5

1 Number 9 on the agenda, those two items have
 2 been deferred by the Applicant.
 3 MR. TRIAS: Mr. Chairman, as you know, the
 4 Venera project is a Mixed-Use Site Plan that
 5 has been going through the process. In terms
 6 of the design, there has been an addition of
 7 land. As you may recall, right at the west
 8 side of the project, there was a small
 9 commercial parcel. That has been incorporated
 10 into the design. As a result, there have been
 11 some changes, in terms of the numbers.
 12 The residential units that went to the
 13 Commission on February 13th was 189. The
 14 project currently has 165. And then there's
 15 also an office component, which is located in
 16 the new area that has been added to the
 17 project.
 18 The Commission considered this item, and
 19 then requested that it be sent back to you for
 20 comment, because of the change on the Site
 21 Plan. The bulk of the project is the same.
 22 The only change is that minor change in the
 23 west side.
 24 The Applicant is here to explain it in
 25 detail, and if you have any questions, I'll be

7

1 recuse myself from this item.
 2 CHAIRMAN AIZENSTAT: Okay.
 3 MR. BEHAR: There's a conflict and I want
 4 to put it on the record.
 5 CHAIRMAN AIZENSTAT: Okay.
 6 MR. BEHAR: So I will step out.
 7 CHAIRMAN AIZENSTAT: You'll be back for the
 8 other items?
 9 MR. BEHAR: Yes, I'll be back for the
 10 following items.
 11 CHAIRMAN AIZENSTAT: Thank you.
 12 MR. GARCIA-SERRA: And Mr. Chair, if I may,
 13 with regards to changes to the agenda, there
 14 was another item that I'm representing here
 15 this evening, Number 9, the replat of the, I
 16 gather, the Agave Ponce site, Agave Ponce,
 17 LLC --
 18 CHAIRMAN AIZENSTAT: That's been deferred.
 19 MR. GARCIA-SERRA: Okay. Has it already
 20 been deferred?
 21 CHAIRMAN AIZENSTAT: Yes.
 22 MR. GARCIA-SERRA: Okay.
 23 CHAIRMAN AIZENSTAT: Actually, let me go
 24 ahead and say that. Before we start, if
 25 anybody is here for Item Number 8 or Item

6

1 happy to help you.
 2 MR. GRABIEL: I have a question. Did the
 3 Commission see it with the change?
 4 MR. TRIAS: Yes.
 5 MR. GARCIA-SERRA: Good evening, Mr. Chair,
 6 Members of the Board, Mario Garcia-Serra, with
 7 offices at 600 Brickell Avenue, representing
 8 this evening Sunset Place Luxury Holdings, LLC,
 9 Shoma San Remo, LLC and San Remo Office
 10 Associates, LLC. These are the owners and
 11 contract purchasers of the properties located
 12 at 1500 Venera Avenue, 1515 San Remo and 1537
 13 San Remo.
 14 The property is approximately 1.78 acres in
 15 size. We have it indicated here in an aerial
 16 photograph right behind them, and the extent of
 17 our Zoning requests are that we're proposing to
 18 change the Land Use and Zoning on the 1515 San
 19 Remo site only and looking for a Site Plan
 20 approval that covers the entire project area.
 21 This project already came before you at
 22 your October meeting, at which you unanimously
 23 recommended approval. What we are here to talk
 24 to you about are the changes which have been
 25 made to the project since October.

8

1 As Ramon mentioned, the most prominent
2 change has been the addition of this property,
3 which I'll point to now, located at 1537 San
4 Remo. You'll remember that this was a bit of a
5 hole in the doughnut situation. It was one
6 pre-existing office building that was going to
7 be between the Plaza San Remo to the west and
8 the Venera project to the east. We have since
9 gone under contract to purchase that property,
10 and have incorporated it into the project as an
11 office building.

12 It's a five-story office building, about
13 15,000 square feet. You can see it in this
14 elevation at the extreme left. I'll have the
15 architect, of course, make something of a more
16 detailed presentation on it.

17 In response to comments received at the
18 First Reading before the City Commission, we
19 have lowered the project's density to 165
20 units, which is just 15 units more than what is
21 permitted today with just Site Plan review
22 approval, and we changed the unit mix so as to
23 bring down the number of one bedroom units, so
24 that the unit mix now is roughly evenly split
25 between one, two and three bedrooms.

9

1 with back of house and support spaces, and then
2 four stories of usable office space above,
3 totaling about 15,000 square feet.

4 It was designed in a similar vernacular to
5 the original building to -- it's a separate
6 standalone structure, but with similar
7 architectural features. A conscious effort was
8 made to not have any additional driveway cuts
9 off of San Remo, so it is fully -- it fully
10 engages the right-of-way and the pedestrian
11 experience.

12 And, then, lastly, we do view it as one
13 comprehensive Site Plan and we are looking to
14 integrate the hardscape and landscape
15 improvements throughout the entire length of
16 the newly acquired property, and we have more
17 information on the other building, if you'd
18 like, but other than that, I'll be here to
19 answer any questions.

20 MS. VELEZ: I have a question.

21 MR. CARRERAS: Yes.

22 MS. VELEZ: I noticed that there is no
23 change in the parking. Does this five-story
24 building incorporate its own parking?

25 MR. CARRERAS: It does not. It will rely

11

1 The amount of ground floor retail was also
2 reduced by about 10,000 square feet to 20,000
3 square feet, and I'll now ask Raul Carreras,
4 project architect with Bermello, Ajamil, to
5 just give you some more detail, in particular,
6 on that new Phase Two building at 1537 San
7 Remo.

8 MR. CARRERAS: Good evening, Members of the
9 Board. Raul Carreras, with Bermello, Ajamil &
10 Partners, with offices at 2061 South Bayshore
11 Drive, Suite 1000, Miami, Florida 33133.

