

City of Coral Gables City Commission Meeting
Agenda Item E-3
November 14, 2023
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

Deputy City Attorney, Stephanie Throckmorton

City Manager, Peter Iglesias

City Clerk, Billy Urquia

City Planner, Jennifer Garcia

Police Chief, Ed Hudak

Public Speaker(s)

Edward Baker

Carl Prime

Agenda Item E-3 [1:20 p.m.]

A Resolution of the City Commission granting conditional use approval pursuant to Zoning Code Article 14, "Process," Section 14-203, "Conditional Uses" for a School on a property zoned as Mixed-Use-1 (MX1) located at 141 Grand Avenue, Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date.

Lobbyist: Edward Baker

Mayor Lago: Alright, moving on to the next item, E-3. Thank you for being so patient.

City Attorney Suárez: E-3 is a resolution of the City Commission granting conditional use approval pursuant to a Zoning Code -- to Zoning Code Article 14, "Process," Section 14-203, "Conditional Uses," for a school on a property zoned as Mixed-Use-1, located at 141 Grand Avenue, Coral Gables, Florida, providing for a repealer provision, severability clause, and providing for an effective date. This is a quasi-judicial item, so I'm going to ask the Clerk to please swear in any individuals who will be providing testimony today.

City Clerk Urquia: Okay. Those who will be appearing before this item, please stand and raise your right hand. Do you swear or affirm the testimony you'll provide today will be the truth and nothing but the truth?

(COMMENTS MADE OFF THE RECORD)

City Clerk Urquia: Thank you.

Edward Baker: Good afternoon, Commissioners, Vice Mayor, Mayor. I'll try to be brief but also address all your questions. I know I'm in between you and lunch. So, for the record, Edward Baker, 1450 Brickell Avenue, Miami, Florida, 33131. Joined today by the applicant's representative, Joe Lindsey. We're before you today for a conditional use application to establish a private school at 141 Grand Street -- Grand Avenue. It's right at the northeast intersection of Grand Avenue and Jefferson Street. This is to establish a school by the name of Primer Micro Schools. As the name implies, they're micro schools in size, smaller than a typical school. This specific location will have a maximum of 35 students, operating between the hours of 8 a.m. and 3 p.m. with an hour drop-off window in the morning, hour pickup in the afternoon, grades 3 through 8. And again, this is going to be a private school. With respect to the building as it stands now, it's a two-story building. Previously was an office, been vacant for quite a while, has a mezzanine on the second floor that'll be exclusively used for storage and for the teachers and staff. No students will be going up there. All the teaching and classrooms will be on the ground floor. There'll be two classrooms. In connection with establishing the classrooms. There'll be very minor interior modifications. Really the majority of the work at the site is going to be on the exterior, involving parking, safety, traffic mitigation issues. So, the first -- by code, they're required to install a six-foot buffer between the residential and the commercial. That'll be on the rear of the property, some landscaping added to the front and rear, and then for the traffic and parking issues, the rear parking lot. Are we able to pull up the presentation? There we go, great. So, the rear parking lot will be reconfigured to add a roundabout. This is the site here. As you see, I'm sure you're all familiar, just northeast of Carver Middle and Elementary, the existing building. This is the rear parking lot, which will be reconfigured. It currently has four parking spaces. And then let me show you -- here is the proposed modification. So, we'll be adding a

little roundabout. This is going to allow for a car to be able to queue off of Jefferson Street and have the three parking and the handicapped space available there for pickup and drop-off. Parents can park and then there'll be sufficient room for a car even to queue, you know, exiting Jefferson in the event that there's any traffic and whatnot. So, that's the main reconfiguration on the site. We'll also be adding a crosswalk on the north, running from the northeast corner of Grand and Jefferson to the southeast corner, and then also extending the school zone that currently exists on Grand Ave further east. We're going to have pavement markings, of course, and signage. We worked with the County on the conditions of expanding that school zone, so that'll be done before the school opens. Finally, in connection with our conversations with the homeowners association, with the conditions and suggestions that were provided by the Planning and Zoning Board, we're also going to be -- at our sole cost and expense -- providing traffic calming measures in the neighborhood north of us, which is the Lola B. Walker Homeowners Association. So, we'll be adding some traffic calming measures on Frow, Oak, and Florida Avenue. So, those are the modifications. Now a little bit about the traffic and parking. This is a quick slide about the landscaping plan as you see some additions to the swale along the rear turnaround and along the east side of the property. So, we worked for a very long time with the City and the County to figure out a way to mitigate traffic, parking issues on Jefferson, on Grand, and we looked at several options. The options involved entering into agreements with neighboring property owners so that we could utilize their parking to really offset and make sure we got as many cars off of Grand Avenue as possible. So, we had looked at some sites to the south. We all agreed that those weren't really great options. We wanted to try to lessen the travel across any thoroughfare as much as possible. So, we picked this site that is labeled as Offsite A to the west, and then the site to the east, Offsite B. And it was agreed that given that Offsite A, any parents or students would have to cross over Jefferson, let's leave that as employee and teacher parking, so that's what it will be. So, we'll have the rear parking of the school site and the parking at Offsite B for parents and students to -- the parents will park their car, drop the student off. In the case of Offsite B, walk the student to the school, come back, get their car. So, in addition to having these alternative sites, we're also going to have a staggered drop-off and pickup schedule. Every parent will be allocated 10 minutes. We'll try to enforce that by fines if necessary. Very small school, very familial, collegial atmosphere. Parents and teachers are very well connected. We don't foresee any issues with enforcing this staggered schedule. We'll also be encouraging carpooling. And then finally, as a mitigation solution, we're going to have a police officer at the corner of Grand and Jefferson to ensure that things are flowing correctly. One last thing to touch on, the community feedback. Prior to submitting our application, we met with the Lola B. Walker Homeowners Association, told them about the project, wanted them to know that we were coming to their neighborhood. There was general consensus and support for it. We also then had the required community meeting ahead of the Planning and Zoning Board meeting, had decent attendance, and again, people were rather in support. Obvious issues and concerns with traffic and queuing, but we feel confident along with, you know, the solutions we came up with with the County and with your Public Works Department, that we will try mitigate those as much as possible. And then finally, the -- is that the last one? I was just going to show you another image of the roundabout, but just to note again, there's three spaces in the rear of the school site along with the roundabout, so you have potentially five cars in the rear that would be getting off at any given 10-minute period, and none of the

staggered windows have up to that amount. So, we feel confident, given our traffic studies and everything, it'll be mitigated appropriately. And finally, this comes before you with a recommendation of approval from the Planning and Zoning Board. Hope you have your -- have your support as well, and also, if I could just reserve a couple minutes for rebuttal, if necessary. Happy to answer any questions.

Mayor Lago: Perfect, staff? Director?

City Planner Garcia: Jennifer Garcia, City Planner. May I have the PowerPoint, please? Perfect. So, the conditional use request, because any school in our city is a conditional use request that comes before the Commission. So, location, as we said, is on Grand Avenue at the corner of Jefferson and Grand. Here is an aerial that shows the area. The Grand is on the south side and is on the east side of Jefferson. The future land use is commercial low-rise and the zoning is MX1. This is an image of the site plan. So, they have the staggered drop-off and pickup in the rear of the building off of Jefferson. They're proposing to have a roundabout situation to be able to have kids be dropped off and picked up on the -- in the rear of the building. They're proposing to have a new crosswalk. The crosswalk I believe is -- was existing but it's faded and nonexistent right now, so they're going to be repainting that with the County. They're using an existing building, which is two stories right now, and the school entrance will be off of -- the pedestrian school entrance will be off of Grand. So, you recognize this map. The Offsite A, which is the site to the west of the school site, that will be reserved just for faculty and staff parking only. The school site, the parking area, vehicular area in the rear will just be for pick-up and drop-off and then Offsite area B, which is to the east of the property, will just be for pick-up and drop-off. So, this was reviewed by DRC in April. There was some back and forth with Public Works as far as the site plan and making sure that we can feel comfortable with logistics of this school being located across the street from another school. We went to neighborhood meeting in A -- I'm sorry, in August of this year, Planning and Zoning last month in October, and here we are to the Commission. So, they sent letters to the property owners within 1,000 feet and 500 feet outside the City boundary as required by our code and that was sent three times. The property was posted twice. The website was posted three times and the neighborhood advertisement twice. So, staff recommends approval because it's consistent with the comp plan and it satisfied all the standards of our Zoning Code. And those conditions are outlined in your draft resolution. I'll go through them right now. The cap of students is 35 students and it's grades 3rd through 8th grade operating between 8 a.m. and 3 p.m., not any later. Drop-off is between 7 and 8 a.m. Pickup is between 3 and 4. On-site is only -- the particular area on-site is for pickup and drop-off only. The off-site area, which is the area to the east, is for pickup and drop-off as well. Offsite area number -- Offsite area A, which is to the west, is limited to just faculty and employee parking. They'll be preparing -- I'm sorry, they'll be paying for a police officer for the first six months of the first school year. That was increased from three months to six months for the first year by our Planning and Zoning Board. They felt very strongly that the first year we need to have more time for parents and staff to be able to get used to the very strict pickup and drop-off timing, so they increased it to six months for the first year and after that six months or three months thereafter, they are allowed to petition the City, both Public Works and the police department to, I guess, petition that they -- their

