

City of Coral Gables
Planning and Zoning Board Meeting
Wednesday, March 11, 2015
Coral Gables City Commission Chambers
405 Biltmore Way, Coral Gables, Florida

MEMBERS	J14	F11	M11	A8	M13	J10	J8	A12	S9	O14	N11	D9	APPOINTMENT
	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	
Eibi Aizenstat - Chair	P	P	P										City Manager
Marshall Bellin	P	P	P										Commissioner Vince Lago
Anthony Bello	P	P	P										Board Appointee
Jeffrey Flanagan - Vice Chair	E	P	P										Commissioner Pat Keon
Julio Grabiell	P	P	P										Mayor Jim Cason
Maria A. Menendez	P	P	P										VM William H. Kerdyk, Jr.
Alberto Perez	E	P	P										Commissioner Frank C. Quesada

P = Present
E = Excused
C = Meeting Cancelled

City Staff and Consultants:

Charles Wu, Asst. Development Services Director
 Craig Leen, City Attorney
 Jane Tompkins, Development Services Director
 Ramon Trias, Planning & Zoning Director
 Walter Carlson, Asst. City Planner
 Scot Bolyard, Principal Planner
 Megan McLaughlin, City Planner
 Jill Menendez, Administrative Assistant
 Lina Hickman, Civil Engineer
 Yamilet Senespleda, City Engineer

Court Reporter:
 Joan Bailey

Attachment: 03 11 15 Planning and Zoning Board Verbatim Minutes

1 CITY OF CORAL GABLES
 2 LOCAL PLANNING AGENCY (LPA)/
 3 PLANNING AND ZONING BOARD MEETING
 4 VERBATIM TRANSCRIPT
 5 CORAL GABLES CITY HALL
 6 405 BILTMORE WAY, COMMISSION CHAMBERS
 7 CORAL GABLES, FLORIDA
 8 WEDNESDAY, MARCH 11, 2015, COMMENCING AT 6:07 P.M.

9 Board Members Present:
 10 Eibi Aizenstat, Chairperson
 11 Marshall Bellin
 12 Anthony Bello
 13 Jeffrey Flanagan, Vice-Chairperson
 14 Julio Grabiell
 15 Maria Alberro Menendez
 16 Alberto Perez

17 City Staff and Consultants:

18 Charles Wu, Assistant Development Services Director
 19 Ramon Trias, Planning Director
 20 Craig E. Leen, City Attorney
 21 Jane Tompkins, Development Services Director
 22 Walter Carlson, Assistant City Planner
 23 Scot Bolyard, Principal Planner
 24 Megan McLaughlin, City Planner
 25 Jill Menendez, Planning Administrative Assistant
 Lina Hickman, Civil Engineer
 Yamillet Senespleda, City Engineer

26 Also Participating:

27 Mario Garcia-Serra, Esq.,
 28 On behalf of the Applicant.
 29 Alejandro Gonzalez and
 30 Ken Castillo
 31 Arquitectonica
 32 Elizabeth Plater-Zyberk
 33 Duany Plater-Zyberk & Company
 34 Tim Plummer
 35 David Plummer & Associates

1 Public Speakers:
 2
 3 Gema Pinon
 4 Philip Rinaldi
 5 Jim Dockerty
 6 Paul Savage
 7 Jorge Navarro

8 ---
 9
 10 THEREUPON:

11 The following proceedings were had:
 12
 13 CHAIRMAN AIZENSTAT: Okay, let's go ahead
 14 and get started, please.
 15 Good evening. I'd like to go ahead and
 16 call the Planning and Zoning Board meeting of
 17 Wednesday, March 11th, 2015. This Board is
 18 comprised of seven members. Four members of
 19 the Board shall constitute a quorum and the
 20 affirmative vote of four members of the Board
 21 present shall be necessary for the adoption of
 22 any motion. A tie shall result in the
 23 automatic continuance of the matter to the next
 24 meeting, which shall be continued until the
 25 majority vote is achieved. If only four
 members of the Board are present, an applicant
 shall be entitled to a postponement to the next
 regularly scheduled Board meeting.
 Also, if there's any person who acts as a

1 lobbyist, pursuant to the City of Coral Gables
 2 Ordinance Number 2006-11, they must register
 3 with the City Clerk prior to engaging in
 4 lobbying activities or presentations before
 5 City Staff, boards, committees, and/or City
 6 Commission. A copy of the ordinance is
 7 available at the Office of the City Clerk.
 8 Failure to register and provide proof of
 9 registration shall prohibit your ability to
 10 present to the Board.

11 I now officially call the City of Coral
 12 Gables Planning and Zoning Board of Wednesday,
 13 March 11, 2015, to order. The time is 6:08.

14 Charles, would you like to do the ex-parte?

15 MR. WU: Did you call the roll already?

16 MS. MENENDEZ: No.

17 CHAIRMAN AIZENSTAT: We'll call the roll
 18 after?

19 MR. WU: Okay.

20 CHAIRMAN AIZENSTAT: Do you want to call
 21 the roll first? Go ahead and call the roll,
 22 please.

23 MS. MENENDEZ: Marshall Bellin?

24 MR. BELLIN: Here.

25 MS. MENENDEZ: Anthony Bello?

1 MR. BELLO: Here.

2 MS. MENENDEZ: Jeff Flanagan?

3 MR. FLANAGAN: Here?

4 MS. MENENDEZ: Julio Grabiell?

5 MR. GRABIELL: Here.

6 MS. MENENDEZ: Maria Menendez?

7 MS. ALBERRO MENENDEZ: Here.

8 MS. MENENDEZ: Alberto Perez?

9 MR. PEREZ: Here.

10 MS. MENENDEZ: Eibi Aizenstat?

11 CHAIRMAN AIZENSTAT: Here.

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

13 We have three cases before you tonight.

14 The first case concerns a mixed-use site plan.
 15 That is a quasi-judicial case. The second and
 16 third cases are not. The second case is a
 17 Zoning Code text change, and the third case is
 18 the vacation of a public alley. Here, this is
 19 the time for the Board members to declare
 20 ex-parte communication. If you had any
 21 communication with the applicant or members
 22 from the public, this is the time to do so, for
 23 the record.

24 Does anyone on the dais have any
 25 communication, ex-parte communication, on Case

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1 Number 1?

2 CHAIRMAN AIZENSTAT: No.

3 MR. WU: May the record show there's been

4 no communication, ex-parte communication, by

5 Board members. Thank you.

6 CHAIRMAN AIZENSTAT: Thank you.

7 At this time, I will ask everyone who's

8 going to speak this evening, they must please

9 go ahead and please complete the roster, which

10 is on the podium, if anybody has not done so.

11 Also, we ask that you also print clearly so the

12 official records of your name and address will

13 be correct.

14 Now, with the exception of attorneys, all

15 persons who will speak on the agenda items

16 before us this evening, please rise to be sworn

17 in.

18 (Thereupon, all who were to speak were duly

19 sworn by the court reporter.)

20 CHAIRMAN AIZENSTAT: Thank you.

21 This is also a good time that I'd ask for

22 all people to go ahead and please turn off

23 their cell phones or put their cell phones on

24 silent. The Board greatly appreciates it.

25 Let's go ahead and look at -- We have the

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1 approval of the minutes of February 11th, 2015.

2 Did everybody have a chance to go ahead and

3 read those?

4 MR. BELLO: Move for adoption.

5 MR. FLANAGAN: Second.

6 CHAIRMAN AIZENSTAT: We have a motion and a

7 second. Any comments, questions? No?

8 Call the roll, please.

9 MS. MENENDEZ: Anthony Bello?

10 MR. BELLO: Yes.

11 MS. MENENDEZ: Jeff Flanagan?

12 MR. FLANAGAN: Yes.

13 MS. MENENDEZ: Julio Grabiell?

14 MR. GRABIEL: Yes.

15 MS. MENENDEZ: Maria Menendez?

16 MS. ALBERRO MENENDEZ: Yes.

17 MS. MENENDEZ: Alberto Perez?

18 MR. PEREZ: Yes.

19 MS. MENENDEZ: Marshall Bellin?

20 MR. BELLIN: Yes.

21 MS. MENENDEZ: Eibi Aizenstat?

22 CHAIRMAN AIZENSTAT: Yes.

23 Before we start with the three items which

24 are on the agenda, tonight is Walter Carlson's

25 last meeting. He's been with the City for 27

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1 years. On behalf of the Board, we want to

2 thank him for all his service and his

3 dedication, and Ramon has something special for

4 him. Ramon?

5 MR. TRIAS: Mr. Chairman, thank you very

6 much. It's not often that one can appreciate

7 the excellent work of a person for 27 years,

8 and I'd like to think that planning is one of

9 the most important aspects of the City.

10 Merrick founded this City based on very high

11 planning principles, and in all that history,

12 the planner with the most experience and the

13 one that probably had the biggest impact was

14 Wally, Walter Carlson.

15 Please join me.

16 And I want to remind you that most of you

17 have worked with him for many years and that

18 back in 1988, when he began working for the

19 City, that's when the Mediterranean Bonus was

20 beginning to be conceptualized. Some of you

21 may remember that. So he worked on that.

22 But other things, such as the very

23 effective and creative mixed-use regulations

24 that were implemented more recently, were also

25 mostly the work of Wally and the rest of the

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1 Staff. So I have to say that I probably won't

2 be able to thank anyone as profusely as I want

3 to thank Wally for his work, and I hope that

4 you all join me in giving him this wonderful

5 memento for his service and thanking him for

6 his work. Thank you.

7 (Applause)

8 MR. CARLSON: Thank you, Ramon and

9 everybody. I greatly appreciate that. Thank

10 you very much. I was very, very lucky to be

11 able to spend the bulk of my professional

12 planning career here with Coral Gables. I

13 truly enjoyed working with the Board, working

14 with City Staff, working on the great projects

15 which we've had come through during my career.

16 Over the last 25 years, we've seen a lot of

17 good things come through. I think we've made a

18 lot of good progress. But there's a lot more

19 progress to be made, and you have a lot of work

20 in front of you. The next 25 years will be

21 more exciting, I'm sure.

22 Thank you again. I greatly appreciate it.

23 You have some great Staff coming on. I'm sure

24 they're going to be very, very good and work

25 closely with you. Thank you very much for

1 everything.
 2 (Applause)
 3 CHAIRMAN AIZENSTAT: Walter, thank you for
 4 all your dedication and service. Thank you.
 5 Craig?
 6 MR. LEEN: Yes.
 7 CHAIRMAN AIZENSTAT: The next three items,
 8 we'll go ahead and read them all in together,
 9 at the same time. Is that okay with the City
 10 Attorney?
 11 MR. LEEN: Yes. You'll have a public
 12 hearing on all three As Charles mentioned, the
 13 first one is a quasi-judicial hearing, but we
 14 can have the hearing at the same time for all
 15 three. All we ask is that each be voted on
 16 separately.
 17 CHAIRMAN AIZENSTAT: Okay. Thank you.
 18 The first item before us tonight is a
 19 Resolution of the City Commission of Coral
 20 Gables, requesting mixed-use site plan review
 21 and conditional use review pursuant to Zoning
 22 Code Article 4, Division 2, "Mixed Use
 23 District," for the construction of a mixed-use
 24 project referred to as "The Collection
 25 Residences" on the property legally described

1 codification, and an effective date.
 2 And finally, an Ordinance of the City
 3 Commission of Coral Gables, requesting vacating
 4 of a public alleyway pursuant to Zoning Code
 5 Article 3, Division 12, "Abandonment and
 6 Vacations," providing for the vacation of the
 7 30-foot alleyway which bisects the entire
 8 length of the block and the dedication of a
 9 public cross-block easement on the property
 10 legally described as all of Block 3, Industrial
 11 Section Coral Gables, Florida; providing for
 12 severability, repealer, codification, and an
 13 effective date; the legal description on file
 14 with the City.
 15 Mario, if the applicant would like to do
 16 their presentation first, please.
 17 MR. GARCIA-SERRA: Good evening, Mr. Chair,
 18 Members of the Board. Mario Garcia-Serra, with
 19 offices at 600 Brickell Avenue, representing
 20 this evening Coral Gables Luxury Holdings, LLC,
 21 which is the owner of the City block indicated
 22 on this aerial photograph, bounded on the north
 23 by Bird Road, on the south by Altara Avenue, on
 24 the west by Salzedo Street, and on the east by
 25 Aurora Street.

