

<p style="text-align: center;">Page 1</p> <p style="text-align: center;">CITY OF CORAL GABLES LOCAL PLANNING AGENCY (LPA)/ PLANNING AND ZONING BOARD MEETING VERBATIM TRANSCRIPT CORAL GABLES CITY HALL 405 BILTMORE WAY, COMMISSION CHAMBERS CORAL GABLES, FLORIDA WEDNESDAY, FEBRUARY 12, 2020, COMMENCING AT 6:00 P.M.</p> <p>Board Members Present: Eibi Aizenstat, Chairman Robert Behar Rhonda A. Anderson Venny Torre Chip Withers Rene Murai Maria Velez</p> <p>City Staff and Consultants: Ramon Trias, Planning Director Craig Collier, Special Attorney Jill Menendez, Administrative Assistant, Board Secretary Jennifer Garcia, City Planner Ana Restrepo, Principal Planner Arceli Redila, Principal Planner</p> <p>ALSO PARTICIPATING:</p> <p>Mario Garcia-Serra, Esq., on behalf of Item E-1 - E-5 Albert Cordoves, Architect David Nussman, Belmont Village David Lederman, Belmont Village Ram Krishnan, Architect</p>	<p style="text-align: center;">Page 2</p> <p>1 THEREUPON: 2 (The following proceedings were held.) 3 CHAIRMAN AIZENSTAT: Good evening. I'd 4 like to call the meeting to order. I'd like to 5 ask everybody to please turn off their cell 6 phones, pagers or other electronic devices. 7 Turn them off or put them on silent, please. 8 The Board is comprised of seven members. 9 Four Members of the Board shall constitute a 10 quorum and the affirmative vote of four members 11 shall be necessary for the adoption of any 12 motion. If only four Members of the Board are 13 present, an applicant may request and be 14 entitled to a continuance to the next regularly 15 scheduled meeting of the Board. If the matter 16 is continued due to a lack of quorum, the 17 Chairperson or Secretary of the Board may set a 18 special meeting to consider such matters. In 19 the event that four votes are not obtained, an 20 applicant may request a continuance or allow 21 the application to proceed to the City 22 Commission without a recommendation. 23 Lobbyist registration and disclosure, any 24 person who acts as a lobbyist pursuant to the 25 City of Coral Gables Ordinance Number 2006-11</p>
<p style="text-align: center;">Page 3</p> <p>1 must register with the City Clerk prior to 2 engaging in lobbying activities or 3 presentations before City Staff, Boards, 4 Committees, and/or City Commission. A copy of 5 the Ordinance is available in the Office of the 6 City Clerk. Failure to register and provide 7 proof of registration shall prohibit your 8 ability to present to the Board. 9 As Chair, I now officially call the City of 10 Coral Gables Planning and Zoning Board of 11 February 12th, 2020 to order. The time is six 12 o'clock. 13 Jill, if you'll call the roll, please. 14 THE SECRETARY: Rhonda Anderson? 15 MS. ANDERSON: Present. 16 THE SECRETARY: Robert Behar? 17 MR. BEHAR: Here. 18 THE SECRETARY: Rene Murai? 19 MR. MURAI: Here. 20 THE SECRETARY: Venny Torre? 21 MR. TORRE: Here. 22 THE SECRETARY: Maria Velez? 23 MS. VELEZ: Here. 24 THE SECRETARY: Chip Withers? 25 MR. WITHERS: Here.</p>	<p style="text-align: center;">Page 4</p> <p>1 THE SECRETARY: Eibi Aizenstat? 2 CHAIRMAN AIZENSTAT: Here. 3 Notice regarding ex parte communications. 4 Please be advised that this Board is a 5 quasi-judicial board and the items on the 6 agenda are quasi-judicial in nature, which 7 requires Board Members to disclose all ex parte 8 communications and site visits. An ex parte 9 communication is defined as any contact, 10 communication, conversation, correspondence, 11 memorandum or other written or verbal 12 communication that takes place outside a public 13 hearing between a member of the public and a 14 member of the quasi-judicial board regarding 15 matters to be heard by the Board. 16 If anyone made any contact with a Board 17 Member regarding an issue before the Board, the 18 Board Member must state, on the record, the 19 existence of the ex parte communications and 20 the party who originated the communication. 21 Also, if a Board Member conducted a site visit 22 specifically related to the case before the 23 Board, the Board Member must also disclose such 24 visit. In either case, the Board Member must 25 state, on the record, whether the ex parte</p>

<p style="text-align: right;">Page 5</p> <p>1 communication and/or site visit will affect the</p> <p>2 Board Member's ability to impartially consider</p> <p>3 the evidence to be presented regarding the</p> <p>4 matter. The Board Member shall also state that</p> <p>5 his or her decision will be based on</p> <p>6 substantial competent evidence and testimony</p> <p>7 presented on the record.</p> <p>8 Does any Board Member have such</p> <p>9 communication or site visit to disclose at this</p> <p>10 time?</p> <p>11 MS. ANDERSON: No.</p> <p>12 MR. BEHAR: No.</p> <p>13 CHAIRMAN AIZENSTAT: No?</p> <p>14 MR. MURAI: No.</p> <p>15 CHAIRMAN AIZENSTAT: Hearing none.</p> <p>16 Swearing in, everybody who is going to be</p> <p>17 speaking tonight, with the exception of</p> <p>18 attorneys, if they would please stand up to be</p> <p>19 sworn in.</p> <p>20 (Thereupon, the participants were sworn.)</p> <p>21 CHAIRMAN AIZENSTAT: Thank you.</p> <p>22 The next item is the Approval of the</p> <p>23 Minutes. Is there a --</p> <p>24 MR. BEHAR: I'll make a motion for</p> <p>25 approval.</p>	<p style="text-align: right;">Page 6</p> <p>1 CHAIRMAN AIZENSTAT: Robert has a motion.</p> <p>2 Is there a second?</p> <p>3 MR. WITHERS: Second.</p> <p>4 MS. ANDERSON: I have a few corrections.</p> <p>5 CHAIRMAN AIZENSTAT: Please.</p> <p>6 MS. ANDERSON: Page 94, Line 14, it</p> <p>7 references swapping development instead of</p> <p>8 swapping elements, E-L-E-M-E-N-T-S.</p> <p>9 CHAIRMAN AIZENSTAT: Okay.</p> <p>10 MS. ANDERSON: I'm sorry.</p> <p>11 Page 94, Line 15, I'll click on that.</p> <p>12 MR. MURAI: "Another poor issue"?</p> <p>13 MS. ANDERSON: Yeah, "Another pour issue."</p> <p>14 Just strike the word "pour."</p> <p>15 And, Venny, I was going to bring your</p> <p>16 attention to Page 152 through 153, the word</p> <p>17 give versus gift.</p> <p>18 CHAIRMAN AIZENSTAT: Okay. Any other</p> <p>19 comments? No?</p> <p>20 Could we please note that they will be</p> <p>21 corrected as such on the minutes? Any other</p> <p>22 comments? No.</p> <p>23 Call the roll, please.</p> <p>24 THE SECRETARY: Robert Behar?</p> <p>25 MR. BEHAR: Yes.</p>
<p style="text-align: right;">Page 7</p> <p>1 THE SECRETARY: Rene Murai?</p> <p>2 MR. MURAI: Yes.</p> <p>3 THE SECRETARY: Venny Torre?</p> <p>4 MR. TORRE: Yes.</p> <p>5 THE SECRETARY: Maria Velez?</p> <p>6 MS. VELEZ: Yes.</p> <p>7 THE SECRETARY: Chip Withers?</p> <p>8 MR. WITHERS: Yes.</p> <p>9 THE SECRETARY: Rhonda Anderson?</p> <p>10 MS. ANDERSON: Yes.</p> <p>11 THE SECRETARY: Eibi Aizenstat?</p> <p>12 CHAIRMAN AIZENSTAT: Yes.</p> <p>13 MR. BEHAR: Mr. Chairman, if I may, the</p> <p>14 next item on the agenda, I have a conflict.</p> <p>15 One of the applicants is a current client of</p> <p>16 mine, so there is a conflict there. I'm going</p> <p>17 to need to be recused for that item.</p> <p>18 But, if it's possible, if we move up the</p> <p>19 last item on the agenda, we could move it up, I</p> <p>20 could stay for that. If not, I'll recuse</p> <p>21 myself at this time.</p> <p>22 MR. MURAI: Are you trying to leave early?</p> <p>23 MR. BEHAR: I'm trying to leave early. I</p> <p>24 don't know how early I'm leaving --</p> <p>25 CHAIRMAN AIZENSTAT: Does anybody have an</p>	<p style="text-align: right;">Page 8</p> <p>1 objection to moving the item, the last item,</p> <p>2 first?</p> <p>3 MR. WITHERS: I do. I think Robert should</p> <p>4 wait outside until --</p> <p>5 MR. BEHAR: Okay. I'll be there. You let</p> <p>6 me know --</p> <p>7 CHAIRMAN AIZENSTAT: Okay. Let's go ahead</p> <p>8 and move the last item up first, please. If it</p> <p>9 can be read into the record.</p> <p>10 MR. BEHAR: Thank you.</p> <p>11 CHAIRMAN AIZENSTAT: Thank you.</p> <p>12 MR. COLLIER: Item E-6, an Ordinance of the</p> <p>13 City Commission of Coral Gables, Florida</p> <p>14 providing for text amendments to the City of</p> <p>15 Coral Gables Official Zoning Code, by amending</p> <p>16 Article 4, "Zoning Districts," Section 4-402,</p> <p>17 "Prohibited uses, certain streets;" Article 5,</p> <p>18 "Development Standards," Division 7, "Distance</p> <p>19 Requirements;" and Article 8, "Definitions," to</p> <p>20 create provisions and clarity for retail vape</p> <p>21 shops; providing for repealer provision,</p> <p>22 severability clause, codification, and</p> <p>23 providing for an effective date.</p> <p>24 Item E-6, public hearing.</p> <p>25 CHAIRMAN AIZENSTAT: Thank you.</p>

<p style="text-align: right;">Page 9</p> <p>1 Mr. Trias.</p> <p>2 MR. TRIAS: Mr. Chairman, this is an</p> <p>3 amendment to the Zoning Code on a topic that is</p> <p>4 not covered by the Code. So it's brand new</p> <p>5 information. It deals with regulations for</p> <p>6 vape shops. And, basically, there are several</p> <p>7 aspects of this. One, there's a definition of</p> <p>8 what a vape shop should be. Then there's also</p> <p>9 a prohibition of vape shops on Miracle Mile,</p> <p>10 Giralda Plaza and Ponce de Leon, and then</p> <p>11 there's also some minimum distance requirements</p> <p>12 for other vape shops in other places in the</p> <p>13 City.</p> <p>14 So that's a request of the City Commission</p> <p>15 and it was prepared and I'll be happy to answer</p> <p>16 any questions.</p> <p>17 MR. WITHERS: Can I ask a question?</p> <p>18 MR. TRIAS: Please.</p> <p>19 MR. WITHERS: What was the reasoning behind</p> <p>20 it? Is it a health issue or is it an image</p> <p>21 issue? Or what is the issue behind it?</p> <p>22 MR. TRIAS: I think it's health mostly, and</p> <p>23 probably there's some branding component to it</p> <p>24 also, in terms of Miracle Mile and Giralda.</p> <p>25 MR. WITHERS: So has there been any</p>	<p style="text-align: right;">Page 10</p> <p>1 discussion about hookah or anything like that,</p> <p>2 because that is as much, if not more, of a</p> <p>3 health issue than these cigarettes?</p> <p>4 MR. TRIAS: Yeah. You're right. That's</p> <p>5 also an issue, and I think that we tried to</p> <p>6 keep it just to vape shops for legal reasons --</p> <p>7 I believe that the attorney could explain that</p> <p>8 further -- just to, in a very narrow sense,</p> <p>9 deal with this topic, but if you have some</p> <p>10 other suggestions, certainly we could forward</p> <p>11 that to the Commission.</p> <p>12 MR. WITHERS: Well, I mean, if it's the</p> <p>13 health issue, cigarette smoking in general is a</p> <p>14 health issue.</p> <p>15 MR. COLLER: I think the issue, and the</p> <p>16 reason why it was a concern, was that, and the</p> <p>17 whereas clauses do provide some information</p> <p>18 about it, that, in fact, it's been found that</p> <p>19 these cigarettes, specifically these electronic</p> <p>20 cigarettes that have flavors, are specifically</p> <p>21 targeting young people, teenagers. And,</p> <p>22 actually, the smoking age was increased, as I'm</p> <p>23 sure you all may be aware, to 21 now. And, in</p> <p>24 fact, there's already existing State Statute</p> <p>25 restrictions on distances, but it allows</p>
<p style="text-align: right;">Page 11</p> <p>1 municipalities to be more restrictive, which is</p> <p>2 being proposed in this particular legislation.</p> <p>3 So I believe that the reason that they were</p> <p>4 singling out vape shops, because of the concern</p> <p>5 that youth are being targeted with these</p> <p>6 different flavors. Not that hookah is</p> <p>7 necessarily any better. I believe that this</p> <p>8 was the issue that was before the City</p> <p>9 Commission, and this is what they were</p> <p>10 interested in addressing. I think hookah is</p> <p>11 something that may be worth looking into, as</p> <p>12 well, but this is what the City Commission</p> <p>13 wanted.</p> <p>14 MR. WITHERS: Well, I would encourage the</p> <p>15 Commission to also look at -- if you're worried</p> <p>16 about targeting youth with tobacco products,</p> <p>17 and, as you know, cigars and shorts are not</p> <p>18 regulated, and they're flavored. I mean,</p> <p>19 they're much like e-cigarretes anyway, so you</p> <p>20 have flavored tobacco products. They're sold</p> <p>21 in food stores and in, you know, convenient</p> <p>22 stores in Coral Gables, that I think have as</p> <p>23 much of an issue in getting youth to smoke as</p> <p>24 vape.</p> <p>25 MR. COLLER: And I think that it's</p>	<p style="text-align: right;">Page 12</p> <p>1 certainly appropriate for this Board, in making</p> <p>2 a recommendation on this item, that you</p> <p>3 should -- that it should be expanded to any</p> <p>4 smoking products, whether they be e-cigarretes</p> <p>5 or traditional cigarettes. I think that's an</p> <p>6 appropriate jurisdiction for this Board to make</p> <p>7 a recommendation.</p> <p>8 CHAIRMAN AIZENSTAT: What I'd like to do</p> <p>9 is, before we go on, I'd like to find out, is</p> <p>10 there anybody from the public that would like</p> <p>11 to comment on this? No?</p> <p>12 Let's go ahead and close it, and that way</p> <p>13 we can go ahead and continue.</p> <p>14 Go ahead, please. Chip.</p> <p>15 MR. WITHERS: I don't know that I would</p> <p>16 want to encompass all tobacco products, because</p> <p>17 then you really get into bigger issues, but it</p> <p>18 seems, if you can concentrate on those that do</p> <p>19 target teens and young people, where the CDC</p> <p>20 actually has data showing that Camel Joe and</p> <p>21 flavored shisha sweets and colors of packaging</p> <p>22 that look like candy entice kids to smoke, then</p> <p>23 I certainly would encourage the Commission to</p> <p>24 go after tobacco products that do attract kids.</p> <p>25 MR. COLLER: Well, I think that's an</p>

<p style="text-align: right;">Page 13</p> <p>1 entirely appropriate recommendation, if you 2 want to make it. The Ordinance does cite to, 3 in the whereas clauses, the Departmental of 4 Health and Human Services issued a report on -- 5 specifically on e-cigarettes, that found that 6 indeed youths were being targeted for 7 e-cigarettes.</p> <p>8 But it's certainly within your purview to 9 suggest to the Board (sic) other tobacco uses 10 you feel that this should be expanded to.</p> <p>11 MS. ANDERSON: Well, I can give you a 12 little more background, because I've dealt with 13 FDA regulations on this issue, and when you're 14 dealing with products that contain tobacco, 15 traditional cigarettes, where they're being 16 regulated, and the State Statute prohibits, you 17 know, putting them in the machines anymore or 18 where you have a counter access available for 19 youth and children to be easily accessible to 20 those things.</p> <p>21 The next thing that they recently deemed as 22 being a tobacco product is the flavored 23 products that you're talking about. We're not 24 talking about cigarettes, because they're not 25 allowed to be flavored anymore, but when you're</p>	<p style="text-align: right;">Page 14</p> <p>1 talking about these small cigars, the 2 cigarillos, things of that nature, are the next 3 ones where the FDA has moved forward with 4 removing having a flavor ban. There has been 5 flavor bans that have been passed in various 6 states, and that just prohibits those products 7 from being sold altogether. Florida is not one 8 of them.</p> <p>9 When you move into what they call ENDS, 10 Electronic Nicotine Delivery Systems, like the 11 juice product that's been predominantly 12 marketed through all of those apps that the 13 kids use and Twitter and things of that nature, 14 the FDA has been a lot slower on the 15 enforcement there, and the nicotine levels on 16 some of those far exceeds what exists in your 17 traditional tobacco product. So I can see why 18 that's a much heightened reason, because you 19 can basically have something that looks like a 20 USB device, that teachers and parents can't 21 identified as being a tobacco product, getting 22 into the schools.</p> <p>23 So there is a heightened need that I see 24 for discouraging youth from engaging in easy 25 access to these things. They can stick them in</p>
<p style="text-align: right;">Page 15</p> <p>1 their pocket and you'll never know. There are 2 some that don't even smell a bit like a tobacco 3 product.</p> <p>4 So, I mean, I have some points I want to 5 bring up. I didn't want to take over --</p> <p>6 MR. WITHERS: No. No. Listen, I had the 7 opportunity to serve on the Tobacco Advisory 8 Council as part of a trustee for the Tobacco 9 Fund --</p> <p>10 MS. ANDERSON: Right.</p> <p>11 MR. WITHERS: -- and every quarter, ad 12 nauseam, we had reports on big tobacco spending 13 billions of dollars, and the State of Florida 14 spends 50 million in preventing tobacco 15 programs. Anything we can do at this level, I 16 guarantee you would be embraced wholeheartedly 17 by the coalition.</p> <p>18 MS. ANDERSON: Right. Right. No, anything 19 that we can do -- and I had some questions 20 regarding point-of-sale material being put in 21 the windows. I understand our hands are a 22 little tied on that. I'd like some more 23 information on that, for us to be able to -- 24 within a thousand feet of a school, where the 25 entrances are in various places, not have that</p>	<p style="text-align: right;">Page 16</p> <p>1 point-of-sale material up. Why are we only 2 restricting sale if there's more than 51 3 percent of the store occupied by vape products? 4 It can be occupied by other tobacco products 5 and make a complete store just dealing with 6 tobacco or a combination of food and the vape 7 products and get around the intent of the 8 Ordinance itself, which is discourage the youth 9 from having easy access to these items.</p> <p>10 And I'd like to expand the definition, as 11 well, into not just the electronic delivery 12 systems, as included here, but also talking 13 about the juice, because the bottles of juice 14 are being sold, as well, and that doesn't 15 require any electronic delivery system. You 16 can put it in a pipe. You can put it in other 17 things.</p> <p>18 MR. WITHERS: You know, there's even 19 products where nicotine can be like a Listerine 20 tablet on your tongue that --</p> <p>21 MS. ANDERSON: Yeah.</p> <p>22 MR. WITHERS: -- or even like a Tic Tac 23 now. Nicotine is delivered in that, as well.</p> <p>24 MS. ANDERSON: Like a Tic Tac, yes. It 25 absorbs sublingually, yes.</p>