12 As was explained, I guess the reason of our
13 visit today was the annexation of that
14 additional 50-foot property. What we are
15 proposing or what has been presented before the
16 Commission is a five-story office building,
17 making the project a true Mixed-Use now. The
18 original project already contained ground floor
19 retail, and it continues to do so, and if
20 you'll allow me -- the project continues to
21 have all of the yellow area as retail space,
22 lining all of the street frontages and
23 right-of-ways. So retail use of the ground
24 floor, the introduction of the office building.

25 The ground floor of that will be an office,

10

1 on parking in the main building. We're now at
2 a total of 356 spaces in the main building. By
3 the Shared Parking Calculation, we require 318.
4 So using the Shared Parking Matrix, we do have
5 excess parking.

6 MS. VELEZ: And will that be available to
7 the public, who will visit that office
8 building, as well?

9 MR. CARRERAS: Yes. The first floor of
10 parking, the second story, has been designated
11 for the retail patrons and I guess the office
12 building, also, and then private levels for the
13 residences will be above the second level.

14 MS. VELEZ: And you don't think that the
15 addition of 15,363 square feet of office space
16 will require additional parking?

17 MR. CARRERAS: Well, I'm saying what the
18 numbers tell us. If you believe the Shared
19 Parking Matrix and that residential units will
20 not be there, there is some possibility of
21 having an efficiency of parking.

22 MR. GARCIA-SERRA: I think it's important
23 to note also that the amount of retail space
24 and residential units are reduced, also.

25 MR. CARRERAS: Yeah.

12

1 MS. VELEZ: All right. So we have 24 less
2 residential units.

3 MR. CARRERAS: And 15 -- or 10,000 square
4 feet less of commercial.

5 MS. VELEZ: Less of commercial.

6 MR. CARRERAS: We're down to 20,000 square
7 feet from 30.

8 MS. VELEZ: I have reservations on that,
9 because I don't know -- I mean, I visit the
10 building next door, the Plaza San Remo --

11 MR. CARRERAS: The Whole Foods.

12 MS. VELEZ: -- and there is difficulty
13 finding parking there, when you go either to
14 the grocery store or to visit a --

15 MR. CARRERAS: A medical office.

16 MS. VELEZ: -- a medical office.

17 MR. CARRERAS: Uh-huh.

18 MS. VELEZ: It's difficult to find parking.

19 CHAIRMAN AIZENSTAT: Will the office space
20 be condominium or rentals?

21 MR. CARRERAS: I believe -- I'm going to
22 defer to you all, but I believe, rental.

23 MR. SHOJAEE: These are rental.

24 MR. CARRERAS: Rental.

25 CHAIRMAN AIZENSTAT: So it's a rental

13

1 were trying to accommodate our neighbor, and
2 that's why we purchased the site. So the best
3 use of this property obviously is office
4 building, really, and that's why we converted
5 it to office. And in order to alleviate the
6 impact of the traffic, so I reduce by -- the
7 total from 189 to 165, and, also, we reduced
8 the retail by 10,000 square feet, and we are
9 creating more amenities for the residential
10 side, and I think it's a plus.

11 CHAIRMAN AIZENSTAT: What amenities? What
12 additional amenities are you creating?

13 MR. SHOJAEE: We want to create like a
14 bowling alley for the people that are going to
15 be living there, and we're going to create
16 some -- the art center inside the lobby -- I
17 mean, in those areas. So these are the
18 examples that we're going to do.

19 CHAIRMAN AIZENSTAT: Will the bowling alley
20 be open to the public?

21 MR. SHOJAEE: No. Only for people that are
22 going to be living there.

23 CHAIRMAN AIZENSTAT: Okay.

24 MS. VELEZ: Thank you.

25 MR. SHOJAEE: Thank you.

15

1 project.

2 MR. COLLER: We can't have you respond from
3 the audience. If you would just put your name
4 on the record.

5 CHAIRMAN AIZENSTAT: Thank you.

6 MR. COLLER: And I assume you were sworn
7 in, as everybody else was sworn in, or do you
8 need to be sworn in?

9 MR. SHOJAEE: I need to be sworn in.

10 MR. COLLER: You need to be sworn in?

11 MR. SHOJAEE: Yes.

12 MR. COLLER: Okay.

13 (Thereupon, the participant was sworn.)

14 MR. SHOJAEE: Yes, I do.

15 MR. COLLER: Would you state your name and
16 address.

17 MR. SHOJAEE: Yes. My name is Masoud
18 Shojaee. I'm the President and CEO of the
19 Shoma Group. They --

20 CHAIRMAN AIZENSTAT: Your address, please.

21 MR. SHOJAEE: I'm sorry?

22 CHAIRMAN AIZENSTAT: Your address.

23 MR. SHOJAEE: Oh, my address. 201 Sevilla,
24 Suite 300, Coral Gables.

25 This project, of course, the last piece, we

14

1 CHAIRMAN AIZENSTAT: Any other comments?
2 Marshall?

3 MR. BELLIN: No.

4 CHAIRMAN AIZENSTAT: Does anybody -- since
5 we're having a Discussion Item --

6 MR. COLLER: By the way, I wanted --

7 CHAIRMAN AIZENSTAT: Go ahead.

8 MR. COLLER: I've been advised actually
9 that the Commission wanted your recommendation.
10 So even though it's on as a Discussion Item,
11 it's my understanding that the City Commission
12 wants your recommendation on this additional
13 item that apparently was not before them, as I
14 understand it; is that correct?

15 MR. GARCIA-SERRA: What went before the
16 City Commission was this project area that
17 you're seeing now. The building itself, the
18 Phase 2 building, was there, but at that point
19 in time it was a residential building. We
20 converted it to office in response to comments
21 from the City Commission to reduce the
22 residential density. So this is the first time
23 that the office building has been presented to
24 a City Board, other than the Board of
25 Architects.