1 as all of Block 3 and the public alleyway,
 2 Industrial Section, with multiple street
 3 addresses, in Coral Gables, Florida; including
 4 required conditions; providing for an effective
 5 date; with the legal description on file with
 6 the City.
 7 The second item is an Ordinance of the City
 8 Commission of Coral Gables, Florida, providing
 9 for text amendments to the City of Coral Gables
 10 Official Zoning Code, Article 4, "Zoning
 11 Districts," Division 2, "Overlay and Special
 12 Purpose Districts," Section 4-201, "Mixed Use
 13 District," to allow for proposed mixed-use
 14 projects located within a designated Mixed Use
 15 Overlay District with an underlying zoning
 16 designation of Industrial District, I, subject
 17 to City Commission approval, the following:
 18 Number 1, up to an additional 20 feet of
 19 habitable building height above the 100 foot
 20 maximum permitted building height for the
 21 purposes of increased floor-to-ceiling height
 22 and aesthetics; and 2, increase the maximum
 23 permitted height of non-habitable architectural
 24 features based on aesthetics and design;
 25 providing for severability, repealer,

1 I'm joined today by Ugo Colombo and Art
 2 Murphy of The Collection; Masoud Shojaee and
 3 Anibal Duarte of Shoma. These gentlemen
 4 compose the ownership of this project, and as
 5 many of you already know, are among the most
 6 distinguished and accomplished real estate
 7 developers in Miami-Dade County.
 8 The rest of the project team should also be
 9 known to the majority of you. The
 10 architectural design of this project was a
 11 collaboration between Arquitectonica and Duany
 12 Plater-Zyberk, who are represented here tonight
 13 by Alejandro Gonzalez and Elizabeth
 14 Plater-Zyberk, respectively.
 15 Our landscape architect is Andy Witkin, of
 16 Witkin Design, and our traffic engineer is Tim
 17 Plummer, of David Plummer and Associates.
 18 Let me start off by talking to you about
 19 the vision behind this project. As you know,
 20 The Collection car dealership, located
 21 immediately to the east of this project site,
 22 has a well earned reputation for the most
 23 prestigious and successful car dealership in
 24 the country for luxury car brands.
 25 The Collection Residences wants to realize

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1 that same level of quality and standard for
 2 condominium residences. Just as ultra-luxury
 3 cars are available at The Collection,
 4 ultra-luxury condominiums will be what
 5 distinguishes The Collection Residences.
 6 The size of the units in the residential
 7 tower range in size from 2,000 square feet to
 8 over 6,000 square feet, and will be designed in
 9 such a manner and quality so as to be truly
 10 luxury homes in the sky.
 11 It is very important to note that this
 12 project, unlike many others that have come
 13 before you, is not maximizing its permitted
 14 density. This project is entitled to
 15 approximately 350 residential units, and only
 16 126 residential units are proposed. What is
 17 being maximized here is luxury and quality, not
 18 density.
 19 In order to accomplish this project, three
 20 different approvals are necessary, a mixed-use
 21 site plan review, the vacation of the alley
 22 which bisects the block, and an amendment to
 23 the mixed-use regulations so as to permit
 24 increased overall height, only -- and I stress
 25 this -- only for the purpose of increasing the

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1 floor-to-ceiling height of units, and which
 2 specifically prohibits any increase in density
 3 or floor area as a result of that increased
 4 height.
 5 We'll make a presentation regarding each of
 6 these requests, roughly in that order, and I'll
 7 start off by asking Alejandro and Liz to
 8 present the architectural drawings.
 9 Alejandro?
 10 MR. GONZALEZ: Hi, good evening. Alejandro
 11 Gonzalez. I'm joined by Ken Castillo. We're
 12 both from Arquitectonica and are happy to be
 13 here to present this project to you that we've
 14 been working on --
 15 CHAIRMAN AIZENSTAT: If I could ask you,
 16 just speak into the microphone. Thank you.
 17 MR. GONZALEZ: -- that we've been working
 18 on for some time now with Staff.
 19 As you can see in the first photo, it's a
 20 photo of the -- it's kind of difficult -- a
 21 photo of the site, bound by Bird, Altara,
 22 Salzedo and Aurora.
 23 I'll start off by just going through the
 24 floor plans, walking through the building. As
 25 you know, this is a mixed-use project. We've

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1 got, along Bird -- Can I ask you to scoot over?
 2 MR. CASTILLO: Sure
 3 MR. GONZALEZ: Along Bird Avenue, we have
 4 two large retail tenants. We have live/work
 5 units lining Aurora and Salzedo Street. Those
 6 are two-story live/work units that are accessed
 7 directly from the street, activating both of
 8 these streets.
 9 Regarding the -- thank you. Regarding the
 10 commercial space, we have access along Bird and
 11 at the two corners. We've introduced a paseo
 12 that bisects the block in half. Using this,
 13 we've located all of our utilities and services
 14 off of this paseo. A portion of this is also
 15 dedicated as an easement.
 16 You'll notice that entry into the
 17 condominium parking is from here, from either
 18 street. We have direct access to dropoff and
 19 entry to this commercial tenant, and this
 20 commercial tenant on the west has direct entry
 21 off of Salzedo, garage direct entry that goes
 22 to them. We also have direct access to
 23 basement entry parking below. So all of the
 24 ingress and egress are happening internally.
 25 As we move around the south side of the

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1 block, we have commercial spaces also, here and
 2 here, at the corners, facing Altara, along --
 3 you know, on the other side of the commercial
 4 space that exists here.
 5 Along Altara, we also have a residential
 6 courtyard that allows for dropoff for guests
 7 and owners of the condominium. There's a
 8 shared -- or there is a single lobby that
 9 extends along the block. As Mario mentioned,
 10 these units are very large in size. They're
 11 luxury units. Therefore, each of them -- It's
 12 a very unique building in the fact that it's
 13 not a very tall building, but it has individual
 14 elevator access to each unit, and hence, you'll
 15 see the long, you know, access to those private
 16 elevators for each of the units.
 17 As I mentioned, these are live/work units.
 18 There's a portion of that unit that is
 19 exclusive to the work component, and then
 20 living, the living portion of the unit, is on
 21 the ground level, as well.
 22 On the second level, what we've got is the
 23 second level of the live/work units, mostly the
 24 bedrooms and so forth.
 25 We are now on the third level of the

1 project. This is the first level where we
 2 introduce parking. On the north side of the
 3 project, we have parking that's directly
 4 accessible from Salzedo. This would be parking
 5 that is used in conjunction with the commercial
 6 spaces along Bird, and also, we have some
 7 dedicated parking for the on-street parking
 8 spaces that we've displaced with the
 9 improvements to the site on the ground floor.

10 This is the entry for the residential
 11 component, is on this side, and you'll notice
 12 we have a garage here, and in an effort to kind
 13 of conceal the impact of the garage, we've also
 14 included liner units on these levels. So Level
 15 3 and Level 4 are very similar.

16 Level 5, we have our first level of -- or
 17 the amenity level. At this level, we have our
 18 pool, facing Bird. I'd like to mention, we
 19 also have a -- We're very sensitive to the
 20 residential neighborhood that's on the other
 21 side of Bird. We've actually set back the
 22 towers substantially more than what's required,
 23 so the bulk of the height of the building is on
 24 the south side, where the remainder of the
 25 taller buildings are that you saw in the

1 earlier images.

2 We have our pool deck along Bird, and as
 3 you see here, these are the larger units, all
 4 with private access, and we have a shared
 5 amenity space that opens to Altara and directly
 6 to the pool deck. You'll notice we have a very
 7 nice central kind of court, slash, garden, with
 8 reflecting pools that lead you to this very
 9 nice and open pool deck. We have some of the
 10 units on this level also with private terraces.

11 This is a typical tower level. You'll
 12 notice that the units are all connected to
 13 their privatized core, and we have a center
 14 unit, in the center of these two portions of
 15 the tower, that have, you know, a direct view
 16 down the middle.

17 MR. GARCIA-SERRA: As I mentioned earlier,
 18 this is a collaboration between Arquitectonica,
 19 Alejandro's firm, and Duany Plater-Zyberk, and
 20 Duany Plater-Zyberk handled the elevations and
 21 exterior aesthetics of the building, so I'll
 22 ask Liz to come up now and discuss the
 23 elevations.

24 MS. PLATER-ZYBERK: Good evening.

25 CHAIRMAN AIZENSTAT: If you could please

1 state your name and address for the record.
 2 Thank you.

3 MS. PLATER-ZYBERK: Elizabeth Plater-
 4 Zyberk, from Duany Plater-Zyberk and Company.

5 We have been working the elevations with
 6 Arquitectonica, the clients, our clients, and
 7 the City's Planning Staff, as well, and taking
 8 heed of the desire to make this building as
 9 close to the traditions of Coral Gables as
 10 possible, understanding that it has a different
 11 scale than many of the buildings that we look
 12 on as models, but looking to the Biltmore in
 13 particular as a building that transforms its
 14 scale through the way it handles massing and
 15 surfaces.

16 And so, starting with the Bird Road
 17 elevation, where the building is within the
 18 Bird Road setback height limit, what it
 19 presents to the City is an arcade, a colonnade
 20 that is open to the air, in front of the
 21 commercial space, the retail space, and in
 22 front of the garage above that. The arcade is
 23 shorter than the whole mass of the building
 24 because of the view triangles which are
 25 required from Bird Road to the side streets,

1 and so it frames that front and begins to break
 2 down the scale by being shorter than the ends,
 3 which are then marked by the pavilions which
 4 have entry -- the main entry doors to the
 5 spaces beyond.

6 What you see above that, of course, is far
 7 back and would appear shorter from this
 8 perspective, as you could see from the floor
 9 plans.

10 The opposite side of the building, the
 11 south side, in fact, you see the full height of
 12 the building, and as it comes up to the street,
 13 the same double square proportion of the arcade
 14 is maintained for the retail spaces at the
 15 bottom, as well as for the triple -- the three
 16 openings for the entry to the entrance court,
 17 the vehicular entrance for the residences.

18 Above that -- and of course, as you've
 19 seen, there is a parking garage that's being
 20 concealed behind the liner, behind the first
 21 four stories. Those four stories are marked by
 22 a setback and then the towers mark the
 23 repetitive residential floors.

24 There is an amenity space, which similarly
 25 is given a larger scale, facing to the south,

1 above the three entries, and the central
 2 portion of the building is set back, with the
 3 one -- with the single large apartment unit,
 4 and above that, the walls that frame and
 5 enclose the mechanical spaces, as well as the
 6 one extension that is intended to mark the
 7 center and the entry of the building.
 8 As you know, there are live/works on the
 9 ground. Around the sides of the building, the
 10 four-story setback is marked with the
 11 live/works in the first two stories and small
 12 liner units above that, and then the larger
 13 apartments occur in the upper floors.
 14 On both the east and west elevations, to
 15 the south are the residential units. To the
 16 north, one has the commercial elevation. In
 17 this case, although the arcade is being -- is
 18 continued, it's not an extending -- an
 19 extension on the facade; it's in the surface --
 20 on the surface of the elevation. And there are
 21 both vehicular entries and the entry to the
 22 pedestrian passage through the block, in
 23 between the two entries.
 24 Similarly, on the west side, the commercial
 25 space is handled in the same way. There are,

1 garden. The space feels very open. The
 2 building is set back appropriately.
 3 We wanted to include this slide to give you
 4 a sense of how how the street is being
 5 activated, how much articulation there is, and,
 6 you know, as Liz mentioned moments ago, the
 7 facade is articulated and planned in section.
 8 Elements move in and out. You'll notice here
 9 some of the planting and the entries, kind of
 10 entry stoops or porches into the live/work
 11 units.
 12 This is the Bird Road side, the bulk of the
 13 traffic here. This is the arcade, which kind
 14 of separates the pedestrian traffic from the
 15 vehicular traffic. You'll note the corner
 16 elements that kind of mark the corner, the
 17 entries into these commercial spaces.
 18 This is an image depicting the residential
 19 courtyard dropoff area entry. We have an entry
 20 through the center and then vehicular entries
 21 that drive around.
 22 MR. GARCIA-SERRA: Okay, that sort of
 23 concludes our presentation of the plans.
 24 Now we'll discuss the other two requests,
 25 which are the alley vacation and the amendment

1 in fact -- and the same treatment is given to
 2 vehicular entries in comparison to the
 3 pedestrian passage between them.
 4 Once again, you see the live/works, on the
 5 first two floors, and then the liner apartments
 6 above those, and then finally, in the towers,
 7 the residential units, the larger apartments.
 8 MR. GONZALEZ: We've included a few
 9 renderings here that show this, and depict the
 10 massing well. You'll notice -- This is the
 11 Bird Road side. This is the residential
 12 neighborhood. You'll notice how we
 13 successively get taller as the building moves
 14 away from the residential area, and the heights
 15 are very similar to the existing buildings,
 16 Merrick on this side, these apartments to the
 17 west, and The Collection on the east side.
 18 You'll also note, the scale of some of these
 19 members actually look very appropriate and
 20 similar to the other buildings around.
 21 This is the south side of the building.
 22 This is the entry to the residential. It shows
 23 you the scale of courtyard, which is actually
 24 very large, and you'll see that in here. It
 25 gives these units a very nice view into this

1 to the Zoning Code.
 2 As you can see from this graphic, the site
 3 is presently bisected by an alley which is
 4 about 16,000 square feet in size.
 5 Historically, these alleys have always served
 6 the purpose of providing convenient services
 7 and access drives for and between the various
 8 buildings on the block.
 9 However, since the ownership of this block
 10 has been consolidated and it is being
 11 redeveloped pursuant to one unified plan, the
 12 alley ceases to serve these purposes. Instead,
 13 what is being proffered is a public easement
 14 over the new east-west internal drive that will
 15 go through the property. This will essentially
 16 be the new and improved alley, which will
 17 accommodate services -- the service vehicles
 18 and permit midblock public access for both
 19 vehicles and pedestrians.
 20 In connection with the vacation of this
 21 alley, we are also proffering other benefits,
 22 such as off-site landscaping improvements, the
 23 provision of 42 parking spaces within our
 24 garage for the City's public permit parking
 25 program, and most importantly, certain

1 pedestrian safety improvements aimed at
2 addressing a situation which I'm sure all of us
3 have witnessed at one point or another, which
4 is the large number of students walking to and
5 from Coral Gables High School during the
6 morning and afternoon rush hours.

7 To discuss the nature of these improvements
8 and their benefit a little bit more, I'm going
9 to ask Tim Plummer, our traffic consultant, to
10 come up and go through a short presentation on
11 the improvements that we're proposing.

12 MR. PLUMMER: Good evening. Tim Plummer,
13 of David Plummer and Associates, 1750 Ponce de
14 Leon Boulevard, in Coral Gables.

15 As Mario had mentioned, as part of the
16 consolidation of ownership of this property,
17 the alley is going to be vacated, and the
18 developer is proffering to do some other public
19 enhancements. We spent some time out in the
20 field. As we all know, there's a lot more
21 pedestrian activity in this area now, with the
22 Village of Merrick Park, with Mr. Roger's
23 project, with Coral Gables Senior High School,
24 so we went out and tried to evaluate some of
25 the things we could do to enhance the

1 We're going to put in the detectable warning
2 surfaces, as well as the pedestrian warning
3 signs that are missing at that location.