<p style="text-align: right;">Page 17</p> <p>1 MR. WITHERS: So, yeah, I'm all for 2 expanding that.</p> <p>3 MS. ANDERSON: And we don't have any 4 mention about parks in here. Is there any 5 thoughts or reasoning as to why we have the 6 limited scope that we're dealing with here on a 7 number of areas, such as parks where children 8 play, teens hang out?</p> <p>9 MR. TRIAS: Certainly you could add parks 10 on Section B, which has religious institution 11 or school right now. Those are the only two 12 that we have. So we could add more.</p> <p>13 MS. ANDERSON: And --</p> <p>14 MR. TRIAS: As far as the 51 percent, that 15 was at the recommendation of our City Attorney. 16 It's a standard way to regulate uses; however, 17 Staff was wondering whether or not to include 18 also some amount of sales being a part of the 19 review. So I think, even Staff, was 20 recommending to expand that definition beyond 21 the 51 percent.</p> <p>22 MS. ANDERSON: Yeah.</p> <p>23 MR. COLLER: The problem with sales, and 24 the reason why I raised the concern about sales 25 is, you have to be able to -- in enforcement,</p>	<p style="text-align: right;">Page 18</p> <p>1 be able to get their sales records. That may 2 be very difficult, very cumbersome, and while 3 games can be played with floor area, I agree, 4 but it will be maybe much more difficult to be 5 able to figure out from sales records exactly 6 what they are.</p> <p>7 I think that it is an enforcement issue. I 8 don't think it's necessarily a legal problem to 9 include 51 percent of sales. I just think it's 10 going to be very difficult for an enforcement 11 officer to go in, ask for those sales records, 12 and try to produce them, but that doesn't mean 13 you can't do it. I'm just saying that that's 14 one of the practical issues of it.</p> <p>15 I think, certainly the Board can recommend 16 that parks -- the point of the Ordinance is to 17 not have these things near where children or 18 children and families congregate. So I think 19 certainly parks is a very reasonable addition.</p> <p>20 CHAIRMAN AIZENSTAT: But are these sales at 21 parks or are you trying to say within a --</p> <p>22 MR. TRIAS: Within a thousand feet. It 23 wouldn't be allowed within a thousand feet.</p> <p>24 MR. COLLER: Right, that a store wouldn't 25 be within a thousand --</p>
<p style="text-align: right;">Page 19</p> <p>1 MR. TRIAS: I mean, I assume that's the 2 recommendation.</p> <p>3 MS. ANDERSON: That would be my 4 recommendation, and I would lower the amount of 5 floor space. I mean, if it's 25 percent or 6 more, to me, that it would be dealing with 7 electronic juice materials, because they can be 8 filling it up with other stuff, with hookah, 9 for instance, or other tobacco products, 10 cigars, food, and easily get around the intent 11 of this Ordinance.</p> <p>12 MR. BEHAR: I'm not an attorney, and that's 13 up to you guys and our City Attorney, but are 14 we getting into any legal predicament that we 15 could be at risk, the City, by limiting 16 specifically, not City wide, just those 17 locations, like Miracle Mile, Giralda, where 18 you specifically are saying -- you know, 19 because I don't smoke, I think I have tried one 20 cigar once and I got sick as a dog, so I don't, 21 but I know that on Miracle Mile there's a cigar 22 shop and one on Ponce.</p> <p>23 Those have been there for -- the one on 24 Ponce has been there for 30 years. If we 25 prohibit cigars, you know, are we going to be</p>	<p style="text-align: right;">Page 20</p> <p>1 exposed legally to any --</p> <p>2 MR. COLLER: Well, first, we're not 3 addressing cigar shops in this regulation. 4 This is specifically electronic cigarettes. 5 Secondly, if there were an electronic cigarette 6 store, and I don't believe that there is one, 7 then it would become what's called a 8 non-conforming use. By being a non-conforming 9 use, it's legal, but it cannot be expanded.</p> <p>10 But in this particular case, the streets 11 that were singled out were areas where the 12 belief was that families tend to congregate and 13 that's why they were specifically excluded from 14 those streets, but, legally, I don't think it's 15 an issue, because, One, my understanding is, 16 there are no electronic cigarettes at this 17 point, but even if there were, they would be 18 considered non-conforming and would be 19 permitted.</p> <p>20 MR. BEHAR: Legal, non-conforming?</p> <p>21 MR. COLLER: Legal, non-conforming.</p> <p>22 MR. MURAI: But I think your point is that, 23 rationally, why would you prohibit vaping 24 stores on these streets and not prohibit 25 tobacco stores? I mean, that, logically --</p>

<p style="text-align: right;">Page 21</p> <p>1 unless you want to say that vaping stores are</p> <p>2 worse than tobacco stores, and I don't know how</p> <p>3 you can possibly make the determination based</p> <p>4 on what we know about it.</p> <p>5 MS. ANDERSON: Well, based upon --</p> <p>6 MR. MURAI: I haven't finished.</p> <p>7 MS. ANDERSON: Go ahead.</p> <p>8 MR. MURAI: I haven't finished.</p> <p>9 So I don't know that that distinction can</p> <p>10 be supported legally, that's Number One. And</p> <p>11 let me just, my other comments are, why</p> <p>12 restrict the number of vaping stores within a</p> <p>13 thousand square feet? I mean, are we trying to</p> <p>14 restrict competition? What are we trying to</p> <p>15 do?</p> <p>16 MR. TRIAS: Within a thousand feet of each</p> <p>17 other, yes.</p> <p>18 MR. MURAI: Of each other?</p> <p>19 MR. TRIAS: Yeah.</p> <p>20 MR. MURAI: Just to limit competition or</p> <p>21 what?</p> <p>22 MR. TRIAS: I'm sorry, within a thousand</p> <p>23 feet of the religious institution.</p> <p>24 MR. MURAI: No. No. Of each other.</p> <p>25 MR. COLLER: The rationale for that -- and</p>	<p style="text-align: right;">Page 22</p> <p>1 by the way, that's very common in alcoholic</p> <p>2 beverage stores, package stores, the thousand</p> <p>3 feet. It's not to limit competition. It's to</p> <p>4 avoid a concentration of these types of uses.</p> <p>5 So you don't have vape shop, vape shop, vape</p> <p>6 pop, vape shop, and that's why you have those</p> <p>7 distance requirements for different types of</p> <p>8 Zoning regulations.</p> <p>9 MR. MURAI: That one doesn't make a lot of</p> <p>10 sense, despite what you have just said, you</p> <p>11 know.</p> <p>12 MR. COLLER: Well, that's why there are</p> <p>13 100,000 lawyers in Florida.</p> <p>14 MR. MURAI: I think the limitations in the</p> <p>15 number of package stores within each other, you</p> <p>16 know, go back to the laws of a long, long time</p> <p>17 ago. But that's it.</p> <p>18 I mean, I also question why you couldn't</p> <p>19 have a vaping store near a religious</p> <p>20 institution, you know, I don't know -- other</p> <p>21 than you said that that's where families</p> <p>22 congregate. You know, maybe you should limit</p> <p>23 it from a movie theater, maybe, you know.</p> <p>24 MR. TRIAS: The language has been used in</p> <p>25 Zoning for a long, long time, and you may be</p>
<p style="text-align: right;">Page 23</p> <p>1 right, it may be from another age and so on,</p> <p>2 but this is not unusual ways of regulating uses</p> <p>3 like this.</p> <p>4 The whereas clause explained the reasoning,</p> <p>5 and they talk about health and the fact that</p> <p>6 they are targeted to youth mostly and so on.</p> <p>7 So that's the logic.</p> <p>8 CHAIRMAN AIZENSTAT: Venny.</p> <p>9 MR. TORRE: Yeah. I think some of my</p> <p>10 comments were already made, but regarding the</p> <p>11 specific areas that you've chosen, so you</p> <p>12 started the conversation saying, this may be a</p> <p>13 little bit of branding, as well?</p> <p>14 MR. TRIAS: I think so, yeah.</p> <p>15 MR. TORRE: And it's not stated in the</p> <p>16 whereas, where this is mostly health, health,</p> <p>17 health. So it goes to the point where, if it's</p> <p>18 about families and where people gather, I get</p> <p>19 it, but otherwise why not get 8th Street</p> <p>20 involved and why not get 57th Avenue? I mean,</p> <p>21 there's a couple of places that, to me, you</p> <p>22 know, you would logically go, maybe closer to</p> <p>23 8th Street, but they're not prohibited.</p> <p>24 So if it's only about those places where</p> <p>25 family gather or if it's about the visual</p>	<p style="text-align: right;">Page 24</p> <p>1 aspect of it and not being part of it, I mean,</p> <p>2 not being part of -- I'm a little confused</p> <p>3 about the specific of just having maybe not</p> <p>4 City-wide, why not just make it all City-wide?</p> <p>5 Is there a reason why, just vape across the</p> <p>6 City, City-wide?</p> <p>7 MR. TRIAS: Not allow it anywhere in the</p> <p>8 City?</p> <p>9 MR. TORRE: I'm just wondering whether that</p> <p>10 was even discussed.</p> <p>11 MR. TRIAS: I don't think that's possible,</p> <p>12 from a legal point of view. I think you need</p> <p>13 to allow it somewhere. I mean, maybe the City</p> <p>14 Attorney can explain that further.</p> <p>15 MR. COLLER: Well, I think, obviously, the</p> <p>16 more -- you know, it's like a continuum basis,</p> <p>17 the more restrictive that you are, where you</p> <p>18 don't allow the use at all, the more</p> <p>19 problematic it becomes, from a legal point of</p> <p>20 view. So there are certain uses that are</p> <p>21 prohibited, but I think that this is a</p> <p>22 reasonable regulation that does allow the use,</p> <p>23 but it allows it in a restrictive way.</p> <p>24 And I think, and I was just trying to look</p> <p>25 it up right now, there is actually, in the</p>

<p style="text-align: right;">Page 25</p> <p>1 Florida Statutes, a distance requirement for a</p> <p>2 thousand feet. It may be schools. I'm in the</p> <p>3 midst of trying to look that up on the fly</p> <p>4 while I'm talking to you. But even the Florida</p> <p>5 Legislature recognizes the need for a distance</p> <p>6 requirement.</p> <p>7 MR. TORRE: One last point. I think it's</p> <p>8 much harder for a vape shop to be paying 55, 60</p> <p>9 dollars for Miracle Mile than it is paying 25</p> <p>10 dollars on 8th Street. So if I was going to do</p> <p>11 a vape shop, the lower rent places are the ones</p> <p>12 that usually get them, and they all likely to</p> <p>13 be places that are not restrictive.</p> <p>14 MR. COLLER: Right.</p> <p>15 CHAIRMAN AIZENSTAT: When I looked through</p> <p>16 and I was looking through the whereases,</p> <p>17 everywhere where I see whereas, it talks about</p> <p>18 e-cigarette use among the youth, but when I</p> <p>19 look at your definition, your definition talks</p> <p>20 about vaper generated electronic devices, it's</p> <p>21 the way it's structured.</p> <p>22 How do you handle medical marijuana, for</p> <p>23 example, that dispenses through -- do you limit</p> <p>24 those? I mean, there's other restrictions --</p> <p>25 MR. TRIAS: That's a good point.</p>	<p style="text-align: right;">Page 26</p> <p>1 CHAIRMAN AIZENSTAT: -- based on that, but</p> <p>2 how do we look at that? Because your</p> <p>3 definition is talking about vaping.</p> <p>4 MR. TRIAS: Medical marijuana is addressed</p> <p>5 in a separate section of the Code that was</p> <p>6 drafted some time ago.</p> <p>7 CHAIRMAN AIZENSTAT: Right. I was present</p> <p>8 at the time when that was done.</p> <p>9 MR. TRIAS: I figured you would remember.</p> <p>10 And I think that's the way that it's addressed,</p> <p>11 and this is something separate, that deals with</p> <p>12 vaping. However, it's possible that there</p> <p>13 could be some overlap. You may be right on</p> <p>14 this.</p> <p>15 CHAIRMAN AIZENSTAT: My concern is the</p> <p>16 definition, the way you've laid it out.</p> <p>17 MR. TRIAS: Yeah.</p> <p>18 CHAIRMAN AIZENSTAT: You know, your</p> <p>19 definition does not speak about -- does not</p> <p>20 talk about e-cigarettes. Your definition is</p> <p>21 strictly vaper generated electronic devices.</p> <p>22 MR. BEHAR: Hookah would fall into that?</p> <p>23 CHAIRMAN AIZENSTAT: No, because it's not</p> <p>24 an electronic device.</p> <p>25 MR. WITHERS: It's fire.</p>
<p style="text-align: right;">Page 27</p> <p>1 CHAIRMAN AIZENSTAT: Chip?</p> <p>2 MR. WITHERS: No. No. I mean, I think we</p> <p>3 have a huge opportunity, if this door is open,</p> <p>4 and, you know, we really -- I remember the City</p> <p>5 banned plastic bags for health -- I don't know,</p> <p>6 an environment issue. I mean, here's an</p> <p>7 opportunity to really have this Commission look</p> <p>8 at how big tobacco encourages youth smoking,</p> <p>9 and whether it's through e-cigarette, whether</p> <p>10 it's through hookah, whether it's through, you</p> <p>11 know, colored packages of cigars that look like</p> <p>12 Nerds and Airheads or whatever candy is that</p> <p>13 they -- anything the Commission can do to help</p> <p>14 stem the tide of that, I think we should</p> <p>15 encourage them to do so.</p> <p>16 So I think a comprehensive look -- this is</p> <p>17 good. I think we can encourage the Commission</p> <p>18 to go a lot further in expanding it. And,</p> <p>19 look, CVS got enough pressure that they removed</p> <p>20 all tobacco products from all of their</p> <p>21 pharmacies, and if Walgreens did that, you know</p> <p>22 -- but that's half the battle. So I would</p> <p>23 encourage the Commission to move forward and</p> <p>24 expand it.</p> <p>25 MR. COLLER: I think we'll take a look at</p>	<p style="text-align: right;">Page 28</p> <p>1 the definition, because I'm looking in the</p> <p>2 Florida Statutes on how they define it, and</p> <p>3 it's a little bit more robust, the definition,</p> <p>4 because I'm going to suggest to the City that</p> <p>5 they take a look at some -- of how the Florida</p> <p>6 Statutes has defined it, to see if we can --</p> <p>7 CHAIRMAN AIZENSTAT: Tweak it.</p> <p>8 MR. COLLER: -- tweak the definition. So</p> <p>9 we'll take a look at that.</p> <p>10 MR. TRIAS: I think, for tonight's meeting,</p> <p>11 the best thing to do is to provide some policy</p> <p>12 direction, and then we can work closer with the</p> <p>13 City Attorney, which has crafted most of the</p> <p>14 language, because we have to stay within the</p> <p>15 law, but if you give us some direction of the</p> <p>16 things that you would like to see, that's</p> <p>17 probably the most useful way to proceed.</p> <p>18 CHAIRMAN AIZENSTAT: Maria, do you have any</p> <p>19 comments?</p> <p>20 MS. VELEZ: Both of them have been covered.</p> <p>21 I think I'm concerned also about the 51</p> <p>22 percent.</p> <p>23 CHAIRMAN AIZENSTAT: Okay.</p> <p>24 MS. VELEZ: I think it's a little too</p> <p>25 generous.</p>

<p style="text-align: right;">Page 29</p> <p>1 MS. ANDERSON: A little too, what?</p> <p>2 CHAIRMAN AIZENSTAT: A little too broad.</p> <p>3 MS. VELEZ: Too generous. 51 percent is</p> <p>4 too generous.</p> <p>5 MS. ANDERSON: Right. I agree.</p> <p>6 CHAIRMAN AIZENSTAT: Basically, Ramon, what</p> <p>7 is it that you need from us now going forward?</p> <p>8 You've heard our comments?</p> <p>9 MR. TRIAS: I think that the comments are</p> <p>10 great, and I think that we are able to work</p> <p>11 with the City Attorney, again, to refine some</p> <p>12 of the expanded views that you have suggested.</p> <p>13 I think that's very useful. And if you could</p> <p>14 pass it, then we can take it to the Commission,</p> <p>15 on First Reading, with the revised language</p> <p>16 that uses some of the ideas that you provided.</p> <p>17 CHAIRMAN AIZENSTAT: So you're asking us to</p> <p>18 pass it with --</p> <p>19 MR. TRIAS: With comments.</p> <p>20 MR. BEHAR: And if we can add locations,</p> <p>21 like this, I would consider, you know, Merrick</p> <p>22 Park, which there's a lot of families that go</p> <p>23 there. So you really need to think of a bigger</p> <p>24 area, you know. And if we're going to do it,</p> <p>25 let's do it correctly.</p>	<p style="text-align: right;">Page 30</p> <p>1 MR. TRIAS: Yeah. And I'm not ready to</p> <p>2 amend the Ordinance right now in detail, but</p> <p>3 certainly I'm ready to take your input and work</p> <p>4 with the City Attorney.</p> <p>5 MR. MURAI: My last comment is, as I said</p> <p>6 before, it doesn't make a lot of sense to me to</p> <p>7 limit or prohibit vaping stores on these</p> <p>8 particular streets and not prohibit cigar</p> <p>9 stores. I just don't see that that's</p> <p>10 defensible legally, but --</p> <p>11 CHAIRMAN AIZENSTAT: Craig, how do you</p> <p>12 suggest we proceed with this from the --</p> <p>13 MR. COLLER: Well, I think you have a</p> <p>14 series of suggestions, I think, that you could</p> <p>15 recommend approval with the following suggested</p> <p>16 amendments, review the definition, consider</p> <p>17 expanding it to parks, consider reducing the</p> <p>18 definition from 51 percent to, as suggested, 25</p> <p>19 percent. I think that could be part of the</p> <p>20 motion.</p> <p>21 And did we talk about -- and look at other</p> <p>22 areas of the City where families and --</p> <p>23 children and families congregate, and, of</p> <p>24 course, definitively add parks to that, and I</p> <p>25 think that would be a reasonable motion and it</p>
<p style="text-align: right;">Page 31</p> <p>1 would give the Commission some direction as to</p> <p>2 how the Board feels.</p> <p>3 CHAIRMAN AIZENSTAT: Is there a motion?</p> <p>4 MS. ANDERSON: I just wanted to just rattle</p> <p>5 off the list of liquid products. You've got</p> <p>6 liquid nicotine products, you've got ENDS,</p> <p>7 E-N-D-S, that could be added. It's defined by</p> <p>8 the FDA. E-juice, vape juice and e-liquid are</p> <p>9 all words that are used to advertise these</p> <p>10 products, and there are some slang terms that</p> <p>11 are being used now that perhaps they would want</p> <p>12 to look at, as well. Fog is one of them that's</p> <p>13 being commonly used. I'd just invite the City</p> <p>14 Attorney to take a look at that.</p> <p>15 And, you know, I had some thoughts and</p> <p>16 perhaps they can look into, to what extent we</p> <p>17 can limit the POS, point-of-sale posters from</p> <p>18 being plastered in windows facing the schools</p> <p>19 or what they call the poll sign or that type of</p> <p>20 advertising for these products outside of these</p> <p>21 facilities, within a thousand feet, even if it</p> <p>22 is under 25 percent.</p> <p>23 MR. COLLER: And there is an issue, and I</p> <p>24 sent the case to Rhonda, but there is an issue</p> <p>25 with sign regulations that are content based,</p>	<p style="text-align: right;">Page 32</p> <p>1 which are problematic. You can regulate the</p> <p>2 size of the sign --</p> <p>3 MR. MURAI: Location.</p> <p>4 MR. COLLER: -- location, but when you get</p> <p>5 into saying, well, signs that advertise</p> <p>6 tobacco, that is the problem.</p> <p>7 Now, if you want to look at signs from a</p> <p>8 general basis, that we don't want signs in</p> <p>9 windows, for example, that's -- that you could</p> <p>10 look at, but that would apply to everyone. It</p> <p>11 wouldn't just apply to --</p> <p>12 CHAIRMAN AIZENSTAT: It has to be uniform.</p> <p>13 MR. COLLER: It has to be uniform and it</p> <p>14 has to not be content based, but we'll take a</p> <p>15 look at that, too. We can certainly put that</p> <p>16 in there.</p> <p>17 MS. ANDERSON: I asked for it to be looked</p> <p>18 at.</p> <p>19 CHAIRMAN AIZENSTAT: So is there a motion?</p> <p>20 MR. TORRE: I'll make a motion.</p> <p>21 CHAIRMAN AIZENSTAT: Venny, we have a</p> <p>22 motion.</p> <p>23 MS. ANDERSON: I'll second it.</p> <p>24 CHAIRMAN AIZENSTAT: Rhonda, second.</p> <p>25 MR. TORRE: I think my motion is with the</p>

