

1 CITY OF CORAL GABLES  
2 LOCAL PLANNING AGENCY (LPA)/  
3 PLANNING AND ZONING BOARD MEETING  
4 VERBATIM TRANSCRIPT  
5 CORAL GABLES CITY HALL  
6 405 BILTMORE WAY, COMMISSION CHAMBERS  
7 CORAL GABLES, FLORIDA  
8 WEDNESDAY, APRIL 9, 2014, COMMENCING AT 6:04 P.M.

9 **TRANSCRIPT EXCERPT: UNIVERSITY OF MIAMI ITEMS**

10 Board Members Present:  
11 Eibi Aizenstat, Chairperson  
12 Jeffrey Flanagan, Vice-Chairperson  
13 Marshall Bellin  
14 Anthony Bello  
15 Julio Grabiell  
16 Maria Alberro Menendez  
17 Alberto Perez  
18 City Staff and Consultants:  
19 Ramon Trias, Planning & Zoning Director  
20 Walter Carlson, Assistant City Planner  
21 Craig E. Leen, City Attorney  
22 Jane Tompkins, Development Services Director  
23 Charles Wu, Assistant Development Services Director  
24 Jill Menendez, Planning Administrative Assistant  
25 Scot Bolyard, Principal Planner  
Susan Lanelle Trevarthen, Esq.  
Weiss Serota Helfin Pastoraiza Cole & Boniske  
Special Counsel to the City  
Charles L. Siemon, Esq.  
Siemon & Larsen  
Special Counsel to the City  
Public Speakers:  
Jeffrey S. Bass, Esq.,  
Shubin & Bass  
On behalf of the University of Miami.  
Janet Gavarrete, Associate Vice President of Campus  
Planning and Development, University of Miami  
Maria Cruz  
Ted Rickel  
Luis Suarez  
Gina Anderhub

1 THEREUPON:  
2 The following proceedings were had:  
3 \* \* \* \* \*  
4 CHAIRMAN AIZENSTAT: Craig?  
5 MR. LEEN: Yes.  
6 CHAIRMAN AIZENSTAT: The next items that  
7 pertain to the University of Miami --  
8 MR. LEEN: Yes.  
9 CHAIRMAN AIZENSTAT: -- we should go ahead  
10 and read all three of those?  
11 MR. LEEN: Yes, read them all, and the  
12 public hearing will be as to all of them, and  
13 then, again, separate votes as to each, I would  
14 request.  
15 CHAIRMAN AIZENSTAT: Okay, thank you.  
16 MR. LEEN: Thank you.  
17 CHAIRMAN AIZENSTAT: The next three items  
18 on the agenda are as follows: The first one is  
19 an Ordinance of the City Commission of Coral  
20 Gables -- Let me just wait a few minutes so  
21 anybody that's leaving will go ahead and go  
22 out.  
23 Thank you. The next item on the agenda is  
24 an Ordinance of the City Commission of Coral  
25 Gables, Florida, requesting an amendment to the

1 Future Land Use Map of the City of Coral Gables  
2 Comprehensive Plan pursuant to Small Scale  
3 amendment procedures, Florida Statute 163.3187,  
4 from "University Campus" to "University Campus  
5 Multi-Use Area" for a parcel of land  
6 approximately 1.22 acres in size that would  
7 extend the existing designated University  
8 Campus Multi-Use Area south across the  
9 University Waterway Canal up to and including  
10 the Fred C. and Helen D. Flipse Building,  
11 located on the Coral Gables Campus, Coral  
12 Gables, Florida; and providing for  
13 severability, repealer and an effective date.

14 The next item is an Ordinance of the City  
15 Commission of Coral Gables, Florida, providing  
16 for a text amendment to the City of Coral  
17 Gables Official Zoning Code, Article 4, "Zoning  
18 Districts," Division 2, "Overlay and Special  
19 Purpose Districts," Section 4-202, "University  
20 Campus District," known as UCD, amending the  
21 UCD Frontage "C" provisions to establish height  
22 and setback requirements for a porte-cochere  
23 located along Ponce de Leon Boulevard; and  
24 providing for severability, repealer,  
25 codification, and an effective date.

1 And the final item is an Ordinance of the  
2 City Commission of Coral Gables, amending the  
3 City of Coral Gables and University of Miami  
4 Development Agreement, adopted by Ordinance  
5 Number 2010-31, on September 28th, 2010,  
6 pursuant to Zoning Code Article 3, Division 19,  
7 entitled "Development Agreements," for the  
8 University of Miami, City of Coral Gables  
9 Campus, amending Paragraph 18 of the  
10 Development Agreement that governs the  
11 miscellaneous uses and temporary occupancies  
12 the University may make of property within the  
13 corporate limits of the City, and to include  
14 the property commonly known as the "Plumer  
15 Building," and legally described as the  
16 northeast 25 feet of Lot 9 and Lots 10-22,  
17 Block 196, Riviera Section 14, whose address is  
18 5915 Ponce de Leon Boulevard, Coral Gables,  
19 Florida; and providing for severability,  
20 repealer and an effective date.  
21 MS. ALBERRO MENENDEZ: Good job.  
22 MR. GRABIEL: He does that well, doesn't  
23 he?  
24 MS. ALBERRO MENENDEZ: Yes. That's why  
25 he's the man.

1 MR. WU: Thank you, Mr. Chair.

2 If I can have TV put up the PowerPoint we  
3 have before you.

4 Thank you, Aaron.

5 We have three items before you. Two are  
6 related and one is a housekeeping matter, three  
7 requests.

8 Request Number 1 concerns the Flipse  
9 Building, here. The second one is Corridor  
10 "C," which are both related to the UHealth  
11 Building, and the third request, as the Chair  
12 mentioned, amending the Development Agreement  
13 for the Plumer Building, which is outside the  
14 campus.