4 Next.

5 Along Altara, there's a lot of sidewalk
6 that is damaged, needs reconstruction. We've
7 identified three different locations. We're
8 going to replace all of that sidewalk, even
9 though that damage is not coming from our
10 project.

11 Next.

12 Up at Altara and Laguna, we're going to
13 install crosswalk markings, as well as
14 detectable warning surfaces.

15 Next.

16 Altara and Salzedo, we're going to install
17 detectable warning surfaces, and the last one,
18 Altara and Aurora, we're going to restripe that
19 crosswalk and install some pedestrian warning
20 devices, as well.

21 So we're going to really try and beef up
22 the safety and the enhancement for the
23 pedestrian experience in this area. We've
24 estimated that for the developer, this is about
25 a 75,000 to \$90,000 improvement. And I'll be

1 pedestrian experience.

2 Go to the next one.

3 The first improvement is on LeJeune Road at
4 Bird Road, which we have a lot of Coral Gables
5 Senior High School students. There are no
6 pedestrian countdown signals or signs at this
7 location. There's some landscaping issues
8 covering up some of the pedestrian amenities.
9 So we're going to put in pedestrian countdown
10 signals at all those -- at that location there.

11 Next.

12 LeJeune and Altara, the same situation, no
13 pedestrian countdown signals. We're going to
14 add those, as well as signs.

15 Next one.

16 Bird and Ponce, there's no -- There's
17 pedestrian push buttons there, but there's no
18 signs for that, and there's an issue right in
19 front of The Collection, actually, where one of
20 the pedestrian warning signs is covering the
21 pedestrian signal. So we're going to get that
22 relocated, as well.

23 Next.

24 On Ponce and Altara, the crosswalk is all
25 faded. We're going to restripe the crosswalk.

1 here if you have any questions. Thank you.

2 MR. GARCIA-SERRA: Just bear with us a
3 couple seconds as we get the rest of the
4 presentation up. The next thing we'll discuss
5 is the proposed Zoning Code text amendment.

6 There we go. Thank you, Ken.

7 What's up there on the screen is probably
8 going to be difficult to read, but you have one
9 in your package, also. All along through this
10 project, we've emphasized the ultra-luxury
11 quality, and as we were developing it over the
12 course of two years, we came to realize that a
13 greater floor-to-ceiling height was necessary
14 in each unit so as to really make this the sort
15 of project to which we were aspiring.

16 At present, the mixed-use regulations
17 permit 10 stories within 100 feet of height,
18 which usually results in approximately a
19 nine-foot floor-to-ceiling height in each unit.
20 What we are proposing is that, at the
21 discretion of the City Commission and subject
22 to certain criteria, an additional 20 feet of
23 habitable height may be permitted. This would
24 permit an average floor-to-ceiling height of
25 closer to 12 feet, which would definitely

1 create for a better living space, as compared
 2 to a nine-foot floor-to-ceiling height.
 3 It is important to note that the Code
 4 amendment specifically prohibits the increased
 5 height from being used for increased floor area
 6 or density, and that the area where the
 7 amendment would be applicable, where you could
 8 potentially request this increased height from
 9 the City Commission, has also been limited to a
 10 geographic area which we feel is the
 11 appropriate area for an additional 20 feet of
 12 height.

13 I would ask Elizabeth Plater-Zyberk to come
 14 up now and sort of discuss why we drafted the
 15 Zoning Code amendment the way we did, and as
 16 well, also discuss the fact that aside from 20
 17 feet of additional habitable height, it would
 18 also permit us some additional height for the
 19 architectural features of the building.

20 MS. PLATER-ZYBERK: So, following on that
 21 last statement about the area in which the
 22 additional height might be allowed, this
 23 diagram shows in the lighter gray the site for
 24 this building and then the remaining sites
 25 where additional height might be allowed,

1 architectural feature right now, which is, as
 2 you can tell, a very small overall area of the
 3 entire building, is 175 feet.

4 And, Liz, if you could, just from your
 5 perspective, talk more about the
 6 proportionality and the appropriateness of
 7 those features.

8 MS. PLATER-ZYBERK: So, when we began to
 9 work on this building, it was initially
 10 conceived of as having more units and smaller
 11 units, and so the explanation that you've heard
 12 about the scale of the units and who the
 13 anticipated market for buyers are, caused it,
 14 in effect, to want to be taller.

15 We were asked to design this building in
 16 the best possible -- the exterior of the
 17 building in the best possible proportions and
 18 were involved, as well, with some of the
 19 interior layouts, and it became clear that
 20 because of the scale of the units, the
 21 floor-to-ceiling heights needed to be
 22 different.

23 I asked to have the live/works -- to have
 24 this perspective on the screen, because one of
 25 the things we realized is that the standard --

1 primarily along Dixie Highway and in the old
 2 industrial area sites, as well as south of
 3 Merrick Park. So that just shows the limits of
 4 what might be allowed.

5 Next.

6 These are -- The numbers are hard to read,
 7 but --

8 Can you read them to me?

9 MR. GARCIA-SERRA: If you want, I'll
 10 address this point.

11 MS. PLATER-ZYBERK: Yeah.

12 MR. GARCIA-SERRA: The slide that we have
 13 up here demonstrates that for this site in
 14 particular, this increased height is
 15 appropriate, because if you look at The
 16 Collection -- existing Collection car
 17 dealership office building, they received a
 18 variance in 1999, when that project was
 19 approved, permitting the top of slab of that
 20 building to go up to 117 feet, which is
 21 actually two feet higher than the 115 feet that
 22 we are proposing to the top of slab of our
 23 building.

24 Similarly, the architectural feature was
 25 permitted up to 147 feet in height, and our

1 even the standard eight-foot door or window
 2 head height, in some instances, seemed low,
 3 given the overall scale of the building, both
 4 inside and out, and so what you'll see is that
 5 there are clear stories as part of not only the
 6 live/works, but much of the fenestration
 7 throughout the building, that accommodates that
 8 height so that it does not take on, say,
 9 additional bulk of wall space, but is entirely
 10 in proportion to that -- to the height that's
 11 being sought both inside and outside.

12 So it's been carefully worked in that way
 13 to appear to all be in proportion, and that's
 14 likewise what I was trying to explain in the
 15 discussion of the elevations at the beginning.

16 The decorative extension, which is the
 17 small tower at the back, of course, similarly
 18 has to be in proportion with the rest of the
 19 building and was carefully studied in terms of
 20 how it might be seen from the ground, as well
 21 as from long distance, and following various
 22 types of studies and models, we produced the
 23 numbers that you're presented with this
 24 evening.

25 MR. GARCIA-SERRA: Thank you, Liz.

1 I just want to emphasize that map exhibit
 2 that you saw before, the significance of that,
 3 right there. And as you can see, whatever is
 4 shaded in that gray color are areas that we've
 5 identified that would be applicable under this
 6 Code amendment, because their underlying zoning
 7 is industrial, and they're located within the
 8 mixed-use district, to request the additional
 9 height from the City Commission. So we have
 10 our project site, of course, and then the other
 11 sites along Dixie Highway and sort of within
 12 the core of the mixed-use district, which, as
 13 we know, has been an area identified by the
 14 City already for a while for redevelopment.

15 And again, this increased height that we're
 16 looking for, which in our case is equivalent to
 17 the height at least to the top of slab that we
 18 have next to us, it's not for increased
 19 density. It's not for increased floor area.
 20 It's for a better quality building and for
 21 better quality units, which is what this
 22 project is all about. Remember, less than half
 23 of its permitted density is what's actually
 24 proposed to be developed.

25 So, with that said, we will conclude our

1 presentation. Staff is recommending approval
 2 with certain conditions, and we are in support,
 3 we accept those conditions, and would ask that
 4 you follow your Staff's recommendation of
 5 approval. I'd like to reserve some time for
 6 rebuttal, if necessary, and thank you very
 7 much.

8 CHAIRMAN AIZENSTAT: Thank you.

9 At this time, let's go ahead and have City
 10 Staff do their presentation, please.

11 MR. TRIAS: Thank you, Mr. Chairman. I
 12 think that the applicant has been very
 13 thorough, so I'll try to be brief in the
 14 presentation.

15 The site is well known. It's a full block,
 16 as the applicant has explained. The massing of
 17 the project follows the existing development to
 18 the east and to the west, of more recent
 19 projects, and the commercial development is,
 20 along Bird Road, as required by zoning.

21 The zoning change that is being requested
 22 is not a rezoning. They have proper zoning,
 23 which in this case is industrial, and
 24 commercial at the very top, and they're able to
 25 do this mixed-use component because of the

1 overlay that is already in the Code. So that
 2 is the existing zoning map.

3 The existing conditions, even though the
 4 zoning is industrial, as you well know, that
 5 whole area has developed generally with
 6 mixed-use projects, and it has developed at a
 7 scale that is within those 100 feet, 115 feet
 8 or so that is being requested in this case.

9 The project itself, once you see the
 10 rendering, as you can see, it fills the block
 11 properly and in context, and the three requests
 12 that we have before you, the first one is, of
 13 course, the mixed-use site plan, and I believe
 14 the applicant has explained the reasons for the
 15 different uses, and they are matching the
 16 context and the allowed development in the
 17 area. The arcades and the pedestrian
 18 enhancements truly match the overall
 19 development of that whole area.

20 The second request, which is the Zoning
 21 Code text amendment, is basically some
 22 additional text in Table 1. Table 1, if you're
 23 familiar with the Zoning Code, there's a table
 24 that is used to have certain requirements for
 25 mixed-use projects, and some requirements apply

1 to individual buildings, some requirements
 2 apply to the overlay district. In this case,
 3 they're amending the height requirements that
 4 apply to the overlay district, which is a very,
 5 very targeted change that they're proposing,
 6 and as the applicant said correctly, there's
 7 language that limits the additional height only
 8 for aesthetic purposes. So there's no
 9 additional density or additional floors being
 10 requested. It's simply additional dimensions,
 11 additional dimensions in his terms of height.

12 And finally, the last request is the alley
 13 vacation. The alley makes a lot of sense if
 14 the development were to remain as it is today.
 15 Once the block becomes one, I think the
 16 configuration that is proposed by the applicant
 17 functions more effectively. That, in
 18 conjunction with the additional enhancements in
 19 terms of landscape and pedestrian improvements
 20 that were described, I think, make for a very
 21 reasonable request.

22 The overall site plan, as you can see in
 23 the diagram, incorporates practically every
 24 element that one would like to have in a
 25 mixed-use project, in a way that creates a new

1 and enhanced functioning block.
 2 In terms of the site information, the 2.8
 3 acres, a 3.5 FAR, which is what's allowed.
 4 That's the maximum FAR in projects throughout
 5 the City. And then the maximum height of 175
 6 is actually a little bit less than the height
 7 that is allowed in the Downtown, so it's within
 8 the typical conditions of the City of Coral
 9 Gables.

10 Parking includes -- One of the conditions
 11 of approval is some public parking. The reason
 12 for that is that there's currently parking in
 13 the alley, so that's one way to deal with that
 14 impact, so that's also one of the recommended
 15 conditions.

16 Elizabeth Plater-Zyberk explained the
 17 architecture and the reason for the different
 18 heights. I think that was fairly clearly done.
 19 If you have any questions, I'll be happy to go
 20 into it in more detail. But as you can see,
 21 the maximum height is only for that very end
 22 piece, at the very top, so it's a very limited
 23 area that is above the regular height of the
 24 building.

25 The proportions of the ground floor and the

1 that concept, to separate the aesthetic
 2 enhancement from any possible extra
 3 development. And in terms of the amendment,
 4 the second amendment, which deals with the
 5 height for structural elements, it's relatively
 6 minor in terms of feet, but I think it makes a
 7 huge impact in terms of aesthetics, and I think
 8 that it's a very appropriate solution for
 9 design.

10 And generally, in terms of the diagram of
 11 what that means, in your Staff Report we had a
 12 section that would show the current dimensions
 13 and the current massing of a typical project,
 14 and then the actual proposed dimensions,
 15 graphically, just to make it a little bit more
 16 clear, and if you have any questions about
 17 that, we can discuss them further. And in
 18 terms of the aesthetic enhancement, we included
 19 one of the models that we use, which is this
 20 building we're in, City Hall, and City Hall
 21 actually -- the aesthetic enhancement of the
 22 tower is about the same height as the building
 23 itself, so that gives you an idea of the type
 24 of proportions that Merrick was thinking about
 25 when working on those projects, and that's just

1 base and the proportions of the rest of the
 2 building were reviewed by the Board of
 3 Architects, and the Board of Architects made
 4 recommendations, and it was approved. It was
 5 also approved by the Board of Architects for
 6 Mediterranean design, and as you can see, it
 7 follows the composition that is requested by
 8 the Zoning Code.

9 And in the north elevation, which is the
 10 one that is commercial, there's this wonderful
 11 arcade going along Bird Road, which I think is
 12 going to make a real impact, in terms of making
 13 that corridor more pedestrian-friendly and
 14 effective.

15 The actual text of the Code amendment, you
 16 have seen it in the Staff Report, and it simply
 17 says that in properties which are industrial,
 18 the Commission may approve additional height,
 19 at their discretion, based on aesthetic ideas.

20 We include a maximum of 10 stories,
 21 specifically, in the Code, so there's no
 22 temptation of adding an extra story or so. In
 23 the past, the Zoning Code used to have maximum
 24 heights in terms of stories. In this case, we
 25 felt that it was a good idea to reintroduce

1 for illustration. That's not what's being
 2 proposed. What's being proposed is something
 3 much less impactful in the building, but the
 4 concept, the concept is what was explained, as
 5 an aesthetic concept.