<p style="text-align: right;">Page 33</p> <p>1 comments that have been said by legal counsel 2 and by Rhonda. 3 MS. ANDERSON: Yeah, and we have them on 4 the record. 5 CHAIRMAN AIZENSTAT: Okay. We have a 6 motion. We have a second. Any comments? 7 Call the roll, please. 8 THE SECRETARY: Rene Murai? Rene? 9 MR. MURAI: Yes. 10 THE SECRETARY: Venny Torre? 11 MR. TORRE: Yes. 12 THE SECRETARY: Maria Velez? 13 MS. VELEZ: Yes. 14 THE SECRETARY: Chip Withers? 15 MR. WITHERS: Yes. 16 THE SECRETARY: Rhonda Anderson? 17 MS. ANDERSON: Yes. 18 THE SECRETARY: Robert Behar? 19 MR. BEHAR: Yes. 20 THE SECRETARY: Eibi Aizenstat? 21 CHAIRMAN AIZENSTAT: Yes. Thank you. 22 Robert. 23 MR. BEHAR: Well, now is my time to leave. 24 I thought I was going to be here earlier -- 25 MR. WITHERS: There you go. We did our best.</p>	<p style="text-align: right;">Page 34</p> <p>1 MR. BEHAR: I'll be waiting outside. 2 CHAIRMAN AIZENSTAT: All right. Let's 3 continue the meeting. 4 Craig, if you would please read E-1. 5 MR. COLLER: Okay. So this may be a 6 Read-a-Thon, but we might want to consider, 7 since they're all connected, that we read them 8 all in and have one public hearing. You're 9 going to get tired of hearing my voice, so I'll 10 give you your choice. 11 CHAIRMAN AIZENSTAT: Yes, do so. Yeah, 12 please read them altogether. 13 MR. COLLER: Okay. So everybody is taking 14 a break now except me. 15 Okay. Item E-1, an Ordinance of the City 16 Commission of Coral Gables, Florida amending 17 Ordinance Number 2015-08 (As amended), 18 providing for a substitute public access 19 easement and new conditions of approval with 20 respect to the previously vacated alley located 21 in Block 3, Industrial Section, Coral Gables, 22 Florida; providing for a repealer provision, 23 severability clause, codification, and 24 providing for an effective date. 25 Item E-2, an Ordinance of the City</p>
<p style="text-align: right;">Page 35</p> <p>1 Commission of Coral Gables, Florida approving 2 receipt of Transfer of Development Rights 3 pursuant to Zoning Code Article 3, "Development 4 Review", Division 10, "Transfer of Development 5 Rights", Section 3-1006, "Review and approval 6 of use of TDRs on receiver sites", for the 7 receipt and use of TDRs for an Assisted Living 8 Facility referred to as "Belmont Village" on 9 property zoned Industrial District, legally 10 described as lots 12 to 31, Block 3, and the 11 south 7.5 feet of lots 11 and 32, Block 3, 12 Coral Gables "Industrial Section," together 13 with that portion of 30 foot platted alley 14 lying south of the north line of the south 7.5 15 feet of said lot 11 projected westerly and 16 north of the south line of said Block 3 (4111 17 Salzedo Street) Coral Gables, Florida; 18 including required conditions; providing for a 19 repealer provision, severability clause, and 20 providing for an effective date. 21 Item E-3, an Ordinance of the City 22 Commission of Coral Gables, Florida granting 23 approval of a proposed Planned Area Development 24 referred to as "Belmont Village" pursuant to 25 Zoning Code Article 3, "Development Review,"</p>	<p style="text-align: right;">Page 36</p> <p>1 Division 5, "Planned Area Development," for an 2 Assisted Living Facility referred to as 3 "Belmont Village" on property legally described 4 as lots 12 to 31, Block 3, and the south 7.5 5 feet of lots 11 and 32, Block 3, Coral Gables 6 "Industrial Section," together with that 7 portion of 30 foot platted alley lying south of 8 the north line of the south 7.5 feet of said 9 lot 11 projected westerly and north of the 10 south line of said Block 3 (4111 Salzedo 11 Street) Coral Gables, Florida; including 12 required conditions; providing for a repealer 13 provision, severability clause, and providing 14 for an effective date. 15 Item E-4, a Resolution of the City 16 Commission of Coral Gables, Florida granting 17 Conditional Use approval pursuant to Zoning 18 Code Article 3, "Development Review," Division 19 4, "Conditional Uses," for an Assisted Living 20 Facility referred to as "Belmont Village" on 21 property zoned Industrial District, legally 22 described as lots 12 to 31, Block 3, and the 23 south 7.5 feet of lots 11 and 32, Block 3, 24 Coral Gables "Industrial Section," together 25 with that portion of 30 foot platted alley</p>

<p style="text-align: right;">Page 37</p> <p>1 lying south of the north line of the south 7.5</p> <p>2 feet of said lot 11 projected westerly and</p> <p>3 north of the south line of said Block 3, (4111</p> <p>4 Salzedo Street) Coral Gables, Florida;</p> <p>5 including required conditions; providing for a</p> <p>6 repealer provision, severability clause, and</p> <p>7 providing for an effective date."</p> <p>8 E-5, a Resolution -- I can't believe</p> <p>9 they're going to have to do this legal</p> <p>10 description again.</p> <p>11 A Resolution of the City Commission of</p> <p>12 Coral Gables, Florida approving the Tentative</p> <p>13 Plat entitled "Coral Gables Industrial Section"</p> <p>14 pursuant to Zoning Code Article 3, Division 9,</p> <p>15 "Platting/Subdivision," being a re-plat of</p> <p>16 61,569 square feet on the property legally as</p> <p>17 lots 12 to 31, Block 3, and the south 7.5 feet</p> <p>18 of lots 11 and 32, Block 3, Coral Gables</p> <p>19 "Industrial Section," together with that</p> <p>20 portion of 30 foot platted alley lying south of</p> <p>21 the north line of the south 7.5 feet of said</p> <p>22 lot 11 projected westerly and north of the</p> <p>23 south line of said Block 3 (4111 Salzedo</p> <p>24 Street) Coral Gables, Florida; including</p> <p>25 required conditions; providing for a repealer</p>	<p style="text-align: right;">Page 38</p> <p>1 provision, severability clause, and providing</p> <p>2 for an effective date."</p> <p>3 Items E-1, E-2, E-3, E-4 and E-5, public</p> <p>4 hearing.</p> <p>5 CHAIRMAN AIZENSTAT: Could you repeat that,</p> <p>6 please?</p> <p>7 Thank you very much.</p> <p>8 MS. ANDERSON: We weren't listening the</p> <p>9 first time.</p> <p>10 MR. COLLER: I'm sure not.</p> <p>11 CHAIRMAN AIZENSTAT: Mr. Trias.</p> <p>12 MR. TRIAS: Mr. Chairman. May I have the</p> <p>13 PowerPoint, please?</p> <p>14 The City Attorney did a great job reading</p> <p>15 many, many things, but from my perspective, the</p> <p>16 project is not as complicated as it sounds.</p> <p>17 It's an infill project. It has retail</p> <p>18 downstairs and an ALF on top.</p> <p>19 Now, to get there, we need to do five</p> <p>20 things. The first thing is that amendment to</p> <p>21 an Ordinance for an alley vacation -- now, some</p> <p>22 of you may remember that there was a project</p> <p>23 approved here some years ago, the Collection</p> <p>24 Residences. As part of that project, an alley</p> <p>25 was vacated. So that Ordinance is in place.</p>
<p style="text-align: right;">Page 39</p> <p>1 So that has to be amended for this project.</p> <p>2 The TDRs are special. They're the super</p> <p>3 TDRs that were approved some time ago as a</p> <p>4 settlement. So the process is a little bit</p> <p>5 unusual. But it's very straight-forward.</p> <p>6 We'll talk about that.</p> <p>7 The PAD deal with the design aspects of the</p> <p>8 project, as you know. It deals with setbacks</p> <p>9 and massing and those kinds of things. The ALF</p> <p>10 allows for use, and then the tentative plat</p> <p>11 allows for reconfiguring the lot in the block.</p> <p>12 So that's the parcel which is half of the</p> <p>13 block, basically. The previous project was the</p> <p>14 whole block. This one is half the block, and</p> <p>15 then there's another project, a separate</p> <p>16 project, proposed for the balance of that</p> <p>17 block.</p> <p>18 The location, as you can see, is right next</p> <p>19 to the Shops at Merrick Park along Altara, and</p> <p>20 basically it's an infill site. There's a lot</p> <p>21 of Mixed-Use development all around, as you</p> <p>22 well know. The designation for Zoning and Land</p> <p>23 Use is Industrial, as you know. However, it</p> <p>24 really means Mixed-Use in this context.</p> <p>25 The alley, as you can see, used to be right</p>	<p style="text-align: right;">Page 40</p> <p>1 at the middle of the block, and it went all of</p> <p>2 the way through originally, and that was</p> <p>3 vacated some years ago and it continues to be</p> <p>4 vacated, and the original Ordinance included an</p> <p>5 easement across the block, which the current</p> <p>6 proposal maintains, with a slightly different</p> <p>7 configuration, but generally in the same area.</p> <p>8 So the site planning tries to take some of</p> <p>9 those ideas and incorporate them.</p> <p>10 The TDR, as I said, the regular process is</p> <p>11 complicated, however, that is not what we're</p> <p>12 doing today. The PAD requires one acre, as you</p> <p>13 know, and 20 percent open space, and all of</p> <p>14 that has been incorporated into the design. As</p> <p>15 you can see, the retail in blue and the</p> <p>16 landscape enhances the sidewalks and the public</p> <p>17 space in a way that is compatible with the area</p> <p>18 very nicely, and then the alley, which is shown</p> <p>19 in orange -- the easement, which is shown in</p> <p>20 orange, is a public space for pedestrian use.</p> <p>21 The site information, as you can see, the</p> <p>22 minimum size will be 10,000 to do a Mixed-Use.</p> <p>23 It's way beyond that. It's over an acre. The</p> <p>24 TDRs allow a slightly more than 3.5 FAR. The</p> <p>25 height is 120 feet and 10 stories. As you'll</p>

<p style="text-align: right;">Page 41</p> <p>1 remember, those were the regulations that were</p> <p>2 approved some years ago. And there's parking</p> <p>3 provided, and the ground level is Commercial</p> <p>4 retail mostly.</p> <p>5 That's the existing conditions, and that's</p> <p>6 the massing of the project, and the other</p> <p>7 project beyond, in a lighter gray, which will</p> <p>8 come before you hopefully in the next few</p> <p>9 meetings.</p> <p>10 This is a conceptual rendering, and the</p> <p>11 architect is here to explain the design in more</p> <p>12 detail, but as you can see, the ground level is</p> <p>13 very activated, and then the rest of it is the</p> <p>14 ALF, and as you can see, there's a real</p> <p>15 articulation to the massing of the project, and</p> <p>16 that's the easement that will be at the end --</p> <p>17 at the back end of the project.</p> <p>18 And, finally, the request for a tentative</p> <p>19 plat basically outlines this as one parcel. As</p> <p>20 you know, right now there's a bunch of lots,</p> <p>21 and so that predates the vacation of the alley.</p> <p>22 So by doing this, then this becomes the</p> <p>23 development site and so does the project next</p> <p>24 to it.</p> <p>25 The review timeline includes the DRC</p>	<p style="text-align: right;">Page 42</p> <p>1 Committee in September; Board of Architects in</p> <p>2 October; Neighborhood Meeting in December; and</p> <p>3 today's Planning and Zoning Board. Letters</p> <p>4 were sent to property owners within a thousand</p> <p>5 feet, as required by Code, and the public</p> <p>6 notice included two letters to property owners,</p> <p>7 three times posting on the website, three times</p> <p>8 posting on the property, and the newspaper</p> <p>9 advertisement for tonight's meeting.</p> <p>10 As we said, five requests, and Staff</p> <p>11 recommends approval with conditions. There was</p> <p>12 only one minor change to the condition which</p> <p>13 has to do with the replacement of onstreet</p> <p>14 parking. The Applicant requested more</p> <p>15 flexibility and the Parking Department was fine</p> <p>16 with that request. So that will be the only</p> <p>17 change that Staff has recommended, with the</p> <p>18 recommendations as provided.</p> <p>19 So that's the presentation. I believe the</p> <p>20 applicant has a presentation, also.</p> <p>21 CHAIRMAN AIZENSTAT: Thank you.</p> <p>22 Mr. Garcia.</p> <p>23 MR. GARCIA-SERRA: Good evening, Mr. Chair,</p> <p>24 Members of the Board. Mario Garcia-Serra, with</p> <p>25 offices at 600 Brickell Avenue, here this</p>
<p style="text-align: right;">Page 43</p> <p>1 evening representing Belmont Village and</p> <p>2 Baptist Health of South Florida. I am joined</p> <p>3 today by David Nussman and David Lederman, both</p> <p>4 of Belmont Village, Kathleen Moorman of Baptist</p> <p>5 Health, and Alberto Cordoves, our project</p> <p>6 architect, and Juan Espinoza, our project</p> <p>7 traffic consultant.</p> <p>8 One of the most exciting and promising</p> <p>9 aspects of this project is the high quality of</p> <p>10 the partnership between Belmont Village and</p> <p>11 Baptist Health. While new to South Florida,</p> <p>12 Belmont Village is one of the country's leading</p> <p>13 developers and operators of senior housing.</p> <p>14 Belmont Village was founded in Texas over 30</p> <p>15 years ago by Patricia Will, and Ms. Will is</p> <p>16 still president and CEO of the company, which</p> <p>17 has now grown to over 30 communities across the</p> <p>18 country.</p> <p>19 Ms. Will and Belmont Village are a true</p> <p>20 American success story and it is a privilege to</p> <p>21 have them proposing to build a new community</p> <p>22 here in Coral Gables, which will certainly be</p> <p>23 studier than the easels that we're using this</p> <p>24 evening.</p> <p>25 Baptist Health, whose excellent reputation</p>	<p style="text-align: right;">Page 44</p> <p>1 as a health care provider is known to all of</p> <p>2 you and everyone locally, they are the owners</p> <p>3 of this site. It will be Belmont Village's</p> <p>4 joint venture partner for this community, and</p> <p>5 will be operating the health care component of</p> <p>6 this community.</p> <p>7 So what is assisted living? It is a term</p> <p>8 used often, but it has different meanings to</p> <p>9 different people. I can tell you what it means</p> <p>10 to Baptist (sic) Village and Baptist. For</p> <p>11 them, assisted living means the level of care</p> <p>12 appropriate for each resident to have an active</p> <p>13 and as fulfilling of a life that's physically</p> <p>14 possible. For my clients, the emphasis is on</p> <p>15 the word living, and not on the word assisted.</p> <p>16 The focus is on all residents living a life as</p> <p>17 close as possible to the lives which they</p> <p>18 enjoyed before moving in, and even better, as</p> <p>19 it's possible in many cases.</p> <p>20 This area of the City has re-developed</p> <p>21 extensively, but the needs of the senior</p> <p>22 segment of the community have not been</p> <p>23 addressed in this area and the demand is</p> <p>24 considerable. The way that we are trying to do</p> <p>25 our part to address that demand is to have a</p>