15 Request 1 is to amend the Comprehensive  
16 Plan Land Use Map for 1.22 acres from  
17 "University Campus" to "University Campus  
18 Multi-Use Area," which we call UCMA, which you  
19 have highlighted in here. And the 1.22 acres  
20 is the Flipse Building, which you just saw the  
21 animation here, is at the tail end of that  
22 district, and that is to allow the uses within  
23 the Multi-Use Area into this building by  
24 incorporating it. And the uses that generally  
25 are allowed within the campus, here, but it

1 also allows conventional uses, some retail  
2 uses. All those will be expanded once this  
3 expansion occurs as part of a Comprehensive  
4 Plan change.

5 This is an image of the building today.  
6 Today it houses the school police, and it's  
7 adjacent to the Ponce Garage. This building  
8 will be in the middle of the Ponce Garage and  
9 the UHealth Building, which is across from the  
10 canal. For your information, Dickinson Road  
11 will be realigned and move northeast, around  
12 140 feet away, to make room for the UHealth  
13 Building, which is under preliminary review at  
14 the moment.

15 Request 2 is to change the text of the  
16 Zoning Code to allow setbacks and height for a  
17 porte-cochere within the Frontage "C." What we  
18 are allowing is to not exceed 30 feet in height  
19 and a setback of 20-foot minimum. Just so that  
20 you know, the Frontage "C" only applies to the  
21 Ponce frontage. It doesn't include any of the  
22 residential areas surrounding the campus. The  
23 Zoning Code does make regulations for building  
24 height and setback. Unfortunately, in this  
25 case, they made no consideration for a

1 porte-cochere along Ponce. We think it's  
2 appropriate if you want to have a building  
3 frontage facing Ponce, as in the case of the  
4 UHealth Building. We believe it adds interest  
5 and character. As you can tell in here, the  
6 UHealth Building will be here, to have a  
7 frontage on Ponce. That's an important  
8 component. We would like a frontage for the  
9 public access.

10 The third request is to amend the  
11 Development Agreement, because it is a  
12 housekeeping matter, for the Plumer Building.  
13 As you can see here, it's outside the campus, a  
14 block south of where the Ponce boundary ends.  
15 Today it houses two floors of the University of  
16 Miami. Originally, when we approved our  
17 Development Agreement in 2010, it set forth  
18 guidelines and regulations of how the  
19 University of Miami was going to be developed  
20 in cooperation with the City. What we are  
21 suggesting to you, by the applicant, the  
22 University of Miami, is to amend Section 18(a)  
23 and (g), to include campus-serving uses for  
24 property outside the campus boundaries, and the  
25 building here at 5915 Ponce has been leased by

1 UM since 1989 for academic and faculty uses.  
2 UM merely today wants to formalize those uses  
3 outside of their campus, and if the campus use  
4 terminates there -- if the lease ends, the  
5 campus use terminates. This is a housekeeping  
6 matter. When we approved the Development  
7 Agreement in 2010, we did not contemplate this  
8 use, so this is just formalizing that. The use  
9 has been there for the past two decades.

10 That concludes Staff's presentation.

11 CHAIRMAN AIZENSTAT: Thank you.

12 The applicant, please?

13 MR. BASS: Mr. Chairman, Members of the  
14 Board, Jeffrey Bass is my name. 46 Southwest  
15 1st Street is my address. I represent the  
16 University. It's nice to see everybody again.  
17 It's been awhile. I can't believe it's 2010  
18 that that Development Agreement was approved.  
19 You may recall, there were hearing after  
20 hearing after hearing as we rewrote the Land  
21 Development regulations and amended the  
22 Comprehensive Plan and adopted that agreement.

23 I have very little to add to your Staff's  
24 very comprehensive presentation of each of the  
25 three of the applications. I would like to

1 just highlight, for procedural purposes, we  
 2 did, consistent with our prior practice, host a  
 3 neighborhood meeting. We mailed out over 1,200  
 4 individual personalized notices to our  
 5 neighbors. We held the meeting. Seven people  
 6 attended the meeting. We presented an  
 7 application, a summary of the application, much  
 8 like you just saw this evening.

9 We have favorable recommendations of your  
 10 Staff, who have found our applications to be  
 11 both consistent with your Comprehensive Plan  
 12 and compliant with all of your Codes and  
 13 Ordinances, and we would ask for your approval  
 14 of them this evening. I'm here to answer any  
 15 questions that you might have. Thank you.

16 CHAIRMAN AIZENSTAT: Thank you.

17 Do we have any speakers?

18 MS. MENENDEZ: Yes, we do.

19 Janet Gavarrete?

20 MS. GAVARRETE: Thank you. Our counsel has  
 21 said everything.

22 MS. MENENDEZ: Maria Cruz?

23 MS. CRUZ: Yes.

24 Good evening. My name is Maria Cruz, 1447  
 25 Miller Road, Coral Gables, Florida. I've only

1 been living there since 1976. And let me tell  
 2 you, today it took me exactly 12 minutes to get  
 3 out of my driveway, 12 minutes to get out of my  
 4 driveway, and that's why we're here today.

5 I think the time has come for the  
 6 University of Miami to understand that their  
 7 campus is in the middle of a residential area,  
 8 that every time they propose new buildings, new  
 9 developments, we get hit with the extra  
 10 traffic. Their employees get there, work 9:00  
 11 to 5:00, go home. They have peace and quiet.  
 12 We have traffic 24/7, 365 days a week (sic),  
 13 366 some years. It never abates. 2:00 a.m. in  
 14 the morning, we have traffic. Today, like I  
 15 told you, 12 minutes to get out of my house.