parents and everybody who is dropping off are able to comply with the way that they have set up as far as their timing, the locations, the pickup and drop-off, make sure everything is working correctly. So, they also -- Public Works -- I'm sorry, Planning and Zoning Board, also recommended that the applicant look at traffic calming in the area. After the meeting, we worked with Public Works and collaborated with them to identify three already warranted traffic speed tables in the area and that's on Oak, Florida and Frow, I believe. So, the applicant is willing to pay for those as well. Off-site agreements for the Offsite A and Offsite B will be renewed annually or as their agreement is dictated, but they have to supply that every year when they renew their certificate of use with the City. And also, the installation of the crosswalk on the south side -- I'm sorry, south of their property on Grand. And that's it. Thank you.

Mayor Lago: Thank you very much.

Vice Mayor Anderson: I'm very happy to hear about the traffic calming requirements because with that traffic coming off of US-1 in this area has been plagued for a very long time. And I don't know where it otherwise would hit in our sequencing from north to south on traffic calming. But with the number of schools here and the narrow streets, the speed that people come off the US-1 there is just unbelievable. So, I'm very happy with this. This is a small school, a micro school, that storefront has been vacant for some time. I walked by it kind of frequently. Commissioner Menendez, you might have found your wife there working on that garden behind this area for some time. It's a nice -- very nice neighborhood and I'm glad it's now coming back to life. So, I'm thrilled that this is coming forward.

Commissioner Fernandez: I know that there are concerns from the community around there and I know Mr. Prime is here. I don't know if Mr. Prime wanted to speak so that we can have a conversation about some of the concerns that the Lola B. Walker Foundation had.

Mayor Lago: Could we --? I'll ask for public comment. Let's finish with the Commission.

Commissioner Fernandez: This is not public comment. I'm asking him to come up so he can answer the questions.

Mayor Lago: Let me...

Commissioner Fernandez: Because I'm allowed as a Commissioner to ask questions of anybody in this room. Mr. Prime, would you mind coming up so that I can ask you a couple of questions, please? I have the floor.

City Attorney Suárez: So, Commissioner, because this is a quasi-judicial procedure.

Commissioner Fernandez: He's sworn in.

City Attorney Suárez: He was sworn in?

Commissioner Fernandez: He was sworn in.

City Attorney Suárez: Just making sure.

Mayor Lago: Mr. Prime, two quick questions.

(COMMENTS MADE OFF THE RECORD)

Mayor Lago: Were you sworn in?

(COMMENTS MADE OFF THE RECORD)

Mayor Lago: Did you also fill out a speaker card?

(COMMENTS MADE OFF THE RECORD)

Mayor Lago: So, can you do me a favor? Will you fill out a speaker card? It's just customary to do for everybody that does it.

(COMMENTS MADE OFF THE RECORD)

Commissioner Fernandez: You can fill it out afterwards.

Mayor Lago: It's not impeding anybody from speaking. It's just a process so that everybody follows the rules. That's it.

Commissioner Fernandez: Alright, let's take a five-minute recess so he can fill out this card then.

Mayor Lago: It's fine, go ahead. You can fill it out (INAUDIBLE).

Commissioner Fernandez: I need to ask Mr. Prime questions. You are refusing me the opportunity as a member of this Commission to ask questions of a gentleman from the public...

Mayor Lago: Commissioner.

Commissioner Fernandez: Who speaks for this community.

Commissioner Menendez: Question for the City Attorney.

Vice Mayor Anderson: He was told he could fill it out afterwards. I -- you know, (INAUDIBLE).

Mayor Lago: No one even said -- no one even said for him to fill it out now. I don't understand why...

Commissioner Fernandez: You did.

Mayor Lago: No, I did not. I said...

Vice Mayor Anderson: You know, when we talk over each other, you can't hear. I heard because my left ear is better. Maybe, you know...

Mayor Lago: It's very simple. You don't have to be so adversarial. All I'm saying is, like I do to everybody, please just let the meeting run through the Mayor. I've been friends with Mr. Prime for years. We've walked his neighborhood a thousand times. We have a great relationship. I want Mr. Prime to speak ten times over. It's just I don't have an issue with him speaking before or after he fills out the card. It's just a simple process that we're having everybody do. It's a simple process. It's the way the Commission -- no one is trying to stop you from speaking. Please, Mr. Prime, take all the time that you need.

Commissioner Fernandez: Yet, I've been interrupted the last two time -- two items. You took public comment in the middle of my time to speak, and the previous one, you changed the item altogether. So, yes, you are trying to stop me from speaking this meeting.

Mayor Lago: Commissioner, Commissioner.

Vice Mayor Anderson: I asked that the gentleman who had to leave be heard out of turn. There will be times when you have somebody that needs to come and speak out of turn. This happens in courtrooms all the time.

Commissioner Menendez: So, I have a question for the City Attorney. Sorry, Mr. Prime, this is much more entertaining. So, when it's public comment, a resident or someone comes up and expresses their views or gives a comment. But when an elected official wants to ask questions of an individual in the audience, that's not necessary -- it doesn't fall into the public comments section. It's a separate category, I would think, because we're asking questions.

City Attorney Suárez: Certainly, but -- so this is -- since this is quasi-judicial, it's a little bit different. Typically, we do have an order for the quasi-judicial hearings, and typically, we have the presentations, and then we hear from members of the public or anyone else who wants to speak. But, of course, it's up to -- you know, it's up to the Commission. If you all want to take -- you know, have Mr. Prime speak, you can do so.

Commissioner Menendez: Yeah, but like I said, Commissioner Fernandez had specific questions to ask Mr. Prime, who's amazing. He's been here the whole day, and I apologize for extending it. Is there a difference between a Commissioner asking for someone to go to the podium so that

Commissioner can ask a question as opposed to someone filling out a card, going up and commenting. Is there a difference?

City Attorney Suárez: I would say there's a difference, certainly, and it sounds like you all have, I think, kind of now agreed that he can answer those questions so.

Mayor Lago: Commissioner, my intent is a very simple one, and that is to maintain order during the meeting and make sure that we are all talking through the Mayor, which is very simple, trying to apply Robert's Rules in the Commission meeting to the best of my ability. I don't understand - - I've -- we have a great meeting. Everyone is given all the time they need to speak. You have some sort of issue. I don't know what that is. And I would love to help you with it. Mr. Prime has never had an issue here. Never had an issue with it of coming here and speaking and he can attest to that very clearly or -- and he can speak now as long as he needs. But all I ask is that we please do it through the Mayor.

Commissioner Fernandez: Alright, and this is the only time that you ever speak to me. In fact, when you got here, you sat in that chair and I said, good morning, Mr. Mayor, and the Vice Mayor was watching, and you turned around. You did not -- you do not give any respect to your colleagues up here.

Mayor Lago: Commissioner.

Commissioner Fernandez: And that is a problem you have, and I am willing to sit down with you to work it out.

Mayor Lago: Commissioner.

Commissioner Fernandez: But let's move on. Mr. Prime, I do have a couple of questions for you.

Mayor Lago: No, you addressed me. You addressed me. You addressed me. Let's focus on the business at hand.

Commissioner Fernandez: And that's what I'm trying to do.

Mayor Lago: No, you're not. You're addressing me and some sort of insecurity that you have.

Commissioner Fernandez: You have an insecurity.

Mayor Lago: No, you do. You have an insecurity. So, my point is -- and my point is that...

Vice Mayor Anderson: I didn't see anything.