<p style="text-align: right;">Page 45</p> <p>1 truly grand statement, and the product of</p> <p>2 considerable effort by both, the project team</p> <p>3 and City Staff. The 232 units which are</p> <p>4 proposed, which cover the spectrum from</p> <p>5 independent living to memory care, are within a</p> <p>6 very well designed building, with over 15,000</p> <p>7 square feet of retail space on the ground</p> <p>8 floor, great amenities for the residents on the</p> <p>9 upper floors and very generous public open</p> <p>10 areas on the ground floor, including an open</p> <p>11 air landscaped cross-block paseo, which, when</p> <p>12 combined with a similar space, the project to</p> <p>13 the north of this site, will provide a truly</p> <p>14 unique space for this City.</p> <p>15 With that said, I would ask Albert Cordoves</p> <p>16 to come up now and sort of walk you through the</p> <p>17 images of the project.</p> <p>18 MR. CORDOVES: Thank you, Mario.</p> <p>19 Good evening, Mr. Chair -- Albert Cordoves,</p> <p>20 with Corwill Architects -- Members of the</p> <p>21 Board. With me tonight are my colleagues, Don</p> <p>22 Sackman and Ram Krishnan, Corwill Architects.</p> <p>23 First of all, thank you. Thank you for</p> <p>24 your time in allowing us to present this</p> <p>25 project this evening. We are truly excited to</p>	<p style="text-align: right;">Page 46</p> <p>1 be here today. We have been working for quite</p> <p>2 some time, as you saw from the timeline, with</p> <p>3 our clients, Baptist Health, Belmont Village,</p> <p>4 and City Staff, and we truly culminate today</p> <p>5 with what we strongly feel is a great project</p> <p>6 for the community and a fantastic project for</p> <p>7 the Merrick Village area, as well. Every</p> <p>8 detail has been thought about truly when</p> <p>9 designing this project.</p> <p>10 From the concept, our goal was to -- what</p> <p>11 do we do? We have half a City block, as an</p> <p>12 architect, designers, to deal with, which is</p> <p>13 fantastic. So I think the main goal was to</p> <p>14 truly improve and build on that pedestrian</p> <p>15 realm that we have at Merrick Village today.</p> <p>16 It is fantastic. And the goal was to do just</p> <p>17 that. We wanted to make sure that the project</p> <p>18 had beautiful ground floor areas that the</p> <p>19 pedestrians in the area could use, as well as</p> <p>20 the residents, and with that, we did not put</p> <p>21 forth a ten percent or a twenty percent. This</p> <p>22 project counts with just under thirty percent</p> <p>23 of open landscape, hardscape areas.</p> <p>24 In addition to that, we wanted to make sure</p> <p>25 that we accompany that with the absolute must,</p>
<p style="text-align: right;">Page 47</p> <p>1 right. We have a total of just over 18,000</p> <p>2 square feet of logistically placed retail at</p> <p>3 the ground floor, retail Commercial, so that we</p> <p>4 can really activate that beautiful hardscaped</p> <p>5 open space goal.</p> <p>6 At the heart, as Mario mentioned, is a</p> <p>7 cross-block paseo that we are very proud of</p> <p>8 having designed with our team. This paseo,</p> <p>9 essentially, is over 200 feet, and it's not a</p> <p>10 small, little, tiny paseo. This paseo ranges</p> <p>11 from twenty to thirty feet in width, as you can</p> <p>12 see from our Site Plan. It integrates</p> <p>13 beautiful landscaping, hardscape, lighting,</p> <p>14 sitting areas and alike all across. It's also</p> <p>15 flanked by an additional gallery space, which</p> <p>16 is adjacent to one of the Commercial retail</p> <p>17 spaces at ground level, as well.</p> <p>18 One of the things that we carefully wanted</p> <p>19 to do also was -- let me go into a brief</p> <p>20 explanation of the ground floor. Our main</p> <p>21 entrance to the facility, to the ALF facility,</p> <p>22 is right off Salzedo Street, where we have a</p> <p>23 drop-off area. We have internalized a drop-off</p> <p>24 area, following the same design guidelines and</p> <p>25 principles that we've used throughout the</p>	<p style="text-align: right;">Page 48</p> <p>1 project, with the hardscape, the integration of</p> <p>2 landscape where we could, and we make sure that</p> <p>3 we also have potential emergency vehicle</p> <p>4 stations on the outside, but also integrated</p> <p>5 the use of ample turning radiuses for emergency</p> <p>6 vehicles internalized into that drop-off area.</p> <p>7 Of course, the drop-off area leads to our</p> <p>8 main lobby entrance, which one of the things we</p> <p>9 wanted to do conceptually was to make sure that</p> <p>10 that had transparency into the open courtyard</p> <p>11 that you see right across the lobby. I think</p> <p>12 it's a very nice and beautiful feature.</p> <p>13 The rest of them are minor -- aside from</p> <p>14 the 18,000 square feet of retail, there are</p> <p>15 minor internalized activities for the ALF, and</p> <p>16 we were very careful also to provide the small</p> <p>17 amount of back of house activities, fronting</p> <p>18 the same back of house activities that we have</p> <p>19 across the street on the Collection Building.</p> <p>20 So they're actually opposite to each other, so</p> <p>21 that we're not affecting any existing retail</p> <p>22 components on the other side of the street.</p> <p>23 The main vehicular entry is, right off that</p> <p>24 particular point, to the parking garage above,</p> <p>25 and we have allotted for ample lodging. We</p>

<p style="text-align: right;">Page 49</p> <p>1 have sized the lodging for only for the</p> <p>2 compactors themselves, but two trash rooms, one</p> <p>3 for the Residential component, one for the</p> <p>4 Commercial component. In addition to that, we</p> <p>5 have allowed for the SU 30 Waste Management</p> <p>6 truck to be completely internalized once it</p> <p>7 picks up and drops, and right next to it, we</p> <p>8 have allowed for two additional loading berths.</p> <p>9 So, again, we want to make sure that</p> <p>10 although it's adjacent to the other one or</p> <p>11 right across the street, we also have an</p> <p>12 internalized loading facility within it, and</p> <p>13 this is some minor back of house spaces that,</p> <p>14 unfortunately, by Code, need to be with access</p> <p>15 to the exterior.</p> <p>16 Let me just quickly take you briefly</p> <p>17 through the floors of the building. The second</p> <p>18 floor is where we start having some units.</p> <p>19 Essentially, half of the floor is our parking</p> <p>20 base, the other half, fronting the main street,</p> <p>21 is units. And, again, extending that same</p> <p>22 exterior urban feel to that, this is one</p> <p>23 particular floor where we tie-in the entire</p> <p>24 floor through an open covered terrace at the</p> <p>25 second floor, which you could see from this</p>	<p style="text-align: right;">Page 50</p> <p>1 particular rendering. The second floor ties in</p> <p>2 the front, again, providing the eyes on the</p> <p>3 street, the urban feel to the entire project,</p> <p>4 as well.</p> <p>5 The third floor is pretty much identical.</p> <p>6 What we have done carrying up the building is,</p> <p>7 taking the massing and articulating it in such</p> <p>8 a way to provide step backs, relief, general</p> <p>9 areas for residents, terraces, enclosed</p> <p>10 terraces, covered terraces, open terraces, and</p> <p>11 you'll see that very clearly expressed in the</p> <p>12 massing itself.</p> <p>13 The fifth level is when we get to the main</p> <p>14 level where we have the majority of the</p> <p>15 amenities for the residents, and this houses</p> <p>16 some units to the west and it houses a great</p> <p>17 room, that is flanked off by a beautiful</p> <p>18 amenity pool deck, open, and a beautiful dining</p> <p>19 room, with, also, covered terraces overlooking</p> <p>20 the pool area and covered terraces overlooking</p> <p>21 the street. We have a small kitchen serviced</p> <p>22 by the centralized core of the elevators, as</p> <p>23 well.</p> <p>24 Above that, the floors are very, very</p> <p>25 typical, from levels 6 through 9, and, again,</p>
<p style="text-align: right;">Page 51</p> <p>1 we've paid very close attention to the</p> <p>2 articulation of the massing itself. Notice</p> <p>3 that it's a very defined "H" shape. It lends</p> <p>4 itself to not only providing relief on the</p> <p>5 overall mass of the building, but it lends</p> <p>6 itself to providing beautiful view corridors</p> <p>7 for the residents in and out of this facility,</p> <p>8 as well.</p> <p>9 Another close attention we paid to, as far</p> <p>10 as the internal design of the facility, was</p> <p>11 that we have also allowed for multiple cores,</p> <p>12 an elevator core on the east and an elevator</p> <p>13 core on the west. In addition, on the parking</p> <p>14 garage, we have two elevators for visitors that</p> <p>15 are adequate for -- provide accessibility to</p> <p>16 the retail spaces at ground level, as well, but</p> <p>17 these cores have a central spine that</p> <p>18 terminates on each side with an open parlor and</p> <p>19 a fenestration glass area, so that we can have</p> <p>20 the natural light come in from one side and</p> <p>21 create that natural light spine into the</p> <p>22 corridor itself.</p> <p>23 In addition, the perpendicular corridors,</p> <p>24 running north-south, also has, at the ends, a</p> <p>25 fenestrated parlor area, in order to provide</p>	<p style="text-align: right;">Page 52</p> <p>1 natural light through the corridors themselves.</p> <p>2 So it's a very beautiful and element</p> <p>3 environment throughout the internal floorplans</p> <p>4 of the facility.</p> <p>5 The 10th floor, again, working on the</p> <p>6 general overall mass, it's essentially half a</p> <p>7 floor, and it provides additional -- another</p> <p>8 terrace on the top and some additional activity</p> <p>9 spaces on that particular floor, as well.</p> <p>10 Overall, the vocabulary of the exterior</p> <p>11 elevations, which we also paid very close</p> <p>12 attention to, specifically the parking itself,</p> <p>13 as you can see, the parking has been extremely</p> <p>14 well integrated with the use of very elegant</p> <p>15 grills, lighting. The colonnade experience or</p> <p>16 the podium experience has been provided with</p> <p>17 very beautiful materials. We don't want to do</p> <p>18 it only at grade level. We want to do it also</p> <p>19 in the ceiling spaces, as you can see from some</p> <p>20 of these renderings. We want to treat the</p> <p>21 ceiling. We want to treat the columns with</p> <p>22 lighting. We want to make sure that the</p> <p>23 surface and the hardscape is well integrated</p> <p>24 with the landscape components, as well. In</p> <p>25 other words, creating a really beautiful</p>

<p style="text-align: right;">Page 53</p> <p>1 experience.</p> <p>2 Part of the architectural, as you can see,</p> <p>3 we still have, I think, the traditional flare,</p> <p>4 but we've integrated a sort of contemporary</p> <p>5 nature into it, which will go very well with</p> <p>6 the area. It integrates very nicely, as a mass</p> <p>7 component, into the overall area. It was very</p> <p>8 well received by the Board of Architects. We</p> <p>9 got approved, I'm happy to say, on the first go</p> <p>10 around. So we're extremely happy at this point</p> <p>11 in the venture, and we would hope for your</p> <p>12 comments and hopefully an approval. Thank you.</p> <p>13 MR. GARCIA-SERRA: Thank you, Albert.</p> <p>14 One of the few guarantees that any of us</p> <p>15 have in life is that we will all age, and for</p> <p>16 many of us, as we age, we will require some</p> <p>17 level of additional care and assistance in</p> <p>18 order to live full lives. Addressing that need</p> <p>19 and addressing that need well is what this</p> <p>20 project is all about. Coral Gables seniors and</p> <p>21 their efforts and contributions towards</p> <p>22 building this prosperous and prestigious city,</p> <p>23 that's who this project will serve and honor.</p> <p>24 We are confident that this project and its</p> <p>25 developers are equal to that task.</p>	<p style="text-align: right;">Page 54</p> <p>1 This project has been well received by City</p> <p>2 Staff and they are recommending approval, with</p> <p>3 conditions which are acceptable to my clients,</p> <p>4 noting the correction that was done by Ramon</p> <p>5 earlier today on the condition regarding the</p> <p>6 loss of on-street parking, and one more</p> <p>7 relatively small point on Condition 13-A, the</p> <p>8 reference to utility should be deleted, because</p> <p>9 there's no intent to bury utilities within the</p> <p>10 cross-block --</p> <p>11 MR. MURAI: There is no intent to, what?</p> <p>12 MR. GARCIA-SERRA: To put any utilities</p> <p>13 within the cross-block paseo. That space that</p> <p>14 you see there, the open air walkway that's</p> <p>15 going to go across the block, right now it's</p> <p>16 talking about having easements there for</p> <p>17 utilities, but the intent is not to put any</p> <p>18 utilities there. The utilities will come from</p> <p>19 the (unintelligible.)</p> <p>20 So with that said, we would ask that you</p> <p>21 follow your Staff's recommendation and vote to</p> <p>22 recommend approval of this project to the City</p> <p>23 Commission. I'll reserve some time for</p> <p>24 rebuttal, and, of course, we have the whole</p> <p>25 team here for any questions you might have.</p>
<p style="text-align: right;">Page 55</p> <p>1 Thank you.</p> <p>2 CHAIRMAN AIZENSTAT: Thank you.</p> <p>3 Is there anybody from the public at this</p> <p>4 time that would like to speak and comment on</p> <p>5 this project? Is there anybody here? No?</p> <p>6 At this time, I'd like to close the floor</p> <p>7 to public comment.</p> <p>8 I would like to start by saying that the</p> <p>9 project, to me, in my opinion, is actually very</p> <p>10 nice. I like very much the contemporary points</p> <p>11 that were picked up and the look of it, and I</p> <p>12 think it goes very well with the area, the</p> <p>13 design.</p> <p>14 MR. GARCIA-SERRA: Thank you.</p> <p>15 CHAIRMAN AIZENSTAT: Venny?</p> <p>16 MR. TORRE: I have a question. I know</p> <p>17 there's independent living and I know there's</p> <p>18 assisted living. What does the CF stand for</p> <p>19 and D?</p> <p>20 MR. GARCIA-SERRA: The three levels -- the</p> <p>21 three types of units we have here, independent</p> <p>22 living, assisted living and memory care.</p> <p>23 MR. MURAI: And what?</p> <p>24 MR. GARCIA-SERRA: Memory care.</p> <p>25 MR. TORRE: Memory care.</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. MURAI: Memory.</p> <p>2 MR. GARCIA-SERRA: Memory care.</p> <p>3 MR. TORRE: Memory care.</p> <p>4 In one sheet, there's CF and D.</p> <p>5 CHAIRMAN AIZENSTAT: Could you state your</p> <p>6 name and address, please, for the record?</p> <p>7 MR. NUSSMAN: Yes. David Nussman, Belmont</p> <p>8 Village, 7667 Woodway Drive, Houston, Texas,</p> <p>9 and we have two levels of memory care in our</p> <p>10 program. There's one program called Circle of</p> <p>11 Friends for people with a mild cognitive</p> <p>12 impairment. What we found is that people that</p> <p>13 -- there were some people in assisted living</p> <p>14 who weren't partaking in activities, they</p> <p>15 weren't able to kind of keep up with the pace</p> <p>16 sometimes, and as result, they declined more</p> <p>17 rapidly than they would when they're really</p> <p>18 engaged. So we created a new program called</p> <p>19 Circle of Friends, developed it with Vanderbilt</p> <p>20 University, have measured results, and it</p> <p>21 really tended to slow the decline in our</p> <p>22 residents. So it's been one of our really good</p> <p>23 programs, but that's what the CF stands for.</p> <p>24 MR. TORRE: And then D, the D, the green?</p> <p>25 MR. NUSSMAN: I'm sorry?</p>

<p style="text-align: right;">Page 57</p> <p>1 MR. TORRE: There's some green ones</p> <p>2 labelled D.</p> <p>3 MR. NUSSMAN: They're labelled E, did you</p> <p>4 say?</p> <p>5 MR. TORRE: D as in dog.</p> <p>6 MR. NUSSMAN: I'm not sure if that's</p> <p>7 dementia, but that would be our more secured</p> <p>8 Alzheimer's program.</p> <p>9 MR. TORRE: That makes sense.</p> <p>10 Okay. So did you guys review -- and,</p> <p>11 again, you probably went through this -- the</p> <p>12 parking reduction as it relates to restricted</p> <p>13 living and these people that may not be</p> <p>14 driving? Was there a parking reduction</p> <p>15 involved here?</p> <p>16 MR. GARCIA-SERRA: Here, did we utilize</p> <p>17 shared parking? So we did utilize the shared</p> <p>18 parking reduction, the matrix that's available.</p> <p>19 MR. TRIAS: Mr. Torre, the requirements are</p> <p>20 lower in the Zoning Code.</p> <p>21 MR. TORRE: They are. So they were already</p> <p>22 taken into account?</p> <p>23 MR. TRIAS: Yes.</p> <p>24 MR. TORRE: Okay.</p> <p>25 CHAIRMAN AIZENSTAT: If I recall, when this</p>	<p style="text-align: right;">Page 58</p> <p>1 project was originally brought to us back when</p> <p>2 it was going to be the Collection Residences,</p> <p>3 they had a huge amount of parking down below,</p> <p>4 right?</p> <p>5 MR. TRIAS: Yes, and it was the whole</p> <p>6 block, so it was twice as big as this one.</p> <p>7 CHAIRMAN AIZENSTAT: Correct. Okay.</p> <p>8 MR. TORRE: I think it's great. I have no</p> <p>9 other comments.</p> <p>10 MR. GARCIA-SERRA: Thank you.</p> <p>11 CHAIRMAN AIZENSTAT: Rene?</p> <p>12 MR. MURAI: Yeah.</p> <p>13 How big are these units?</p> <p>14 MR. GARCIA-SERRA: Albert, maybe you can --</p> <p>15 MR. CORDOVES: So we have a wide range of</p> <p>16 units, from the small one bedroom, studio type</p> <p>17 units, ranging from 400 square feet to over a</p> <p>18 thousand square feet.</p> <p>19 MR. MURAI: So the biggest units are a</p> <p>20 thousand square feet, two bedrooms?</p> <p>21 MR. CORDOVES: Yes.</p> <p>22 MR. MURAI: And the memory units, is that</p> <p>23 intended for someone to be living there with a</p> <p>24 caretaker? I mean, how does this all work?</p> <p>25 MR. NUSSMAN: Yes. We have caregivers in</p>
<p style="text-align: right;">Page 59</p> <p>1 the building, activities coordinators,</p> <p>2 caregivers, that are providing care for the</p> <p>3 residents and there are specifically trained</p> <p>4 caregivers for the memory care units.</p> <p>5 MR. MURAI: But the people who have</p> <p>6 cognitive issues, is it intended that they have</p> <p>7 a caretaker there 24 hours, seven, I mean,</p> <p>8 living with them?</p> <p>9 MR. NUSSMAN: No. We provide the</p> <p>10 caregivers. They are not specific to the</p> <p>11 individual. They're employees of ours, so we</p> <p>12 can control the security and the training and</p> <p>13 all of those things. We have nurses in the</p> <p>14 building 24 hours a day, seven days a week, but</p> <p>15 they really don't provide medical care.</p> <p>16 They're there to oversee the caregiver staff.</p> <p>17 They can also dispense medications, but we're</p> <p>18 not a medical facility, per se.</p> <p>19 MR. MURAI: But --</p> <p>20 CHAIRMAN AIZENSTAT: Rene, if I understand</p> <p>21 your question correctly, I think what he's</p> <p>22 trying to find out, if you've got a two bedroom</p> <p>23 unit, does that mean you're putting two</p> <p>24 individual patients in one apartment?</p> <p>25 MR. NUSSMAN: No. No. So, in memory care,</p>	<p style="text-align: right;">Page 60</p> <p>1 most of the units are studios. The resident</p> <p>2 will live -- and we don't have patients,</p> <p>3 they're residents -- they live in the unit.</p> <p>4 The caregivers are out in the common areas all</p> <p>5 of the time. They don't live in the unit with</p> <p>6 the residents.</p> <p>7 MR. MURAI: But someone with dementia,</p> <p>8 Alzheimer's, don't they need someone --</p> <p>9 MR. NUSSMAN: Not in the room with them all</p> <p>10 of the time. Our caregivers are there. If</p> <p>11 there somebody that tends to have issues,</p> <p>12 they'll be checked on regularly. We use</p> <p>13 technology to check on the residents</p> <p>14 occasionally, just to make sure that they're</p> <p>15 okay. So they don't need to be in the room.</p> <p>16 And there's privacy issues.</p> <p>17 MR. MURAI: They can be there on their own?</p> <p>18 MR. NUSSMAN: They go into the room on as</p> <p>19 needed basis, yes.</p> <p>20 MR. MURAI: Are both --</p> <p>21 MR. NUSSMAN: During the day, the memory</p> <p>22 care residents, in particular, are usually</p> <p>23 involved in activities throughout the day.</p> <p>24 MR. MURAI: Most units are studios?</p> <p>25 MR. NUSSMAN: In the memory care, yes.</p>