6 The third request the alley,
 7 diagrammatically, I think it's a very
 8 straightforward request. There's still a
 9 pedestrian and vehicular circulation through
 10 the middle of the block; it's just that now
 11 it's perpendicular to the long side of the
 12 block, instead of going along the same
 13 direction.

14 The project has gone through several public
 15 meetings for review: The Development Review
 16 Committee, back in December of 2013; the Board
 17 of Architects in August of 2014; again, the
 18 Development Review Committee for the alley
 19 vacation, in September of 2014. There was a
 20 neighborhood information meeting in October of
 21 2014. There was another, a second meeting, for
 22 the Board of Architects to review the
 23 Mediterranean architecture, and that was done
 24 in February of 2015. And then today, March
 25 11th, we are dealing with the Planning and

1 Zoning Board, and later on, this may proceed to
2 the Commission.

3 The findings of facts that Staff has
4 reviewed is that the requirements of the Zoning
5 Code are satisfied and that the project is
6 consistent with the Comprehensive Plan, and
7 Staff recommends approval with certain
8 conditions. Most of the conditions are fairly
9 typical, but there's a couple that are unusual,
10 like the additional parking that is
11 recommended, and if you have any further
12 questions, I'll be available to answer in more
13 detail, so thank you very much.

14 CHAIRMAN AIZENSTAT: Thank you.

15 At this time, I'd like to go ahead and open
16 up for public comments. How many people do we
17 have signed up?

18 MS. MENENDEZ: We have four.

19 CHAIRMAN AIZENSTAT: Four, okay. Can you
20 call the first individual, please?

21 MS. MENENDEZ: Gema Pinon.

22 MS. PINON: Hello. Good evening. My name
23 is Gema Pinon. For the sake of disclosure, I'm
24 an attorney, but I'm not here representing
25 anyone.

1 traffic, but what about the residents that live
2 there? My block has become a cut-through
3 street. People that are heading south or north
4 on LeJeune Road, whether it's in the morning or
5 at three o'clock, cut through my street at 50
6 miles an hour, and there's nothing, no one
7 talks about that. You know, I work in
8 Brickell. I take public transportation. But
9 with the addition of all these units, no one is
10 talking about how that's going to impact the
11 residents that live there. At two and three
12 o'clock, the traffic is blocked up on LeJeune
13 Road, on Ponce. I've spoken to the police
14 about this, you know, Mr. Plummer; I'd like to
15 see your team have more information about the
16 traffic concerns and how the City plans to
17 ameliorate this.

18 I think the project is fabulous, but I have
19 those types of concerns. I haven't heard
20 anything about how it's going to impact any of
21 the adjoining properties. I haven't heard
22 anything about tax bases, how it's going to
23 improve or provide taxes for the City.

24 If you look at the 4100 Salzedo property,
25 none of the commercial properties there,

1 CHAIRMAN AIZENSTAT: Could you state your
2 address, please?

3 MS. PINON: 339 Alesio Avenue, and my
4 husband is also owner of 4100 Salzedo, an
5 apartment in Merrick Park. Good evening to
6 all. Marshall.

7 I want to first congratulate the team that
8 has been assembled of architects, developers,
9 attorneys, Mr. Plummer's group. I think it's a
10 fantastic team. But I'm here to ask you to
11 please defer your approval of this project.
12 I've lived in the City of Coral Gables for 45
13 years. I have several concerns.

14 One, my biggest concern is lack of notice
15 to the residents about this meeting. I
16 attended the October meeting. I met this
17 gentleman and this gentleman. I only learned
18 about this meeting today at around one o'clock.
19 So that's my biggest concern, notice to the
20 residents and the people that reside in the
21 artisan district adjoining this property. It's
22 a beautiful project, but there's no notice to
23 the residents at all about this meeting.

24 My other big concern is about traffic. I
25 hear Mr. Plummer talking about pedestrian

1 nothing that's commercial there has had any
2 success. All of that is vacant. The
3 restaurants come and go. I don't see anything
4 about crime. There was a murder this week in
5 the City of Coral Gables. There's been no
6 information about that. So, while I think it's
7 a beautiful project and I congratulate the
8 team, I think there's still too many questions,
9 lack of information to the residents, to the
10 property owners. I think there has to be a
11 larger forum, and I think that it is your duty
12 to defer this decision. I'm not opposed to it.
13 I just think that you need to defer it until
14 there is more tangible information provided to
15 the people that are most impacted, which are
16 the current residents.

17 Thank you.

18 CHAIRMAN AIZENSTAT: Thank you.

19 MS. MENENDEZ: Philip Rinaldi.

20 MR. RINALDI: Philip Rinaldi, San Esteban
21 Avenue, Coral Gables. I'm here today as a
22 resident of -- both as a resident nearby and
23 part of a potentially impacted residential
24 community, and also as a broader residential
25 citizen of our City, and I have some concerns

1 over the scale and the magnitude of the
 2 development we're undergoing in this City and
 3 the impacts that it will have on the character
 4 of our City as we go forward, and as the
 5 previous speaker spoke, this is a very pretty,
 6 very attractive project, but it is yet again,
 7 orders of magnitude scaled much larger than
 8 what has historically been in areas adjacent to
 9 residential communities in our City.

10 First, I'd like to speak specifically to
 11 this project, and then I want to come back and
 12 speak more generally about this whole mixed-use
 13 overlay area that we're in the midst of. I'll
 14 address three issues, specific issues, with the
 15 project as presented.

16 The first is that the developer is seeking
 17 to increase the maximum height of their
 18 building, the habitable area of their building
 19 and the architectural area of the building.
 20 I'll focus on the habitable area, because that,
 21 in fact, is what drives their request. The
 22 request is to increase the maximum height of
 23 not only their building, but other potential
 24 buildings down the road, in order that they may
 25 increase the ceiling heights within the units

1 about the project has to do -- has to do with
 2 the curbside scale of the project, and this is
 3 an issue that I spoke before this Board in
 4 regard to the Merrick Manor project before the
 5 trolley garage fiasco, and I will speak to
 6 again here, and that is that these buildings
 7 are being built not only with significant
 8 height, which as a pedestrian, walking the
 9 street, is rather imposing, but also building
 10 out to -- literally almost out to the curb.

11 With or without a pedestrian arcade, this
 12 becomes an imposition on pedestrian traffic,
 13 and we are creating in this community the urban
 14 canyon effect, and one need not go any further
 15 than along Bird Road, where some projects are
 16 under construction, not necessarily in Coral
 17 Gables, but the effect is rather dramatic.

18 I have a feeling that in this regard, we
 19 are in fact becoming a little bit more like
 20 what happened with Downtown Dadeland, where the
 21 concept of building a thriving urban community
 22 has become significantly unattractive as we're
 23 surrounded by tall buildings and no open
 24 spaces.

25 Again, I would encourage the Board to look

1 for the purpose of making them more attractive
 2 to purchasers, or in the case if this was a
 3 rental property, renters, who are willing and
 4 capable of paying higher rents. The fact is
 5 that this increased height is an imposition on
 6 the residents, the existing residents of the
 7 City, with no direct benefit to us, but
 8 certainly will drive several percentage points
 9 in increased profitability of the project that
 10 they're proposing to build, okay? And that
 11 they have an alternative, which is to build the
 12 units with the higher ceilings, but without
 13 requesting that we sacrifice by giving them the
 14 additional 20 foot of habitable area -- I'm
 15 sorry, I can't get that word right -- and yet
 16 again, build this architectural enhancement,
 17 aesthetic enhancement, above the building, all
 18 of which is actually designed to increase the
 19 sale value and ongoing value of their building
 20 and their profitability.

21 I'd ask the Board to reserve judgment on
 22 this issue, and I will pursue with the City
 23 Commission, as well, that they would not
 24 approve this type of adjustment to our Codes.

25 The second point that I'd like to raise

1 at this project and its streetscape and how can
 2 it be made a little bit less imposing for the
 3 existing residential communities.

4 My third point concerns the vacation of the
 5 alleyway, and this alleyway, even though it may
 6 have only marginal use, is actually public
 7 land. It is not the property, the ownership
 8 property, of the adjacent original lots that
 9 were there. And this public land is being
 10 requested to be turned over to the developer,
 11 in order that they may build across this total
 12 area, and in exchange, they have repeatedly
 13 said today and their project presents that they
 14 are giving the City an easement through the
 15 center of the project and such easement will
 16 have public access. Well, the public access is
 17 of very little interest or use to citizens of
 18 this City unless they are using the commercial
 19 space or the residential space of that
 20 building. It's unlikely that people will elect
 21 to go for a stroll through the middle of The
 22 Collection Residences. Especially if we saw
 23 the picture and you're going into an arcade and
 24 it says Collection Residences above, one might
 25 assume this is not public space, but this is

1 private space, okay?
 2 So, in this case, I would suggest that the
 3 developer could be encouraged to take the one
 4 third of an acre plus that they are being, if
 5 you will, ceded by the citizens of the City of
 6 Coral Gables, and look at how to convert that
 7 to some green space that could create a niche
 8 park, perhaps a quarter of an acre, on one of
 9 the corners or in the middle of the project,
 10 someplace that is open green space for the
 11 citizens, and particularly the residents of
 12 this overlay area, okay? They showed a
 13 beautiful picture of the center mall, with
 14 reflecting pool and the swimming pool, and how
 15 beautiful that green space is, but of course,
 16 you realize that it's only available to the 126
 17 residences that they plan to sell for several
 18 million dollars, I assume.
 19 I think this is something that this Board
 20 needs to consider and the City Commission needs
 21 to consider, but this is an area that has no
 22 open public space, excluding what's available
 23 inside the Merrick Park mall itself.
 24 In closing, I'd like to touch briefly on a
 25 much broader aspect of this project in the

1 context of the many others that are going on
 2 around this area, and that is that as I
 3 understand it, in total, this area could add
 4 somewhere around three to five thousand
 5 residential units south of Bird Road and east
 6 of LeJeune Road, within the City of Coral
 7 Gables.
 8 I believe the overlay was designed with the
 9 assumption that these three to five thousand
 10 residential units would have residents who
 11 would use public transportation, principally
 12 Metrorail, to move to and from their work
 13 locations. History would show that very few of
 14 those residents actually can or will use public
 15 transportation to transit to and from their
 16 work, and so we are talking about, in total, in
 17 this area, somewhere probably between 4,000 and
 18 6,000 new vehicles transiting through our
 19 communities.
 20 When Merrick Park was being built, I came
 21 to understand that the LeJeune Road/Bird Road
 22 intersection, the Ponce/Bird Road intersection,
 23 these were all F intersections and that
 24 therefore the traffic could not get any worse.
 25 Well, the fact is, I've lived just adjacent to

1 the high school for 16 years, worked Downtown
 2 Coral Gables for most of those years. 15 years
 3 ago, 10 years ago, the drive from my home to
 4 Downtown and back, during rush hour, was
 5 probably 10 minutes. Now, to go to Actors
 6 Playhouse on a Thursday night, which is
 7 actually after rush hour, sometimes we have to
 8 allow 30 minutes, and certainly going Downtown
 9 to conduct business or have a lunch is a major
 10 ordeal. Transiting Bird Road from LeJeune to
 11 U.S. 1 is something short of a nightmare.
 12 So I think, in this Board looking at this
 13 project and taking into context the bigger
 14 issue of what it is we are building here, these
 15 126 units actually won't impact the traffic
 16 directly very much, but in the bigger context,
 17 we need to look at, how do we make this
 18 mixed-use overlay area a thriving urban
 19 community? And to do so, what we need is less
 20 vehicular traffic, green spaces where residents
 21 can come together, either taking their children
 22 out for a stroll, taking their dogs for a walk,
 23 going out to meet friends, instead of towers
 24 and fortresses of residential units that they
 25 then get in their cars and drive away from our

1 community.
 2 As the woman before spoke, most of the
 3 small businesses that we would assume would
 4 fill the commercial space have not thrived, and
 5 part of this is because there's absolutely no
 6 reason for someone to go walking through this
 7 neighborhood.
 8 The only trees in the area, ex (sic)
 9 Merrick Park, are actually planted in what used
 10 to be parking spaces. There's no green space.
 11 The sidewalks are not particularly friendly.
 12 It will be nice to have the little pebbles on
 13 the ground and better signs and countdown
 14 signals, but all of those things are
 15 principally designed so that this developer can
 16 build its 126 units and gain by taking the
 17 quality of life from existing residents and
 18 transferring that into several points of return
 19 on investment on their project.
 20 CHAIRMAN AIZENSTAT: Thank you.
 21 MR. RINALDI: I thank you for your time.
 22 I'm available to answer any questions, and if
 23 you wish at any time in the future to address
 24 these issues more broadly, thank you.
 25 CHAIRMAN AIZENSTAT: Thank you.

1 MS. MENENDEZ: Jim Dockerty.
 2 MR. DOCKERTY: Hi. My name is Jim
 3 Dockerty. I live at 1230 Catalonia. I own two
 4 buildings in the 4200 block of Ponce de Leon,
 5 so immediately south and east of the proposed
 6 development. I am in this neighborhood all the
 7 time, to meet with my tenants or to meet with
 8 prospective tenants. I walk the neighborhood
 9 all the time. I can tell you, the one thing
 10 this neighborhood sorely lacks and seriously
 11 needs is luxury residential units. The
 12 neighborhood between Bird and Ponce and U.S. 1
 13 is being filled, mostly on the City of Miami
 14 side, with small rental apartments. I know
 15 most of the property owners in that
 16 neighborhood, especially the ones that own
 17 retail buildings like I do, they want luxury
 18 residential units in this neighborhood. They
 19 really want them, and in order to sell large
 20 apartments, two, three, four thousand feet, you
 21 can't sell those with eight and a half or
 22 nine-foot ceilings. The interior scale does
 23 not work. So, in order to make these
 24 apartments attractive and meet the demands of
 25 buyers, they need the higher height.