16 When you look at the requests, at the  
 17 proposals, all I can tell you is I, our  
 18 neighbors -- and yes, we did have a meeting,  
 19 and yes, some of what you're going to hear  
 20 today, we expressed that day. It's time for  
 21 the City of Coral Gables to step up and defend  
 22 the neighbors. It looks very nice to have a  
 23 wonderful building on Ponce, but Ponce, yes,  
 24 there's no homes there. But how do we go from  
 25 one place to another? How do I go from my

1 house on Miller to the Publix that's closest to  
 2 my house, without going on Ponce?

3 MR. LEEN: You haven't been sworn in prior  
 4 to this.

5 MS. CRUZ: Oh, no.

6 MR. LEEN: In fact, I think everyone who's  
 7 going to speak on this --

8 MS. CRUZ: I was wondering why we were not.  
 9 The other people were not sworn in, either, the  
 10 previous people.

11 MR. LEEN: Everyone who's going to speak --  
 12 Well, the lawyers don't need to be sworn.

13 MS. CRUZ: Oh.

14 MR. LEEN: But anyone who is going to  
 15 speak on this matter --

16 MS. CRUZ: Be happy to.

17 MR. LEEN: Please swear them in.

18 Also, Ms. Cruz, would you swear that what  
 19 you've already stated is also the truth?

20 MS. CRUZ: Absolutely.

21 (Thereupon, all who were to speak were duly  
 22 sworn by the court reporter.)

23 MS. CRUZ: So help me God.

24 MR. LEEN: And Ms. Cruz, that also applies  
 25 to what you've just stated, right? What you've

1 just stated has also been the truth, correct?

2 MS. CRUZ: Yes, yes.

3 All right, what I was saying, we live in a  
 4 residential area. The University of Miami is  
 5 in the midst of our residential area. When we  
 6 go, for example, a simple example, to Publix,  
 7 we cannot go from my house without going  
 8 through Ponce, unless I have to do worse and go  
 9 through South Miami. So the fact that there  
 10 are no homes on Ponce doesn't affect us,  
 11 because the traffic is there, okay? When we go  
 12 from my house to Ponce, to South Alhambra --  
 13 hello, let me tell you, it's rare today that  
 14 there is not a serious traffic issue there.  
 15 Now we're going to have more traffic, because  
 16 now we're going to have a health center, i.e.,  
 17 hospital. Now we're going to do -- All this  
 18 that we're doing is adding traffic to an area  
 19 that's already very busy.

20 Now, I suggest, and you have the power -- I  
 21 suggest that before anything that affects  
 22 traffic in our area gets approved, that they  
 23 have to come up with some solution. What are  
 24 we going to do so that there's not a serious  
 25 issue at that corner, South Alhambra and Ponce?

<p style="text-align: right;">Page 13</p> <p>1 How are we going to deal with the traffic? Are  2 people going to be helicoptered in, or are they  3 going to drive cars? Because if they're going  4 to drive cars, I don't know how many of you  5 know the area. We, we were told we were going  6 to have a convocation center. This was, quote,  7 for University use. It is not University use  8 anymore. We have all kinds of meetings, all  9 kinds of conferences, all kinds of whatever you  10 call it. And what happens to us? We have  11 problems with the traffic. This is one more  12 instance of the University of Miami not being  13 good neighbors. It doesn't make any difference  14 how we feel. It's what they want. Okay? We  15 need to address that, and I'm sorry, it's time  16 for the City to address it. Maybe they need to  17 find a way for the traffic not to be as heavy  18 as it is. Maybe they should -- I don't know.  19 And the third one, you know, the  20 Development Agreement, I think, is very  21 interesting. For 20 some years, they have been  22 using that building other than what they agreed  23 to do, and guess what? They didn't realize it,  24 so now we're going to have housekeeping, we're  25 going to clean it, without any consequences.</p>	<p style="text-align: right;">Page 15</p> <p>1 been interrupted, we've had construction 24 --  2 Let me tell you, some of you should take a  3 drive to our neighborhood. You should be there  4 at 6:15 in the morning, at six o'clock in the  5 morning, so you can hear the humongous trucks  6 bringing equipment, because guess what, it's  7 more convenient to come at that time than to  8 fight traffic, so they drive into our  9 neighborhood and you can hear the beeping when  10 they back and you can hear the horns when they  11 want to get into the area that they're not  12 supposed to be at, but don't worry about it,  13 you know what? It's just us that gets awakened  14 at that time.  15 It's not fair. A residential area should  16 not have construction 24/7, every day, for this  17 long. We've been -- We've had enough, and we  18 need your help, and my request is that nothing  19 get approved -- gets approved until they figure  20 out how they're going to deal with the traffic.  21 CHAIRMAN AIZENSTAT: Thank you.  22 MS. CRUZ: Thank you.  23 MS. MENENDEZ: Luis Suarez?  24 MR. SUAREZ: A very good evening, ladies  25 and gentlemen. Thank you very much for being</p>
<p style="text-align: right;">Page 14</p> <p>1 So I can sign an agreement and then say, "Oops,  2 I forgot," and there are no consequences? I'm  3 sorry, that is not right. There must be  4 consequences when you violate an agreement, and  5 that's why we're here.  6 Let me tell you, it's very hard to trust  7 when you keep getting squashed, time and time  8 again. Okay? If you look at our street today,  9 the beautiful trees we had, I never saw some of  10 the buildings that I see every morning now,  11 because our trees are not there anymore. We  12 fought to have a big tree in the middle of that  13 humongous, horrific circle that was built  14 there, without most of us knowing what was  15 going on, and now there's another building  16 there that we didn't know was coming, because,  17 see, we only hear pieces. We met for -- two  18 summers ago, or maybe that's -- no, two summers  19 ago, in '12. We had meetings almost every week  20 with the University, and we were concerned  21 about how we were going to keep from looking at  22 their buildings. Nobody ever said, "Wait,  23 Maria, pretty soon there's coming another  24 building on Miller that you're going to be  25 looking at." Well, it's there now. And we've</p>	<p style="text-align: right;">Page 16</p> <p>1 here. My name is Luis Suarez, and I live at  2 5110 San Amaro Drive. I've never been to a  3 Planning and Zoning meeting, so I have  4 absolutely no idea how to address the Board,  5 but I'm going to make three very simple  6 requests. One of them I'm going to borrow from  7 you, sir, which I believe you just requested  8 this gentleman to tell you, when you were  9 preparing for a meeting and you're trying to  10 figure out what's going on, if he would attach  11 the actual information that you're going to be  12 called upon to make a decision for, and that's  13 the same request, frankly, that I have today of  14 Mr. Bass and Ms. Gavarrete, which is, explain  15 what you're doing, legitimately explain what  16 you're doing with those three requests that  17 you're making. Send out an e-mail, publish it  18 in the newspaper. They have a college town  19 newspaper. They can easily tell us what's  20 going on. What we get instead is some two-line  21 letter that says, "We want to make all these  22 changes, but we're kind of not really going to  23 tell you what it's all about." I don't think  24 that's fair. I don't think that's right. I  25 don't think that's being a good neighbor. So,</p>