Mayor Lago: Yeah, my point is that -- my point is that we're here to address an issue of these individuals who I said have been here all day. And Mr. Prime, you've been asked to come up. When you finish, as always, please fill out the speaker card. I appreciate that, my friend, just for the record. Thank you so much.

Commissioner Castro: I'm sorry.

Commissioner Fernandez: So, Mr. Prime, I wanted to know what the concerns were of the community. I know that they spoke about three traffic calming measures. I'll be asking staff about those later, but what are the concerns the community has and what does the community see as the benefits of this project.

Carl Prime: Carl Prime, 141 Florida Avenue. In the presentation that was just given, many of the conditions and items that we had addressed has gone through the Planning Zoning Board, all of them, and it's all been addressed, and it seems as if it's been placed on the record. Our main concern, as it always is, is traffic and the addition of any extra traffic and those who decide to cut through. They've assured us that they will lobby on our behalf, especially with the County as far as getting necessary traffic calming. They've gone out of their way to make sure that, you know, the parking can be addressed as far as drop-off and whatever. However, in theory, that looks great, it works great, it's going to be a Charlie Foxtrot regardless. So, it's nothing that -- we can just try to do the best we can with it. You know, we're not stopping progress. The thing is that we want to make sure that the impact on the neighborhood is as small as possible. I walk that area quite a bit, and as members of the Commission know, and that I take a lot of pictures, take a lot of video. I've shown you what can develop and what has developed. For the most part, we believe that they'll be a good neighbor. You know, it's adding traffic, it's adding extra cars, but that's part of progress. However, we can do whatever we can to slow it down. And so the main thing is that we've been asking for four-way stops, we know -- and we know the bureaucratic process that goes with that. But overall, we believe that they're going to be good neighbors and that they have prioritized having parts of our community and our children to be able to attend that school. And as far as I can tell, they plan on being good neighbors. You know, I believe they'll assist us with our programming at the community center and with the other items that come up in the neighborhood. So, overall, yeah, unlike most of the other projects, they've actually taken the time to come by, speak with us and see what the concerns are.

Commissioner Fernandez: Question for -- thank you, Mr. Prime. Question for staff, did this go before the School Community Relations Committee?

Unidentified Speaker: I actually have a question for you.

City Planner Garcia: I reached out to Naomi or Solange, I think, who's the staff for that. I'm not sure when or what time.

Commissioner Fernandez: Yes, both of them, I think.

City Planner Garcia: I can check with them and get back with you.

Commissioner Fernandez: Okay, because I would like to hear what the concerns were by the School Community Relations Committee. This area has come up numerous times. The Chief knows because I think we brought the Chief in regarding traffic and this particular block to the SCRC more than on any other issue, especially beginning of the school year, it is a nightmare. Parents dropping children off in the middle of the street, children crossing the street. I have serious concerns with traffic in this area already. I'd like to hear from you, Chief, on what your thoughts are on this.

Police Chief Hudak: We do -- we did raise several concerns about what it is on the trial basis of having the off-duty officer, according to my staff that were in attendance at these meetings. We do have a concern, and it's not just us, because we also have the School Board police, and then we have a dual jurisdiction of the other two schools, Carver and Washington, where we have to kind of manage that whole intersection. You're right, Commissioners, our biggest traffic problem on drop-offs is just some of the unsafe ways that some of the parents drop-off and go. And I've seen it myself where they're not using the crosswalks, they're not using what we have installed as the City has asked for safety before. We did add an additional crosswalk farther down for those two, which is closer to this process. So, we've documented our concerns on this project, and with moving forward, we would obviously look to see if it will work almost as a pilot program because it's going to add -- even 35 students or the staff is going to add to the congestion in the area. Right now, the old Wawa parking lot is now just walled off. That was used previously, so you know, we're cautiously looking at it, but this is not a panacea of drop-offs, I want to put it that way. So -- but we did -- we were involved in some of the stages. I myself haven't seen the proposal from the traffic people, but in talking with my staff, they have been involved in some of those meetings and voiced their concerns.

Commissioner Fernandez: Okay. I mean, I have a big concern with the drop-off being on a residential street and not being on Grand because you're basically taking those 35 cars that are dropping students off and putting them into the neighborhoods that are already struggling with traffic. And I've been there with Mr. Prime on a Saturday and we've had major traffic cutting through their streets. I can only imagine the mornings. How did the plan come about to have the drop-off on the residential side of the street? Was that from the applicants or was that a staff recommendation?

Commissioner Menendez: Anyone?

Commissioner Fernandez: Ms. Garcia? The drop-off on Jefferson, was that a staff recommendation or was that an applicant request?

City Planner Garcia: As opposed to being on Grand?

Commissioner Fernandez: Correct.

City Planner Garcia: Us, staff, yes. Our Public Works as well as Parking, yes.

Commissioner Fernandez: And what was the thought...?

City Planner Garcia: The concern was the stacking and the congestion on Grand, being across the street from another school.

Commissioner Fernandez: Okay. I still think we're going to see the stacking there because it's not much of -- you probably have one car length between the entrance of that driveway to Grand Avenue if you're not blocking the crosswalk.

Mayor Lago: So, what we're missing here is the issues that -- the promises that were made by the applicants in regards to having the parents stacked every ten minutes, okay. I don't think that's feasible, period. Okay, I've been walking this neighborhood with Mr. Prime for years and before Mr. Prime, a litany of residents that live there. It's not a feasible scenario, what's being proposed. You're talking about four cars with a roundabout in the back. You have a four-way stop north of you.

Mr. Baker: Yep.

Mayor Lago: And then you have Grand. What you need to do is somehow, some way acquire the back parcel of land, which is an empty lot, and transform it into something which can provide the stacking that you need to get people off the main street.

Mr. Baker: Yeah, so the...

Mayor Lago: There's -- the way you're putting it right now, how are you --? Let's do the numbers. You have 38 students. You're talking about you're going to be dropping everybody off every 10 minutes. There's 60 minutes in a minute -- in an hour, correct?

Mr. Baker: Correct.

Mayor Lago: So, you're talking about six families per hour.

Mr. Baker: Split between two locations, that was critical.

Mayor Lago: I know, but let's honest.

Mr. Baker: Yeah, so...

Mayor Lago: It's tough because you're talking about you have almost 40 students. You're talking about if you have two locations, 20, you know, to get everybody there, it's going to take you almost three hours. Are you going to stagger everybody for three hours to come to school between 8 and let's say 11 o'clock?

Mr. Baker: No, we're not. I mean, so the two critical things here, though, just to be clear, one is we're splitting the pickup and drop-off between two locations on the same pedestrian island. So, students are not having to cross the street to get to school regardless of which location they're being dropped off at. And then the second is our proposed modifications to the back lot, which would allow for up to four cars, five if you include the ADA spot, to be in the lot at the same time.

Mayor Lago: Are you the owner of the school or are you applying for the lease of the property? Are you the owner of the property?

Mr. Baker: No, we're not. We're leasing.

Mayor Lago: Okay. Because one of the things that I've talked to Mr. Prime and the Chief and the Manager on many occasions is you have a little bit of a homeless issue on the property.

Mr. Baker: Oh, definitely, yeah.

Mayor Lago: Both in the rear and the front. And that's something that we've addressed on multiple occasions, but it continues to be a problem. So, you have to shore up that property if that's the case.

Mr. Baker: Partially because it's been a vacant lot for such a long time.

Mayor Lago: I'm going to be up-front.

Mr. Baker: Yeah.

Mayor Lago: I'm going to be up-front and tell you I'm a no vote, okay, on the very simple fact that I know -- I know this -- I know that entire block like the back of my hand, okay. Because I worked on St. Mary's Baptist Church, you know, to renovate that church. I've walked that neighborhood with all the residents. I worked on trying to get that project completed. We did get the community center completed. So, I know every single property member there, every single corner, and every single issue that's going on there. And in my opinion, there's no feasible way

that you can meet the requirements. I know what's going to happen. You're going to build it, and it's going to be gridlock. Because as people are coming off to go into the parking, there's no way, even with a queuing section of half a circle, there's not enough space for you to meet people. And if you're telling me you're going to have everybody coming in every 10 minutes, let's be honest with ourselves. People are 10 minutes late, 10 minutes early. You know, it's just -- it's going to be very difficult. You're going to try to do the best that you can. I just don't think you can meet even what you're planning on doing. It's a tough corner. That's why the property's been for sale for such a long time. People have looked at it. And the way the building is built, it's a very thin building and the rear parking, there's -- you know, to get in and out of that, there's only one way in and one way out. It's not like you can, you know, come in through the side street and come out through Grand. There's no way. So, it's a tough parking lot. It's a tough parking scenario. So, I'm just giving you a heads up that I just don't see it working unless you're able to, for example, you know, work with the neighborhood and try to get the rear parking, the rear lot, which is just green space. And it has, I think, some, you know, some fruit trees in there. But maybe you could work something out where you can obviously save the trees, which I don't think there's any major trees except for one big one, which is a fruit tree, a (INAUDIBLE) tree from what I remember. And you could do something there that could benefit you in your stacking and your parking scenario, which will alleviate your proposal. I just don't -- I really -- you know, I've done a lot of parking structures for schools. It just doesn't work in my opinion.