1 porches, that's going to frame the entrance to
 2 our community. I understand that that's an
 3 entirely different jurisdiction and that's City
 4 of Miami, but I feel like our City should have
 5 deployed some attorneys and protected us a
 6 little bit there.
 7 But just because of what happened there, I
 8 wanted to make sure that the pedestrian arcade
 9 and the pavilion that's depicted fronting Bird
 10 Avenue, that the massing of those structures
 11 are appropriate and provide all available
 12 setback and aren't too massive and don't have
 13 any sort of -- of course, no glass or anything
 14 like that, that would cut off the pedestrian
 15 experience, although that frontage, I think,
 16 I'm mostly in favor of the project.
 17 Item 2, and this is where I have my
 18 strongest objection to the project, is the
 19 Zoning Code text amendment that will give this
 20 project the height that it needs to
 21 accommodate -- We've heard a lot about their
 22 habitable space and the luxurious 12-foot
 23 ceilings, but also it's to accommodate what's
 24 really a decorative structure at the very top,
 25 and I'm very concerned that we are changing our

1 So I'm strongly here in favor of the
 2 development. I think the trade-off of a
 3 20-foot height variance, especially with the
 4 building being back-loaded to the south side of
 5 the site, is a very good trade-off, and I
 6 support the project completely.
 7 CHAIRMAN AIZENSTAT: Thank you.
 8 MS. MENENDEZ: Paul Savage.
 9 MR. SAVAGE: Good evening, Members of the
 10 Board. My name is Paul Savage. I live at 522
 11 Villa Bella Avenue, which is the street
 12 immediately behind the Coral Gables High
 13 School. As you saw some of the renderings by
 14 the applicant, it's a beautiful building. I'm
 15 going to just divide quickly my remarks to the
 16 three items that are before the Board tonight.
 17 Item 1 is the mixed-use site plan.
 18 Just because I've been burned, if you will,
 19 by the jurisdiction of the City of Miami, as
 20 you come into Bird Road, a little bit east of
 21 this project, we've had some apartments built
 22 with zero setback, really, right in that area
 23 where Ponce and Bird Road cross, and when those
 24 buildings become occupied and everybody's grill
 25 and laundry and toys start to populate those

1 whole Zoning Code to allow for that structure.
 2 I don't think they need it, but if they want to
 3 have it, I think they should go get a variance.
 4 As a resident on Villa Bella Avenue, I'm very
 5 concerned that these gray areas that were
 6 depicted that are south of this project, closer
 7 to U.S. 1, near Villa Bella and those other
 8 areas, they're going to get this height
 9 increase. We don't know what those projects
 10 are. We're drafting legislation without
 11 knowing. So there's a loose analogy where
 12 sometimes groups can't get a statute passed, so
 13 they'll put a petition in front of you to amend
 14 the Florida Constitution and get what they want
 15 that way.
 16 Let them go get -- if they want the thing
 17 on the top, the decorative tower element, let
 18 them come back and get a variance, and I urge
 19 you to please pull that out of this project.
 20 You don't need to change the height for that
 21 whole area to the south of those buildings,
 22 that we don't know what they are yet, and I
 23 would caution you and urge you to please send
 24 this back and have them get a variance for that
 25 tower element, if they need it. It's a

1 classic, classic variance example.
 2 The alley vacation issue, I want to chime
 3 in with the other gentleman here that lives in
 4 the neighborhood, that there's thousands of
 5 square feet there that is public property. The
 6 public can enjoy it. We'll be giving it. The
 7 law is that they'll take to the center line;
 8 they own both sides. We're giving them that
 9 for a very luxurious, low-density -- and I'm
 10 glad that it's luxurious and low-density, but
 11 they're getting a lot of value there, and to
 12 come in with \$100,000 of crosswalk, I'm sorry,
 13 but I'm underwhelmed. We have a school right
 14 there that needs all kinds of things. You
 15 know, those are things that our own City should
 16 come in and do. We have money for that stuff.
 17 The FDOT should come in and do that. Whoever
 18 should do that should come in and do that. We
 19 should be embarrassed that it's not done,
 20 ourselves. We have money. We should do it.
 21 Let's really make sure that we're getting a
 22 value for that alley vacation. Let's make sure
 23 that if it's this easement, do we have rights,
 24 can I go there, can I walk there, like the
 25 gentleman said? Can I really traverse there,

1 CHAIRMAN AIZENSTAT: Thank you.
 2 MS. MENENDEZ: Jorge Navarro.
 3 MR. NAVARRO: Good evening, Board Members.
 4 Jorge Navarro, with offices at 333 Southeast
 5 Second Avenue, in Miami, Florida. I'm here
 6 this evening on behalf of a property owner in
 7 the area and stakeholder in the area, Mr. Oscar
 8 Roger, and Mr. Oscar Roger, Jr., who are part
 9 of the Roger Development Group.
 10 Mr. Roger was instrumental in the creation
 11 of the MXD overlay district, and along with our
 12 firm, we were able to create this district, and
 13 Mr. Roger actually developed the first project
 14 under the MXD district regulations, known as
 15 One Village Place. Since the creation of the
 16 MXD, the MXD district has truly flourished and
 17 has been transformed into an area where
 18 residents can live, work, shop and dine within
 19 close proximity to one another.
 20 As a property owner in the area, we are in
 21 favor and in full support of this project. We
 22 believe the project is a significant
 23 enhancement to the area and is in line with the
 24 City's vision for what the MXD district is
 25 supposed -- supposed to be. Sorry, I

1 or is it going to be this sensation of, the
 2 valet is there for the residents, who can't
 3 seem to, you know, deign to walk through an
 4 eight-foot door, they need a 12-foot door.
 5 Okay, fine. Come in and give us some value for
 6 our public easement, for our alleyway.
 7 But, to conclude -- I appreciate the time
 8 you've given me. To conclude, the most
 9 egregious thing I see here is the Zoning Code
 10 text amendment. It's a classic variance. Do
 11 not rezone those other southern parcels, where
 12 we don't know what's going there, and by the
 13 way, on the notice -- you know, the other
 14 resident was here. This is the notice we got.
 15 It's a little tiny thing about the street --
 16 about the alley vacation, very innocuous.
 17 There's nothing here that would suggest that
 18 we're building a whole block, and most
 19 egregiously, we're up-zoning the height of a
 20 whole other area to the south.
 21 So I urge you, again, there's been
 22 inadequate notice of that activity, and I urge
 23 you to please pull that out of the current
 24 application.
 25 Thank you very much.

1 apologize.
 2 Also, we're in support of the proposed Code
 3 changes. We believe these changes will lead to
 4 a better quality unit and better quality
 5 projects within the mixed-use district. These
 6 changes to the Code are going to allow
 7 architects the design flexibility that is
 8 necessary in order to create a better quality
 9 project. The situation that you have today is,
 10 when architects are going to design a project,
 11 in order to have these greater floor to height
 12 ceilings, you have to take away height from
 13 other portions of the building, and when this
 14 happens, what suffers is the parking pedestal.
 15 Most architects will take away from the parking
 16 pedestal, which allows for less clearance for
 17 residents, for visitors and for vehicular
 18 traffic to circulate within the drive aisles.
 19 This amendment will help alleviate sacrifices
 20 in design and lead to a better overall project
 21 design.
 22 Secondly, with the larger floor to height
 23 ceilings, you can have a really nice, luxurious
 24 unit and a more spacious unit, which leads to
 25 overall better quality of life for your

1 residents and for the families who are going to
2 live in these units.

3 Lastly, we believe the variations in design
4 and in building height within the area is an
5 enhancement. We believe that this project and
6 these changes are going to lead to better
7 projects and to a more luxurious mix of units
8 within the MXD, and we would ask that you
9 consider approving both these items here this
10 evening. Thank you very much.

11 CHAIRMAN AIZENSTAT: Thank you.

12 MS. MENENDEZ: No more speakers.

13 CHAIRMAN AIZENSTAT: Mario?

14 MR. GARCIA-SERRA: Mr. Chair, if there's no
15 further public comment, I'd like to just take a
16 few minutes to respond to some of the
17 objections and concerns that were raised during
18 the public hearing.

19 The first one, and a very important one, is
20 this allegation of lack of notice. As you
21 know, your Staff does an excellent job of
22 sending out notices of each of these hearings.
23 They're put in the mail 14 days before the
24 hearing and sent out to everyone within the
25 notice radius, and I'm sure that, if necessary,

1 you could have one of your Staff persons
2 testify as to the fact that these notices were
3 sent out through the usual course.

4 The next concern that was expressed was the
5 issue of traffic. In other words, these 126
6 units are going to generate so much traffic
7 that it would complicate the traffic situation
8 even further. Well, as we know very well here
9 in Coral Gables, unfortunately, due to our
10 geographic location, in the middle of the
11 county, we get a lot of cross-county traffic,
12 of course, from people who do not live or work
13 in Coral Gables, but live west of us and work
14 east of us and then have to do the usual
15 commute to Downtown and back every day. These
16 126 units -- remember, on a property that's
17 permitted to have about 350 units -- are far
18 less of a traffic impact than what could
19 potentially be built on this project -- on this
20 property if they were to maximize the amount of
21 density.

22 The traffic study, of course, was prepared
23 and diligently reviewed by the City and its
24 outside traffic consultant, and has certain
25 recommendations and improvements which need to

1 be done, which, of course, Tim Plummer, our
2 traffic engineer, could address further if you
3 would like, but this is not a project which is
4 a big traffic contributor. It's a project, if
5 anything, that's trying to enhance the
6 situation as much as possible within the area.

7 Issue was brought up as to how much of an
8 increase in tax income would there be to the
9 City. It was in the materials submitted as
10 part of the application. We're estimating that
11 it will be approximately a one million dollar
12 increase in revenue to the City every year, as
13 a result of this project.

14 Mention was made of the fact that
15 ground-floor retail in the area is struggling,
16 that there are some empty spaces. Because of
17 that issue, we are having ground-floor spaces
18 which are generally either live/work units or
19 offices, so as to address that concern,
20 realizing that the area perhaps is not ready
21 for more retail, but could have more office
22 space included in there.

23 There was objections made to the potential
24 scale or magnitude of the development. As you
25 know, there's usually three measures for that,

1 density, FAR and height. On the issue of
2 density, we are way below the maximum
3 permitted. FAR, we're at what is permitted,
4 which is 3.5. And in height, we are asking for
5 an increase in height, but again, not to
6 increase floor area or density, but to increase
7 the quality of the units. And if you notice
8 where that height is, that increased height is
9 all on the south end of the property, in the
10 heart of the former industrial district, new
11 mixed-use district, and away from the
12 residential areas, thereby trying to minimize
13 the impact.

14 There's sort of overall objections, also, I
15 think, to the mixed-use district and whether we
16 should have it or not. I would submit to you
17 that the mixed-use district has been one of the
18 most successful amendments to the Zoning Code
19 done in the history of the City, when you
20 consider what that area was before, when it was
21 an industrial area, really not a well regarded
22 part of the City, or an area that was connected
23 aesthetically or functionally to the rest of
24 the City, and today, with the Village of
25 Merrick Park anchoring it, is indeed one of the

1 most promising, thriving areas in the City and
 2 an area which is ideal for redevelopment, when
 3 you consider the mass transit in the area, when
 4 you consider the major roadways that go through
 5 it, and the other areas which it's in close
 6 proximity to, such as Dixie Highway and the
 7 Downtown Central Business District.

8 Going on to Mr. Savage's concerns, the
 9 setback on Bird, there's 12 feet of width of
 10 public City sidewalk area, then another 17 feet
 11 of arcade, for a total of 29 -- excuse me, no,
 12 30 -- no, that's 29 feet, almost 30 feet of
 13 publicly -- public pedestrian area.

14 Importantly, also, his allegation that this
 15 should be a variance and not a Code amendment,
 16 I think is not right from a legal perspective.
 17 If you look at the criteria for variances in
 18 Coral Gables, a hardship is required to be
 19 demonstrated. I think it's very difficult to
 20 establish a hardship when you're saying that
 21 you want additional height for residences, for
 22 residential units.

23 So, indeed, I think the appropriate thing
 24 to do here, from a legal perspective, and what
 25 is more defensible on legal grounds, is an

1 amendment to the Zoning Code, which indeed is
 2 not going to be applicable just to our
 3 property; it's going to be applicable, perhaps,
 4 to other properties that can go forward and
 5 request this additional height, but again, a
 6 Code amendment drafted in a way so that the
 7 area that could possibly request that
 8 additional height are areas within the center
 9 of the mixed-use district or fronting South
 10 Dixie Highway. I can think of no better places
 11 in the City where an additional 20 feet of
 12 height, which is going to result just in better
 13 units and not in additional density or floor
 14 area, should be permitted.

15 And lastly, you know, the easement that
 16 we're proffering, the west-east drive that we
 17 have in the project, it's not done just as an
 18 empty gesture. If you think of it from your
 19 own experience, at least my experience, I find
 20 myself utilizing the paseos, the cross-block
 21 paseos that are part of the new developments,
 22 much more so than I ever see myself walking
 23 down alleys in the City. I think, indeed, you
 24 know, it is a real public benefit, especially
 25 in combination with all the other public

1 benefits that we are proffering, and it's going
 2 to be open to the public, to anybody who just
 3 needs to cross that block and is in the middle
 4 of the block, as well as if an emergency
 5 vehicle needs to get through there, it can get
 6 through there, or anybody else's car that needs
 7 to drive through there.

8 So, in closing, I would just ask you to,
 9 again, follow your Staff's recommendation,
 10 which is the competent, substantial evidence
 11 that we have in the record of the
 12 appropriateness of this project and why the
 13 request for a different zoning approval should
 14 be approved, and of course, we're available to
 15 discuss any of these conditions of approval or
 16 any of the issues that you might have. I want
 17 to also respect your time and not be up here
 18 the whole evening, so I will now cede it over
 19 for your discussion.