1 very respectfully, I don't know if that's part  
2 of the process or not, but I just think that's  
3 fair.

4 The second request I have is the corner,  
5 Request Number 1, and it's curious to me that  
6 they put the slide up and they put the corner  
7 up, but they don't put the street associated  
8 with that corner. That corner is South  
9 Alhambra Circle and Ponce. That corner, on the  
10 morning, every morning, right now, is a  
11 complete and utter bottleneck, and so a study  
12 to analyze what the impact is going to be on  
13 that corner resulting from a massive, massive,  
14 massive project is not beyond the realm of  
15 reason. I think they should be required to  
16 make that study. I think they should meet with  
17 the residents and generally, in good faith,  
18 present that information to the residents.

19 And lastly, but not leastly, I just always  
20 want to say thank you. I know how hard it is  
21 to sit here. I know how hard it is to listen  
22 to the residents. And with that, I yield the  
23 floor. Again, Luis Suarez, 5110 San Amaro  
24 Drive. I appreciate it.

25 CHAIRMAN AIZENSTAT: Thank you.

1 MS. MENENDEZ: Ted Rickel.

2 MR. RICKEL: Good evening. I'm Ted Rickel.  
3 I live at 1530 Baracoa. I've been a resident  
4 of the City Beautiful, City Coral Gables, for  
5 41 years, and at my current location for 35  
6 years. I'm not going to repeat exactly what  
7 the other two speakers said, but I absolutely  
8 echo exactly what they've said. The amount of  
9 traffic that we get on Baracoa Avenue, which  
10 intersects with San Amaro and also with Miller  
11 and Alhambra -- When I moved in the current  
12 house I'm in, in 1979, I could get from my  
13 house to the University in a minute and a half  
14 to two minutes, any time. Now, the average  
15 time, it takes me about nine minutes, okay?  
16 The amount of traffic that we have, all over  
17 that area, has increased by about 800 percent.  
18 I don't know if you're aware of it. I don't  
19 know if you live in the area, but the traffic  
20 has increased about 800 percent in the last 35  
21 years. So, before you do anything, I would ask  
22 you to stop. Don't approve anything right now.  
23 Put in place some traffic studies. What are  
24 you going to do with the excess traffic? What  
25 are you going to do with all the cars coming in

1 from all over Miami-Dade County, as well as  
2 from us, the residents that live there.

3 And the last thing I will mention and I  
4 will ask you investigate is, at the  
5 intersection of San Amaro and Miller, we used  
6 to have traffic signals that helped us control  
7 the traffic. The University of Miami, by  
8 themselves, without getting any indication or  
9 input from the residents in the specific area,  
10 put in a traffic calming circle, and now,  
11 instead of traffic stopping where it used to,  
12 with the red lights and the traffic signals,  
13 they zoom around, going south from San Amaro to  
14 Miller, and from Miller east towards the  
15 University, south on San Amaro, and from south  
16 on San Amaro north, and from north on San Amaro  
17 south, and the average speed that I've  
18 calculated -- I'm not an engineer, but the  
19 average speed that I've calculated is about 40  
20 miles per hour, even though the signs are  
21 posted for 15 as you go around the circle.

22 So what I'm proposing, what I'm  
23 respectfully asking you, is that at the  
24 University's expense, because they put in the  
25 traffic circle on our land, the residents of

1 the City of Coral Gables, I would like to see  
2 that traffic circle removed and traffic signals  
3 put back, where we have specific stops. We're  
4 going to save lives and we will be able to  
5 negotiate the traffic flow a lot better, in my  
6 humble opinion.

7 And lastly, thanks for your effort. You've  
8 got a tough job. Nobody is ever happy. We  
9 understand that. But you've gone a great job.  
10 So please look at our considerations, take your  
11 time to review it, and again, just put the  
12 stops on what's going on right now and let's  
13 all just take a few moments to breathe and look  
14 at what the University wants to do and what's  
15 going to happen to our traffic, because we're  
16 in desperate need of some traffic resolution  
17 process in that area. Thanks, everybody.