<p style="text-align: right;">Page 61</p> <p>1 MR. MURAI: But, I mean, in the project.</p> <p>2 MR. NUSSMAN: It's a mix of studios, one</p> <p>3 bedrooms and two bedrooms. Probably a little</p> <p>4 less than 50 percent studios. And we provide</p> <p>5 flexibility, so that we can combine and</p> <p>6 de-combine adjacent units. So if there's</p> <p>7 demand for more one bedrooms, we can combine --</p> <p>8 MR. MURAI: You can split them, you mean?</p> <p>9 MR. NUSSMAN: We can split them or combine</p> <p>10 them, either way.</p> <p>11 MR. MURAI: And like what's the cost of</p> <p>12 being able -- I mean, living there?</p> <p>13 MR. NUSSMAN: Right. It starts at about</p> <p>14 five or six thousand dollars a month, and then</p> <p>15 it goes up from there, depending on how much</p> <p>16 care and how large your unit is.</p> <p>17 MR. MURAI: And is that partly paid by</p> <p>18 Medicare or any government assistance program?</p> <p>19 MR. NUSSMAN: No. We are private pay.</p> <p>20 Now, some people do have long-term care</p> <p>21 insurance coverage, and it can be paid by that,</p> <p>22 but otherwise it's private pay.</p> <p>23 MR. MURAI: Pretty expensive, huh?</p> <p>24 MR. NUSSMAN: It is, but it's very nice.</p> <p>25 MR. MURAI: No, I'm not questioning what</p>	<p style="text-align: right;">Page 62</p> <p>1 you get for what you pay. I'm not questioning</p> <p>2 that. I'm just questioning the ability of most</p> <p>3 people to afford such care.</p> <p>4 MR. NUSSMAN: Right. Now, that does</p> <p>5 include your meals, it includes activities, it</p> <p>6 includes, you know, some level of care. So</p> <p>7 there's a lot of things that are built into</p> <p>8 that. Then, when people get to look at what</p> <p>9 they're spending now on a condo or a home, you</p> <p>10 know, oftentimes they are surprised as to how</p> <p>11 affordable it is.</p> <p>12 MR. MURAI: You have similar facilities,</p> <p>13 you mentioned, 30 facilities throughout the</p> <p>14 country?</p> <p>15 MR. NUSSMAN: Yes.</p> <p>16 MR. MURAI: Similar to this?</p> <p>17 MR. NUSSMAN: Yes. Yes. We started in</p> <p>18 Houston. We've got two communities there.</p> <p>19 We're in Dallas. We're in California, both in</p> <p>20 Southern and Northern California. We have one</p> <p>21 community in Mexico City that's been open for a</p> <p>22 couple of years. Our first community in</p> <p>23 Florida will be in Fort Lauderdale. It's on</p> <p>24 Sunrise, right across from the Galleria Mall.</p> <p>25 It will be opening in April this year.</p>
<p style="text-align: right;">Page 63</p> <p>1 MR. MURAI: Is this a similar project to --</p> <p>2 I don't know if you're familiar with The</p> <p>3 Palace, right here, a few blocks from here?</p> <p>4 MR. NUSSMAN: It is. They offer</p> <p>5 independent living and assisted living. We</p> <p>6 offer the memory care, in addition to that.</p> <p>7 MR. MURAI: Which is a higher level of care</p> <p>8 and probably more expensive?</p> <p>9 MR. NUSSMAN: That's correct, yes, because</p> <p>10 it takes more caregivers.</p> <p>11 MR. MURAI: And since I don't take you for</p> <p>12 a fool, I assume there's a good demand for this</p> <p>13 otherwise you wouldn't be doing this?</p> <p>14 MR. NUSSMAN: It's amazing the demand here</p> <p>15 in Coral Gables especially. There's 35,000</p> <p>16 seniors, 75 plus, within a 15 minute drive of</p> <p>17 this site. If you look to the national demand</p> <p>18 for senior house, about 11 percent of seniors,</p> <p>19 75 plus, live in senior housing. So if you</p> <p>20 take that 11 percent, multiply it times that</p> <p>21 35,000, you get a demand of about 3,850 units.</p> <p>22 In that area currently, there's 558 units of</p> <p>23 senior housing, including The Palace. So</p> <p>24 there's about a --</p> <p>25 MR. MURAI: What else is there here in</p>	<p style="text-align: right;">Page 64</p> <p>1 Coral Gables besides The Palace?</p> <p>2 MR. NUSSMAN: This is within a 15 minute</p> <p>3 drive, so it goes somewhat outside.</p> <p>4 MR. MURAI: Kendall, I assume?</p> <p>5 MR. NUSSMAN: It doesn't quite reach out to</p> <p>6 Kendall, but there's one close to the airport,</p> <p>7 and I can't recall where the other ones are.</p> <p>8 They're relatively small and older communities.</p> <p>9 MR. MURAI: I think the project is, you</p> <p>10 know, beautiful, and from the presentation, I</p> <p>11 think you guys have done an excellent job.</p> <p>12 MR. NUSSMAN: Thank you very much. We've</p> <p>13 got a great team.</p> <p>14 CHAIRMAN AIZENSTAT: Chip?</p> <p>15 MR. MURAI: I just wanted to be more</p> <p>16 informed about these types of facilities.</p> <p>17 MR. NUSSMAN: Absolutely. I'm happy to</p> <p>18 answer any question.</p> <p>19 CHAIRMAN AIZENSTAT: Thank you.</p> <p>20 Chip?</p> <p>21 MR. WITHERS: Yeah, I have a very varied</p> <p>22 group of questions. First to the City</p> <p>23 Attorney, does the City have the right to</p> <p>24 review the agreements that the owner has with</p> <p>25 patients and with the residents and make that</p>

<p style="text-align: right;">Page 65</p> <p>1 contingent upon approval of this? For</p> <p>2 instance, if the City wanted the residents to</p> <p>3 be able to bring in their own nurses and</p> <p>4 doctors, instead of using their nurses and</p> <p>5 doctors, does the City have a right to mandate</p> <p>6 and review those agreements?</p> <p>7 MR. COLLER: I would think probably not.</p> <p>8 This is the business process of the property</p> <p>9 and their decision, that they believe that they</p> <p>10 want to have people that are trained by them in</p> <p>11 their facility. They don't want people coming</p> <p>12 from the outside, because they don't have</p> <p>13 control. I don't think the City -- I've never</p> <p>14 faced this question before, but I don't see</p> <p>15 where --</p> <p>16 MR. WITHERS: Can we ask the City Attorney</p> <p>17 for a --</p> <p>18 MR. COLLER: I can reach out to the City</p> <p>19 Attorney and see if that is something -- I</p> <p>20 don't believe, at this point, there's any</p> <p>21 Zoning regulation that would provide for the</p> <p>22 City to be able to do that. Now, whether the</p> <p>23 City wants to adopt an Ordinance that requires</p> <p>24 that Assisted Living Facilities accept outside</p> <p>25 aides and nurses, I mean, that's something that</p>	<p style="text-align: right;">Page 66</p> <p>1 might be a policy of the City. I don't</p> <p>2 necessarily think we could do it by Condition,</p> <p>3 but I'll reach out to the City Attorney and see</p> <p>4 what she has to say.</p> <p>5 MR. WITHERS: My concern stems from, as</p> <p>6 these -- and we're all going to be there at one</p> <p>7 point -- just an extra set of eyes on maybe</p> <p>8 some of the conditions that folks enter into.</p> <p>9 I know, when The Palace was being discussed,</p> <p>10 there was the same discussion that took place,</p> <p>11 and I would encourage the City to review that</p> <p>12 discussion and see exactly where we ended up</p> <p>13 with that, but I think there was some ability</p> <p>14 for the City to look at some of those</p> <p>15 conditions.</p> <p>16 MR. COLLER: Well, I think, as part of your</p> <p>17 recommendation, you could suggest to the City</p> <p>18 that they look at the issue that this</p> <p>19 particular project doesn't permit private aides</p> <p>20 to be used on the premises. I think you can</p> <p>21 certainly put that as a comment to your</p> <p>22 recommendation.</p> <p>23 MR. WITHERS: Well, I don't know if I want</p> <p>24 -- I mean, if someone has a doctor that they're</p> <p>25 using and they want to bring their doctor in --</p>
<p style="text-align: right;">Page 67</p> <p>1 MR. COLLER: But I don't think they were</p> <p>2 suggesting --</p> <p>3 MR. WITHERS: And I'm not talking about an</p> <p>4 aide or a nurse, but I'm talking about</p> <p>5 professional services.</p> <p>6 MR. COLLER: I'd like to ask the Applicant</p> <p>7 this. To my understanding, I, unfortunately,</p> <p>8 am very familiar with memory care units, that</p> <p>9 you don't prohibit a person that's in your</p> <p>10 memory care to visit their own personal</p> <p>11 physician, correct?</p> <p>12 MR. NUSSMAN: Absolutely. No, people can</p> <p>13 see whatever doctor they want --</p> <p>14 MR. WITHERS: Can they bring them on</p> <p>15 campus?</p> <p>16 MR. NUSSMAN: They can. You know, we</p> <p>17 sometimes work out relationships with doctors</p> <p>18 to come on campus. We also provide</p> <p>19 transportation to the doctor for our residents.</p> <p>20 So they go to doctors' offices. Of course,</p> <p>21 we'll have a very close relationship with</p> <p>22 Baptist here. They'll be providing medical</p> <p>23 services on an as needed basis.</p> <p>24 MR. WITHERS: I understand.</p> <p>25 How about assisted living, are they allowed</p>	<p style="text-align: right;">Page 68</p> <p>1 to bring in their own physicians onto your</p> <p>2 campus to treat them?</p> <p>3 MR. NUSSMAN: Yes, absolutely. Yes. Yes.</p> <p>4 MR. WITHERS: Okay. Okay.</p> <p>5 MR. NUSSMAN: And we do provide caregivers</p> <p>6 on a 24 hour basis, too.</p> <p>7 MR. WITHERS: No, I know, in a very high</p> <p>8 quality. For those folks that have had</p> <p>9 life-long physicians, I'd hate for them to be</p> <p>10 zeroed out and not allowed to --</p> <p>11 MR. NUSSMAN: Absolutely. No.</p> <p>12 MR. WITHERS: Okay. So I guess I have a</p> <p>13 couple of questions for you, and I don't want</p> <p>14 quite understand. So I'm looking at a hundred</p> <p>15 foot building height, and 120 foot to the top</p> <p>16 of habitable space. So that's two totally</p> <p>17 different descriptions.</p> <p>18 Is the first hundred feet inclusive of</p> <p>19 architectural elements and elevator shafts and</p> <p>20 all of that, the hundred feet permitted?</p> <p>21 MR. TRIAS: No. The answer is, no.</p> <p>22 MR. WITHERS: So how much additional would</p> <p>23 we assume, another 30, 40 feet? So it's</p> <p>24 basically going from 100 to 150 to 160?</p> <p>25 MR. TRIAS: I believe that they're using</p>

<p style="text-align: right;">Page 69</p> <p>1 the provision of the 120 and the 10 stories, 2 right? So that's a slightly different -- yeah, 3 maybe the architect can explain that in detail. 4 MR. CORDOVES: That is correct. We're 5 using the provision to 120. We're not at 120. 6 We're at 119 to the upper most roof level. 7 MR. WITHERS: Okay. So you're at 120 to 8 the habitable space or to the top of the 9 beautiful tower you're going to have on top? 10 MR. CORDOVES: To the top of the upper most 11 main roof level is 119 feet. 12 MR. WITHERS: Okay. So how much more are 13 you going to have -- 14 MR. TRIAS: If I can clarify, the 15 Commission can approve that. So that's what -- 16 MR. WITHERS: No, I understand. No, this 17 Commission has obviously agreed in the past to 18 additional height in exchange for pedestrian 19 elements and street levels. I was just 20 curious. So looking at the overall height, by 21 the time you throw in your elevator shafts and 22 then your architectural elements, how high is 23 this going to be? 24 MR. CORDOVES: So once you have the 25 elevator oversights and one stair that needs to</p>	<p style="text-align: right;">Page 70</p> <p>1 access the roof by Code, you'll be around 135. 2 MR. WITHERS: 135 feet? 3 MR. CORDOVES: Yes. Actually, it's on our 4 table. It's 130 feet six inches, only at those 5 very small areas within the entire project. 6 MR. WITHERS: Okay. Got it. 7 And, again, this paseo goes east-west; is 8 that correct? 9 MR. CORDOVES: Correct. 10 MR. WITHERS: Okay. So it looks like it 11 tapers down just to the width of a sidewalk at 12 one end of it? At least on the plan, it looks 13 like it goes into a single sidewalk and it's 14 not as big and beautiful and wide, 30 feet, as 15 it is at the other; is that correct? 16 MR. CORDOVES: It is pretty wide. The 17 dimension at the very narrowest point is 18 18 feet. 19 MR. WITHERS: Okay. That's fine. 20 MR. TRIAS: Now, if I could add, the 21 project being designed right next to it is also 22 trying to incorporate some of that open space. 23 MR. WITHERS: That would be great. 24 Okay. So maybe you can help me with this. 25 The setbacks are considerably reduced, and the</p>
<p style="text-align: right;">Page 71</p> <p>1 reason for that is? 2 MR. CORDOVES: The setbacks at grade level? 3 MR. WITHERS: Yeah. 4 MR. CORDOVES: Okay. So the setbacks at 5 grade level are reduced in order to introduce 6 the amount of retail we introduced. 7 MR. WITHERS: I'm sorry, the what? 8 MR. CORDOVES: In order to introduce the 9 square footage of retail, adequate square 10 footage of retail and depth, and we also have 11 an encroachment plan that provides for every 50 12 percent, as required by Code, for the 50 13 percent of encroachment, provides an additional 14 open space requirement. 15 MR. WITHERS: I got you. I got you. 16 In regards to the parking, if I'm reading 17 this right, permitted required would be 354 18 spaces; is that correct? 19 MR. GARCIA-SERRA: No. The required for 20 this project is 177 parking spaces. 21 MR. WITHERS: I'm sorry, how many? 22 MR. GARCIA-SERRA: 177. 177. 23 MR. WITHERS: Oh, this is the breakdown, 24 how it goes. I got it. Okay. 25 So how much staff parking do you think</p>	<p style="text-align: right;">Page 72</p> <p>1 you'll need, how many spaces for staff? 2 MR. NUSSMAN: We don't reserve staff 3 parking. Our largest -- our peak demand is at 4 the shift change in the afternoon between the 5 morning shift and the afternoon shift, which 6 occurs at three o'clock. So from 2:30 to 3:30 7 is our peak. Our peak shift is about 48 8 employees, and we're very fortunate here, too, 9 I want to mention that we've got four bus stops 10 within a couple of blocks. We have great 11 access to public transportation, to the 12 Metrorail. So we're anticipating the parking 13 for staff is not going to be a problem. 14 MR. WITHERS: And maybe you can convince 15 the City to have the trolley make a jag on the 16 street there. 17 MR. NUSSMAN: Absolutely, yeah. We would 18 love it, for our seniors and our staff. 19 MR. WITHERS: Okay. And then the last 20 question I have is, on the alley vacation, what 21 alley improvements are going in, Number One? 22 Is there a utility easement going across and 23 has the Site Plan been -- I mean, I thought, in 24 order to do an alley vacation -- 25 MR. TRIAS: The alley was vacated with the</p>

<p style="text-align: right;">Page 73</p> <p>1 first project.</p> <p>2 MR. WITHERS: Right.</p> <p>3 MR. TRIAS: So what they're doing is, they</p> <p>4 are amending that vacation.</p> <p>5 MR. WITHERS: With the new Site Plan?</p> <p>6 MR. TRIAS: Yes.</p> <p>7 MR. WITHERS: Okay. So the east-west</p> <p>8 corridor -- and I noticed that there's like an</p> <p>9 FP&L vault at the end and all of that. What</p> <p>10 are they doing with the utilities? Are all of</p> <p>11 the utilities going to be concentrated in that</p> <p>12 corner?</p> <p>13 MR. TRIAS: I don't know the utility plan</p> <p>14 in detail, but I do know that it's not going to</p> <p>15 go through the easement, right?</p> <p>16 MR. GARCIA-SERRA: Correct.</p> <p>17 MR. WITHERS: It's not going to go through</p> <p>18 the easement?</p> <p>19 MR. GARCIA-SERRA: Certainly, in the</p> <p>20 easement area, there aren't going to be any</p> <p>21 utilities. What you're referring to, I think,</p> <p>22 the vault room, I think it's in the corner of</p> <p>23 the building. That does, you know, about the</p> <p>24 paseo, but that is -- you know, we're in a</p> <p>25 situation where that has to go -- that sort of</p>	<p style="text-align: right;">Page 74</p> <p>1 back of house use needs to go somewhere and</p> <p>2 that's the best location that we could find for</p> <p>3 it, other than you -- because the only other</p> <p>4 locations are streetfront locations.</p> <p>5 MR. WITHERS: And what is the sending site</p> <p>6 for the --</p> <p>7 MR. GARCIA-SERRA: For the TDRs?</p> <p>8 MR. WITHERS: Yeah.</p> <p>9 MR. GARCIA-SERRA: Those are pursuant to a</p> <p>10 settlement agreement that the City entered into</p> <p>11 with a land owner. There was a land owner that</p> <p>12 owned 20 acres south of Hammocks Oaks, that was</p> <p>13 surrounded on three sides by Matheson Hammocks.</p> <p>14 It was a very environmentally sensitive</p> <p>15 property, but it was Zoned Single-Family. And</p> <p>16 so the settlement there between land owner and</p> <p>17 City was that that property would be conveyed</p> <p>18 to the City, and indeed it was conveyed, those</p> <p>19 20 acres to the City, in exchange of 50,000</p> <p>20 square feet of TDRs that could be used in many</p> <p>21 areas of the City, in more areas of the City</p> <p>22 than where TDRs are normally utilized.</p> <p>23 And so, out of those 50,000, 3,000 are</p> <p>24 being used for this project.</p> <p>25 MR. WITHERS: Okay. That's cool. So the</p>
<p style="text-align: right;">Page 75</p> <p>1 TDRs aren't required to come from the Central</p> <p>2 Business or a similar Zoning, they can come</p> <p>3 from a different Zoning?</p> <p>4 MR. GARCIA-SERRA: No. Correct. Typically</p> <p>5 they come from historically designated</p> <p>6 properties within the CBD, but that's not the</p> <p>7 case for these particular --</p> <p>8 MR. TRIAS: This is a unique case, that was</p> <p>9 done as settlement. It's unique, and it had to</p> <p>10 do with environmental preservation, and that</p> <p>11 was it. And what happens is that some of the</p> <p>12 TDRs are going to be used here and some may be</p> <p>13 used in the project next to it, for example.</p> <p>14 MR. GARCIA-SERRA: Correct.</p> <p>15 MR. WITHERS: So the TDRs came from a</p> <p>16 Residential area outside of the CBD.</p> <p>17 MR. GARCIA-SERRA: Right.</p> <p>18 MR. WITHERS: It was a block of 20,000</p> <p>19 square feet? It was single --</p> <p>20 MR. GARCIA-SERRA: It was 20 acres,</p> <p>21 actually.</p> <p>22 MR. WITHERS: 28,000.</p> <p>23 MR. GARCIA-SERRA: 20 acres.</p> <p>24 MR. TRIAS: 20 acres.</p> <p>25 MR. WITHERS: 20 acres. Wow. So there's a</p>	<p style="text-align: right;">Page 76</p> <p>1 lot of TDRs out there that the City has?</p> <p>2 MR. GARCIA-SERRA: Well, those 20 acres,</p> <p>3 the sort of settlement was, the appropriate</p> <p>4 amount to give in compensation for the</p> <p>5 conveyance of that property was the 50,000</p> <p>6 which that landowner --</p> <p>7 MR. WITHERS: So who receives the</p> <p>8 compensation for those TDRs, the land owner of</p> <p>9 the 20 acres?</p> <p>10 MR. GARCIA-SERRA: Correct.</p> <p>11 MR. WITHERS: And how does the City benefit</p> <p>12 from that 20 acres?</p> <p>13 MR. GARCIA-SERRA: The City obtained the</p> <p>14 property, the 20 acres, that owns them fee</p> <p>15 simple by the City.</p> <p>16 MR. WITHERS: So the City paid for the 20</p> <p>17 acre now and they're getting repaid as they</p> <p>18 distribute them or is --</p> <p>19 MR. GARCIA-SERRA: The only thing that the</p> <p>20 land owner of the 20 acres received was the</p> <p>21 TDRs.</p> <p>22 MR. WITHERS: What, I'm sorry?</p> <p>23 MR. GARCIA-SERRA: Were the TDRs, the right</p> <p>24 to have these TDRs.</p> <p>25 MR. WITHERS: And they conveyed the</p>