Mr. Baker: So, if I may chime in. So, we're talking about 17 cars over a one-hour period at each location, right?

Mayor Lago: I know.

Mr. Baker: We've -- you know, we work with County traffic experts, County staff, City of Coral Gables traffic staff, traffic engineers, and all of them have agreed that this plan is palatable and possible.

Mayor Lago: I understand.

Mr. Baker: You need to rely on the experts, right?

Mayor Lago: Let me -- but I'll respond to you, and I think out of respect, that area is very tight. The streets are very tight there. You know, they are.

Mr. Baker: Yeah.

Mayor Lago: There's a lot of cut through traffic as people are cutting across US-1 to try to come on to Grand Avenue to go to the Grove for work and vice versa. And then you have the school there that makes it even more difficult. It's a bottleneck. It's a bottleneck, so a lot of people are cutting through this neighborhood. I just -- I don't want to put more stress on the neighborhood even though I think we need a lot -- we need more schools. As you can see, there's a big need for

it. I just think that we need to find an opportunity to potentially see if you can get the adjacent lot so that you can be -- have a little more flexibility because I think you're going to put a lot of stress on a community that is already under a significant amount of stress due to the cut-through traffic. And if you look at the -- just look at the streets. Look how tight and narrow those streets are. And I just -- I just find it hard -- I find it hard to fathom that you're going to be able to accomplish your goal, even though I know you're trying to do it to the best of your ability. It's just going to be very difficult due, you know, the circumstances that you're facing.

Mr. Baker: I mean, we have the support of the property owners immediately adjacent to our property, you know. People understand that with progress, with having a building that's been unoccupied for however many years it's been unoccupied, probably over two years, you know, that was a architecture firm that had, I think, 10 or 15 people working there. And where did their cars go, right? They left. So, we're not adding a new net number of, you know, 35 new trips, right? That is an establishment that will come in, another architecture firm could go in there, have 15 to 20 employees, and now you have 15 to 20 cars that need to park in that neighborhood, and that's an as-of-right use. We're trying to bring a school with 17 cars per hour in the rear of a parking lot that is only going to be there for a one-hour period in the morning and a one-hour period in the afternoon, bringing in a community, you know, serving students in the community, underprivileged children, people that do not excel at a Carver or another large public school that need the individual attention that are able to take advantage of the state credit programs to lessen their costs, to have a private school experience. They can't afford to go to Gulliver or Ransom Everglades. This is, you know, an obtainable option for people in the Grand Avenue corridor with very minimal impact on the traffic.

Commissioner Fernandez: I don't think anybody's questioning, you know, the goal of the school. I mean, it's great. The problem is the location and the time. If you tell me your drop-off is at 10 a.m. and your pickup is at 5 -- 4 p.m., then we don't have that big of an impact on traffic. But your drop-off and pickup are at the exact same times as one of the largest schools in the district right across the street, two schools really, because you have Carver Elementary and Carver Middle School. I mean, and again, for me, it's not even just that. Now you're doing drop-off on the residential streets. And I disagree. I don't think you should try to buy another lot closer to the residents. I think we should not continue to infringe on residential areas whatsoever.

Mr. Baker: Well, it's on -- it's off street, right? We're not going into -- I understand cars will be leaving the premises. But those cars, you know -- cars leave Grand Avenue all the time and do not have to go into Carver, you know, or cross US-1 there if they're going north on US-1. You know, the pickup and drop off on the school site is completely on the school property.

Mayor Lago: Let me give you an example.

Commissioner Fernandez: Realistically, there's...

Mayor Lago: Can I give you an example?

Mr. Baker: Sure.

Mayor Lago: Just to -- and I think it's important for you just to kind of visualize. At least if you want to understand a little bit about what I think what we're saying as a Commission so you can understand. Have you seen Santa Teresita, St. Teresa's school?

Mr. Baker: Yeah, I live right next to it.

Mayor Lago: Stacking is horrific, horrific, and it's everywhere. It's absolute gridlock.

Mr. Baker: How many students do they have?

Mayor Lago: No, but I'm just giving you an example.

Mr. Baker: I know.

Mayor Lago: But I'm giving...

Mr. Baker: But I'm talking about scale here, right?

Commissioner Castro: (INAUDIBLE).

Mayor Lago: But I'm giving you -- but I'm giving you an example. I get caught in it all the time and it's just boxes you in.

Mr. Baker: I appreciate...

Mayor Lago: But you're talking about a street -- which Grand is even more -- Grand is even more high traffic, especially during -- like what the Commissioner said -- during school hours, and then you have a neighborhood right adjacent to it that is across from, literally from US-1. To me, I just don't see it working. I don't see it working, and I think you would exacerbate the impacts and the pressures already facing the neighborhood, especially with what's forthcoming on the empty lot with hopefully something eventually gets done there. So, I just -- I don't see how we're going to -- how you're going to be able to maintain control of the stacking and maintain the control of the drop-off. It becomes an issue. It becomes an issue.

Mr. Baker: Is it the scale of the school? If it was 20 students, then you'd feel comfortable?

Mayor Lago: Listen, it's not -- I just think of the location of the property -- you know, the location of the property is a concern. You know, you can maybe look at the adjacent location. You know, there's other properties in the area there that, again, wouldn't be, you know, right in dead center

of the neighborhood. If you look at the property -- how many square feet is that property? Not the lot.

Mr. Baker: It's about 2,000 inside.

Mayor Lago: Yeah, it's 2,000. It's a very tight building. It's a very small building. And they did it that way to try to fit parking to be able to get in and out because of the location. It's just a tight site. And I mean, I understand what you're trying to do. And I welcome the school and I welcome more opportunities for people in the community on all fronts, but I just -- I just don't want to put some -- I don't want to put more burden on the community and then have an issue where later -- where later -- Mr. Prime's going to call me and say, hey, Vince, let's walk the site for a 30th time and the County won't give me a stop sign -- four-way stop, which we've been trying to get for years, but now you've just exacerbated the situation by dropping the school and approving the school here. So, it's -- there's really a lack of flow there. US-1 surrounds the property. You have Grand. There's really no way out of there except for going through the neighborhood or having to go all the way to 37th Avenue and make a left.

Commissioner Fernandez: And realistically, you know, I understand the 10-minute interval to arrive. Try to plan 10 minutes at 7 to 8 o'clock in the morning. You're never going to get there at the same time every day because traffic is unpredictable. So, you're going to be then finding parents who showed up 10 minutes late, not because of their own doing, they probably left their house at the same time, but now it's causing a stacking issue. It's like the Mayor said, it's location. It's really the location. Thirty-five students, 20 students, you're still going to have a major impact on the residents in those streets and those streets are narrow streets. We're not talking about large streets. Every little car that goes by there causes an impact. Whether in the morning, the afternoons, it's going to cause a major impact in that community. And I applaud you for what you're trying to do, but I just think it's the wrong location.

Mayor Lago: Commissioner.

Commissioner Castro: I...

Mayor Lago: Go ahead, Commissioner Castro.

Commissioner Castro: I think there's something we need to keep in consideration, and it's the -- it's 17 kids, it's 17 kids, and let's pretend it's not a school. What else is going to come if it's not a school? How many more people is there going to be? We're really comparing -- here at least we have guaranteed it's 17 in each location. We're talking about this school like it's a massive school. It's not.

Mr. Baker: Right.

Commissioner Castro: Are there siblings?

Mr. Baker: It's like a tutoring school.

Commissioner Castro: Are people carpooling? Those are also things we need to keep in consideration. Maybe it's not 17.

Vice Mayor Anderson: So, I'm going to add to your conversation, and this was a conversation that was had around -- I think it's the school down south. The name is evading me right now.

Mr. Baker: Trinity?

Vice Mayor Anderson: Huh?