18 CHAIRMAN AIZENSTAT: Thank you.

19 MS. MENENDEZ: Gina Anderhub.

20 MS. ANDERHUB: Gina Anderhub, 1550 Madruga  
21 Avenue. I've been a resident since 1971 in the  
22 area, a commercial property manager for 22  
23 years, and have had a family business within  
24 one mile of this area here in Coral Gables.  
25 We're proud to be property owners, property

1 managers, and have a business established here  
2 in the Gables. I actually manage the Plumer  
3 Building. I spend 12 hours a day at the  
4 building. Most of the tenants in the building  
5 didn't realize that University of Miami is a  
6 tenant and has been a tenant since 1989 in the  
7 building.

8 Mr. and Mrs. Plumer -- There are a Mr. and  
9 Mrs. Plumer. She's 93 years old. She's very  
10 actively involved in her building, as is her  
11 daughter, who's here tonight at the hearing.  
12 The Plumer family believed in establishing  
13 their roots here in the neighborhood. They  
14 reside here, own commercial property, and are  
15 actively involved and have never had any issues  
16 with the University of Miami.

17 We know that most of the students commute  
18 and either park on campus, live in the  
19 neighborhood, or use bicycles to get along and  
20 around the area, so as far as we're concerned,  
21 there is not a traffic input and effect on our  
22 building.

23 What we do find is that if we were to go to  
24 another user that took up as much space as the  
25 University of Miami was, that would increase

1 our parking ratio requirements and the amount  
2 of foot traffic and use within our building.  
3 For us, it's a simple language change for the  
4 Plumer Building. There's nothing that's going  
5 to impact us. We have approximately three  
6 rounds of classes a day. The students are very  
7 professional, they come in and out of the  
8 building, and again, most people do not realize  
9 that the University is there. We have one  
10 floor that's all faculty and staff. Again,  
11 everybody is very professional and we've never  
12 had any issues.

13 Living in the area and knowing how to  
14 maneuver, we have what you all know as feeder  
15 streets, that those that live here know how to  
16 get around traffic and avoid U.S. 1, and I  
17 think that what's happening in this area now,  
18 it's a hot place for the real estate market. A  
19 lot of people living in Pinecrest and Palmetto  
20 Bay don't want to travel to Downtown or Doral,  
21 and South Gables is where they want to be, and  
22 with change and new development, it comes  
23 traffic and a way to maneuver around what we  
24 need.

25 So, again, the Plumer Building has no

1 issues or any concerns in the past with the  
2 University of Miami, and we welcome them in our  
3 neighborhood. Thank you.

4 CHAIRMAN AIZENSTAT: Thank you.

5 MS. MENENDEZ: No more speakers.

6 CHAIRMAN AIZENSTAT: No more speakers?

7 At this point, we'll go ahead and close the  
8 floor. Any comments?

9 MR. FLANAGAN: Yeah.

10 CHAIRMAN AIZENSTAT: Jeff?

11 MR. FLANAGAN: Just to the residents that  
12 spoke, that are obviously very frustrated --

13 I think, Eibi, you and I, I think, were the  
14 only two on the Board --

15 Were you?

16 MR. GRABIEL: I was not.

17 MR. FLANAGAN: No.

18 So you and I were the only ones back in  
19 2010, when we did the amendments to UMCAD.  
20 Javier, sitting in the audience, was here, too.

21 The amendments to UMCAD that were made at  
22 that time actually allowed for the additional  
23 square footage in the buildings along Ponce. I  
24 think, as Mr. Bass said in the beginning, we  
25 had many, many, many meetings about it, lengthy

1 discussion, and plenty of concern about the  
2 additional square footage and what the possible  
3 uses were. So, as far as I understand it,  
4 we're not -- I don't think the University is  
5 adding any more square footage than has already  
6 been approved. I don't think any of the uses  
7 are changing that was already approved. So, in  
8 theory, the traffic impacts that may occur,  
9 like it or not, were already approved and were  
10 going to happen. But with that, I do remember  
11 distinctly saying exactly what -- is it  
12 Ms. Cruz? -- said regarding the traffic on  
13 Ponce, and I will take this opportunity,  
14 although it's not before us, to reiterate that  
15 concern, because it has done nothing but get  
16 worse.

17 The intersection at South Alhambra and  
18 Ponce to the parking garage is horrific, every  
19 morning and every evening. I complained four  
20 years ago that every time there's an event at  
21 the BankUnited Center, and there are a ton of  
22 events at that place, especially during  
23 graduation season, it's ridiculous how  
24 difficult it is to get up and down Ponce and up  
25 and down U.S. 1. It's bad during the



1 basketball season, because for some reason, it  
 2 takes 30 police cars with their lights  
 3 flashing, parked in every median, parked at  
 4 every entrance and exit to the University,  
 5 standing in the middle of the road, stopping  
 6 traffic that has the green light to let a few  
 7 cars leave the University of Miami, which in  
 8 turn screws up the rest of the traffic on Ponce  
 9 and U.S. 1, because it screws up the  
 10 signalization, the domino effect, I think, and  
 11 I agree, while it's not before us tonight, the  
 12 U and the City seriously needs to look and  
 13 analyze at what can be done. Maybe nothing can  
 14 be done, because there's no way we're going to  
 15 expand those roads. I think the signalization  
 16 for the most part has actually improved over  
 17 the past five or six years, but even with the  
 18 improved signalization and the timing, the  
 19 tie-ups are not getting any better. So it  
 20 might not be anything that can be done, it's a  
 21 function of living in an urban environment,  
 22 with urban density, and we love to live here,  
 23 other people want to move here, and that it is  
 24 what it is, but I sincerely request that a hard  
 25 look be taken to address that traffic, which,