16

1 MR. COLLER: Other than the Board of
 2 Architects?
 3 MR. GARCIA-SERRA: Correct.
 4 MS. VELEZ: Oh, okay.
 5 MR COLLER. So this is new --
 6 MR. GRABIEL: Do we need to make a motion?
 7 CHAIRMAN AIZENSTAT: Well --
 8 MR. COLLER: -- and was not presented to
 9 the City Commission and the City Commission is
 10 looking for your recommendation on this
 11 additional part of the development.
 12 CHAIRMAN AIZENSTAT: I think, before -- if
 13 they're looking for a recommendation, one of
 14 the things that I would ask, if there's anybody
 15 here from the public that --
 16 MR. GARCIA-SERRA: If I could conclude, and
 17 then maybe --
 18 CHAIRMAN AIZENSTAT: Oh, I thought you were
 19 done. I'm sorry.
 20 MR. GARCIA-SERRA: Almost. We're close to
 21 it.
 22 CHAIRMAN AIZENSTAT: Sorry about that.
 23 MR. GARCIA-SERRA: We feel that overall
 24 these changes are improvements on an already
 25 very good project, because of the increase of

17

1 the mix of uses in the project, and now the
 2 entire block is designed for new development
 3 and we no longer have the issue of having to
 4 design around an older pre-existing building in
 5 the middle of the block, which previously
 6 existed.
 7 We have everybody here from the project
 8 team to entertain questions, of course. Since
 9 it seems you're going to entertain comments
 10 from the public, I would ask for just some time
 11 to rebutt afterwards and that's the conclusion
 12 of our presentation.
 13 CHAIRMAN AIZENSTAT: Mario, just if I may
 14 ask, there were recommendations that were made
 15 by this Board when you brought it before us the
 16 last time.
 17 MR. GARCIA-SERRA: Correct.
 18 CHAIRMAN AIZENSTAT: Were all of those
 19 recommendations implemented into your plan?
 20 MR. GARCIA-SERRA: They were all
 21 incorporated. They were various sort of facade
 22 and street level recommendations for
 23 improvements, an additional \$50,000 in
 24 additional contributions for neighborhood
 25 improvements.

18

1 The issue of how to handle the retail
 2 frontage, which I remember in particular Mr.
 3 Grabiell was addressing, has, to a great extent,
 4 been addressed by the fact that we now have
 5 acquired that property and have incorporated it
 6 as part of the project, but the other things,
 7 such as doing streetscape on both sides of the
 8 street and so forth have all been incorporated.
 9 CHAIRMAN AIZENSTAT: And there was also a
 10 comment that was based on that driveway where
 11 the "T" is, right there. I think there was
 12 some kind of a comment that was made --
 13 MR. GARCIA-SERRA: That's where we were
 14 looking to try to activate and have more
 15 storefront space, as opposed to back of house
 16 or a driveway. We did incorporate that.
 17 CHAIRMAN AIZENSTAT: All right. You did.
 18 MS. VELEZ: And remind me where the waste
 19 is removed.
 20 MR. GARCIA-SERRA: Back of house -- Raul?
 21 I'll let the expert in that --
 22 MR. CARRERAS: The trash collection room is
 23 back here. The truck will enter through that
 24 one driveway cut, service, and come back out,
 25 and in response to -- I think the comment last

19

1 time was that we had several back of house
 2 spaces, generator, FPL, et cetera. We've lined
 3 it with a two-foot deep storefront, so that you
 4 do have storefront and you have the ability to
 5 have advertising, have something a little bit
 6 more animated and not just a blank wall.
 7 So that's how we've addressed that. The
 8 roll-up door, we can't get away from, but we
 9 did in the elevation at least treat it more
 10 nicely than just your metal roll-up doors.
 11 CHAIRMAN AIZENSTAT: Okay. Thank you.
 12 MR. BELLIN: Craig, I have a question. The
 13 Commission did look at this project with the
 14 addition or they haven't?
 15 MR. COLLER: Well, as Mario explained, and
 16 I apologize, I don't think I had my mike on,
 17 this was looked at, but it was part of
 18 residential, and it was -- but Ramon is going
 19 to bail me out of this question.
 20 MR. TRIAS: Yes. I was at the Commission
 21 Meeting. So what happened is, as a result of
 22 the Commission discussion -- as a result of
 23 that Commission discussion, they made some
 24 changes. So it's not exactly what you have
 25 here. This is the result of the Commission

20

1 discussion.
2 As you know, many times that happens.
3 First Reading, you get some comments, and then,
4 in Second Reading, you have some modifications.
5 The modifications are less units and more
6 office space, basically.

7 Now, in terms of parking, because of the
8 different changes in terms of the less units
9 and less square footage for retail, they've
10 used the Shared Parking Matrix, which is a very
11 straight-forward Code provision, and that's how
12 they have accommodated those spaces. So those
13 are the facts.

14 Now, the Commission did say that they were
15 looking for your opinion and recommendation
16 given the fact that the site had become a
17 little bit larger. So I think it would be
18 appropriate that you listen to any public
19 comment and anybody from the audience, and then
20 take a vote, up or down, based on your opinion.

21 CHAIRMAN AIZENSTAT: Ramon, was there any
22 additional parking study done?

23 MR. TRIAS: Well, it was reviewed by Public
24 Works, like we always do, but the issue is that
25 once you use that matrix, it's simply black and

1 Attorney if he had -- do you have the -- I
2 mean, I don't want to speak for the Commission
3 without the Minutes.

4 MR. BELLIN: Okay.

5 MR. COLLIER: I apologize. I'm not clear on
6 the question. What is --

7 MR. BELLIN: If the Commission had some --
8 they sent it back to us for a reason.

9 MR. COLLIER: Well, I think they sent it
10 back to you, because of this addition, that
11 they wanted you to look at.

12 MR. TRIAS: Let me --

13 MR. COLLIER: Fortunately, we do have the
14 City Attorney here.

15 MR. TRIAS: Let me give it a try. The
16 reason -- they're interested in your opinion.
17 They want your professional or your view, as
18 experts on planning, on the changes. That is
19 the way I understood the request.

20 MS. RAMOS: Good evening. The Commission
21 was concerned about density, about size, and
22 about traffic, the traffic impact in the area,
23 but they specifically referred it back to you
24 because, between the time that it came to
25 Planning and Zoning, and when it went to City

1 white. If it's yes, it's yes.