<p style="text-align: right;">Page 77</p> <p>1 property over to the City at that time?</p> <p>2 MR. GARCIA-SERRA: Correct.</p> <p>3 MR. TRIAS: For the purpose of</p> <p>4 preservation, because it was an environmentally</p> <p>5 sensitive --</p> <p>6 MR. WITHERS: So I think it's phenomenal.</p> <p>7 MR. GARCIA-SERRA: It was a pretty</p> <p>8 innovative, creative use of TDRs to really</p> <p>9 achieve good policy.</p> <p>10 MR. WITHERS: Yeah, very sophisticated. Okay.</p> <p>11 I think it's a very nice project. I think</p> <p>12 you all did a great job and I think it fits the</p> <p>13 area very nicely and congratulations.</p> <p>14 MR. GARCIA-SERRA: Thank you.</p> <p>15 CHAIRMAN AIZENSTAT: Thank you.</p> <p>16 Maria.</p> <p>17 MS. VELEZ: I'm going to go back and talk</p> <p>18 about the easement and the amendment to the</p> <p>19 alley. The alley, I understand, ran north to</p> <p>20 south. It was vacated so that the parcel could</p> <p>21 be massed as one.</p> <p>22 A couple of questions in relation to this</p> <p>23 easement now. So now we, instead of having the</p> <p>24 30-foot alley going north and south, we're</p> <p>25 going have a 30-foot easement going east to</p>	<p style="text-align: right;">Page 78</p> <p>1 west. Part of that lies on the property that</p> <p>2 we're discussing here. The other part, I</p> <p>3 assume, lies on the other.</p> <p>4 MR. GARCIA-SERRA: Correct.</p> <p>5 MS. VELEZ: How do we confirm that we're</p> <p>6 going to have that width of the easement at the</p> <p>7 end? Are these parcels owned by the same</p> <p>8 entity? Are they two different entities? Do</p> <p>9 we have an agreement already from the entity</p> <p>10 that owns the north half of the block?</p> <p>11 MR. GARCIA-SERRA: The answer to all of</p> <p>12 those is, yes, but let me explain a little</p> <p>13 more.</p> <p>14 MS. VELEZ: Please.</p> <p>15 MR. GARCIA-SERRA: The entire block right</p> <p>16 now is owned by Baptist Health. Baptist Health</p> <p>17 is under contract to sell the south portion,</p> <p>18 which we're talking about today, to a joint</p> <p>19 venture of both, Belmont Village and Baptist</p> <p>20 Health.</p> <p>21 The North portion is under contract to be</p> <p>22 sold to an entity called Alta Developers, whose</p> <p>23 project is going through the process at the</p> <p>24 same time, and hopefully will be here next</p> <p>25 month for review.</p>
<p style="text-align: right;">Page 79</p> <p>1 Part of the condition of approvals of both</p> <p>2 projects will be this granting of this</p> <p>3 easement. However, on top of that, because</p> <p>4 let's say one project gets approved and the</p> <p>5 other one doesn't -- I don't think it's going</p> <p>6 to happen, let's hope it doesn't happen, but</p> <p>7 let's say it does -- both projects have</p> <p>8 agreed -- Baptist right now is the current</p> <p>9 property owner, as well the other two entities</p> <p>10 that are under contract to purchase, have</p> <p>11 agreed to grant that easement to the City at an</p> <p>12 early point in the process, which is after one</p> <p>13 project has gotten all of its final approvals</p> <p>14 and those approvals are no longer appealable.</p> <p>15 MS. VELEZ: So both entities would then</p> <p>16 grant that easement?</p> <p>17 MR. GARCIA-SERRA: Yes.</p> <p>18 MS. VELEZ: And then the other thing, in</p> <p>19 connection with the easement, on Page 21 of our</p> <p>20 Staff recommendations, Number 13-B, a minimum</p> <p>21 width of 20 feet, then it says 10 feet in</p> <p>22 parenthesis, and minimum vertical clearance of</p> <p>23 13 feet, that is being changed from the</p> <p>24 existing with clearance and length clearance.</p> <p>25 Is that an issue for Public Works or anything</p>	<p style="text-align: right;">Page 80</p> <p>1 else with the City, Mr. Trias?</p> <p>2 MR. TRIAS: No. Those are the typical</p> <p>3 requirements. They have to do with the paseo</p> <p>4 definitions and the way that open space is</p> <p>5 used, and if there's anything that is covered,</p> <p>6 there's a minimum clearance also, but I don't</p> <p>7 believe that's an issue, right?</p> <p>8 MR. GARCIA-SERRA: For this project, it</p> <p>9 isn't, because everything on this side of the</p> <p>10 property line is open air for this project.</p> <p>11 MS. VELEZ: And what are we expecting on</p> <p>12 the other side?</p> <p>13 MR. GARCIA-SERRA: The north side will be a</p> <p>14 combination of open air, but then also an</p> <p>15 arcade. So it's important for that arcade to</p> <p>16 be at that height.</p> <p>17 MR. TRIAS: And this project is an arcade,</p> <p>18 also, but the arcade is in addition to the open</p> <p>19 space.</p> <p>20 MS. VELEZ: Right. The arcade on this one</p> <p>21 I see is to the south of the open space.</p> <p>22 MR. TRIAS: Yeah.</p> <p>23 MS. VELEZ: And the other question I have</p> <p>24 is parking. What is the situation with the</p> <p>25 on-street parking? Do we have any off-street</p>

<p style="text-align: right;">Page 81</p> <p>1 parking in this project?</p> <p>2 MR. GARCIA-SERRA: On or off-street?</p> <p>3 MS. VELEZ: Off, sorry.</p> <p>4 MR. GARCIA-SERRA: Okay. Off-street, yes.</p> <p>5 We are providing 208 spaces within the parking</p> <p>6 garage. So that's in excess of the 177 that</p> <p>7 are required and even then we think the 208</p> <p>8 that's it is providing or even the 177 that</p> <p>9 being required, is way in excess of the reality</p> <p>10 of what's going to be used.</p> <p>11 MS. VELEZ: And then on-street?</p> <p>12 MR. GARCIA-SERRA: On-street, right now,</p> <p>13 you know, there are spaces on the street. Some</p> <p>14 of those -- between both projects, about</p> <p>15 fourteen spaces will be lost on-street, seven</p> <p>16 on each end of the block, and we'll be</p> <p>17 providing compensation to the City either by</p> <p>18 the loss of on-street parking fee that the City</p> <p>19 has or replacing those parking spaces within</p> <p>20 the garage. In other words, the City would</p> <p>21 have a certain number of public parking spaces</p> <p>22 that they can sell permits for within the</p> <p>23 garage.</p> <p>24 MR. WITHERS: May I ask you a question? Is</p> <p>25 that all right?</p>	<p style="text-align: right;">Page 82</p> <p>1 CHAIRMAN AIZENSTAT: Yeah.</p> <p>2 MR. WITHERS: Are you concerned about an</p> <p>3 encroachment into the easement, is that where</p> <p>4 you were headed or what was your --</p> <p>5 MS. VELEZ: Yes. I was concerned about</p> <p>6 encroachments into the easements and whether</p> <p>7 these limitations that are coming are going to</p> <p>8 limit anything that the City would need to do</p> <p>9 within the easement.</p> <p>10 MR. WITHERS: I got you. Is there any</p> <p>11 encroachments, overhead or underneath, into</p> <p>12 that --</p> <p>13 MR. GARCIA-SERRA: No. We've done a lot of</p> <p>14 civil work here and all sewer lines, electrical</p> <p>15 lines, anything else that will be feeding</p> <p>16 either property, are going to be coming off of</p> <p>17 the existing right-of-way, so either Salzedo or</p> <p>18 Aurora or Altara to the south, and that cross</p> <p>19 easement is not contemplated or anticipated at</p> <p>20 all to be used for utilities. The idea is just</p> <p>21 for this to be for public use and public</p> <p>22 access.</p> <p>23 MR. WITHERS: So there's no footers</p> <p>24 underneath or balconies overhead going across</p> <p>25 that easement?</p>
<p style="text-align: right;">Page 83</p> <p>1 MR. GARCIA-SERRA: These guys have looked</p> <p>2 at it pretty closely.</p> <p>3 MR. CORDOVES: The actual building</p> <p>4 footprint is separated from the easement</p> <p>5 itself.</p> <p>6 MS. VELEZ: And so we would expect the same</p> <p>7 on the other side, I would assume, that it will</p> <p>8 have the same situation?</p> <p>9 I think it's a lovely project, otherwise.</p> <p>10 Welcome, Belmont.</p> <p>11 MR. GARCIA-SERRA: Thank you.</p> <p>12 MR. CORDOVES: Thank you.</p> <p>13 CHAIRMAN AIZENSTAT: Rhonda?</p> <p>14 MS. ANDERSON: While you're still standing,</p> <p>15 I had some questions for you about the memory</p> <p>16 care units, because I happen to have some</p> <p>17 elderly folks in my family here, and one of the</p> <p>18 things that happens from time to time is, they</p> <p>19 have an accident. They fall there. And</p> <p>20 there's a need then for someone to be 24 hours</p> <p>21 in a room while they're being retaught that</p> <p>22 they must use the walker. Is that permissible?</p> <p>23 MR. NUSSMAN: I'm sorry, is what</p> <p>24 permissible?</p> <p>25 MS. ANDERSON: To have somebody in there 24</p>	<p style="text-align: right;">Page 84</p> <p>1 hours in a room on a short-term basis when like</p> <p>2 someone falls, they hurt themselves and they</p> <p>3 have to be taught that you really need to be</p> <p>4 using that walker?</p> <p>5 MR. NUSSMAN: Absolutely. Yeah. Yeah.</p> <p>6 The care is really customized to the</p> <p>7 individual, and if they're injured, if they</p> <p>8 have a fall and they need somebody in there</p> <p>9 constantly to watch them, that arrangement will</p> <p>10 be made.</p> <p>11 MS. ANDERSON: Okay. Is there an allowance</p> <p>12 for pets to be in there?</p> <p>13 MR. NUSSMAN: Yes. We do allow pets.</p> <p>14 MS. ANDERSON: And where would they be</p> <p>15 walked?</p> <p>16 MR. NUSSMAN: In the area, the paseo, that</p> <p>17 we've got some green space downstairs. We've</p> <p>18 got a building engineer and janitorial folks</p> <p>19 who will assist with any cleanup that's</p> <p>20 required, but we don't have a designated area</p> <p>21 for it.</p> <p>22 MS. ANDERSON: An excellent job with the</p> <p>23 paseo and the corners of the building and</p> <p>24 articulating in --</p> <p>25 MR. NUSSMAN: Exactly, yes.</p>

<p style="text-align: right;">Page 85</p> <p>1 MS. ANDERSON: It's very, very nice. And</p> <p>2 the architect can answer some of the other</p> <p>3 questions that I have regarding the width of</p> <p>4 the veranda around the building. How wide is</p> <p>5 that veranda area?</p> <p>6 MR. CORDOVES: Veranda, meaning ground</p> <p>7 floor --</p> <p>8 MS. ANDERSON: The ground floor area. I</p> <p>9 mean --</p> <p>10 MR. CORDOVES: Yeah. The sidewalks are a</p> <p>11 minimum of eight feet currently, but most of</p> <p>12 them range between nine and ten, just because</p> <p>13 our building footprint is slightly in of the</p> <p>14 property line, but minimum is ten feet around</p> <p>15 any sort of veranda type.</p> <p>16 MS. ANDERSON: Yeah. So the covered</p> <p>17 area --</p> <p>18 MR. CORDOVES: Correct. The covered area</p> <p>19 railing, in the dementia, is a little higher.</p> <p>20 It's six feet high, obviously, for obvious</p> <p>21 reasons, and we've come up with a way to</p> <p>22 introduced joint glass, where it doesn't feel</p> <p>23 like you're enclosed, you're very open, and the</p> <p>24 other ones are essentially 42 inches minimum</p> <p>25 above the finished floor elevation of that</p>	<p style="text-align: right;">Page 86</p> <p>1 level.</p> <p>2 MS. ANDERSON: Is it anticipated that any</p> <p>3 of the Commercial ground floor space be used</p> <p>4 for restaurants?</p> <p>5 MR. CORDOVES: We are preparing the ground</p> <p>6 floor spaces and equipping them with P-traps</p> <p>7 and potential hood options for potential</p> <p>8 restaurants, as well.</p> <p>9 MS. ANDERSON: Are you anticipating on</p> <p>10 using the veranda area for restaurant tables?</p> <p>11 MR. CORDOVES: I don't think so.</p> <p>12 MS. ANDERSON: Because it does limit your</p> <p>13 walkability. Some of the restaurants have been</p> <p>14 creative and had modular type doors. Have you</p> <p>15 thought about that, for allowing some --</p> <p>16 MR. CORDOVES: Perhaps that's a good idea</p> <p>17 to do. We potentially have also some areas in</p> <p>18 the paseo that could be used for that purpose,</p> <p>19 but it's actually a good idea to think of.</p> <p>20 MS. ANDERSON: Yeah. And that way, they</p> <p>21 can close it up when the weather is not so</p> <p>22 helpful.</p> <p>23 MR. CORDOVES: Absolutely.</p> <p>24 MS. ANDERSON: Some of the other questions</p> <p>25 I had for you, while you're there, deal with</p>
<p style="text-align: right;">Page 87</p> <p>1 the handicap parking. And I'm going to point</p> <p>2 out to you 8-201, when you're talking about the</p> <p>3 route from the handicap spot to the elevator,</p> <p>4 it crosses the path where the vehicular traffic</p> <p>5 comes in, and that's always a safety concern.</p> <p>6 MR. CORDOVES: Yes. I believe you're</p> <p>7 referring to the accessible path, from any</p> <p>8 accessible parking space, to the accessible</p> <p>9 elevator.</p> <p>10 MS. ANDERSON: Correct.</p> <p>11 MR. CORDOVES: And we're very familiar with</p> <p>12 that one, because we work with it day in and</p> <p>13 day out. That's, essentially, you can't cross</p> <p>14 behind any parked cars, including the</p> <p>15 accessible space itself. So the way we've</p> <p>16 programmed these, it's a direct route, without</p> <p>17 crossing through the rear of any spaces</p> <p>18 whatsoever.</p> <p>19 MS. ANDERSON: But the ramp comes up, and</p> <p>20 correct me if I'm wrong, it appears that, you</p> <p>21 know, the car is turning, coming in, and</p> <p>22 there's some limited visibility. Is there --</p> <p>23 MR. CORDOVES: Yeah, we've left these</p> <p>24 T-heads totally open for maximum visibility of</p> <p>25 the incoming traffic. Our parking facility is</p>	<p style="text-align: right;">Page 88</p> <p>1 quite -- we have developed, instead of the City</p> <p>2 Code, which is essentially an eight and a half</p> <p>3 foot wide parking, our standard parking spaces</p> <p>4 are nine. Our aisles are 24 feet in width,</p> <p>5 instead of the 22 feet that the City has. So</p> <p>6 it's very easy maneuvering clearances for this</p> <p>7 parking facility itself. We had that in mind,</p> <p>8 as well.</p> <p>9 MS. ANDERSON: And is that van accessible</p> <p>10 spaces that you have here?</p> <p>11 MR. CORDOVES: Van accessible spaces are</p> <p>12 located at ground, yes, with the additional</p> <p>13 height, correct.</p> <p>14 MS. ANDERSON: And with the measurements</p> <p>15 that you provided, is there enough room for a</p> <p>16 wheelchair lift to deploy out without</p> <p>17 running --</p> <p>18 MR. CORDOVES: Yes. We have the 12 feet</p> <p>19 wide accessible spaces, which is a lot more</p> <p>20 than the regular eight and a half.</p> <p>21 MS. ANDERSON: I mean, if this was -- is</p> <p>22 this for the Commercial parking, as well, this</p> <p>23 space?</p> <p>24 MR. CORDOVES: Yes. The grade is</p> <p>25 continuous throughout, so our commercial spaces</p>