1 with the development of the UHealth Building  
 2 and whatever other commercial uses and what  
 3 have you are going to go there, is definitely  
 4 going to get a lot, lot worse.  
 5 CHAIRMAN AIZENSTAT: Thank you.  
 6 Marshall?  
 7 MR. BELLIN: Look, I think we know that  
 8 there's a lot of traffic, and it's gotten to  
 9 the point where it's very difficult to  
 10 maneuver. But I really don't see how we can --  
 11 anybody can do anything to alleviate that.  
 12 You've got a basketball game, you've got 10,000  
 13 people that drive in their cars and they go to  
 14 that event. It would be nice for somebody to  
 15 suggest a way, but I just don't see it.  
 16 MR. FLANAGAN: I'm asking that somebody sit  
 17 and be creative, because I'm not the traffic  
 18 engineer, but something tells me, when you've  
 19 got -- maybe I'm slightly exaggerating when I  
 20 say 30 police cars with their lights flashing.  
 21 I don't know if somebody here can tell me how  
 22 many it is, but it's probably 20, and when you  
 23 have police cars with flashing lights for hours  
 24 on end, that causes a disruption to the driver  
 25 and people to slow down to begin with, and when

1 they're out there, trying to help people clear  
 2 the campus, which needs to be done, but you  
 3 screw up the traffic flow with the  
 4 signalization and the timing.

5 So, Marshall, as I said, we might not ever  
 6 be able to solve it, it might just get worse,  
 7 and that's the price we pay for living in  
 8 paradise with everybody else, but if there's  
 9 something that can be done, if it hasn't been  
 10 looked at and more meetings can be had -- and  
 11 Mr. Bass is shaking his head -- I'm just asking  
 12 that it at least be reviewed.

13 MR. BELLIN: I think what you're talking  
 14 about with respect to that, that's not an  
 15 everyday occurrence, and the traffic is a  
 16 problem every day. I come that way, as well.  
 17 It's just a function of living in this  
 18 environment.

19 MR. FLANAGAN: Right.

20 MR. BELLIN: And, you know, if you live  
 21 around the University, you've got to expect a  
 22 lot of traffic. If you live by an airport,  
 23 you've got to expect, you know, noise from  
 24 planes. That's just the facts of life. It  
 25 would be great if somebody could solve that

1 problem, but I don't understand how, how that's  
 2 going to happen.

3 CHAIRMAN AIZENSTAT: Maria?

4 MS. ALBERRO MENENDEZ: No, I have no  
 5 comment.

6 MR. GRABIEL: Yeah, I have a couple of  
 7 questions. Extending the Campus Multi-Use Area  
 8 across from Dickinson and the canal, does that  
 9 increase additional construction, or  
 10 construction remains the same?

11 MR. BASS: For the record, Jeffrey Bass.  
 12 That's an existing building, and I apologize if  
 13 I didn't clarify that. So we're extending the  
 14 Comp Plan designation to capture the Flipse  
 15 Building, which is an existing building.

16 MR. GRABIEL: Okay, and why are you doing  
 17 that?

18 MR. BASS: Quite simply, because it was  
 19 left out of the Multi-Use zoning definition and  
 20 map previously, and with the addition of  
 21 UHealth being built contiguous to it, it allows  
 22 for the synergy between the existing Flipse  
 23 Building and the UHealth Building, both of  
 24 which will be using the same parking resource,  
 25 which is the Ponce Garage.

1 MR. FLANAGAN: I'm sorry, Mr. Bass, how are  
2 people going to get from the Flipse Building  
3 and the parking garage to the UHealth Building?  
4 A sidewalk?

5 MR. BASS: There will be connections  
6 between the buildings.

7 MR. FLANAGAN: Over the canal?

8 MR. BASS: Over the canal, but I'm going to  
9 ask Ms. Gavarrete to answer that more  
10 specifically.

11 MR. WU: There will be a pedestrian bridge  
12 over the canal, connecting the two buildings.

13 MR. BELLIN: Excuse me, before you leave,  
14 let me ask you a question. What's before us?  
15 Can you tell me what impact --

16 MR. BASS: Sure.

17 MR. BELLIN: -- what impact this particular  
18 item that's before us has on traffic?

19 MR. BASS: Okay. Listen, traffic is  
20 neither new nor novel to us.

21 MR. BELLIN: Okay.

22 MR. BASS: We are required to conduct a  
23 regional traffic study, pursuant to highly  
24 technical and highly negotiated parameters that  
25 are done and reviewed by the City's independent

1 traffic expert, outside firm. We look at  
2 traffic. I would like to say, it may be  
3 counterintuitive, but as a result of University  
4 efforts and radical changes to our parking  
5 programs, we have reduced by 28 percent the  
6 trips on the roadway network immediately north  
7 of the lake. That's by the elimination of  
8 freshman cars and that's by having assigned  
9 parking permits to assigned parking areas, so  
10 there's no longer this driving and circling and  
11 hunting for parking lots.

12 The specific answer to your question is,  
13 nothing before you this evening has anything to  
14 do with the creation of any new traffic. We  
15 have one application that relates to the  
16 architectural feature known as a porte-cochere,  
17 and in order to build a porte-cochere in the  
18 Ponce frontage without requesting a variance,  
19 we need to adjust the setbacks in that one "C"  
20 frontage, so that buildings that front on Ponce  
21 may have a porte-cochere without having to ask  
22 for a variance.