2 CHAIRMAN AIZENSTAT: And what about a
3 traffic study based on the additional offices?

4 MR. TRIAS: Traffic? I don't know if that
5 was updated. Was that updated?

6 MR. GARCIA-SERRA: Indeed. The traffic
7 study was updated with all current program
8 information, submitted to the City. There
9 wasn't any change in the recommendations of
10 that traffic study.

11 MR. BELLIN: Ramon --

12 CHAIRMAN AIZENSTAT: Go ahead, please,
13 Marshall.

14 MR. BELLIN: Ramon, did the Commission have
15 any concerns about the new project?

16 MR. TRIAS: Well, they voted for it, and
17 it's going to Second Reading as soon as it
18 passes the Planning and Zoning. So the
19 concerns they had, they expressed, and they had
20 to do with density and issues like that. They
21 were incorporated into the design and that's
22 what you're looking at.

23 MR. BELLIN: Can we be clear as to the
24 recommendations that they made?

25 MR. TRIAS: I would defer to the City

1 Commission, that sliver of property on the
2 side, that's now commercial, was added to the
3 Site Plan, and it was put forth as residential.

4 The Commission felt that the entire thing
5 had not been reviewed by this Board, with the
6 addition of that building, and so they sent it
7 back here, and now there's been some changes
8 made to address the more general concerns of
9 the Commission, but the idea is for you to
10 review it together with this additional new
11 building that's now commercial.

12 MS. VELEZ: So initially it was presented
13 as additional residential?

14 MS. RAMOS: Correct, to the City
15 Commission.

16 MS. VELEZ: So now it has switched to
17 office use, okay.

18 MS. RAMOS: But in either event, you had
19 not ever seen that additional piece and that's
20 what the City Commission wanted you to weigh in
21 on.

22 MS. VELEZ: I think aesthetically I
23 remember the last time that little piece just
24 looked like David next to two Goliath.

25 MR. GARCIA-SERRA: Yeah.

1 MS. VELEZ: So it's good to see it
2 incorporated into something else. I think,
3 probably, the use as office limits a lot or
4 diminishes somewhat the concerns of the traffic
5 and the parking. Now I'm much clearer, that
6 we're doing the shared. That makes lot of
7 sense.

8 MR. TRIAS: Yeah. The theory of the Shared
9 Parking Matrix is that if one has office and
10 residential, that's better than it's all office
11 or all residential, in terms of parking
12 demands. The reason why there's an issue with
13 parking demand on the other building is
14 probably because it's only offices and retail.

15 CHAIRMAN AIZENSTAT: Now, but the study or
16 the matrix is done based upon the parking
17 spaces that are not assigned to owners or
18 living units or are they taking the same living
19 unit spaces and assigning it during the day to
20 the office?

21 MR. GARCIA-SERRA: When you use that
22 matrix, you can't assign parking.

23 MR. TRIAS: Right.

24 CHAIRMAN AIZENSTAT: Okay. That answers
25 that.

1 CHAIRMAN AIZENSTAT: If you would raise
2 your hand, please.

3 MR. COLLIER: Wait. To actually save time,
4 I believe this gentleman wants to speak, and
5 he's also not been sworn in.

6 CHAIRMAN AIZENSTAT: Is there anybody else
7 that's here, that wishes to speak on any item,
8 that has not been sworn in?

9 Okay.

10 MR. PINERA: Wow, suddenly everybody wants
11 to talk about this project, after I showed up.

12 CHAIRMAN AIZENSTAT: We're going to go
13 ahead and swear the three of you in at this
14 time, if you'd -- go ahead and proceed, please.

15 (Thereupon, more participants were sworn.)

16 CHAIRMAN AIZENSTAT: Thank you.

17 If you'd state your name and address, for
18 the record, please.

19 MR. PINERA: Sure. My name is Henry
20 Pinera. I live at 1215 Aduana Avenue, and I'm
21 here representing the larger Riviera
22 Neighborhood Association. I just want to get a
23 few things on the record prior to going to
24 Commission, as I'm sure that you guys will soon
25 understand why.

1 MR. TRIAS: There are some rules, and
2 they're in the Code, and they're very clear. I
3 mean, it's black and white.

4 MR. BELLIN: Ramon, I have a question.

5 MR. TRIAS: Yes.

6 MR. BELLIN: The parking for the little
7 office building is in the main building?

8 MR. TRIAS: Yes.

9 MR. BELLIN: And how is it accessed? They
10 have to walk through the --

11 MR. TRIAS: From the sidewalk.

12 MR. BELLIN: So they can't go directly from
13 the office building into the --

14 MR. TRIAS: The buildings are separated, so
15 there's no connection.

16 MR. BELLIN: Okay.

17 CHAIRMAN AIZENSTAT: I'd like to go ahead
18 and open it up to the public at this time.

19 Have people signed up?

20 THE SECRETARY: We only have one speaker,
21 and it is Mr. Pinera.

22 CHAIRMAN AIZENSTAT: I think there's
23 another gentleman that wants to sign up also.

24 Have you been sworn in?

25 MR. PINERA: No.

1 So I should also mention that I have a
2 degree in computer engineering from the
3 University of Miami, and I graduated in 1998.
4 The reason I mention that is because an
5 engineering degree will tell you that the
6 stated purpose for a building will have an
7 impact on the design requirements.

8 Now, I'm going to show you that the stated
9 purpose for this building is student housing,
10 and I'm going to introduce some evidence that
11 was given to the Riviera Neighborhood
12 Association that shows that this is clearly a
13 student housing project and that the intent is
14 student housing, first and foremost.