20 CHAIRMAN AIZENSTAT: Thank you.

21 MR. LEEN: Mr. Chair, I'd like to add one
 22 point. I don't want to get involved with the
 23 debate, but I do want to just point out that
 24 the -- because the notice issue was raised, for
 25 purposes of the record, if you look at Tab 5,

1 and they're labeled Attachment D and Attachment
 2 E, what you will see is, first, a publication
 3 in the Miami Daily Business Review and a
 4 certification that it was published, and it has
 5 the three different items, and then you also
 6 see, in Attachment E, a courtesy notice that
 7 was sent out to people within 1500 feet of the
 8 project and also in the mixed-use overlay
 9 district.

10 And I've taken a look at the Zoning Code.
 11 If anything, this is beyond what's required by
 12 the Zoning Code, because for a text amendment
 13 to the Zoning Code, according to the Zoning
 14 Code, you only need to do it by publication.
 15 So not only was a publication done, and of
 16 course, there was a site plan, which there
 17 needs to be a notice and publication, but this
 18 was done for all three, and also, I would just
 19 note that the Zoning Code says that the failure
 20 to comply with this does not invalidate
 21 anything that's done. However, at least in
 22 what I'm reviewing, it was clearly done here.

23 Now, residents have mentioned in the past,
 24 sometimes they don't see the notice or, you
 25 know, maybe they don't see it in the newspaper,

1 but I just want to make it clear for the record
2 that it complies with our Code. What's in the
3 record complies with our Zoning Code.

4 MR. TRIAS: And, Mr. Chairman, Pages 24 and
5 25 of the Staff report outline the different
6 notices. In addition to what the attorney
7 said, there was a notice for the alley vacation
8 by itself, but that was an additional notice,
9 in addition to courtesy notice for the project.

10 CHAIRMAN AIZENSTAT: Craig, is it normally
11 a thousand feet? You're saying that we noticed
12 1500 feet. So it's larger than normal, the
13 radius?

14 MS. ALBERRO MENENDEZ: No, I think it's
15 fifteen.

16 MR. LEEN: I was just looking at what it
17 states in the report, which is that we gave a
18 1500-foot courtesy notice.

19 CHAIRMAN AIZENSTAT: Right, but normally --

20 MR. LEEN: Traditional.

21 CHAIRMAN AIZENSTAT: Traditional is a
22 thousand, so you went further?

23 MR. GARCIA-SERRA: Correct. The mixed-use
24 district is unique in the City of Coral Gables,
25 in that for projects within the mixed-use

1 sent out to everyone in the notice area, and
2 then we had individual meetings with those that
3 requested them of us.

4 CHAIRMAN AIZENSTAT: Okay, thank you.

5 The public comment is closed at this time.

6 We're going to go ahead and open it up for
7 Board discussion.

8 MS. ALBERRO MENENDEZ: I have a question.

9 CHAIRMAN AIZENSTAT: Yes, please.

10 MS. ALBERRO MENENDEZ: I have a question
11 related to the alley. I don't know who can
12 answer it. It's this particular sheet.

13 On this sheet, which is Page I.5, which is
14 the alley vacation, the existing condition
15 identifies the alley space as 16,050 square
16 feet, and then it says as the existing
17 condition, the buildable site area is 106,980
18 square feet, with a maximum FAR of 374,430.
19 Then you have the proposed, I guess, building
20 site, and that has -- including the alley, I
21 would imagine, is -- building site area,
22 123,030 square feet. Then the FAR jumps to
23 430,605.

24 Am I to conclude that they are using the
25 square footage from the alley --

1 district, you have to give notice, not from a
2 thousand feet from the property, which is
3 usually required for every other sort of zoning
4 approval, but 1500 feet from the boundaries of
5 either the north or the south mixed-use
6 district. So it's a far larger area that is
7 notified when doing mixed-use projects, and Mr.
8 Trias is correct, also, aside from sort of the
9 zoning process we were going through, we were
10 also going through a Public Works process for
11 the alley vacation, and they require another
12 notice within a thousand feet of the property.
13 So, in some cases, you had owners within a
14 thousand feet of the property receiving two
15 notices of this hearing, not one, in the mail,
16 aside from whatever was published in the
17 newspaper, aside from the fact, also, that we
18 had a neighborhood meeting back in October of
19 last year with everyone within the notice
20 radius, also.

21 CHAIRMAN AIZENSTAT: Did you only have one
22 meeting, or did you have more than one meeting?

23 Please sit down.

24 Did you have more than one meeting or --

25 MR. GARCIA-SERRA: One meeting that was

1 MR. TRIAS: Yes.

2 MS. ALBERRO MENENDEZ: -- towards their
3 FAR?

4 MR. TRIAS: Your analysis is correct.

5 MS. ALBERRO MENENDEZ: So they're
6 benefiting from the alley, of course, and then
7 the easement is also part of that FAR. So,
8 when you look at the existing condition FAR,
9 which is at 374,430, and then you add in the
10 alley, which then goes to 390,480, it still
11 says that the proposed project has a square
12 footage of 430,605, so am I to assume that
13 that's the additional habitable space?

14 MR. TRIAS: Yes.

15 MS. ALBERRO MENENDEZ: Okay, so there is
16 additional FAR being gained as a result of the
17 additional habitable space?

18 MR. TRIAS: Yes. The alley, yes, absolutely.

19 MS. ALBERRO MENENDEZ: Well, the alley, but
20 I'm also questioning, because the alley only
21 brings it up to 390 -- 390,480, so my question
22 is -- because what was stated before by the
23 applicant is that there's no additional FAR as
24 a result of the additional height, but there's
25 a difference there of 390 to the 430. So I'm

1 wondering, that's about 40,000 square feet, so
2 is that a result of the habitable -- increase
3 in habitable space? Or where is it coming
4 from?

5 MR. GARCIA-SERRA: If you want --

6 MR. TRIAS: Yes.

7 MR. GARCIA-SERRA: -- I could address that.

8 Indeed, we are vacating the alley and the alley
9 is becoming part of the project site --

10 MS. ALBERRO MENENDEZ: Right.

11 MR. GARCIA-SERRA: -- because ownership is
12 reverting and we are getting the benefit of
13 that, which is probably about 56,000 square
14 feet.

15 MS. ALBERRO MENENDEZ: No -- well, it says
16 here, the alley square footage is 16,050.

17 MR. GARCIA-SERRA: Right.

18 MS. ALBERRO MENENDEZ: That's what this
19 paper says.

20 MR. GARCIA-SERRA: Right.

21 MR. FLANAGAN: It's FAR.

22 MR. GARCIA-SERRA: Then you multiply that
23 by 3.5 --

24 MS. ALBERRO MENENDEZ: Oh, okay. Then it
25 ends up being an FAR of --

1 MR. GARCIA-SERRA: Perhaps, I don't know,
2 decorated with some planters and so forth, but
3 there isn't anything -- you know, there isn't
4 such a water fountain or anything like that, as
5 far as I know. You know, there's some --

6 MS. ALBERRO MENENDEZ: It's just that I
7 don't see anything --

8 MR. GARCIA-SERRA: -- things we could
9 potentially put in there, if it's of interest.

10 MS. ALBERRO MENENDEZ: I just don't see
11 anything really encouraging public use, outside
12 of just walking from Point A to Point B, to get
13 across the building.

14 MR. GARCIA-SERRA: Alejandro might have
15 something to add here.

16 MR. GONZALEZ: Just to elaborate on that a
17 little bit more, on the ground floor -- What
18 are we up to?

19 We are -- as was mentioned before, we are
20 providing cross-block access, which is
21 something, actually, that's a lot more
22 beneficial to pedestrians than going across
23 this way. We're actually shortening the block
24 in half, essentially. We're providing a
25 29-foot paseo -- So we're providing a 29-foot

1 MR. GARCIA-SERRA: 3.5, and that gets you
2 to 56,000 square feet. So indeed we have an
3 additional floor area of about 56,000 square
4 feet resulting from the vacation of the alley,
5 but it's the vacation of the alley. It's not
6 because of any extra height that we might be
7 requesting.

8 MS. ALBERRO MENENDEZ: The height? No
9 height?

10 MR. GARCIA-SERRA: No.

11 MS. ALBERRO MENENDEZ: Okay, I understand
12 that now. Thank you. Let me ask you, the
13 easement, then, is also part of the FAR --

14 MR. GARCIA-SERRA: Right.

15 MS. ALBERRO MENENDEZ: -- because it's an
16 easement?

17 MR. GARCIA-SERRA: Right.

18 MS. ALBERRO MENENDEZ: In that easement
19 area, which you say it's a public easement,
20 what kind of public amenities are you
21 providing?

22 MR. GARCIA-SERRA: There is a walkway.
23 There's a paseo walkway.

24 MS. ALBERRO MENENDEZ: Just the paseo
25 itself?

1 paseo that actually accommodates benches and
2 seating areas. This area is also to be
3 vegetated. There is a very large kind of
4 ceiling height in this space, so it's a covered
5 space that, you know, will be open constantly
6 and available to all residents.

7 Along the front of this, we also include a
8 covered arcade that would allow pedestrians
9 walking along Bird to be able to be covered as
10 they're walking through. That's a 12-foot
11 arcade, both of these kind of exceeding any
12 kind of requirement that we would have.

13 In addition to that, we are providing a
14 courtyard entry to the residents, which is also
15 available to the public. You know, this is an
16 open space that's covered, as well.

17 Some of the other improvements that we've
18 done along the site, on the ground floor,
19 besides setting back -- although we're not
20 required to set back at all, we've actually
21 introduced a green buffer along both of these
22 streets, Aurora and Salzedo.

23 In addition to that, we're beautifying with
24 landscaping, lighting and seating along all
25 sides -- all three of these sides. This has a

1 very different kind of feel, because it's a
2 much larger street and a heavily trafficked
3 street. So, by providing that arcade, we're
4 also kind of providing a safer place for people
5 to walk across here, as well.

6 In addition to that, some of the other
7 aspects that we're providing, in terms of site
8 improvements, related to the alley vacation,
9 all of the crosswalks are being redone, and
10 being redone with pavers, as opposed to just
11 striping, which is all that would need to be
12 done. We're also -- All the intersections have
13 been redesigned, landscaped, as well. We're
14 also including additional landscaping to this
15 side of the street, which is currently absent
16 of any of that landscaping. A lot of this over
17 here, as you know, is empty. This is just
18 striped. We're offering to beautify this, as
19 well, as well as all four corners of the site.

20 So those are some of the public amenities,
21 besides, you know, a lot of things, like bike
22 racks are located on both of these publicly
23 accessible areas.

24 MS. ALBERRO MENENDEZ: But no thought
25 process as far as a green area for the public,

1 the majority of this Board sees fit, we can be
2 instructed that, I don't know, some sort of
3 split of that money could go between the Art in
4 Public Places and park improvement, green space
5 improvement, off-site.

6 MS. ALBERRO MENENDEZ: It would be great to
7 identify, though, some space that could be
8 considered for that purpose.

9 MR. GARCIA-SERRA: It would, of course,
10 take more time to do that.

11 MS. ALBERRO MENENDEZ: I'm sorry?

12 MR. GARCIA-SERRA: It would take more time
13 for us to do that --

14 MS. ALBERRO MENENDEZ: I understand, but --

15 MR. GARCIA-SERRA: -- but we could figure
16 that out.

17 MS. ALBERRO MENENDEZ: -- I just think that
18 it's missing some more public component, that
19 would benefit the public in the area.

20 MR. LEEN: I'd like to comment on that.

21 You do have the authority to require it.

22 MS. ALBERRO MENENDEZ: I understand.

23 MR. LEEN: You would need to recommend it,
24 if you do that.

25 MS. ALBERRO MENENDEZ: Thank you.

1 even if it's not -- I can understand you have a
2 beautiful development that you're trying to
3 have like an upper scale, but why not off-site?
4 Why not identify something that's purchased for
5 the purpose of providing a public park or some
6 green area to enhance that --

7 MR. GARCIA-SERRA: You know, we will have
8 a --

9 MS. ALBERRO MENENDEZ: Kind of like to help
10 the alley that you're benefiting from.

11 MR. GARCIA-SERRA: I see where you're
12 coming from. You know, there is a requirement,
13 of course, for Art in Public Places here, one
14 percent of the hard construction cost, and for
15 the size of this project, it will be a pretty
16 significant amount. There is a possibility as
17 to part of the Art in Public Places process,
18 that some of that money -- one of the few
19 things that you can use it for, other than art,
20 is for acquisition of land or improvement of
21 land for park purposes.

22 MS. ALBERRO MENENDEZ: But it's not part of
23 your development. You're just saying that part
24 of your contribution could be towards that?

25 MR. GARCIA-SERRA: Exactly. You know, if

1 I'm okay for now.

2 CHAIRMAN AIZENSTAT: Jeff?

3 MR. FLANAGAN: I don't know if this is for
4 the applicant or for Staff, but how many
5 on-street parking spaces are being lost,
6 excluding the parking that's in the current
7 alleyway?

8 MR. GARCIA-SERRA: 42.

9 MR. FLANAGAN: 42?

10 MR. GARCIA-SERRA: Uh-huh. 42 spaces are
11 the total that's available on-street right now
12 or in the alley, which are being lost.