23 MR. BELLIN: Okay, so --

24 MR. BASS: It's static, no trips associated  
25 with that.

1 MR. BELLIN: Okay. So it has no impact on  
2 traffic?

3 MR. BASS: No impact on traffic.

4 MR. BELLIN: Okay. That was my question.

5 MR. BASS: Okay, and the same with the  
6 other two amendments, as well. The Plumer  
7 Building is an existing building. It is a  
8 commercial building, and we would daresay by  
9 having us there, we result in a net reduction  
10 of trips, as compared to other multiple  
11 commercial tenants, who, as the property  
12 manager mentioned, would be using it and coming  
13 and going and parking and driving. No effect  
14 on traffic. And the Flipse Building is an  
15 existing building. We're not building a new  
16 building there. We're simply allowing uses in  
17 that building that coincide and synergize with  
18 UHealth; no traffic created by that.

19 MR. BELLIN: Okay.

20 MR. GRABIEL: I have another question on  
21 the same issue.

22 MR. BASS: Okay.

23 MR. GRABIEL: I see that the canal is being  
24 directed and filled in -- a portion of it?

25 MR. BASS: No.

1 MS. GAVARRETE: No.

2 MR. GRABIEL: No?

3 MR. BASS: No.

4 MR. GRABIEL: So this drawing --

5 MR. BASS: The canal stays as is.

6 MR. GRABIEL: This drawing shows it as  
7 being moved and filling in a portion of it.

8 MS. GAVARRETE: My name is Janet Gavarrete,  
9 and I'm the Associate VP in charge of campus  
10 planning. How are you?

11 The subject property that we are adding to  
12 the Multi-Use Area is described as 1.22 acres,  
13 and it encompasses the canal area, but it does  
14 not seek to change any configuration of the  
15 canal area itself. There's no change to that  
16 feature.

17 MR. GRABIEL: Isn't that drawing showing  
18 that the canal --

19 MS. GAVARRETE: That drawing shows -- This  
20 is the current Multi-Use Area boundary line.  
21 The additional area that is being added to that  
22 zone is described legally here.

23 MR. GRABIEL: I understand that part.

24 MS. GAVARRETE: But -- and it overlays a  
25 portion of the waterway, but it also covers an



1 existing building that's there. It's just not  
2 shown in this diagram that there's a building.

3 MR. GRABIEL: I'm sorry, but in that  
4 drawing, I see two drawings, two lines that  
5 show the canal, one that says existing --

6 MS. GAVARRETE: Yes.

7 MR. GRABIEL: -- approximate top of bank,  
8 and then there's another one that moves it to  
9 the right -- that's shown moved to the right,  
10 with some infill of the canal itself.

11 MS. GAVARRETE: I believe one refers to a  
12 former plat and the other one is the existing  
13 waterway. There are differences --

14 MR. GRABIEL: Okay, so there's no filling  
15 in of the canal?

16 MS. GAVARRETE: No. No, there's a plat  
17 issue that is being described and then  
18 there's --

19 MR. GRABIEL: So it's just a --

20 MS. GAVARRETE: Yes.

21 MR. GRABIEL: Okay. Thank you.

22 MS. GAVARRETE: Sure.

23 CHAIRMAN AIZENSTAT: Any other comments?  
24 No other comments?

25 MR. FLANAGAN: Yeah, just on the Plumer

1 them. The uses are allowed by the Zoning Code.  
2 Educational uses are allowed by the Zoning  
3 Code. Office uses are allowed by the Zoning  
4 Code. All of the uses are allowed. They're  
5 just -- There's a specific paragraph of the  
6 Development Agreement that needs to be amended  
7 to reflect the fact that academic uses are now  
8 occurring at that location.

9 So there's no prohibited use that's  
10 occurring there. There's been no illegal use  
11 of it. We're just truing up the terms of the  
12 Development Agreement with these leases that  
13 were overlooked during that process. That's  
14 what happened there.

15 MR. LEEN: Yes, it's important that the  
16 Development Agreement be correct, and so since  
17 this is known, it's just making it clear that  
18 if that's an educational use, it should be part  
19 of the Development Agreement, that the  
20 University is using it in that way.

21 CHAIRMAN AIZENSTAT: Any other comments?

22 Anybody who would like to make a motion?

23 MS. ALBERRO MENENDEZ: These are separate?

24 CHAIRMAN AIZENSTAT: Yes.

25 MS. ALBERRO MENENDEZ: I'd like to make a

1 Building. So the uses that are in there now  
2 are not allowed?

3 MR. WU: That's --

4 MR. FLANAGAN: The University uses that are  
5 in there now are not allowed?

6 MR. WU: You mean, the Plumer Building?

7 MR. FLANAGAN: Yes.

8 MR. WU: Yes, it's allowed as office uses.  
9 We do have a valid certificate of use for those  
10 uses since 1992.

11 MR. FLANAGAN: Then why add -- why make the  
12 change to the Plumer Building, if the existing  
13 uses are allowed currently?

14 MR. BASS: Once again, Jeffrey Bass, for  
15 the record. So here's what happened with the  
16 Plumer Building; I'll bottom line it for you.  
17 We were negotiating a Development Agreement.  
18 Some of you were here during that period of  
19 time. One of the objects of the Development  
20 Agreement was to identify where the campus was  
21 and to keep academic uses on the campus. At  
22 the time, we had pre-existing leases in the  
23 Plumer Building, but due to the vintage of  
24 those leases, we who were doing the negotiating  
25 of the Development Agreement were unaware of

1 motion to approve the first one, which is an  
2 ordinance related to the 1.22 acres.