Mr. Baker: Palmer Trinity? Are you saying South Gables?

Vice Mayor Anderson: One of the ones in South Gables. What they did is they had a remote drop-off area and the kids were bussed in with -- in a van to avoid this problem. And I'm going to add to the conversation because the Mayor was talking about the lot behind. That's a residential lot.

Mr. Baker: Yep.

Vice Mayor Anderson: So, it's not even commercial. So, that would be, you know, a greater impact on a residential community to now turn it into commercial. And it's a well-loved lot by the neighborhood right now because of what's in it.

Mr. Baker: Yeah.

Vice Mayor Anderson: If you haven't visited it, you should go take a visit. The Garden Club has done a fabulous job of connecting with the community on some projects there. So, you know, I do share concerns, but I think there are solutions that you can work with, with a remote site so that you're bringing in one van full of kids or two vans full of kids. So, you're bringing in two or three vehicles as opposed to, you know, 38 was it, or 37? I don't know. Somewhere in there.

Mr. Baker: Thirty-seven total, 35 students and 2 teachers.

Vice Mayor Anderson: Yeah.

Commissioner Menendez: Just...

Mayor Lago: I think -- go ahead.

Commissioner Menendez: No, no, no. I have no comment, so if you -- when you're ready to vote, I'm ready to vote.

Mayor Lago: No, my point is, you know, I think the Vice Mayor makes a very good point. What have you thought about potentially -- again, there's a lot across the street on the other side of Grand.

Mr. Baker: Of course, we've considered all...

Mayor Lago: No, I'm just saying, just again...

Mr. Baker: Yeah.

Mayor Lago: I imagine you've considered everything.

Mr. Baker: Right, the traffic...

Mayor Lago: There's an empty lot...

Mr. Baker: And safe -- the safety is the biggest issue, right? That was what the County cared about. We want to mitigate as much as possible kids crossing any thoroughfare.

Mayor Lago: And the reason why I mention...

Mr. Baker: Be it Grand or Jefferson or how little or how untrafficked of a street it is, whatever we could do. So, we kept it on the north side of Grand. You know, they also were not interested, the County, in having children bussed in. They wanted, you know, if we were going to do it, it would be somewhere where the teachers, or I'm sorry, the parents would be hand delivering their children, right? We're talking about third to eighth grade. They have offsite reserved parking locations where they park their car, get the car out, like I'm sure many of you have done with your child, walk them into the classroom. They specifically did not want students bussed in if I'm not mistaken.

Vice Mayor Anderson: The name of the school is Gulliver.

Mr. Baker: Oh, I've heard of it.

Vice Mayor Anderson: So, if the parents from Gulliver can have their kids brought in in vans or a small bus, why can't this school?

Mr. Baker: I mean, that was ultimately the agreement that we came to with the County traffic. I would also just add to the discussion...

Mayor Lago: Well, like Gulliver stacking in the academy? And I went to Gulliver.

Mr. Baker: Yeah.

Mayor Lago: It's a nightmare. So, it can either be Santa Teresita...

Mr. Baker: But we're talking about...

Mayor Lago: It could be Gulliver. It can be any other school you want.

Mr. Baker: We're talking about schools that are...

Mayor Lago: It's a nightmare.

Mr. Baker: Two thousand percent larger than this school. We're talking about 37 students. I just go back to Commissioner Castro's point. If this is not a school, it can still be a commercial use. I don't know the exact number of their fire certificate, but I guarantee you it's over 30 or 40 people. And you then have 30 or 40 people with single vehicles. This is as of right. You're going to be having 30 to 40 more cars...

Commissioner Menendez: I'm ready to vote.

Mr. Baker: Parking on your streets at any given moment of the day versus having 17 parents, less than, with carpooling, brothers and sisters, 17 at each off-site location with the one in the rear utilizing over a one-hour period. That's no more than four cars every 10 minutes. And let me finish with the point Commissioner Fernandez made on the staggering schedule. We are targeting students in a 10- to 15-minute radius of the school. So, I personally know, I take my son to school. My school is about 10 minutes away. And when I leave the house every morning, at the same time, I get there within 5 to 10 minutes of the time -- same time every day. Because you plan your schedule, you create a routine, traffic ebbs and flows 5 to 10 minutes here or there, but when you're driving less than 2 or 3 miles in a neighborhood -- right? -- We're not driving in Brickell, we're not driving on Miracle Mile. We're driving through a neighborhood. Kids in Coconut Grove, kids in, you know, the west side of US-1 and the Gables. Those are going to be our students. It's very easy to predict your travel patterns and to understand that you can efficiently make it to a school within a 10-minute window. It's proven. So, you -- there's, of course, variables, but you can only work within the framework of what you can do, right? And when you want to add a school, there's traffic and parking issues, so you work through them and these are the results of those discussions with all of your expert staff and the County expert staff.

Mayor Lago: Madam Director, may I ask you a quick question? The applicant stated -- the representative for the applicant stated that if it wasn't a school, there could be 30 to 40 people in that facility. Where would they park?

City Planner Garcia: In the rear.

Mayor Lago: You can't put 30, 40 parking spaces in the rear.

City Planner Garcia: I mean, depending on the square foot of the area. So, if it's an office use, for example...

Mayor Lago: Two thousand square feet.

City Planner Garcia: It would be more than 300 square feet.

Mayor Lago: Two thousand square feet.

City Planner Garcia: It would be, you know, 300 divided by -- sorry, 3,000.

Mayor Lago: Seven parking spaces.

City Planner Garcia: Right, yes.

Mayor Lago: Yeah, it'll meet it. There's no way.

Commissioner Castro: But then they could always park on the street, find other parking, which actually would cause more congestion.

Mayor Lago: No, but what I'm saying is I'm answering the gentleman's question that you could have 30 to 40 people working in a 2,000 square foot office or facility, let's put it that way, whatever that may be. It's just there's no way to park it there anyways, even if you look at it. You can't have 30, 40 people in that facility and expect them to park it on-site or even off-site. It's just way too many. The only parking spaces that I'm aware of that's metered parking is across the street next to the school, which is that I think there may be -- again, I don't want to speculate -- but 10, 8 parking spaces. You've got to go all the way to Grand, into Grand Ave -- excuse me, to 37th Avenue and Grand to start getting actually meters in that area, if I'm correct. But I don't have any further comments in regards to the issue, unless my colleagues have anything else they'd like to say.

Commissioner Menendez: No, I'm ready to vote.

Vice Mayor Anderson: Well...

Commissioner Fernandez: I think it's just, having sat on the School Community Relations Committee for years, knowing the issues in that neighborhood with traffic and parking in the mornings and the afternoons, in good conscience, I would not be able to vote in favor of this.

Vice Mayor Anderson: So, let me -- let me -- let me ask a question, Commissioner, if the applicant is willing. I'd say Commissioner Fernandez is absolutely correct. We have a nightmare of pickup

and drop-off. Are you willing within that six-month period of the study, if he's correct, to bus the kids in? A remote drop-off area that's feasible to use and bus the kids in safely.

Mr. Baker: If Public Works and the County Transportation agreed to it and we could find a suitable location, I mean, we're not going to drive them from, you know, Brickell, right? It needs to be within a reasonable distance of the school to make it feasible.

Vice Mayor Anderson: Well, the parents can drop off at a remote location.

Mr. Baker: Right, right. I understand.

Vice Mayor Anderson: So...

Mr. Baker: I'm saying the location, right, needs to be in and around the school. It needs to be a commercial use. It can't be -- you know, we've looked at parking -- we've looked at vacant lots, right. You can't just use any vacant lot, you need to adhere to the Zoning Code, and that restricts a lot of the sites in and around Grand Avenue because a lot of them are residential. We looked at sites north of the school so we could park within the community. There was a huge lot that would have allowed, you know, 10 cars off-site or off-street and walking less than a quarter of a mile to the school and that wasn't feasible for safety and zoning purposes. But I think if we could find a site that was realistic, that'd definitely be something we would entertain.

Commissioner Menendez: Vice Mayor.

Vice Mayor Anderson: So...

Commissioner Menendez: I have a suggestion.

Vice Mayor Anderson: Yeah.

Commissioner Menendez: Can we get an update in six months? And based on six months, depending on what we get, then we set a course going forward. I mean, I think we're going to need an update anyways because I think the staff would have to give us an update as to -- and obviously, Mr. Prime and the neighborhood -- how it's playing out. And if there's an issue, then I think we need to come up with a solution then. But I think let's say give it a try.