15 MS. VELEZ: Thank you.

16 MR. GRABIEL: Thank you.

17 CHAIRMAN AIZENSTAT: Thank you.

18 Will you also give a copy to the secretary?

19 MR. PINERA: Actually, I believe Ramon
20 already entered this evidence as part of the --

21 MR. TRIAS: Yeah, it's already in the record.

22 CHAIRMAN AIZENSTAT: Okay. If you would
23 please direct everything to the dais, I'd
24 appreciate it.

25 MR. TRIAS: We can provide it.

1 CHAIRMAN AIZENSTAT: Please proceed.
 2 MR. PINERA: Okay. So if you'd like one,
 3 here.
 4 CHAIRMAN AIZENSTAT: He has.
 5 MR. PINERA: I wanted to make sure I had
 6 enough for them, the Board Members.
 7 Okay. So, as you can see, the first page
 8 is a web screenshot from the Dodge Report's
 9 website, which is a construction website that
 10 bids projects out, and it is clearly labeled,
 11 Venera Student Housing. This was a screenshot
 12 from January 17, 2018.
 13 We then went ahead and purchased the entire
 14 package, which has all of the design
 15 schematics. We've sent those design schematics
 16 to Mr. Trias, and -- I'm sorry, the --
 17 Walter -- Mr. Walter Foeman, as well. Have the
 18 full schematics been entered into the record,
 19 the ones that we sent?
 20 MR. TRIAS: What you sent was entered into
 21 the record, yes.
 22 MR. PINERA: I'm sorry?
 23 MR. TRIAS: Yes, what you sent was entered
 24 into the record.
 25 MR. PINERA: Including the CAD drawings?

29

1 MR. TRIAS: I don't recall the details, but
 2 if that was part of the attachment, then it
 3 was, yes.
 4 MR. PINERA: It was a link, because the CAD
 5 drawings are obviously PDFs and very large, so
 6 they would have to have been downloaded. They
 7 were zip files --
 8 MR. TRIAS: We certainly can follow up on
 9 that, if that was not done properly.
 10 CHAIRMAN AIZENSTAT: After the meeting, you
 11 can follow up with him. It's duly noted.
 12 MR. PINERA: Okay. So that's the first
 13 page. The second page is the cover page for
 14 the project. As you can see, it says,
 15 "Schematic design documents." It has the
 16 address. It has the date of November 28, 2017,
 17 and very importantly, it also designates the
 18 owner as Landmark Properties. Landmark -- I'll
 19 explain who Landmark Properties is in a second.
 20 The next cover page, the next page, the
 21 third page of the document, is the overall
 22 summary provided by Dodge, and at the very top,
 23 the title states, Student Housing -- Venera
 24 Student Housing, and it also underscores that
 25 the owner, and in parenthesis, private, is

30

1 Landmark Properties, with an address of Athens,
 2 Georgia.
 3 The next page is a document from Bermello,
 4 Ajamil & Partners, who I believe is represented
 5 here. Is that correct?
 6 Okay. And I'll just read the one
 7 highlighted sentence. "The site is not only
 8 within walking distance to the Shops at Sunset
 9 Place and the neighboring Rivera Park, but more
 10 importantly the proximity to the University of
 11 Miami and the Metrorail Transit Station along
 12 Dixie Highway makes this location prime for
 13 student apartments." So there is an intent to
 14 market to students with this.
 15 The next page is also a screenshot from
 16 Landmark Properties' web page, directly from
 17 Landmark Properties' web page, and the
 18 screenshot was taken February 12, 2018, and you
 19 can clearly see that they refer to themselves
 20 as the nation's top developer of student
 21 housing two years running.
 22 The next page that I'd like to call out,
 23 and you may have to skip ahead, I may not have
 24 ordered it correctly, is labeled, Preliminary
 25 Geotechnical Engineering Report.

31

1 Are you guys able to see the Preliminary
 2 Geotechnical and Engineering Report? And it
 3 says it was prepared for Landmark Collegiate
 4 Development of Athens, Georgia. Again, why
 5 would -- and I believe the owner, last week,
 6 when he had his meeting with some of the --
 7 with some of the residents, pointed out that,
 8 no, this was his property and that Landmark was
 9 not engaged.
 10 I won't speak to that. That's the
 11 impression that I got during that meeting, but
 12 why would another company pay for a development
 13 that was not their own? It says, "Landmark
 14 Collegiate Development, LLC." Again, pointing
 15 to the same company that has already stated
 16 that they are one of the foremost developers of
 17 collegiate housing, student housing.
 18 Next is another document from another
 19 construction partner, not just the architect,
 20 from Cast Construction, detailing the trade
 21 responsibilities. You'll note that the very
 22 top is labeled, Venera Student Housing, Coral
 23 Gables, Florida, and the bid was due January
 24 29, 2018.
 25 There's other documents, such as this, in

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1 the larger package that was a full zip file
2 that I sent to the Commissioners and that I
3 sent to Ramon Trias. I will also gladly send
4 the full package that we purchased to you guys.
5 If you guys want the e-mail, I'll send you the
6 e-mail completely, as well.

7 The last document that I have says -- it is
8 Exhibit C, and this is another document that
9 was included in that same packet. Again, at
10 the very top, it says, "Venera Student
11 Housing," and it is insurance requirements. So
12 this is another angle on -- or another document
13 that shows that even the insurance refers to it
14 as Venera Student Housing.

15 So the fact that the purpose of this
16 project is primarily around student housing,
17 and that as far as I can tell -- was this made
18 aware to you prior to this?

19 CHAIRMAN AIZENSTAT: I'll let you please
20 finish your comments as opposed to
21 interrogatories.

22 MR. PINERA: Okay. But --

23 CHAIRMAN AIZENSTAT: And I'll let you go
24 ahead and put it on the record.

25 MR. PINERA: Okay. I'm guessing you guys

1 family renting that three-bedroom unit and
2 having one car for the parents, and one of them
3 is a work at home parent with an office, and
4 you also can't argue that there's going to be a
5 small child there that's not going to take up a
6 car.

7 The more likely scenario is instead that
8 they will take up each and every parking spot
9 and there will not be enough parking spots.
10 This impacts the businesses that are around the
11 entire neighborhood.

12 I just wanted to get this on the record.

13 CHAIRMAN AIZENSTAT: Thank you very much.

14 MR. PINERA: Thank you.

15 CHAIRMAN AIZENSTAT: Thank you.

16 Can you call the next speaker, please?

17 THE SECRETARY: Hector.

18 MR. LOMBANA: Good evening all. It's my
19 pleasure to address you for the first time. My
20 name is Hector Lombana, and I live at 1233 San
21 Ignacio, and my wife walks the dogs in that
22 area every day, and I walk every once in a
23 while, although obviously I don't walk as much
24 as she does.