<p style="text-align: right;">Page 89</p> <p>1 are just as wide.</p> <p>2 MS. ANDERSON: Are there any thoughts on</p> <p>3 speed bumps around the handicap parking to slow</p> <p>4 down the traffic, just so they become aware of</p> <p>5 that, that issue of people crossing?</p> <p>6 MR. CORDOVES: I think that's another very</p> <p>7 good idea. We could install some calming</p> <p>8 devices at turn, either at the beginning and</p> <p>9 the end of the turn. Mirrors is another very</p> <p>10 popular thing we use. But, yes, we can</p> <p>11 absolutely think about that one.</p> <p>12 MS. ANDERSON: Yeah. I like those calming</p> <p>13 devices, because not everybody looks in the</p> <p>14 mirror, and -- but you've done a very, very</p> <p>15 nice job with the facility.</p> <p>16 I'm just checking over my notes.</p> <p>17 There was a change in the square footage, I</p> <p>18 noted, for the open space and for the</p> <p>19 Commercial space. You have a little under a</p> <p>20 4,000 square foot change and I didn't see</p> <p>21 the -- a change in the FAR or a change in the</p> <p>22 parking between the drawings that we looked at</p> <p>23 in the books versus the City's report.</p> <p>24 Can you tell me where the changes were,</p> <p>25 this change in the Commercial space itself and</p>	<p style="text-align: right;">Page 90</p> <p>1 the open space?</p> <p>2 MR. CORDOVES: Yeah. We've added some</p> <p>3 additional retail Commercial space at ground</p> <p>4 level, and it was introduced into the overall</p> <p>5 FAR figures. I believe that the Department has</p> <p>6 the latest revisions.</p> <p>7 MS. ANDERSON: Is that what was provided in</p> <p>8 the books?</p> <p>9 MR. GARCIA-SERRA: The latest plans that</p> <p>10 you have in the binders that should have been</p> <p>11 distributed to you as part of the agenda would</p> <p>12 have those latest numbers and figures. One</p> <p>13 important thing to point out, too, is that it</p> <p>14 was previously sort of common area space that</p> <p>15 was converted into Commercial space on the</p> <p>16 ground floor, which is why you might see an</p> <p>17 increase in the retail, but you didn't see an</p> <p>18 increase in the FAR.</p> <p>19 MS. ANDERSON: And where did we lose the</p> <p>20 four percent of open space?</p> <p>21 MR. GARCIA-SERRA: It could -- Ram, do you</p> <p>22 have -- it could have been, perhaps, in some of</p> <p>23 that retail.</p> <p>24 CHAIRMAN AIZENSTAT: Could you state your</p> <p>25 name and address, for the record, please?</p>
<p style="text-align: right;">Page 91</p> <p>1 MR. KRISHNAN: Ram Krishnan, Corwill</p> <p>2 Architects, 4210 Laguna Street, Coral Gables.</p> <p>3 MR. COLLER: You have to approach a little</p> <p>4 bit more to the microphone so we can hear you.</p> <p>5 MR. KRISHNAN: That was just a comment from</p> <p>6 the City in regards to the percentage of</p> <p>7 arcades being used towards the open space. So</p> <p>8 it's just an adjustment and the revision of the</p> <p>9 number that reduced that number slightly.</p> <p>10 MS. ANDERSON: So the drawing didn't</p> <p>11 change? It was just a calculation error?</p> <p>12 MR. GRISHAM: Correct.</p> <p>13 MS. ANDERSON: Okay.</p> <p>14 Are you going to put charge stations in?</p> <p>15 MR. GARCIA-SERRA: Electric vehicles</p> <p>16 charging stations? Yes.</p> <p>17 MS. ANDERSON: Okay. And you'll make one</p> <p>18 near a handicap spot, as well?</p> <p>19 Okay. All right. Well, not everybody is</p> <p>20 aware of that.</p> <p>21 Very nice project. Excellent job. I have</p> <p>22 no further questions.</p> <p>23 MR. CORDOVES: Thank you very much. Thank</p> <p>24 you.</p> <p>25 CHAIRMAN AIZENSTAT: Okay. A couple of</p>	<p style="text-align: right;">Page 92</p> <p>1 questions that I had for you. Previously we</p> <p>2 had vacated the alley which went north to</p> <p>3 south.</p> <p>4 MR. GARCIA-SERRA: Right.</p> <p>5 CHAIRMAN AIZENSTAT: Now we are doing an</p> <p>6 easement that's going to go east to west, and</p> <p>7 part of it was answered to me when you spoke</p> <p>8 about Healthsouth (sic) being the owner of the</p> <p>9 entire parcel, but if something happens with</p> <p>10 the other parcel and it's not developed, then</p> <p>11 you would currently have, in theory, an alley</p> <p>12 continuing north to south, but dead ending at</p> <p>13 this project, would you not?</p> <p>14 MR. GARCIA-SERRA: No, because that alley</p> <p>15 has already been vacated.</p> <p>16 CHAIRMAN AIZENSTAT: So you don't have an</p> <p>17 issue and it's -- we don't have an issue?</p> <p>18 MS. VELEZ: Uh-uh.</p> <p>19 CHAIRMAN AIZENSTAT: Okay. The other</p> <p>20 question that I had for you is, I noticed that</p> <p>21 the overall traffic is on Aurora, which would</p> <p>22 be where the Collection is. So most of the</p> <p>23 vehicle or traffic comes that way. Your</p> <p>24 drop-off, I noticed, is on Salzedo.</p> <p>25 MR. GARCIA-SERRA: Correct.</p>

<p style="text-align: right;">Page 93</p> <p>1 CHAIRMAN AIZENSTAT: Is there an option or 2 a reason you put it there, as opposed to the 3 other side, to keep all of your traffic, 4 meaning your ramp, your entrance and 5 everything, going there? It would just make 6 one side all vehicular as opposed to dividing 7 it. 8 MR. CORDOVES: Yes, absolutely. We 9 selected the main entrance as Salzedo, 10 essentially, because right opposite on the 11 other street we have a lot of back of house 12 spaces on the Collection, and it's -- Salzedo 13 being the nicer street associates the main 14 entrance with the drop-off area. 15 CHAIRMAN AIZENSTAT: Okay. In other words, 16 to me, it would have been nice to keep 17 everything pedestrian on one side and then go 18 ahead and do an area that would be designated 19 as traffic -- 20 MR. CORDOVES: We actually considered that 21 option and -- 22 MR. TRIAS: We spent months dealing with 23 that issue, Mr. Chairman. 24 CHAIRMAN AIZENSTAT: And the result was, 25 this was the best way to do it?</p>	<p style="text-align: right;">Page 94</p> <p>1 MR. CORDOVES: Yes, because then you have 2 too many curb cuts very near each other and you 3 have the driveway entrance to the drop-off and 4 then you have another curb cut that's the in 5 and out for the upper levels traffic -- so it 6 was a series of too many curb cuts on Salzedo. 7 CHAIRMAN AIZENSTAT: Too many curb cuts, 8 okay. 9 MR. CORDOVES: Yes. 10 CHAIRMAN AIZENSTAT: And the other question 11 was just the height, which got resolved. It 12 was 130 and six inches. 13 The 14 lost spaces on the street, I'm going 14 to take into account that it's going to be 15 roughly seven on one side and seven on the 16 other side, and I understand that there's a 17 factor that's taken in to compensate the City. 18 But how do you compensate the people that 19 work in the area and that utilize those spaces 20 in that specific area that will now not have 21 those 14 parking spaces? I'm not talking about 22 people that work for your project. I'm talking 23 about people that, for example, work at the 24 Collection or go to the Collection or any other 25 property within the zone. Is there a way to</p>
<p style="text-align: right;">Page 95</p> <p>1 aid that? 2 MR. GARCIA-SERRA: Well, we have to take 3 into consideration, too, that there's buildings 4 there right now that have next to no parking 5 being provided. So some of that demand, which 6 is generating from this block, is now going to 7 be met by the parking garages of each of the 8 projects. 9 Aside from that, either the money that will 10 be paid for the loss of the on-street parking 11 goes into the City's parking fund, so they can 12 potentially provide parking -- public parking 13 in other locations. In this case in 14 particular, the Village of Merrick Park was 15 required to have excess parking over what is 16 required and there's a certain number of public 17 parking spaces within the Village of Merrick 18 Park that are available also for permit parking 19 by the public. 20 MR. MURAI: But didn't you say that there 21 would be -- in compensation for those spaces, 22 that there will be public spaces within the 23 garage? 24 MR. GARCIA-SERRA: Potentially. The way 25 the condition reads right now, either we pay</p>	<p style="text-align: right;">Page 96</p> <p>1 the money, which \$42,000 per parking space or 2 we provide the City with that parking space in 3 the garage. 4 MR. MURAI: But that's up to the City then 5 to decide whether they want to have the parking 6 spaces or -- 7 CHAIRMAN AIZENSTAT: It's actually up to 8 the owner, I think, to decide. 9 MR. GARCIA-SERRA: Correct. 10 MR. MURAI: It's up to the owner to decide. 11 MR. GARCIA-SERRA: Correct. 12 CHAIRMAN AIZENSTAT: For me -- 13 MR. MURAI: But I mean -- excuse me, I'm 14 sorry to interrupt, but the City accepted 15 either one? 16 MR. TRIAS: Yes. Yes. 17 MR. MURAI: Okay. 18 CHAIRMAN AIZENSTAT: To me, I would like to 19 see some kind of parking to somehow compensate 20 for the lost parking spaces that are within the 21 City, and I'm not talking about revenues or 22 dollars, I'm talking about the individuals that 23 actually have utilized or do utilize those 24 spaces. I just see a little bit of a loss 25 there for that. Just a comment.</p>

<p style="text-align: right;">Page 97</p> <p>1 The covenant and the easement that's going</p> <p>2 to be done, the change between the original --</p> <p>3 the Ordinance that was originally done and the</p> <p>4 one you have now, which is just a straight</p> <p>5 line --</p> <p>6 MR. GARCIA-SERRA: Correct.</p> <p>7 CHAIRMAN AIZENSTAT: -- you're taking into</p> <p>8 account that the building that is going to be</p> <p>9 built in back of you is going to use part of</p> <p>10 that or share part of that in doing it?</p> <p>11 MR. GARCIA-SERRA: Correct.</p> <p>12 CHAIRMAN AIZENSTAT: And I assume that the</p> <p>13 tool the City uses is a covenant to run with</p> <p>14 the land?</p> <p>15 MR. GARCIA-SERRA: It's an easement that's</p> <p>16 running --</p> <p>17 MR. TRIAS: It's an easement.</p> <p>18 CHAIRMAN AIZENSTAT: Is there any way or</p> <p>19 anything that guarantees that if that project</p> <p>20 doesn't happen in the back -- I understand it's</p> <p>21 one owner right now, but let's say it's sold</p> <p>22 down the road.</p> <p>23 MR. GARCIA-SERRA: Right. That easement</p> <p>24 will be granted at a very early point in the</p> <p>25 process. So once one of these projects becomes</p>	<p style="text-align: right;">Page 98</p> <p>1 approved and final of that approval, then the</p> <p>2 entire width of the easement is going to be</p> <p>3 granted to the City.</p> <p>4 CHAIRMAN AIZENSTAT: I just want to comment</p> <p>5 on it. I like the project. I actually -- I</p> <p>6 like the architecture. I think it's a very</p> <p>7 nice job. I really do. I like the way it</p> <p>8 flows. I like the way it sits back and it</p> <p>9 steps back and I like the contemporary element</p> <p>10 very much. I really do.</p> <p>11 MR. WITHERS: Yeah. Let me make sure I</p> <p>12 understand this easement, because that wasn't</p> <p>13 an alley vacating that went east-west. That's</p> <p>14 an easement, right?</p> <p>15 MR. GARCIA-SERRA: Right. Correct.</p> <p>16 MR. WITHERS: Okay. And so I know, on your</p> <p>17 side, the easement is granted. Is the easement</p> <p>18 on the other side --</p> <p>19 MR. GARCIA-SERRA: Yes, on both.</p> <p>20 MR. WITHERS: On both, it's already --</p> <p>21 MR. GARCIA-SERRA: Uh-huh.</p> <p>22 CHAIRMAN AIZENSTAT: He said that, at this</p> <p>23 stage, they would just do the entire easement.</p> <p>24 MS. VELEZ: That's why I asked if it was</p> <p>25 the same owner, because with the same owner, it</p>
<p style="text-align: right;">Page 99</p> <p>1 can be done.</p> <p>2 MR. MURAI: Let me follow-up on that, which</p> <p>3 I wanted to do before. The way this is</p> <p>4 presented, that would only look like that if</p> <p>5 the next project is built?</p> <p>6 MR. GARCIA-SERRA: Correct. The vast</p> <p>7 majority of it is on this project's side.</p> <p>8 MR. CORDOVES: Right. So, as you can see,</p> <p>9 there's a slight glimpse of the project next</p> <p>10 door here.</p> <p>11 MR. MURAI: But I'm looking at this --</p> <p>12 MR. CORDOVES: No. No. Yeah, but this</p> <p>13 entire paseo, the way we have conceived and</p> <p>14 designed it, is on our property, the property</p> <p>15 that belongs to this project.</p> <p>16 MR. MURAI: Wait. But where is this</p> <p>17 easement to be granted by the north project?</p> <p>18 MR. GARCIA-SERRA: It would stretch</p> <p>19 essentially --</p> <p>20 MR. MURAI: I don't get it.</p> <p>21 CHAIRMAN AIZENSTAT: They're granting the</p> <p>22 easement now, because --</p> <p>23 MR. MURAI: I understand, but he's saying</p> <p>24 that that whole --</p> <p>25 MR. GARCIA-SERRA: Assuming that both</p>	<p style="text-align: right;">Page 100</p> <p>1 projects get approved and built -- no?</p> <p>2 MR. MURAI: No. Assuming the next project</p> <p>3 doesn't get built, what is this going to look</p> <p>4 like?</p> <p>5 MR. GARCIA-SERRA: Then the line between</p> <p>6 the two projects, more or less, I guess, is</p> <p>7 right -- here is their arcade.</p> <p>8 MR. TRIAS: It's about five feet from the</p> <p>9 building, from the next building.</p> <p>10 MR. MURAI: No, I saw that proposed</p> <p>11 property line.</p> <p>12 MR. COLLIER: I think it would be helpful so</p> <p>13 the TV can pick it up.</p> <p>14 MR. MURAI: I get it, but is that whole</p> <p>15 paseo that you depict there south of that</p> <p>16 proposed property line?</p> <p>17 MR. CORDOVES: Correct.</p> <p>18 MR. MURAI: So are you saying that this</p> <p>19 thing will be built that way regardless of the</p> <p>20 next project?</p> <p>21 MR. CORDOVES: That is correct.</p> <p>22 MR. TRIAS: The current proposal has a</p> <p>23 fully designed paseo in this parcel. Now, in</p> <p>24 addition, if the other proposal gets built, it</p> <p>25 will add about five feet or so to the open</p>

<p style="text-align: right;">Page 101</p> <p>1 space, plus an arcade. That's what is proposed</p> <p>2 at this point.</p> <p>3 MR. MURAI: Okay. So I get it, that except</p> <p>4 for five feet on the north side --</p> <p>5 MR. TRIAS: Right. More or less five feet,</p> <p>6 right? That's correct.</p> <p>7 MR. MURAI: More or less? I mean --</p> <p>8 MR. TRIAS: I mean, I don't have the</p> <p>9 drawing with me, but it is five feet, based on</p> <p>10 my recollection.</p> <p>11 MR. MURAI: Not ten feet?</p> <p>12 MR. TRIAS: Not ten feet.</p> <p>13 MR. CORDOVES: Oh, no, no, no. No, no, no.</p> <p>14 Actually, at the narrowest, it's about two and</p> <p>15 a half feet, because the property line</p> <p>16 actually --</p> <p>17 MR. MURAI: Okay. So regardless, Mario, of</p> <p>18 the next project, you're going to have a paseo</p> <p>19 that substantially looks like that?</p> <p>20 MR. GARCIA-SERRA: Yes.</p> <p>21 MR. CORDOVES: Yes.</p> <p>22 MR. MURAI: It's not going to be like half</p> <p>23 of it is on this property and half of it is on</p> <p>24 the other one?</p> <p>25 MR. GARCIA-SERRA: The vast majority of it</p>	<p style="text-align: right;">Page 102</p> <p>1 is on this side of the property line.</p> <p>2 MR. MURAI: And why don't we make the whole</p> <p>3 thing now, the entire thing? I mean, why don't</p> <p>4 we make it all of the way to include the five</p> <p>5 feet?</p> <p>6 MR. GARCIA-SERRA: The easement instrument</p> <p>7 that's going to be granted to the City is going</p> <p>8 to include those five feet.</p> <p>9 MR. MURAI: So why don't we have a paseo --</p> <p>10 the entire paseo like that, including the five</p> <p>11 feet?</p> <p>12 MS. ANDERSON: In other words, convey the</p> <p>13 property over to this project.</p> <p>14 MR. MURAI: No, you don't have to convey</p> <p>15 it.</p> <p>16 MR. GARCIA-SERRA: Ultimately, the City</p> <p>17 will be getting that entire width, including</p> <p>18 those five feet, even if the project to the</p> <p>19 north doesn't happen.</p> <p>20 CHAIRMAN AIZENSTAT: I think what Rene is</p> <p>21 saying, right now you have one owner that owns</p> <p>22 the entire parcel.</p> <p>23 MR. GARCIA-SERRA: Right.</p> <p>24 MR. MURAI: So they can do whatever they</p> <p>25 want.</p>
<p style="text-align: right;">Page 103</p> <p>1 CHAIRMAN AIZENSTAT: So if it's possible,</p> <p>2 what he's asking is, just do that entire paseo</p> <p>3 regardless of whether the sale goes through</p> <p>4 next door, whether the project is built next</p> <p>5 door. Is that correct, Rene?</p> <p>6 MR. MURAI: Yeah, correct. Include the</p> <p>7 five feet in what you're doing, so you don't do</p> <p>8 this, leave five feet, wait for the next</p> <p>9 project and then add and mess it all up again.</p> <p>10 MR. GARCIA-SERRA: I understand what you're</p> <p>11 saying. We could both, convey the entire width</p> <p>12 and we could also improve the entire width.</p> <p>13 MR. MURAI: That would be my requirement.</p> <p>14 CHAIRMAN AIZENSTAT: That way, for sure,</p> <p>15 it's done the way you've proposed it.</p> <p>16 MR. MURAI: That would be my requirement.</p> <p>17 MR. WITHERS: I would agree with the</p> <p>18 conveying, but building it, I don't know what</p> <p>19 would happen to it. Venny knows. When you go</p> <p>20 to construct that new building, what would</p> <p>21 happen to that --</p> <p>22 MR. TORRE: Are you willing to commit that</p> <p>23 if it's not built, you would finish it?</p> <p>24 MR. GARCIA-SERRA: Right.</p> <p>25 MR. MURAI: No, but I mean, you can put --</p>	<p style="text-align: right;">Page 104</p> <p>1 you know, you can do it. I mean, I'm more</p> <p>2 concerned that then you have to add five feet</p> <p>3 to it and the landscape and everything. I'd</p> <p>4 rather have it all done now, and you can put --</p> <p>5 CHAIRMAN AIZENSTAT: Hedges.</p> <p>6 MR. MURAI: Whatever. They can figure it</p> <p>7 out. These guys are smart.</p> <p>8 MR. GARCIA-SERRA: It's a relatively narrow</p> <p>9 area.</p> <p>10 MR. WITHERS: And say they have to do it</p> <p>11 within two years, if they don't build or</p> <p>12 something like that?</p> <p>13 MR. MURAI: No. I'd like to see it now.</p> <p>14 MR. WITHERS: You want to do it now?</p> <p>15 MR. MURAI: Yeah.</p> <p>16 MS. ANDERSON: Same color of tiles, same</p> <p>17 color of -- you know --</p> <p>18 MR. MURAI: And it's the same project.</p> <p>19 It's owned by the same folks.</p> <p>20 MR. COLLIER: So is counsel in agreement</p> <p>21 with improving the entire --</p> <p>22 MR. GARCIA-SERRA: Oh, yeah, the easement</p> <p>23 that would be granted, I think we can</p> <p>24 incorporate something in the easement that</p> <p>25 provides, if the portion of the easement that's</p>