Vice Mayor Anderson: Well, but...

Mayor Lago: I think what you're asking for, if I may, is -- Madam City Attorney, under for example, not Gables Sta -- not Gables Station, but I apologize, where THēsis is.

City Attorney Suárez: (INAUDIBLE).

Mayor Lago: That has a -- I think it was a three- and a five-year requirement for a traffic study to be conducted to review the impacts. And if there are impacts on the site, the applicant is required to mitigate the additional traffic through traffic calming. Again, there's an accountability there required by the City...

City Attorney Suárez: So, we are...

Mayor Lago: Required by the City and also by the applicant. If that's what you're -- if that's what...

Commissioner Menendez: Yeah, something basic.

Mayor Lago: Commissioner Menendez is talking about.

Commissioner Menendez: That way, if adjustments need to be made, we can have that discussion.

Vice Mayor Anderson: But if the adjustments aren't possible -- you know, I'd prefer to send them back to go get the approvals first.

Commissioner Fernandez: And I think that's going to be the biggest concern, because they have to get the approval from the County. Chief, what are your thoughts on that option?

Police Chief Hudak: I heard three, which option are we talking about?

Commissioner Fernandez: All three, I guess.

Commissioner Menendez: The one that sounds best.

Vice Mayor Anderson: Depends on one's perspective.

Commissioner Menendez: Commissioner Menendez's option.

Police Chief Hudak: Just -- Commissioner Menendez's option? Look, I look at it in the totality. Our job is to look at it in the totality, not just this project. This project might work on paper. My people have expressed through the Zoom calls and the meetings, when we take in the totality of the traffic in the area, it's a problem. I don't want to agree to anything that I can't enforce. And again, I know the drop-off, if I look at this situation, is fine. And it would work, 17 cars, whatever it may be. Until they stack up in a neighborhood and then I have to enforce or my people have to enforce telling people that are waiting to get into the drop-off area, you can't move. That causes a safety issue, as we see on Red Road every day when we're trying to get in and out of Gulliver. There are four off-duty officers that work at our request at Lourdes and Epiphany. Thank you.

Mayor Lago: So, don't forget Star -- don't forget Starbucks on US-1.

Police Chief Hudak: Starbucks on US-1 because we have part of that. They have to have an officer. So, we have to look at this more. I know in talking to my people, we had concerns, but I've got to look at the totality of it because Mr. Prime knows that on a regular basis, the intrusion into the neighborhood, not because of this project, but other projects, is something that is manpower intensive from the police department because we're going in there and we're writing away those tickets that are queued up two hours ahead of time, which is why we go out into the schools like you need to come up with an appropriate drop-off time. The program would probably work. And again, I can't speak to specifics because I haven't seen it, but that's the problem that the police department has is where are we going to put them? You know, the concerns are if somebody shows up to pick up the third grader or the fourth grader, it's a drop-off. They're out into a traffic area, whether it be residential or on Grand Avenue where we have crossing guards and lights, you know, that other issue is a problem. You know, do we have to add a school zone 15 miles an hour or not? So, that's some of the things that we really have to look at to say if we could even totally support this kind of idea, looking at the totality of the schools that are in that area.

Vice Mayor Anderson: I mean, I think it's a problem with the County, period, that we need to address because the Golden Gates area, not only are they stacked, they're are people blocking people's driveways.

Police Chief Hudak: Yeah.

Vice Mayor Anderson: People can't even get into their neighborhood because they can't make the left to get into the neighborhood off of Grand. It's pretty bad.

Police Chief Hudak: No, it's...

Vice Mayor Anderson: So, that -- this is why I'm in favor of sending this back to the County and say, listen, this isn't going to work.

Police Chief Hudak: I think...

Vice Mayor Anderson: And you need to do...

Police Chief Hudak: We have to take a look at that, yeah. I don't disagree with that, Vice Mayor, only because -- and as the gentleman stated, we have a good plan at St. Teresa's. I was talking to Father just last week, because now it has gone three blocks in each direction of people queuing up to get. And that's following the rules. So, you know, the cross-through traffic off of this area is a concern for the police department. And I just want to make sure that we can enforce what it is. The plan may get approved here, but on the street when somebody -- a parent is dropping off and waiting in line, and we start telling people to move along, you all had gotten emails. As soon as we started enforcing school zone areas, everybody wants -- you know, well, don't write me. But

so, again, I just want to be able to enforce what we decide on. We do have concerns about how this project works with the other schools that are already there.

Commissioner Fernandez: Okay. And realistically, 2:45 pickup, there are people queuing up at 1 o'clock.

Vice Mayor Anderson: Oh, it's going to be a nightmare.

Commissioner Fernandez: Because they want to make sure they're the first one's there and the first one's to pick up so that they're out of there quickly, but they've been there for an hour and 45 minutes queued.

Commissioner Castro: Is there any possibility on changing the hours of school?

Mr. Baker: That's something that we could explore. It's not something that we've considered. I mean, the current plans that we have gone through the County, gone through Public Works. We've engaged with Carl and Lou and the homeowners association at every step. If that's like the only determination, then yes, it's something we could consider.

Commissioner Castro: I'm just thinking so they do not coincide with the schools already there.

Mr. Baker: Yeah, I mean, we also have working parents, right? Parents, you know, they can't come to work at 11. Not everyone's working remote or has the flexibility to do that. They're single parent and what not. But just to speak on Commissioner Menendez's suggestion, right, we already have built in as approved by your board, your planning board, a requirement that we have a police officer on the corner for six months, right? So, this is, if you wish, could be a Coral Gables police officer, right? They're able to enforce the law just like any other officer on his force, be it off duty or on duty, if I'm not mistaken.

Police Chief Hudak: Off-duty (INAUDIBLE).

Mr. Baker: I'm asking, can you enforce the law if you're an off-duty officer?

Police Chief Hudak: You mean from the street?

Mr. Baker: Yeah.

Police Chief Hudak: In our jurisdiction?

Mr. Baker: You're standing on the corner of the street, right?

Police Chief Hudak: Yes, I mean, if they're an off-duty officer, the entity pays, but if they see something illegal, I mean, as the Commissioner asked...

Mr. Baker: So, we have...

Police Chief Hudak: They do this.

Mr. Baker: So, we have an active police officer at the site during all hours that you think there will be issues with parking, safety, and compliance with the law. So, we have the ability to enforce the law, which is what -- all we can rely on, right? We set up a framework, we rely on it, and hopefully penalties will change behavior. So, we've already agreed to have somebody there for the first six months. If you're saying that you want somebody there full-time, I think we could consider that. At the same time, we're required to go back to Public Works and the City, all the City departments, if we choose to remove the police officer because of past practice. It's shown that we're operating exactly how we've described to you today. There's no queuing issues, there's no parking issues. At that time, we're able to remove the police officer just for that year. He comes back at the beginning of every subsequent school year. That's a mechanism that we agreed with the Planning and Zoning Board that would be effective to ensuring that our proposed traffic and queuing plan would be in compliance with, you know, what we promised. So, I think that kind of gets at what you were suggesting of having the Zoning and Planning Department being able to review and look at the success of the school and adherence to the plan.

Mayor Lago: So, we do this. Okay, since we're going back and forth and I think this has morphed into something that is completely different than what it started. Why don't you take an hour, sit down with our City Attorney, figure out what you're proffering, sit down with our Chief so you guys can come back to see if it's palatable and you have enough votes on the Commission to move forward. Is that fine? Because we have a -- we have a lot of items...

Mr. Baker: Yeah.

Mayor Lago: In regards to time certain. And we're negotiating up here, and I think that it's best if you finalize with our City Attorney and then we...

Mr. Baker: Sure.

Mayor Lago: We can move on and continue with an agenda, which is, again, pretty significant. And I want to make sure we get to a time certain item.

Commissioner Menendez: We have a shade meeting with our lunch.

Mr. Baker: Oh, yeah.

Commissioner Castro: We do?

Commissioner Menendez: It's lunch.

Commissioner Castro: We do?

Commissioner Menendez: Just lunch. It's lunch, yes.

Mr. Baker: We agree.

Mayor Lago: Is that okay? I'm just wondering.

Vice Mayor Anderson: Yeah.

Mr. Baker: That's fine.

Vice Mayor Anderson: And can we take a break?

Mayor Lago: I'm sorry.

Commissioner Fernandez: Lunch break.