3 MR. LEEN: That's the Comprehensive Plan  
4 change.

5 MS. ALBERRO MENENDEZ: The Comp -- Right,  
6 the Comprehensive Plan change.

7 MR. PEREZ: I'll second.

8 CHAIRMAN AIZENSTAT: We have a motion and a  
9 second. Any comments? No?

10 Call the roll, please.

11 MS. MENENDEZ: Maria Menendez?

12 MS. ALBERRO MENENDEZ: Yes.

13 MS. MENENDEZ: Alberto Perez?

14 MR. PEREZ: Yes.

15 MS. MENENDEZ: Marshall Bellin?

16 MR. BELLIN: Yes.

17 MS. MENENDEZ: Anthony Bello?

18 MR. BELLO: Yes.

19 MS. MENENDEZ: Jeff Flanagan?

20 MR. FLANAGAN: Yes.

21 MS. MENENDEZ: Julio Grabiell?

22 MR. GRABIEL: Yes.

23 MS. MENENDEZ: Eibi Aizenstat?

24 CHAIRMAN AIZENSTAT: Yes.

25 For the next item, would anybody like to

1 make a motion?  
 2 MR. LEEN: This is the one related to the  
 3 porte-cochere.  
 4 CHAIRMAN AIZENSTAT: Correct.  
 5 MR. BELLIN: I'll make a motion to approve.  
 6 MR. BELLO: I'll second.  
 7 CHAIRMAN AIZENSTAT: We have a motion. We  
 8 have it seconded. Any comments?  
 9 Having none, call the roll, please.  
 10 MS. MENENDEZ: Alberto Perez?  
 11 MR. PEREZ: Yes.  
 12 MS. MENENDEZ: Marshall Bellin?  
 13 MR. BELLIN: Yes.  
 14 MS. MENENDEZ: Anthony Bello?  
 15 MR. BELLO: Yes.  
 16 MS. MENENDEZ: Jeff Flanagan?  
 17 MR. FLANAGAN: Yes.  
 18 MS. MENENDEZ: Julio Grabiell?  
 19 MR. GRABIEL: Yes.  
 20 MS. MENENDEZ: Maria Menendez?  
 21 MS. ALBERRO MENENDEZ: Yes.  
 22 MS. MENENDEZ: Eibi Aizenstat?  
 23 CHAIRMAN AIZENSTAT: Yes.  
 24 And for the third item?  
 25 MR. LEEN: Which is the Plumer Building.

1 MR. GRABIEL: I move.  
 2 MS. ALBERRO MENENDEZ: I'll second.  
 3 CHAIRMAN AIZENSTAT: We have a motion. We  
 4 have a second. Any comments?  
 5 Having none, call the roll, please.  
 6 MS. MENENDEZ: Marshall Bellin?  
 7 MR. BELLIN: Yes.  
 8 MS. MENENDEZ: Anthony Bello?  
 9 MR. BELLO: Yes.  
 10 MS. MENENDEZ: Jeff Flanagan?  
 11 MR. FLANAGAN: Yes.  
 12 MS. MENENDEZ: Julio Grabiell?  
 13 MR. GRABIEL: Yes.  
 14 MS. MENENDEZ: Maria Menendez?  
 15 MS. ALBERRO MENENDEZ: Yes.  
 16 MS. MENENDEZ: Alberto Perez?  
 17 MR. PEREZ: Yes.  
 18 MS. MENENDEZ: Eibi Aizenstat?  
 19 CHAIRMAN AIZENSTAT: Yes.  
 20 Charles, let me ask you a question, please.  
 21 There's a gentleman that spoke before us, I  
 22 think his name was Ted, that had some concerns  
 23 about the circle. Any concerns of that type  
 24 should be directed to, what, Public Works?  
 25 MR. WU: Direct it to Staff, and we'll

1 forward it to the appropriate channels.  
 2 CHAIRMAN AIZENSTAT: Is there a way that  
 3 maybe you can get in touch with the gentleman  
 4 and guide him to the right -- to the right way?  
 5 If not, you can just talk to him in the  
 6 future.  
 7 MR. RICKEL: Yeah, we have a meeting on  
 8 Monday --  
 9 CHAIRMAN AIZENSTAT: Okay.  
 10 MR. RICKEL: -- relative to that, but I  
 11 just wanted to bring it up so you know the  
 12 horrific traffic situation we have now.  
 13 CHAIRMAN AIZENSTAT: I appreciate it.  
 14 It's not before us, but I just want to make  
 15 sure you have the right venue and where to  
 16 address your concern.  
 17 MR. RICKEL: Thank you. I appreciate that.  
 18 CHAIRMAN AIZENSTAT: Thank you.  
 19 MR. RICKEL: You're welcome.  
 20 MS. ALBERRO MENENDEZ: Could we have a  
 21 break?  
 22 MR. FLANAGAN: Would you like one?  
 23 MS. ALBERRO MENENDEZ: I'd like a break.  
 24 CHAIRMAN AIZENSTAT: Let's go ahead and  
 25 just take a five-minute recess, a second, as

1 some people need to go, and then we'll  
 2 reconvene.  
 3 Thank you.  
 4 Take care. Nice seeing you.  
 5 (Thereupon, a brief recess was taken.)  
 6 \* \* \* \* \*

CERTIFICATE

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, JOAN L. BAILEY, Registered Diplomat  
Reporter, Florida Professional Reporter, and a Notary  
Public for the State of Florida at Large, do hereby  
certify that I was authorized to and did  
stenographically report the foregoing proceedings and  
that the transcript is a true and complete record of my  
stenographic notes.

I further certify that all public speakers were  
duly sworn by me.

DATED this 10th day of April, 2014.

SIGNED COPY ON FILE

JOAN L. BAILEY, RDR, FPR

Notary Commission Number EE 083192.

My Notary Commission expires 6/14/15.