13 MR. FLANAGAN: Okay, let's forget the
14 alley, though. Other than the alley spaces,
15 are any being lost --

16 MR. GARCIA-SERRA: On the street?

17 MR. FLANAGAN: -- on the street?

18 MR. GARCIA-SERRA: There are, but let me
19 see if Staff has a breakdown on that number.

20 MR. GONZALEZ: The 42 is inclusive of all,
21 on-street and alley. I don't have the split.

22 MR. GARCIA-SERRA: You know what? I think
23 it is indicated in our survey. Do we have our
24 survey?

25 MR. GONZALEZ: Yeah. Let me get it.

1 MR. GARCIA-SERRA: We'll get back to you on
 2 that one.
 3 MR. FLANAGAN: Okay, we'll come back to
 4 that.
 5 I just want to be clear. You've got the 14
 6 live/work units. Is it 112 units, total?
 7 MR. GARCIA-SERRA: No.
 8 MR. GONZALEZ: It's 126 units, total, 14 of
 9 those being live/work.
 10 MR. FLANAGAN: All right, so it's 112?
 11 MR. GONZALEZ: 112 residential units, 14
 12 live/work units.
 13 MR. FLANAGAN: Okay. I read somewhere -- I
 14 saw the phrase, and I forget where, 112
 15 multi-family units, so I didn't know if we were
 16 talking -- It's a multi-family building, I
 17 understand that, but I just want to make sure
 18 we're talking 112 units in the building plus
 19 the 14 live/work.
 20 MR. GARCIA-SERRA: Correct.
 21 MR. FLANAGAN: Okay. Do we know, what's
 22 the height of The Collection building to the
 23 west?
 24 MR. GARCIA-SERRA: Yes. We had a --
 25 MR. FLANAGAN: We saw that, but I'm not

1 very top of roof, would be 100, and
 2 architectural feature, 125.
 3 MR. FLANAGAN: Okay. On the commercial --
 4 You've got, it looks like, two commercial
 5 spaces on the corners, on Bird Road?
 6 MR. GARCIA-SERRA: Right.
 7 MR. FLANAGAN: I'm sure you don't have any
 8 hard commitments for those at this point, but
 9 it looks like, according to the plans, you've
 10 got some vision for it?
 11 MR. GARCIA-SERRA: Right.
 12 MR. FLANAGAN: Are those going to remain as
 13 larger spaces, or are those going to be broken
 14 down? And I ask because when you look at the
 15 other retail spaces in the other mixed-use
 16 projects, there's a lot of dark space.
 17 MR. GARCIA-SERRA: I know.
 18 MR. FLANAGAN: You go immediately to the
 19 west, and unfortunately, I mean, I only saw, I
 20 think, two nights ago, that finally one of the
 21 storefronts on Bird on the corner had lights
 22 on, so it looks like somebody was finishing
 23 their work, but all of that has sat vacant, all
 24 these years, which is very sad, and the same
 25 thing, I think Gables Ponce, other than a

1 remembering, and then the height of the
 2 building to -- sorry, The Collection to the
 3 east and then the height of the building
 4 immediately to the west.
 5 MR. GARCIA-SERRA: Let me find that graphic
 6 for you, so we can take a look at it.
 7 Okay, as you can see, The Collection
 8 dealership and office building, to the top of
 9 the roof or the top of slab, as it's referenced
 10 there, is 117 feet. Our building, our proposed
 11 top of slab is 115 and a half feet.
 12 Going back to The Collection office
 13 building and dealership, you go to the top of
 14 the architectural feature, it's 147. The top
 15 of our architectural feature is 175.
 16 MR. FLANAGAN: Okay.
 17 MR. GARCIA-SERRA: Now, the other building,
 18 to our west, which is the One Village Place
 19 project, that one would be, to top of roof,
 20 100, and to top of architectural feature, if my
 21 memory serves me correctly, and it's been
 22 awhile, I would say it's probably 125.
 23 MR. FLANAGAN: And then, if your memory is
 24 good, what's Merrick Manor, the one on LeJeune?
 25 MR. GARCIA-SERRA: Merrick Manor, to the

1 couple of the bigger spaces, still has all
 2 vacancies.
 3 So there's a concern. It's one thing to
 4 put them there and create the illusion of an
 5 amenity or some convenient retail space, but
 6 when they just sit black the entire time, I
 7 think it becomes a huge eyesore. So, you know,
 8 we've heard it before that you need a certain
 9 mass, you need a certain amount of square
 10 footage in order to create the draw and get the
 11 people there, rather than these very small,
 12 narrow spaces, so there's a big concern in my
 13 mind that these are actually going to be
 14 functioning, using occupied spaces, and not
 15 just something with brown paper on the front
 16 window.
 17 MR. GONZALEZ: Yeah. So, I mean, one of
 18 the --
 19 MR. GARCIA-SERRA: The commercial on the
 20 ground floor, let me address it.
 21 Indeed, that concern of not having dark
 22 retail spaces has guided this project to a
 23 great extent. That's why, when you look at the
 24 ground floor, it's not all retail, like it is
 25 in other projects. A very significant

1 component is live/work units and office, and so
 2 what is retail is the frontage on Bird, and
 3 they're larger spaces, and indeed, that was
 4 done on purpose. If retail is going to succeed
 5 in this area, the frontage on Bird helps
 6 tremendously, and the idea is, of course, to
 7 have large tenants that can really provide
 8 services to the community and be sort of that
 9 point where, once that critical mass is there,
 10 people are going there for their everyday
 11 needs.

12 I don't know if you have anything else to
 13 add to that.

14 MR. GONZALEZ: What I wanted to add is just
 15 in general, I mean, to that concept. Retail is
 16 always going to thrive where you've got retail
 17 on both sides of the street. So part of the
 18 reason maybe it's not successful to the south
 19 is because currently, what's there, there's no
 20 retail. So the minute we're introducing retail
 21 along the south street, as well, that street,
 22 by having these additional retail components,
 23 that's going to help the retail, in general,
 24 thrive better. And because we're introducing
 25 this type of retail along the longer streets,

1 traffic on Bird Road, the presence it has on
 2 that type of road, warrants for this scale of
 3 retail, this size of tenant. They might have
 4 better ideas on how they want to occupy those,
 5 but in fact, we feel that that scale of retail
 6 is proportionate to Bird Road.

7 MR. FLANAGAN: I have no problem with the
 8 scale. I'm just expressing my concern --

9 MR. GARCIA-SERRA: Sure.

10 MR. FLANAGAN: -- that as you drive down
 11 these streets and Bird Road, and all you see is
 12 dark, unused retail space, it's a tragedy. I
 13 mean, it's a tragedy for the property owner,
 14 because you're not collecting rents, and it's
 15 just an eyesore to not have any activity or
 16 have it lit up. So I'm just expressing my
 17 thought process and my concern. I don't have a
 18 problem with the size. I don't have a problem
 19 with it there; I think, obviously, retail is
 20 appropriate there. It's just doing whatever
 21 needs to be done to make sure it's going to be
 22 functional.

23 MR. GARCIA-SERRA: Understood.

24 MR. FLANAGAN: We'll get back to the
 25 parking space question.

1 by combining the residential and live/work,
 2 it's going to provide a very unique situation,
 3 where you're going to have both of these. You
 4 know, it's kind of the intent of the mixed-use,
 5 the live/work units. You're going to have both
 6 of these things functioning simultaneously.

7 MR. FLANAGAN: I mean, I've got no doubt
 8 that the retail on the south side is going to
 9 work, because the building to the west, the
 10 only retail that seems to work is the stuff
 11 that's closest to Merrick Park, so you do have
 12 that kind of overflow or cross traffic. It's
 13 the Bird Road side that I'm having a concern
 14 with, especially because you've got one
 15 commercial space at 20,000 square feet and the
 16 other at 12,000, and I see you've got Market
 17 listed on one. Did I see, it looks like, an
 18 expansion of the car dealership going into the
 19 other? What's the intent of those spaces?

20 MR. GONZALEZ: I mean, I'd let ownership
 21 speak about the intent, but the benefit of
 22 having retail off of Bird, I mean, the size of
 23 the tenant is scaled to the exposure to that
 24 street, the amount of traffic on that street,
 25 on Bird Road. The traffic, the speed of

1 MR. GARCIA-SERRA: Did you figure out how
 2 many parking spaces that we have?

3 MR. GONZALEZ: We estimated there were 26
 4 on the street, 16 in the alley.

5 MR. FLANAGAN: Wow. So how are those being
 6 replaced for the public?

7 MR. GARCIA-SERRA: We are providing 42
 8 replacement parking spaces on the third level
 9 of the parking garage, which is the first level
 10 of the parking garage accessible from the
 11 public, and Alejandro, if you can go to that
 12 floor plan and indicate where exactly the 42
 13 spaces are.

14 MR. FLANAGAN: But did I also read that
 15 that was going to be permit --

16 MR. GARCIA-SERRA: Correct.

17 MR. FLANAGAN: -- parking for the City, so
 18 I can't pull in and pay a meter?

19 MR. GARCIA-SERRA: Well, you can in other
 20 spaces, but those 42 spaces in particular are
 21 going to be managed by the City as part of
 22 their permit parking program.

23 MR. FLANAGAN: So what other spaces could I
 24 pull into?

25 MR. GARCIA-SERRA: There's the -- We're

1 considerably overparked. I mean, we've got
 2 about five hundred and -- how many spaces?
 3 MR. GONZALEZ: 568 spots.
 4 MR. GARCIA-SERRA: We're overparked by over
 5 150 spaces.
 6 MR. FLANAGAN: Because if you go in that
 7 area many times a day in the week, if you have,
 8 Mario, I mean, parking's hard to find.
 9 MR. GARCIA-SERRA: Yeah, sure.
 10 MR. GONZALEZ: We're required to have 380,
 11 and we're providing 568.
 12 MR. FLANAGAN: But that will be available
 13 to the public to use?
 14 MR. GARCIA-SERRA: Some portion is
 15 residential, of course. You know, whatever
 16 amount is going to be residential is going to
 17 be for the use of the residences, but the rest
 18 is open to the general public.
 19 CHAIRMAN AIZENSTAT: Let me just ask a
 20 question, Jeff, if I may.
 21 Just going on what he's talking about, the
 22 parking spaces, does The Collection plan on
 23 parking any of their vehicles in that garage?
 24 MR. GARCIA-SERRA: As of right now, the
 25 decision hasn't been made yet, what those extra

1 available either to the public or to the
 2 project, as far as the tenants that are going
 3 in.
 4 MR. GARCIA-SERRA: Yeah. Well, from a
 5 legal perspective, parking that is required for
 6 particular uses, we can't be using that,
 7 leasing that off to --
 8 CHAIRMAN AIZENSTAT: No, I understand that.
 9 MR. GARCIA-SERRA: -- even a related entity
 10 and, you know, putting parking in there.
 11 CHAIRMAN AIZENSTAT: But if you take a look
 12 at a market, for example -- You've got 20,000
 13 square foot for the market.
 14 MR. GARCIA-SERRA: Right.
 15 CHAIRMAN AIZENSTAT: That's not a big size
 16 for a market going in. In other words, you're
 17 not going to attract a certain type of markets
 18 that are going in there. Are you looking --
 19 When we talk about a market, are you looking
 20 for a boutique style? Are you looking for some
 21 kind of a 7-Eleven style, even though that's
 22 way too big? I'm just curious, what --
 23 MR. GARCIA-SERRA: There's already one next
 24 door.
 25 MR. GONZALEZ: It would be like a boutique

1 parking spaces would be used for. You know, it
 2 also depends on what we'd be getting as part of
 3 the retail uses, which was sort of what Jeff
 4 was talking about earlier. You can see from
 5 our plans what our aspirations are for those
 6 two big spaces would be some sort of food
 7 market and potentially a car showroom, in which
 8 case, if that's the situation, and The
 9 Collection is the one operating that showroom,
 10 then there would be parking spaces used within
 11 the garage for inventory.
 12 CHAIRMAN AIZENSTAT: The reason I asked
 13 that is because as it is now, The Collection
 14 parks their vehicles off of U.S. 1 --
 15 MR. GARCIA-SERRA: Right.
 16 CHAIRMAN AIZENSTAT: -- in the old Ford
 17 dealership. That's going to become a project
 18 at some point.
 19 MR. GARCIA-SERRA: Right.
 20 CHAIRMAN AIZENSTAT: Their space is limited
 21 in the garage that they have below their
 22 facility. So, even though we look at this
 23 project and we see that you have an abundance
 24 of parking, I would just be concerned that that
 25 is used by the dealership and not really

1 market, something like a small Fresh Market.
 2 CHAIRMAN AIZENSTAT: Like a boutique,
 3 high-end --
 4 MR. GONZALEZ: Some high-end, yeah.
 5 CHAIRMAN AIZENSTAT: Okay. I just wanted
 6 to find out, because that's going to require --
 7 I don't know what the parking -- well, I don't
 8 know what the parking requirements are for a
 9 market, but I have to assume that you're going
 10 to need quite a bit of parking --
 11 MR. GARCIA-SERRA: Right.
 12 CHAIRMAN AIZENSTAT: -- for that 20,000
 13 square feet. If that's the case, then that
 14 will mandate the use of the parking spaces?
 15 MR. GARCIA-SERRA: If we're trying to put
 16 in a use that we have not parked right now
 17 under these plans and it requires more parking,
 18 then we have to use the parking spaces that are
 19 available there, the extra.
 20 CHAIRMAN AIZENSTAT: Okay. I just want to
 21 be clear on that. Go ahead, continue. I'm
 22 sorry.
 23 MS. ALBERRO MENENDEZ: Can I just ask one
 24 question? The garage itself, where you're
 25 going to have the public spaces, are you going

1 to have it dedicated to the public? In other
 2 words, do you have a level that's dedicated to
 3 public, or is it mixed in with everybody else?
 4 MR. GARCIA-SERRA: There's other general
 5 parking spaces there, also, too, if you can
 6 show them.
 7 MS. ALBERRO MENENDEZ: But is it on one
 8 level --
 9 MR. GARCIA-SERRA: Right.
 10 MS. ALBERRO MENENDEZ: -- or is it in
 11 various levels?
 12 MR. GONZALEZ: No, it's on one level.
 13 MS. ALBERRO MENENDEZ: What level is that?
 14 MR. GONZALEZ: The third floor.
 15 MS. ALBERRO MENENDEZ: Okay.
 16 MR. GONZALEZ: The first level you park at
 17 above grade.
 18 MS. ALBERRO MENENDEZ: So that's the first
 19 level of parking --
 20 MR. GONZALEZ: The first level of parking
 21 is three.
 22 MS. ALBERRO MENENDEZ: -- will be dedicated
 23 to the public?
 24 MR. GARCIA-SERRA: Well, the spaces -- If
 25 you look at the screen there --