Mayor Lago: But did you want to do your 2 o'clock time certain?

Vice Mayor Anderson: Yeah, that'll give us what? Can you hold out for...?

Mayor Lago: Again, Chief's here. So, I don't know if you...

Vice Mayor Anderson: Can you hold out for 5, 10 minutes.

Mayor Lago: To eat lunch? I think you need a little...

Commissioner Menendez: She eats fast.

Mayor Lago: I think you need a little more time than 5, 10 minutes.

Vice Mayor Anderson: Oh, listen, I'll take a morsel.

Mayor Lago: I'm sorry?

City Attorney Suárez: And if you want me to meet with them, I need time.

Mayor Lago: Yeah, yeah. I think -- listen, listen...

Vice Mayor Anderson: Okay.

Mayor Lago: Give us an hour. Come back 3:15. Meet with the City Attorney. We will -- can you -- can you have your team work with them?

City Attorney Suárez: Absolutely.

Mayor Lago: And also grab lunch at the same time.

City Attorney Suárez: Yes.

Mayor Lago: Trying to give you as much time so I get -- so I know when to come back.

City Attorney Suárez: We're taking a break. I didn't know if we were taking a break. If we're taking a lunch break...

Mayor Lago: No, I'm trying to...

City Attorney Suárez: (INAUDIBLE) meet with them.

Mayor Lago: I'm trying to work on this break and also be considerate of our, you know...

Vice Mayor Anderson: Board member.

Mayor Lago: Architect, board member, who's here. Do you have a deadline? Do you have something you need to be at?

Unidentified Speaker: I do.

Mayor Lago: Okay, well...

Vice Mayor Anderson: What time?

Mayor Lago: That's the answer. So, we will...

Vice Mayor Anderson: No, what time? I need a restroom break.

Unidentified Speaker: (INAUDIBLE) 5, 10 minutes is not an issue (INAUDIBLE).

Mayor Lago: Let's take a 10-minute break, 10-minute break, then we'll start with the time certain. You can start working with our City Attorney now.

Mr. Baker: Thank you.

Mayor Lago: Okay, thank you very much.

[Later...]

Mayor Lago: All right, so where we at?

Mr. Baker: So, we spoke with the City Attorney's Office, Jennifer from the Planning Department, along with the police officers, took your questions, concerns, comments into consideration. There's two alternatives we'd like to proffer, as suggested, I believe, by Commissioner Fernandez, maybe Commissioner Castro, expanding the start time of the school day to lessen the impact within, you know, the most highly traffic hours of Carver Elementary and Middle. So, we're proposing a 7 a.m. to 9 a.m. drop-off time and a 3 to 5 p.m. pick-up time. That'll allow us then to have 20-minute windows for parents. That's in essence three cars every 20 minutes at the two locations.

Mayor Lago: What is -- and what is the start time at Carver, exactly?

Mr. Baker: It's, I believe, for Carver, it's split up, obviously, elementary and middle. Elementary, I believe, was 8:05 a.m.

Deputy City Attorney Throckmorton: So, I'm not an expert in this. I just was speaking with our officers. That elementary school drop-off ends and the school begins by 8:05 a.m., pick-up begins around 1:30 p.m., that the middle school drop-off -- and again, these are my rough -- but don't hold me to these -- 8:45 a.m. and then pick-up beginning around 3.30 p.m. for the middle school.

Mayor Lago: So, I appreciate the concessions and I think they make sense. How are we going to make sure that you abide by that and that you are as less impactful...

Mr. Baker: Yeah.

Mayor Lago: To those residents as possible?

Mr. Baker: So, I think the first and primary defense will be us, ourselves. So, we're going to fine parents who are not in adherence to this and this was our plan with the 10-minute windows as well as now. So, think of it as like a kind of three strike system, where we're fining parents when they're coming in late, making sure that they have their specific window into their routine. Beyond that, I think the main thing in my mind is working with the community. We've -- I've met Carl probably 20 times now. We've gotten to know all the neighbors around there. We want to be good neighbors. We have met with them multiple times before we even needed to. We know they brought it up from day one all the way until now. Traffic is an issue. We're aware of that. We want to be able to mitigate that and I think the two like main things that we're doing in that back area, one is reconfiguring the actual back lot to allow for cars to drop -- pickup and drop-off while being out of the flow of traffic, and then the second one is the three speed tables that we agreed to

at the PZAB meeting. Between the two of those, like traffic will be -- traffic will still be there. There's no...

Mayor Lago: Which -- where are the speed tables going to be located?

Mr. Baker: It's Jefferson...

Vice Mayor Anderson: On Jefferson...

Mr. Baker: And Florida, Jefferson and Frow, and Jefferson and Oak.

Mayor Lago: And those are going to be same standards as we have here in the Gables?

Mr. Baker: Yep, that's right. Installed at our sole cost and expense.

Mayor Lago: Okay.

Commissioner Fernandez: And has the County signed off on that? Because I know the traffic calming has to be approved by the County.

Mr. Baker: I believe maybe Jennifer can opine on that. I think these were...

Mayor Lago: So, if you look...

Mr. Baker: Already proposed.

Mayor Lago: If you look at -- we have a...

Mr. Baker: We would be going...

Mayor Lago: Like five years ago, we proposed basically a blanket area. We did a study here in the City, and I'm not sure if that's part of that study that was approved by the County. Is that correct?

Transportation Division Manager De Zayas: Melissa De Zayas, Transportation Division Manager. The three locations that he's referring to are ones that are already previously planned and approved.

Mayor Lago: So, they're part of the study that we did?

Transportation Division Manager De Zayas: Yes.

Mayor Lago: Okay, perfect.

Commissioner Fernandez: Good.

Vice Mayor Anderson: And will they be building them as well?

Mayor Lago: Yes.

Mr. Baker: Yeah.

Vice Mayor Anderson: Okay.

Mayor Lago: Okay. So, the City won't have to pay for them. Okay, perfect.

Mr. Baker: Correct, yeah.

Mayor Lago: So, let me just -- I want to just put one kind of final caveat, and my City Attorney can give me a little guidance on that. I want to make sure -- I want to make sure that if we have a problem, just like we did with THēsis, that I have the ability, the Commission, the Manager has the ability to rein in and change behavior.

Mr. Baker: Yeah.

Mayor Lago: Because I really, really, really cannot have that neighborhood under any more impact. They're just surrounded, literally. So, Madam City Attorney, what can we write into the development order? I know it's not a development order, but what can we write into this approval where we have some sort of ability to reassess the situation in six months to a year, really understand how the cards have fallen and what can we do to come together and tweak the situation to alleviate any concerns or additional stresses added to the community.

Deputy City Attorney Throckmorton: Hi, Mayor. I'll ask Jennifer maybe too. We have built into the conditions of approval some review of the traffic control officer six months into the first year and then I believe every quarter -- is that correct? -- in the second and third year. Is that...?

City Planner Garcia: Yes, so the first year, it's for the first six months they're required to pay. After that point, we can petition. They'll be studying the traffic picture and they're complying with what they're written on paper as far as the drop-off goes. After that, it's reduced to three months before they are able to petition the City, have analysis and a study showing that they are - they're complying.

Mayor Lago: So, let's use an example. Starbucks. We basically ended up in a situation where the police officer was part-time. The problem continued and we had to basically step in and make it almost full-time and redirect the traffic there at their expense. I just want to make sure that we're not having even further congestion on Grand Avenue and that that street, which is very tight, adjacent to the old juice shop that used to be there, where we're not making it even worse. Because

don't forget, people are crossing from US-1, making a left-hand turn onto Grand, and then heading to work or to drop off their kids at school. So, I just want to make sure that we have all the tools in the toolbox to -- I want them -- we want them to be successful, but I also need to make sure that the neighborhood doesn't even get more invaded.

City Planner Garcia: So, we could add in language after they petition the City, perhaps it's working for the first three months and then a couple months later it's not working, maybe at that point the City can step in and say, hey, there's a lot of backup on Grand. There's a lot of issues. I think you may be required to have that police officer there on duty again. I'm not sure if that's okay with the applicant.

Vice Mayor Anderson: So, how about going...

City Planner Garcia: It's a...

Vice Mayor Anderson: At a certain point and a certain level, the City still have any authority to say, listen, you got to do remote pick up and drop-off?

Deputy City Attorney Throckmorton: So, there's a covenant that requires them to comply with the conditions of the approval. And the conditions of the approval, as drafted, include the drop-off on the campus site. So, if there is something happening where they no longer meet those conditions of approval, then it's something to look at. But if they're continuing to meet the conditions of approval, we can't really change them after they've been...