25 But magna cum laude graduate of Rutgers

1 were not aware of this prior to this or maybe
2 only recently made aware of this after the
3 first time it came to be. If they are trying
4 to hide the true purpose of this, doesn't it
5 have an impact on a lot of the studies that
6 we're talking about, the traffic studies,
7 because the traffic patterns are going to be
8 different?

9 I remember, a lot of times I had -- when I
10 had classes at the University of Miami, I had
11 time between my classes, and I might go back
12 and forth multiple times to the University. So
13 that's going to change the traffic studies.

14 Also, the fact that they're -- and I'm sure
15 that the numbers have changed, but the total
16 number of bedrooms associated with this
17 project, I believe at the meeting last week,
18 which may have changed, was 327. So if you
19 guys can do the math, just total the number of
20 three-bedroom units, multiply it out -- all of
21 those units, multiply it out, get the total
22 number of rooms, that is the density that we
23 should be looking at strictly, because if this
24 is going to be aimed at student housing, you
25 cannot argue that you're going to have a young

1 University in 1974, and went to law school and
2 graduated from law school in 1977. I'm a
3 lawyer. I've been a practicing lawyer in Coral
4 Gables for at least 20 years -- 18 years,
5 actually, and I'm not here under anybody's
6 employ, okay. Nobody's paying me.

7 I'm taking a position and I'm going to tell
8 you what it is, okay? I am a member of the
9 Riviera Neighborhood Association, and we walk
10 that area. This is a great project, okay, all
11 right. Why? Because there are plazas involved
12 with this project, the street area will be made
13 more beautiful, there will be businesses that
14 will draw more people to walk.

15 Unlike you, Ms. Velez, I've never had a
16 problem parking at Publix and I shop there all
17 of the time, whenever my wife sends me, or at
18 the other place, Whole Foods, because there's
19 plenty of parking in both places. You guys
20 have done -- I guess, you and your predecessors
21 have done a good job.

22 The issue about students, well, there's a
23 bus that picks up and takes students from the
24 University of Miami, both to Publix -- I've
25 seen them at Publix, and they go to the other

1 place and they're there. So the impacts on the
2 traffic study, I don't know what that has done
3 in their traffic studies, because I haven't
4 seen them, okay.

5 To discriminate against rental properties
6 based on who is going to inhabit, being college
7 students or not, I have a house next door to
8 mine that is rented to college students every
9 year. They're some of the nicest people I've
10 ever met. They go to the University of Miami
11 and it takes some requirements to get there,
12 and they're very sweet, sometimes they even
13 bring cookies and stuff. They have their
14 parties, you know. I've had college students
15 living in my house, okay, and unless they're
16 falling off the roof or something, which they
17 never have, it's never a problem.

18 I think this is a -- this thing about it
19 being some kind of a subterfuge, I mean, I got
20 this in my door, this thing that has been given
21 to you. Somebody slid this in my door the
22 other day. I mean, I think everybody in town
23 or in the area got one of these. And I talked
24 to my next door neighbor, and he goes -- and
25 he's like, who cares who is going to live in

1 now -- has now -- the amount of residences has
2 now been reduced in order to make sure that
3 this project will survive, okay.

4 With that, thank you spending time with me.
5 I appreciate you, and if anybody needs anything
6 or whatever, I have a card, especially if they
7 have a good case, I'll take that.

8 CHAIRMAN AIZENSTAT: Thank you.

9 THE SECRETARY: Ms. Fernandez.

10 MS. FERNANDEZ: My name is Alicia
11 Fernandez, and that area has old buildings --

12 CHAIRMAN AIZENSTAT: Can you state your
13 address, please, for the record.

14 MS. FERNANDEZ: I'm sorry, 6000 Granada
15 Boulevard.

16 CHAIRMAN AIZENSTAT: Thank you.

17 MS. FERNANDEZ: Okay. I believe this is a
18 great project, that will enhance the area. It
19 has old buildings now, and this will replace
20 the old buildings. And the open space, we can
21 use and we can enjoy in that area, and I think
22 it just enhances the area more than having all
23 of those little buildings there, the way they
24 are now, and I hope you approve this project.
25 Thank you.

1 there. They're going to live in a building. I
2 mean, somebody is going to be paying their
3 rent, and I'm sure they're not going to be
4 paying it, their parents are, so this is just a
5 complete red herring that means nothing.

6 These people have disclosed the fact that
7 this is going to be a rental property from the
8 very first moment. If they're trying to rent
9 the building and a family comes in, they're not
10 going to say, "No, you can go away. We're not
11 going to rent to you." I'm pretty sure about
12 that, okay.

13 It's a great project. There are other
14 problems in that area that have nothing to do
15 with you all, for example, the amount of
16 traffic that's generated by that Riviera Day
17 School, that they block all of Trionfo Street,
18 waiting to get people in there. I mean, the
19 street is completely blocked alongside. You
20 can't even drive there. The school at Sunset
21 Elementary, the streets are completely blocked.
22 I was there today and it was just massive
23 problems, okay, but it has nothing to do with
24 well-appointed, well-researched and
25 well-planned out buildings, okay, that have

1 CHAIRMAN AIZENSTAT: Thank you.

2 Are there any other speakers?

3 THE SECRETARY: No.

4 CHAIRMAN AIZENSTAT: Mario, would you like
5 to --

6 MR. GARCIA-SERRA: Thank you, Mr. Chair.
7 Indeed, I think the only objection that was
8 raised was this issue of student housing, and
9 I'll spend a little time talking about that.
10 And just from the get-go, I think it's already
11 been mentioned by some of the other speakers,
12 but it's very important to point out that
13 whether we talk about the City or the State or
14 this Country, we do not regulate either an
15 ownership nor do we discriminate against who
16 can potentially be living in a living unit.