<p style="text-align: right;">Page 105</p> <p>1 on the other project side, on the north parcel, 2 as we call it, is not incorporated or approved 3 as part of that project, then this project -- 4 MR. MURAI: No. 5 CHAIRMAN AIZENSTAT: I think Rene was 6 saying something else. 7 MR. MURAI: No, I'm saying that the 8 condition of this project is that you build the 9 entire paseo. I don't care what you do with 10 the next project or not do it. 11 MR. GARCIA-SERRA: The only thing is that 12 part of what's being granted to the City is an 13 easement under their arcade. 14 MR. MURAI: Yeah, fine, but, I mean, it's 15 Baptist. It's not like you're dealing -- you 16 know, I have to call somebody else. It's 17 Baptist. 18 MR. GARCIA-SERRA: But if we wouldn't build 19 that arcade, we would improve it with 20 landscaping or whatever else -- 21 MR. TRIAS: Mr. Murai, the issue is really 22 that arcade. The design of the building is 23 incorporated into that easement. So if the 24 building is not built, what would be the 25 option?</p>	<p style="text-align: right;">Page 106</p> <p>1 MR. MURAI: We'd still have a paseo that 2 includes the five feet that we're talking 3 about. I don't -- 4 MR. TRIAS: Yeah. The thing is that the 5 five feet, I think, they can deal with. In 6 addition to that, they were incorporating the 7 arcade in the building. So maybe you separate 8 the five feet from the arcade. 9 CHAIRMAN AIZENSTAT: Is that five feet 10 where the column is, the tower or the column 11 that's going straight up, part of the other 12 building? If you go to where -- no, a little 13 more to the left is your project -- your 14 project is that one. Okay. 15 No, so it's got a flat wall, okay. 16 MR. TORRE: I think it's like a logistics 17 things. If you're building, you need a fence, 18 and I think there's more of that going on than 19 it is the fact that when you get to the end, 20 you can add the five feet anyway. 21 CHAIRMAN AIZENSTAT: I think you understand 22 what we're trying to ask for, and it will up to 23 the City to figure a way to get it done. 24 MR. MURAI: Well, no, I would like -- when 25 the motion is made to approve the project, I</p>
<p style="text-align: right;">Page 107</p> <p>1 would like to include a requirement that the 2 entire paseo, as depicted here, be built in 3 connection with this project. 4 MR. COLLER: I think the only problem with 5 that condition is that the way it's displayed 6 there, it has another building. So you're just 7 asking them for improve and landscape the 8 entire paseo? 9 MR. MURAI: That's it. I'm saying -- 10 MR. GARCIA-SERRA: That's the easiest way 11 to say it. 12 MR. COLLER: Right. 13 MR. WITHERS: When is the next building -- 14 I'm assuming it's in the pipeline. When is 15 that expected to hit us? 16 MR. TRIAS: Yeah. As soon as the traffic 17 study is completed, I expect to have it 18 scheduled. So that's very soon. 19 MR. GARCIA-SERRA: We're hoping next month. 20 MR. TRIAS: Next meeting. 21 CHAIRMAN AIZENSTAT: So you're hoping it 22 comes next meeting? 23 MR. GARCIA-SERRA: Yes. 24 MR. TRIAS: Yeah. 25 CHAIRMAN AIZENSTAT: Okay.</p>	<p style="text-align: right;">Page 108</p> <p>1 MR. TRIAS: And the only reason it's not 2 here before you at the same time is because of 3 that, because the traffic study was not 4 finished. 5 MR. MURAI: I'd just like -- it's so pretty 6 that I wouldn't want to see it messed up. 7 CHAIRMAN AIZENSTAT: It's a beautiful 8 design. 9 MS. VELEZ: It is. 10 MR. MURAI: Can I make a motion? 11 MR. COLLER: So we need to have separate 12 votes for each item, and I want to make sure 13 that when we do this, that the changes that you 14 wanted in the conditions, I think there were 15 mere corrections, just get put on the record, 16 depending on which item it goes with. 17 MR. TRIAS: Probably the PAD would be the 18 one. Mario, the correction was part of the PAD 19 condition, right? 20 MR. GARCIA-SERRA: Right. Those are the 21 conditions of approval for the PAD and 22 Mixed-Use Site Plan. 23 MR. MURAI: If the project depends on all 24 of those Ordinances, we need to move them as a 25 whole. We can't move one and then not the</p>

<p style="text-align: right;">Page 109</p> <p>1 other ones.</p> <p>2 MR. COLLER: Well, we can add -- so that</p> <p>3 the approvals will have to be done separately,</p> <p>4 but we can add the same condition for each one.</p> <p>5 MR. MURAI: But why do we have to do it</p> <p>6 separately?</p> <p>7 MR. COLLER: Because they're separate items</p> <p>8 on the agenda, so there are separate votes.</p> <p>9 MR. MURAI: I understand, but without</p> <p>10 approving all three, you do nothing by</p> <p>11 approving two.</p> <p>12 MR. COLLER: Well, if you don't approve all</p> <p>13 of them, he's not going to be able to build it.</p> <p>14 MR. TRIAS: Mr. Murai, there are some items</p> <p>15 that may be not approved and the project could</p> <p>16 go through, for example, the TDR. You may say,</p> <p>17 no.</p> <p>18 MR. COLLER: That's true. The TDR, if you</p> <p>19 didn't give that, you'd have to make an</p> <p>20 adjustment --</p> <p>21 CHAIRMAN AIZENSTAT: I think we have to</p> <p>22 take advice from our counsel from the City and</p> <p>23 follow his recommendation.</p> <p>24 MR. MURAI: Okay.</p> <p>25 MR. COLLER: But if you want to put the</p>	<p style="text-align: right;">Page 110</p> <p>1 same condition about the improvement of the</p> <p>2 paseo in each one of these, no problem.</p> <p>3 MR. TRIAS: But Mr. Attorney, I don't think</p> <p>4 that would be appropriate for the TDR, for</p> <p>5 example.</p> <p>6 MR. COLLER: Not for the TDR, right,</p> <p>7 correct.</p> <p>8 MR. MURAI: Those requirements into one of</p> <p>9 them is enough.</p> <p>10 MR. COLLER: Okay.</p> <p>11 CHAIRMAN AIZENSTAT: All right. So we have</p> <p>12 Item E-1. Is there a motion for Item E-1?</p> <p>13 MR. MURAI: What is Item E-1?</p> <p>14 MR. COLLER: E-1 is the approval of the</p> <p>15 alleyway.</p> <p>16 MR. TRIAS: E-1 is amending the original --</p> <p>17 CHAIRMAN AIZENSTAT: Amending the alleyway</p> <p>18 vacation.</p> <p>19 MR. COLLER: Right.</p> <p>20 MR. WITHERS: I'll move that, Mr. Chairman.</p> <p>21 CHAIRMAN AIZENSTAT: We have a motion by</p> <p>22 Chip. Is there a second?</p> <p>23 MS. ANDERSON: Second.</p> <p>24 CHAIRMAN AIZENSTAT: Do we need to include</p> <p>25 any items in this?</p>
<p style="text-align: right;">Page 111</p> <p>1 MR. COLLER: Ramon, what do you think? Do</p> <p>2 we need --</p> <p>3 MR. TRIAS: I don't think so, sir.</p> <p>4 MR. COLLER: Okay.</p> <p>5 MR. GARCIA-SERRA: There was one, 13-A, on</p> <p>6 Page 21, that would be going in that Ordinance</p> <p>7 as a new condition of approval, the alley</p> <p>8 vacation Ordinance, and that's where we're</p> <p>9 dropping the reference to the term utilities,</p> <p>10 because there's not going to be any utility</p> <p>11 easements within the crosswalk --</p> <p>12 MR. COLLER: Okay. Then it would be with</p> <p>13 that amendment. Is that fine, Ramon?</p> <p>14 MR. TRIAS: Okay. Yes.</p> <p>15 MR. WITHERS: Yes, that's acceptable.</p> <p>16 CHAIRMAN AIZENSTAT: That's acceptable. We</p> <p>17 have a motion. Any discussion? No discussion?</p> <p>18 Call the roll, please.</p> <p>19 THE SECRETARY: Venny Torre?</p> <p>20 MR. TORRE: Yes.</p> <p>21 THE SECRETARY: Maria Velez?</p> <p>22 MS. VELEZ: Yes.</p> <p>23 THE SECRETARY: Chip Withers?</p> <p>24 MR. WITHERS: Yes.</p> <p>25 THE SECRETARY: Rhonda Anderson?</p>	<p style="text-align: right;">Page 112</p> <p>1 MS. ANDERSON: Yes.</p> <p>2 THE SECRETARY: Rene Murai?</p> <p>3 MR. MURAI: Yes.</p> <p>4 THE SECRETARY: Eibi Aizenstat?</p> <p>5 CHAIRMAN AIZENSTAT: Yes.</p> <p>6 Item E-2 deals with the Transfer of</p> <p>7 Developmental Right, the TDRs.</p> <p>8 MR. TRIAS: And the only issue here is that</p> <p>9 you're accepting the receipt of the Transfer of</p> <p>10 Development Rights. That's it.</p> <p>11 CHAIRMAN AIZENSTAT: That's the only thing.</p> <p>12 MR. TRIAS: Correct.</p> <p>13 MR. MURAI: I move it.</p> <p>14 MR. TORRE: Second.</p> <p>15 CHAIRMAN AIZENSTAT: Rene moves it. Venny</p> <p>16 seconds. Any discussion? No? Having heard</p> <p>17 none, call the roll, please.</p> <p>18 THE SECRETARY: Maria Velez?</p> <p>19 MS. VELEZ: Yes.</p> <p>20 THE SECRETARY: Chip Withers?</p> <p>21 MR. WITHERS: Yes.</p> <p>22 THE SECRETARY: Rhonda Anderson?</p> <p>23 MS. ANDERSON: Yes.</p> <p>24 THE SECRETARY: Rene Murai?</p> <p>25 MR. MURAI: Yes.</p>

<p style="text-align: right;">Page 113</p> <p>1 THE SECRETARY: Venny Torre?</p> <p>2 MR. TORRE: Yes.</p> <p>3 THE SECRETARY: Eibi Aizenstat?</p> <p>4 CHAIRMAN AIZENSTAT: Yes.</p> <p>5 The third item, which is E-3, deals with</p> <p>6 the Planned Area development.</p> <p>7 MS. VELEZ: I'll move it.</p> <p>8 MR. TRIAS: And that one, that's all of the</p> <p>9 conditions, so that would be the appropriate</p> <p>10 location to place conditions.</p> <p>11 MR. COLLER: And these are all in</p> <p>12 accordance with the recommendations of the</p> <p>13 Department, all of these motions --</p> <p>14 MR. MURAI: Except for this one.</p> <p>15 Maria, you moved it?</p> <p>16 MS. VELEZ: Yes.</p> <p>17 MR. MURAI: Can you include in your motion</p> <p>18 that the entire paseo be built?</p> <p>19 MS. VELEZ: But I don't think that's part</p> <p>20 of this one. Is it?</p> <p>21 MR. TRIAS: Yes.</p> <p>22 MS. VELEZ: Oh, it is.</p> <p>23 CHAIRMAN AIZENSTAT: This would be the</p> <p>24 appropriate.</p> <p>25 MS. VELEZ: All right. So then that we</p>	<p style="text-align: right;">Page 114</p> <p>1 would have the entire width of the easement, as</p> <p>2 far as what is the paseo, improved once this is</p> <p>3 built.</p> <p>4 CHAIRMAN AIZENSTAT: Well, with this</p> <p>5 project.</p> <p>6 MS. VELEZ: With this project.</p> <p>7 MR. MURAI: Second.</p> <p>8 CHAIRMAN AIZENSTAT: We have a second.</p> <p>9 Yes, go ahead.</p> <p>10 MS. ANDERSON: I'd like to propose a</p> <p>11 friendly amendment about the traffic calming</p> <p>12 devices near the handicap spaces.</p> <p>13 CHAIRMAN AIZENSTAT: A recommendation, I</p> <p>14 would think, no? That would be a</p> <p>15 recommendation, because I don't know if we can</p> <p>16 put that as a condition.</p> <p>17 MR. WITHERS: And clarification, you're not</p> <p>18 including the arcade, you're just including the</p> <p>19 open space; is that correct?</p> <p>20 MR. MURAI: Is that -- I don't know what</p> <p>21 the arcade is.</p> <p>22 MS. VELEZ: The arcade is part of the other</p> <p>23 building.</p> <p>24 MR. GARCIA-SERRA: And one more thing, the</p> <p>25 replacement parking spaces condition, the one</p>
<p style="text-align: right;">Page 115</p> <p>1 that Ramon presented as part of his</p> <p>2 presentation, the corrected one.</p> <p>3 MR. TRIAS: To give the option to the</p> <p>4 applicant.</p> <p>5 CHAIRMAN AIZENSTAT: We have a motion. We</p> <p>6 have a second. Any other discussion? No?</p> <p>7 Call the roll, please.</p> <p>8 THE SECRETARY: Chip Withers?</p> <p>9 MR. WITHERS: Yes.</p> <p>10 THE SECRETARY: Rhonda Anderson?</p> <p>11 MS. ANDERSON: Yes.</p> <p>12 THE SECRETARY: Rene Murai?</p> <p>13 MR. MURAI: Yes.</p> <p>14 THE SECRETARY: Venny Torre?</p> <p>15 MR. TORRE: Yes.</p> <p>16 THE SECRETARY: Maria Velez?</p> <p>17 MS. VELEZ: Yes.</p> <p>18 THE SECRETARY: Eibi Aizenstat?</p> <p>19 CHAIRMAN AIZENSTAT: Yes.</p> <p>20 The fourth, which is E-4, is the Assisted</p> <p>21 Living Facility Conditional Use review.</p> <p>22 MR. MURAI: I'll move it.</p> <p>23 CHAIRMAN AIZENSTAT: Rene moves it. Is</p> <p>24 there a second?</p> <p>25 MS. VELEZ: Second.</p>	<p style="text-align: right;">Page 116</p> <p>1 CHAIRMAN AIZENSTAT: Maria.</p> <p>2 Any comments? Do we need to add anything?</p> <p>3 MR. COLLER: No. Again, all of these are</p> <p>4 in accordance with the Department's</p> <p>5 recommendation, all of these motions.</p> <p>6 CHAIRMAN AIZENSTAT: Okay. Any comments?</p> <p>7 No? Call the roll, please.</p> <p>8 THE SECRETARY: Rene Murai?</p> <p>9 MR. MURAI: Yes.</p> <p>10 THE SECRETARY: Venny Torre?</p> <p>11 MR. TORRE: Yes.</p> <p>12 THE SECRETARY: Maria Velez?</p> <p>13 MS. VELEZ: Yes.</p> <p>14 THE SECRETARY: Chip Withers?</p> <p>15 MR. WITHERS: Yes.</p> <p>16 THE SECRETARY: Rhonda Anderson?</p> <p>17 MS. ANDERSON: Yes.</p> <p>18 THE SECRETARY: Eibi Aizenstat?</p> <p>19 CHAIRMAN AIZENSTAT: Yes.</p> <p>20 And E-5, which is the last item, is the</p> <p>21 tentative plat. Is there a motion?</p> <p>22 MR. MURAI: I move it.</p> <p>23 CHAIRMAN AIZENSTAT: Rene moves it.</p> <p>24 MR. TORRE: Second.</p> <p>25 CHAIRMAN AIZENSTAT: Venny seconds.</p>

<p style="text-align: right;">Page 117</p> <p>1 Do we need to add anything to this to be</p> <p>2 consistent?</p> <p>3 MR. TRIAS: No, I don't believe so. This</p> <p>4 is simply the parcel.</p> <p>5 CHAIRMAN AIZENSTAT: Any discussion?</p> <p>6 MS. ANDERSON: No.</p> <p>7 CHAIRMAN AIZENSTAT: No? Call the roll,</p> <p>8 please.</p> <p>9 THE SECRETARY: Venny Torre?</p> <p>10 MR. TORRE: Yes.</p> <p>11 THE SECRETARY: Maria Velez?</p> <p>12 MS. VELEZ: Yes.</p> <p>13 THE SECRETARY: Chip Withers?</p> <p>14 MR. WITHERS: Yes.</p> <p>15 THE SECRETARY: Rhonda Anderson?</p> <p>16 MS. ANDERSON: Yes.</p> <p>17 THE SECRETARY: Rene Murai?</p> <p>18 MR. MURAI: Yes.</p> <p>19 THE SECRETARY: Eibi Aizenstat?</p> <p>20 CHAIRMAN AIZENSTAT: Yes.</p> <p>21 Thank you very much.</p> <p>22 MR. GARCIA-SERRA: Thank you very much, Mr.</p> <p>23 Chairman, Members of the Board. Have a good</p> <p>24 night.</p> <p>25 MS. ANDERSON: Have a good night.</p>	<p style="text-align: right;">Page 118</p> <p>1 MR. TRIAS: Mr. Chairman --</p> <p>2 CHAIRMAN AIZENSTAT: We have not adjourned</p> <p>3 yet.</p> <p>4 MR. TRIAS: Mr. Chairman --</p> <p>5 CHAIRMAN AIZENSTAT: Yes.</p> <p>6 MR. TRIAS: -- before we adjourn, we need</p> <p>7 to decide the April date for the meeting.</p> <p>8 CHAIRMAN AIZENSTAT: Okay. Let's just go</p> <p>9 ahead.</p> <p>10 MR. MURAI: Order in the courtroom.</p> <p>11 CHAIRMAN AIZENSTAT: Ramon.</p> <p>12 MR. TRIAS: Mr. Chairman, the issue was</p> <p>13 that there was a holiday conflict on the</p> <p>14 typical meeting. So we have options. The</p> <p>15 options are April 7th, April 9th, April 14th,</p> <p>16 April 16th. So we gave you --</p> <p>17 MR. MURAI: Can you repeat them? There's a</p> <p>18 noise in the background.</p> <p>19 MR. TRIAS: Yes. Can we have quiet,</p> <p>20 please?</p> <p>21 MR. COLLIER: Sorry.</p> <p>22 MS. ANDERSON: Sorry.</p> <p>23 MR. TRIAS: Let me repeat the dates. The</p> <p>24 following dates are available here at this</p> <p>25 location, April 7th, 9th, 14th and 16th.</p>
<p style="text-align: right;">Page 119</p> <p>1 MR. TORRE: I would ask that it be either</p> <p>2 the 14th or 16th, if possible.</p> <p>3 MS. VELEZ: And I would ask that it be the</p> <p>4 15th or 16th. I am out of town --</p> <p>5 CHAIRMAN AIZENSTAT: So the 16th -- is the</p> <p>6 16th okay with everybody?</p> <p>7 MR. WITHERS: The 16th is perfect.</p> <p>8 MR. MURAI: Yes.</p> <p>9 CHAIRMAN AIZENSTAT: Let it be noted.</p> <p>10 MR. TORRE: I will not be here. I'm out</p> <p>11 those two weeks.</p> <p>12 CHAIRMAN AIZENSTAT: So you wouldn't have</p> <p>13 been here the week before, either?</p> <p>14 MR. WITHERS: Where are you going?</p> <p>15 MR. TORRE: California.</p> <p>16 CHAIRMAN AIZENSTAT: Okay. So Venny is on</p> <p>17 a trip and he will send postcards.</p> <p>18 MR. MURAI: I move that we adjourn.</p> <p>19 CHAIRMAN AIZENSTAT: So moved. Is there a</p> <p>20 second?</p> <p>21 MS. VELEZ: Second.</p> <p>22 CHAIRMAN AIZENSTAT: We're adjourned.</p> <p>23 Thank you very much.</p> <p>24 (Thereupon, the meeting was concluded at</p> <p>25 7:55 p.m.</p>	<p style="text-align: right;">Page 120</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 STATE OF FLORIDA:</p> <p>4 SS.</p> <p>5 COUNTY OF MIAMI-DADE:</p> <p>6</p> <p>7</p> <p>8</p> <p>9 I, NIEVES SANCHEZ, Court Reporter, and a Notary</p> <p>10 Public for the State of Florida at Large, do hereby</p> <p>11 certify that I was authorized to and did</p> <p>12 stenographically report the foregoing proceedings and</p> <p>13 that the transcript is a true and complete record of my</p> <p>14 stenographic notes.</p> <p>15</p> <p>16 DATED this 25th day of February, 2020.</p> <p>17</p> <p>18</p> <p>19 SIGNATURE ON FILE</p> <p>20</p> <p>21 _____</p> <p>22 NIEVES SANCHEZ</p> <p>23</p> <p>24</p> <p>25</p>