Vice Mayor Anderson: I'm saying, if they're not meeting the conditions of approval, at that juncture, then we say something different needs to be done. That's a very small lot behind there. I mean, I've been back and forth on Florida Avenue and Jefferson a number of times and that's a very small lot, so it's going to be tough.

Deputy City Attorney Throckmorton: So, if drop-off started occurring somewhere else completely and no one was dropping off here, then they would clearly not be meeting that condition of approval anymore. And we would -- you know, as we would always do when someone doesn't meet a conditions of approval, look at the -- look at that.

Vice Mayor Anderson: No, that's not -- that's not my question. My question is this. We have conditions of approval. At a certain point here in the future, they're no longer able to make it because things have changed, or you know, parents aren't complying, or they change their operation. At that point, can we step in and say, okay, you clearly can't run the operation this way. We need to change the conditions of approval and you have to do remote drop-off and pickup.

Deputy City Attorney Throckmorton: So, they can approach for a change of the conditions of approval if that's something that they ever desire in the future. But if they're no longer meeting the conditions of approval, that's one situation. But if they want to come in with a proposal in a

year, you guys found a great location to remote park and move people in or something like that, they can always come to the City and ask for changes in those conditions of approval and come back to you all.

Vice Mayor Anderson: So, at any point in the future, if they're not meeting the conditions of approval, we can have a conversation with them and bring them back in and say, listen, we've got to have a different plan. Either it's a remote drop-off/pickup or something else.

City Attorney Suárez: So...

Deputy City Attorney Throckmorton: Yes, but...

City Attorney Suárez: If they're not meeting their conditions of approval...

Vice Mayor Anderson: Yes, but what?

City Attorney Suárez: If they're not meeting their conditions of approval, we would enforce the covenant.

Deputy City Attorney Throckmorton: Yes.

City Attorney Suárez: That's what we would do. But if they're changing their...

Deputy City Attorney Throckmorton: If they're proactively reaching out to change those operations...

City Attorney Suárez: (INAUDIBLE).

Deputy City Attorney Throckmorton: That's a different situation.

City Attorney Suárez: In their operation...

Vice Mayor Anderson: That's fine. I understand. They can always try to do that.

Deputy City Attorney Throckmorton: Yeah.

Vice Mayor Anderson: I'm trying to deal with a situation where these conditions just don't work.

Deputy City Attorney Throckmorton: You know, we can always enforce our covenant, but I'm sure, as always, we would reach out and try to see if there's ways to mitigate or look at the conditions of approval in the meantime rather than just like pulling that conditional use approval. I don't think that's the City's goal ever to pull that.

Vice Mayor Anderson: No, it isn't, but I can tell you for sure the day that everybody's starting to park on everybody else's front lawn and there is no swale in these areas and it's very, very little space, okay?

Deputy City Attorney Throckmorton: Understood.

Vice Mayor Anderson: It's going to be a huge problem.

Deputy City Attorney Throckmorton: One thing I want to note about the proffer just that it would be, you know, to the extent it's required, subject to the condition of the approval by Miami-Dade County because there is a traffic plan approved by them as well. So, to the extent that those hours of drop-off that proffer requires that approval, we would require that as well.

Mayor Lago: Also need to make sure that -- I've seen this happen in other schools, especially in the Sunset area -- that parents are not dropping their kids off in the neighborhood and they're walking to school. I know -- but you said up to eighth grade is what I heard. So, a lot of kids are already, you know, walking to school at that time. So, we need to make sure that parents are not dropping their kids off, blocking somebody in because we get a lot of calls from...

Deputy City Attorney Throckmorton: Yeah.

Mayor Lago: The owners of the homes there that say, hey, I couldn't leave for work for 30 minutes because somebody blocked me in as they went to drop off their kid at Sunset. It happens, it happens. So, we need to figure that out, make sure you're on top of that.

Mr. Baker: Yeah, no, I appreciate that. And like I was saying, like we understood from day one that traffic is an issue at this site. We are very motivated to work with particularly the Lola B. Walker Homeowners Association behind us to make sure that we're having a minimal impact and an impact that is conducive to the environment and to the community there.

Commissioner Fernandez: One change that I would like to see is it's currently calling for an officer for the first six months. I would like for that to be for the first year, every day that the school is in operation. I think that's the best way that we're able to make sure that we're in control of the traffic situation to a certain extent and it provides a little ability to fix the situation on the spot instead of waiting until we get a call reporting the situation.

Mayor Lago: So, do we -- do you need any other further guidance from us?

Deputy City Attorney Throckmorton: I believe they're here still on the same item that was before...

Mayor Lago: Yes.

Deputy City Attorney Throckmorton: Which is this change in the proffer. I just wanted to note for you, Mayor, discussing the walking up. There is a condition of approval consistent with the County's conditions of approval that students are not permitted to walk or ride bicycle to and from school without parent/guardian supervision. That is a County's condition of approval that's incorporated into ours.

Mayor Lago: So, you've seen certain requests by the Commission. Do you feel --? Are those palatable moving forward so you can -- so we can vote on your proffer at the current moment?

Mr. Baker: Yes, yeah.

Mayor Lago: Okay, so...

Mr. Baker: Just to clarify that we...

Mayor Lago: Let's go over them. Let's go over them really quickly.

Mr. Baker: Yeah.

Mayor Lago: What did I miss? Tell me.

Mr. Baker: No, no, no, I just wanted to clarify...

Mayor Lago: (INAUDIBLE).

Mr. Baker: Commissioner Fernandez's point, just that it's during the school year -- right? -- not a calendar year.

Commissioner Fernandez: Correct, during the school year.

Vice Mayor Anderson: It's during the school year, yes.

Commissioner Fernandez: On school days. I guess...

Mr. Baker: Well, six months from now...

City Attorney Suárez: I think it's...

Commissioner Fernandez: If that makes it clearer for you.

Mr. Baker: Really, we're talking about an extra three months. I just wanted to make sure.

Commissioner Fernandez: Correct.

City Attorney Suárez: And I think it's during the school's operation.

Commissioner Fernandez: In the summer, there'd be no point.

Mayor Lago: Well, I mean, unless...

Commissioner Fernandez: Unless you're offering summer school, correct.

Mayor Lago: A summer school program where you're having people. So, when school is open.

Mr. Baker: So, just to clarify on that point, and then we will have drop-off happening from the hours of 7 a.m. to 9 a.m. and pickup happening from the hours of 3 p.m. to 5 p.m.

Commissioner Fernandez: Yes.

Mayor Lago: And we have an understanding, Madam City Attorney, in regards to our ability to, you know, make sure we can check that all the rules are being followed, that they're complying with the 9 o'clock deadline in regards to drop-off and pickup -- drop-off, excuse me, and then pickup no later than the time that they're mentioning or no earlier. I just don't want it to coincide with all the congestion that's there. And if the traffic calming is not working, you can tweak it to make sure that it complies with what we're looking for.

City Attorney Suárez: So, Mayor, if they don't comply with the conditions of approval, then we would -- as I mentioned before, we would enforce the covenant that has to be recorded against the property.

Mayor Lago: Okay. Just want to make -- put that on the record and make sure that everybody's clear before we take a vote on this.

Mr. Baker: Thank you.

Mayor Lago: Okay, because I promise you, I'm just giving you my word. I want you in the school. I want you in the City. I just don't want any problems with the residents.

Mr. Baker: No, I understand.

Mayor Lago: They've been through a lot already in regards to the development that didn't happen and a lot of issues, you know, in regards to traffic in that area. So, let's please try to be...

Mr. Baker: I appreciate that.

Mayor Lago: I know you're trying to be good neighbors, but just think about what the residents have been through, especially in that neighborhood.

Mr. Baker: Yeah, thank you.

Mayor Lago: Could I have a motion?

Commissioner Menendez: I'll move it.

Vice Mayor Anderson: I'll second it.

Commissioner Fernandez: Yes.

Commissioner Menendez: Yes.

Vice Mayor Anderson: Yes.

Commissioner Castro: Yes.

Mayor Lago: Yes.

(Vote: 5-0)

Mr. Baker: Thank you. Thank you, guys.

Mayor Lago: Thank you very much, gentlemen. I appreciate it.

Mr. Baker: Appreciate your time.

Mayor Lago: Have a nice day.

Mr. Baker: You too.