17 Going to what is actually before you and
18 what this project is, from the very beginning,
19 we've always stated these are rental
20 apartments, and these are rental apartments.
21 These are not dorms. Dorms have communal
22 bathrooms, as we all remember from our college
23 days. Dorms have communal eating areas.
24 Neither one of which is present in this
25 project. They usually have other things, such

1 as study areas, which also are not present in
2 this project.

3 This is a rental apartment project. By the
4 way, that is defined in the Zoning Code, and,
5 by the way, you can tell by just looking at the
6 plans that are before you.

7 The documents circulated don't have the
8 names of any of the owner or the applicant
9 entities or any of their affiliates. My client
10 is one of the most prolific developers here in
11 Miami-Dade County, one of the most successful
12 of both, condominium and rental projects,
13 commercial and non-commercial. You know, his
14 name is well-known. He is not Landmark.

15 Landmark, as best we can gather, is
16 potentially an entity that is interested in
17 purchasing this site and has circulated these
18 documents in their ability to try to price and
19 see what they should offer for the property,
20 but Landmark is not my client, and it's pretty
21 clear. You can go on the public records of
22 Miami-Dade County, look at the deed, see what
23 corporate entities have acquired this property,
24 and look under Sunbiz.com for you to see who is
25 affiliated with each of those corporate

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1 entities. You will see they will ultimately
2 come back to Masoud Shojaee. They do not come
3 back to this Landmark company.

4 We're intending to have an apartment
5 building, which is open to all tenants who
6 qualify. As long as you pass the background
7 check and credit checks and so forth, we will
8 rent to you. We cannot and should not
9 discriminate against anyone, including if you
10 are a student. Imagine the odd situation we
11 would have, what if we have somebody who is a
12 professional, who we're renting to, but then
13 decides to become a student, as sometimes
14 happens, are we then supposed to kick him out?

15 You know, in reality what is being -- the
16 concern or the fear that there is here of maybe
17 too much noise or too much people living in one
18 unit is addressed by other parts of the Zoning
19 Code which are already in place. We have a
20 noise ordinance, that regulates noise. If
21 people are being too loud after a certain time,
22 then the police come and they shutdown the
23 party. You know, they have the force of law
24 behind them in order to do that.

25 In Coral Gables, we cannot have more than

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1 three unrelated persons living together.
2 Again, another law that could be enforced to
3 make sure there isn't any overcrowding of any
4 units, but again, remember, we cannot say,
5 we're not going to approve this, because this
6 entity owns it or we think they might own it or
7 we hear that somebody else has said that they
8 might ultimately want to be interested in
9 buying and purchasing it at some point. That
10 is purely completely against the law, much less
11 can we say, we'll approve you, but don't you
12 rent to X, Y and Z, whatever that X, Y and Z
13 might be, including students.

14 So with that said, I think it's pretty
15 clear what the law is, and I think this is a
16 project which was excellent to begin with. You
17 guys recognized that when you unanimously
18 recommended approval by a 5 to 0 vote back in
19 October. It's only gotten better. It's only
20 gotten better because of input from the City
21 Commission, input from the neighbors and our
22 own development of the project, and I just hope
23 you acknowledge that and permit us to move
24 forward with a continued recommendation of
25 approval.

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1 CHAIRMAN AIZENSTAT: Thank you.

2 MR. GARCIA-SERRA: Thank you.

3 CHAIRMAN AIZENSTAT: At this time, I'll go
4 ahead and close the floor.

5 Craig, I have a question for you. We have
6 this in our agenda and it's advertised as a
7 Discussion Item.

8 MR. COLLIER: Well, I saw on the agenda it
9 said, Discussion Item, and perhaps it could
10 have been described a little bit better on the
11 agenda, but I believe that you're making a
12 recommendation. You're not approving the
13 project. You're making a recommendation to the
14 Commission. So I think you've got the
15 jurisdiction to make that recommendation.
16 You've been requested by the Commission to do
17 so. So I think it's appropriately -- it's
18 appropriately before you.

19 CHAIRMAN AIZENSTAT: You don't think that
20 we would have had more people to come and talk
21 about this project otherwise?

22 MR. COLLIER: Well, how did -- the agenda
23 items, Ramon, how are they advertised or how
24 are they --

25 MR. TRIAS: Well, it was advertised on the

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1 agenda. Now, the way that we understood this
2 is that the public hearing, the official public
3 hearing, with notice and so on, had taken place
4 already, and this was a second meeting at the
5 request of the Commission.

6 So it's possible that we could have more
7 people; however, I think that the fact that
8 there was a hearing at the Commission, and that
9 that was already attended by some of the
10 citizens and so on, made it well-known in the
11 community, and then some individuals have come
12 in and some have actually given input through
13 the process, including Mr. Pinera.

14 I mean, there has been a conversation. So
15 it's up to you. You can take whatever action
16 you think is appropriate at this point. I
17 think that the Commission is interested in your
18 expert opinion as the Board that makes
19 recommendations on planning, given the fact
20 that some changes have been made. So that's
21 the way that I understood that request.

22 CHAIRMAN AIZENSTAT: But in this case,
23 there would be no vote that could be taken --
24 go ahead.

25 MR. COLLER: I have the benefit of being

1 place a week from today.

2 From my client's point of view, of course,
3 we've already been to this Board. You've given
4 the recommendation of approval. We've gone to
5 the City Commission. The City Commission
6 wanted your input. You know, I don't know if
7 that necessarily means comments or a vote or
8 action, but I think, you know, you just need to
9 communicate substantively what you think of the
10 changes and permit us to move forward.

11 You know, this has already been a long
12 process for us, and to prolong it any further,
13 I don't think would be of benefit to anybody,
14 including the public that's already had ample
15 opportunity to provide input.

16 CHAIRMAN AIZENSTAT: Okay. I would
17 actually like to ask my fellow Board Members
18 for their thoughts.

19 MR. BELLIN: I have a question. Ramon,
20 these are -- basically they're two different
21 lots or is it one platted lot?

22 MR. TRIAS: It's one property, and what
23 happens is that in the Mixed-Use regulations
24 you can have multiple buildings. It's the only
25 time where you're able to do that.

1 able to consult with the City Attorney this
2 evening. If the Board feels uncomfortable and
3 believes that there needs to be a deferral for
4 purposes of providing additional notice, you
5 have the opportunity to do so. It's been
6 pointed out to me that it is going to go back
7 for a Second Reading before the City
8 Commission. So there will be that notice, as
9 well.

10 So there is that -- this is going to go
11 before a second public hearing before the City
12 Commission.

13 MR. TRIAS: In addition, I think that the
14 Applicant is going to say that they had a
15 neighborhood meeting, right? Yes.

16 MR. GARCIA-SERRA: Correct. We had a
17 neighborhood meeting which was noticed, and --

18 CHAIRMAN AIZENSTAT: How many people
19 attended?

20 MR. GARCIA-SERRA: The sign-in sheet had
21 about ten, and I would say, probably, in total,
22 from the neighborhood, maybe about twelve. You
23 know, there's always a few that don't sign in.
24 And at that meeting, we announced also that
25 this hearing -- or this presentation was taking

1 MR. BELLIN: That was my question.

2 MR. TRIAS: But it is one property.

3 MR. BELLIN: Is there any issue with the
4 separate buildings? And with respect to the
5 parking, it's one owner, so --

6 MR. TRIAS: Well, the issue is that it has
7 to remain one property. You cannot just do a
8 lot split, let's say, in the future.

9 MR. BELLIN: No, I mean --

10 MS. VELEZ: So there will be a restrictive
11 covenant?

12 MR. TRIAS: Yes. Yes.

13 CHAIRMAN AIZENSTAT: Yes.

14 MR. GRABIEL: I don't know what's the best
15 way of approaching it, but I think we all voted
16 on this project before, and, if anything else,
17 it has been improved. All of the
18 considerations and concerns that we had
19 previously I think have been addressed. It's a
20 great building for that site.

21 As has been clearly said, we cannot
22 discriminate against who rents a private
23 property, and, as a matter of fact, I think
24 that bringing students to that area is actually
25 going to improve the area. They will use the

1 retail, the restaurants, et cetera. Most
2 students, I don't know, but when I was a
3 student, I didn't have a car, and I don't think
4 most students who come to the University of
5 Miami necessarily have a car.

6 So I'm in agreement with the building the
7 way it is and I have absolutely no problem
8 recommending it personally to the Commission
9 the way it is.

10 CHAIRMAN AIZENSTAT: Maria?

11 MS. VELEZ: My only concern at this point
12 is that we are missing several members of our
13 group here tonight, but that's the way it is.

14 CHAIRMAN AIZENSTAT: But we do have a
15 quorum.

16 MS. VELEZ: We have a quorum, yes, but
17 otherwise I agree with Julio. I liked the
18 project the first time around. I like the
19 office component.

20 The only thing I don't like is the fact
21 that you can't access the office building from
22 the parking. I think I'm with Marshall on
23 that.

24 MR. BELLIN: Yeah.

25 MS. VELEZ: I think that makes it a little

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1 I think it would be appropriate, since the
2 Board acts by motion, to make a motion.

3 CHAIRMAN AIZENSTAT: It's just unusual when
4 something is listed as a Discussion Item to go
5 into a roll call.

6 MR. COLLER: Right, because it's not
7 typical that the City Commission would refer to
8 seek input on apparently what is a rather
9 narrow issue about how this additional
10 property, since it was not before you in the
11 format that it is now, that I think they just
12 want your input for that.

13 CHAIRMAN AIZENSTAT: Okay. Are there any
14 other recommendations besides the ones that I
15 have made for this project? No?

16 Is there a motion?

17 MR. BELLIN: I'll make a motion.

18 CHAIRMAN AIZENSTAT: And what would that
19 motion be?

20 MR. BELLIN: Approve.

21 CHAIRMAN AIZENSTAT: As presented?

22 MR. BELLIN: Yes.

23 MR. GRABIEL: I second it.

24 CHAIRMAN AIZENSTAT: With the --

25 MR. GRABIEL: But include the Chairman's

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1 difficult, unless people park on the street or
2 something else, but that's -- but that would be
3 it.

4 CHAIRMAN AIZENSTAT: Okay. One of my
5 recommendations would be for the City to
6 actually look into licensure -- you know,
7 licensing or whatever is needed for this
8 building. I know that you cannot discriminate
9 against who your rent and so forth, but I don't
10 know what the life safety would be for a
11 building if it's a certain way or how it's
12 inhabited or if you need a specific type of
13 license that is different. That would be my
14 only recommendation additional, for the Staff
15 and the City to look into that.

16 Can we get a motion --

17 MR. TRIAS: Okay. Mr. Chairman, I would
18 advise you to take a vote.

19 CHAIRMAN AIZENSTAT: As a recommendation?

20 MR. TRIAS: Yeah. That would be my advice
21 to you.

22 CHAIRMAN AIZENSTAT: So you want us to take
23 a vote --

24 MR. COLLER: I think that since the City
25 Commission is looking for your thoughts on it,

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1 notes.

2 MR. BELLIN: Yes.

3 CHAIRMAN AIZENSTAT: Okay. We have a
4 first, we have a second. Any other comments?
5 No?

6 Call the roll, please.

7 THE SECRETARY: Marshall Bellin?

8 MR. BELLIN: Yes.

9 THE SECRETARY: Julio Grabiell?

10 MR. GRABIEL: Yes.

11 THE SECRETARY: Maria Velez?

12 MS. VELEZ: Yes.

13 THE SECRETARY: Eibi Aizenstat?

14 CHAIRMAN AIZENSTAT: Yes.

15 MR. GARCIA-SERRA: Thank you very much.
16 Have a good night.

17 CHAIRMAN AIZENSTAT: Thank you.

18 Can we call Robert back in? Thank you.
19 Thank you.

20 We are still in session. Here comes
21 Robert. Perfect. Thank you, Robert.

22 MR. BEHAR: You're welcome.

23 CHAIRMAN AIZENSTAT: If you could please
24 note that Robert has come back into the
25 meeting. The time is 6:58.

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