1 so I'm just going to make my additional concern
 2 known. I really think the project needs to
 3 make sure that the on-street spaces that are
 4 lost remain easily accessible and open to the
 5 public, so that anybody can visit any of the
 6 other retail spaces that are there. If you're
 7 going to drop off your dry cleaning at OXXO, or
 8 whatever it might be over there, you need to be
 9 able to just pull in and park quickly and leave
 10 without going through some crazy process to
 11 find a space in a parking garage.
 12 MR. GARCIA-SERRA: In our -- I'm sorry.
 13 MR. FLANAGAN: No, go ahead.
 14 MR. GARCIA-SERRA: In our situation,
 15 indeed, they are pretty much the first 42
 16 parking spaces as you come in.
 17 MR. FLANAGAN: But that's part of the
 18 City's permit program, so somebody can't pull
 19 in and use it.
 20 MR. GARCIA-SERRA: Well, you know, one
 21 thing that has been discussed often, but never
 22 actually addressed, I think, also, is that,
 23 remember, a lot of these parking spaces that
 24 we're losing on the street, it's not because
 25 we're putting a building there; it's because

1 MR. GONZALEZ: The new spaces are the 42
 2 spaces that are being replaced, the on-street
 3 parking that's being provided in our project.
 4 MR. GARCIA-SERRA: That's the City public
 5 permit parking, what you see in blue.
 6 MR. GONZALEZ: So you enter off of Salzedo,
 7 up this, and these first 42 spots will be
 8 dedicated --
 9 MS. ALBERRO MENENDEZ: And where's the
 10 elevators, at the corners there?
 11 MR. GONZALEZ: The elevator is here.
 12 MS. ALBERRO MENENDEZ: Okay.
 13 MR. GONZALEZ: And then there's also
 14 vertical circulation at both corners.
 15 MS. ALBERRO MENENDEZ: Okay. Thanks.
 16 MR. FLANAGAN: So I don't have a solution,
 17 but I think for these smaller retail places to
 18 succeed, you need to have accessible and
 19 convenient parking, because if you can't find
 20 it, you're going to go somewhere else, and it
 21 seems like every month around here, we're
 22 losing on-street parking -- and I don't think
 23 the Parking Director is here -- to permit
 24 programs and restricting it for residential
 25 uses in places where there's no residents, and

1 the City is requiring a certain number of
 2 bulb-outs.
 3 MR. FLANAGAN: Right, and we've talked
 4 about that before.
 5 MR. GARCIA-SERRA: Right, but, you know,
 6 we've talked about it --
 7 MR. FLANAGAN: Yeah, I know, and nothing --
 8 MR. GARCIA-SERRA: -- for years, and sort
 9 of it's never been --
 10 MR. FLANAGAN: And one last question, not
 11 involved with the project -- it is off-site,
 12 but I don't think it's part of your off-site
 13 improvements, but while we have the chance to
 14 quickly talk about it, there's a trolley stop
 15 on the east side of Ponce, so northbound,
 16 across from The Collection building, probably
 17 about halfway north and south, there is a
 18 crosswalk that goes there, and the City has put
 19 a trolley stop at the crosswalk. So, as you're
 20 driving north on Ponce, if you're a responsible
 21 driver, you see all these people standing there
 22 because they're about to walk across the
 23 street, and you stop quickly and hold up
 24 traffic. They're not crossing the street;
 25 they're waiting for the trolley.

1 So I would just suggest to anybody that's
2 listening, and Mario, whatever you maybe could
3 do or add to your off-site improvements, take a
4 look at a placement maybe of a different
5 trolley stop. I just think having it at a
6 crosswalk creates potential conflicts.

7 MR. GARCIA-SERRA: We can take a look at
8 that.

9 MR. FLANAGAN: Okay.

10 MR. GARCIA-SERRA: We'll take care of it.

11 MR. FLANAGAN: Can we -- Is there an
12 objection from the applicant or maybe anybody
13 else on the Board to limiting the Zoning Code
14 text change to properties within the north MXD
15 district?

16 MR. GARCIA-SERRA: From our perspective,
17 that would be fine.

18 MR. FLANAGAN: Okay. So I'll put it out
19 there right now for further discussion, but
20 when we get to it, I would like to limit it to
21 the north mixed-use district.

22 CHAIRMAN AIZENSTAT: Yeah, not have a
23 blanket area that's going out. That was a
24 concern that I had, also, when I saw the text
25 amendments, and specifically when I saw your

1 saying that you would want, for all three of
2 those, language to be placed in here, sort of
3 geographically limiting that amendment to the
4 northern part of the overlay district?

5 MR. FLANAGAN: Craig, you've lost me. Sub
6 1 and sub 2 in Item Number 6 on our agenda --

7 MR. LEEN: I'm looking at Exhibit A, Zoning
8 Code text amendment.

9 MR. FLANAGAN: Hold on. Let me get there.
10 What number?

11 MR. LEEN: It's attached to --

12 MS. ALBERRO MENENDEZ: What tab is it?

13 MR. LEEN: Pardon me. It's attached to
14 Attachment G, in Tab 6. There's an ordinance
15 which says Attachment G, attached to the
16 ordinance as Exhibit A, which is the actual
17 wording of the proposed Zoning Code text
18 amendment. Just take a moment to review it.
19 There's three different sections that are being
20 amended with additional language.

21 CHAIRMAN AIZENSTAT: While Jeff reviews it,
22 let's go ahead and continue with other Board
23 members, and we'll get back to that, so we
24 don't hold anything up.

25 Marshall, any comments?

1 diagram that was out there.

2 MR. FLANAGAN: Thanks. I'm done.

3 MR. BELLO: Are you going to address the
4 Bird Road/Salzedo Street left turn? Because
5 there's no access from westbound Bird to this
6 project, is there?

7 MR. GARCIA-SERRA: I'll ask Tim to handle
8 that.

9 MR. BELLO: Will you do anything with that
10 Salzedo and Bird?

11 MR. PLUMMER: No, that is proposed to stay
12 as it is. As you know, Bird Road is a State
13 Road. They did improvements about four or five
14 years ago. They're very strict on their access
15 management, and that's going to stay as it is.
16 So the project traffic flow has to work around
17 that.

18 MR. BELLO: Okay.

19 MR. LEEN: May I ask a follow-up question?
20 Regarding the limitation of the Zoning Code
21 text amendment, so are you proposing that the
22 limitation be for all three of the proposed
23 text amendments, one to height generally, one
24 to heights of architectural elements, and one
25 to height adjoining residential uses? You're

1 MR. BELLIN: Yeah.

2 Why are you limiting the text amendments
3 just to a specific area? In my way of
4 thinking, if it's good for this project, why
5 not have available to any MXD overlay?

6 MR. GARCIA-SERRA: Well, right now, as it
7 was originally drafted, not discussing what
8 Jeff just suggested right now, it would be
9 applicable to the industrial -- anything that
10 the underlying zoning is industrial within the
11 mixed-use district, whether it's north or
12 south. So what that excludes are the
13 commercial areas fronting the major streets.

14 We sort of thought, from a planning
15 perspective, better to isolate where that
16 increased height could be and better that it be
17 off the main thoroughfare so as to avoid that
18 sort of canyon effect that you heard of before,
19 or any allegation that perhaps a canyon effect
20 could be increased.

21 What I think you're getting at, also, is
22 how about situations where we're doing
23 mixed-use projects outside of the mixed-use
24 district?

25 MR. BELLIN: If a building a hundred feet

1 doesn't create a canyon, is 115 going to create
2 a canyon?

3 MR. GARCIA-SERRA: Yeah.

4 MR. BELLIN: And I think that if it's
5 available to this project, it ought to be
6 available to any project that looks to get an
7 MXD overlay. That's just the way I feel.

8 The other issue is that why is this
9 building so overparked? I mean, you're talking
10 about five or six hundred parking spaces. What
11 do you really need there? Let's assume you've
12 got 126 residential units.

13 MR. GARCIA-SERRA: You know, there's --
14 Remember also that there's 126 residential
15 units, but unlike the usual situation, where
16 they're usually one and two bedrooms, there's a
17 considerable number of three and four bedrooms
18 here. So, of course, you know, there's always
19 a concern how many car drivers are there going
20 to be in each household, so we need to address
21 that. You've got a need for further
22 flexibility on the ground-floor retail if we
23 introduce a use. What if, all of a sudden, a
24 restaurant were to go in one of those?

25 MR. BELLIN: What I'm getting at is that,

1 be providing -- you know, a one-bedroom may
2 need two spaces. All of the one-bedrooms may
3 need two spaces. So I think, in addition to
4 the comment that Mario made about if we end up
5 having a restaurant, which requires
6 substantially more parking than some other
7 use -- and that was actually a point that was
8 brought up to us at one of our Board meetings,
9 as well, to think about the possibility of
10 later on, somebody coming in, wanting to put a
11 restaurant here, how would we accommodate
12 parking for that.

13 MS. ALBERRO MENENDEZ: Plus the fact that
14 I'm sure these units aren't going to have one
15 space. You're going to have two, three --

16 MR. GONZALEZ: Exactly.

17 MS. ALBERRO MENENDEZ: -- or more spaces.

18 That's what you're paying.

19 CHAIRMAN AIZENSTAT: Marshall?

20 MR. BELLIN: That's all.

21 CHAIRMAN AIZENSTAT: Any comments, Alberto?

22 MR. PEREZ: I'm good.

23 MS. ALBERRO MENENDEZ: I have a comment.

24 So let me go back to my alley, and we
25 determined that it was how much, 56 square

1 you know, twelve o'clock at night, there's
2 probably going to be an empty garage. The
3 live/work units, maybe one car, because the
4 people who work in those live/work units are
5 gone. All the retail people are gone. It just
6 seems -- maybe it's none of my business, but it
7 just seems like there's an awful lot of parking
8 provided for the amount of residents that are
9 in this building.

10 MR. GARCIA-SERRA: I think probably, on our
11 side, and this is probably unusual, coming from
12 a developer, probably better to err on the safe
13 side and have more spaces as opposed to less,
14 but Alejandro, I don't know if you have
15 anything else to sort of introduce into that
16 discussion.

17 Also, remember if there's ever an issue
18 during construction and we feel that it is, you
19 know, too expensive to perhaps build those
20 spaces, we could always decrease the number
21 since they aren't all required spaces.

22 MR. GONZALEZ: I mean, we feel it's
23 important for the kind of unit or for the type
24 of project, as well. I mean, a one-bedroom, by
25 Code, requires 1.75 set spaces, whereas we may

1 feet?

2 MR. GARCIA-SERRA: 56,000 square feet.

3 MS. ALBERRO MENENDEZ: 56,000 square feet.

4 So what do you think the value of that is? How
5 much do you project your building, per square
6 footage, to be? What do you think the value
7 is, a couple of million, perhaps?

8 MR. GARCIA-SERRA: You know, I'd have to
9 defer to those who really know about the real
10 estate industry, to find out. But, you know,
11 one thing that I wanted to mention before about
12 alley vacation, and I'll take the opportunity
13 to discuss it now, is that we have to keep in
14 mind that the alley is not necessarily owned in
15 fee simple by the City. The way the alley was
16 originally created was, when the plat of the
17 subdivision was done, these alleys were
18 indicated on the plat and dedicated for public
19 use, in other words, for access for the general
20 public -- of course, back then, on the
21 assumption that there would be multiple
22 buildings on the same lot.

23 Here, we're having a case of ownership
24 being consolidated and the development of the
25 block being consolidated. There's less of a

1 reason for that. And so what the City is
 2 permitting here is not -- it's not conveying a
 3 piece of property it owns. It is, in its role
 4 as public trustee for this space, saying it's
 5 no longer necessary and can be vacated, and
 6 then the ownership, pursuant to statute,
 7 reverts to the abutting property owners who are
 8 the ones who originally gave the land to be
 9 used for a public use.

10 So, you know, the issue is not how much
 11 money are you getting out of it and how much
 12 are we getting out of it, because we have to be
 13 careful with that issue, too, because as you
 14 know, there's a principle called contract
 15 zoning. We can't, in the State of Florida or
 16 anywhere else say, "Okay, we're going to vacate
 17 this alley for you because you're giving us X
 18 amount of -- "

19 MS. ALBERRO MENENDEZ: No, nobody's asking
 20 for money. I'm trying to determine a value,
 21 because I think there's a need for some more
 22 public amenities to your project.

23 MR. GARCIA-SERRA: Uh-huh.

24 MS. ALBERRO MENENDEZ: And I think that the
 25 way that you can basically value one thing over

1 Our Code says that they have to demonstrate
 2 that the value to the public from doing this,
 3 that there's a substantial benefit to the
 4 public, and you can even look at -- Health,
 5 Safety and Welfare mentions that. So I do
 6 think you can ask for value. I don't view it
 7 as contract zoning.

8 MS. ALBERRO MENENDEZ: Right, I agree.

9 MR. LEEN: I do think you can ask for
 10 value. I don't think that you should just say,
 11 "Well, how much would it cost us to to sell you
 12 the property?" I do agree with Mario there.

13 MS. ALBERRO MENENDEZ: Right. Nobody's
 14 asking for that.

15 MR. LEEN: But I do think you can ask for
 16 value.

17 MS. ALBERRO MENENDEZ: Right.

18 MR. GARCIA-SERRA: The criteria states,
 19 does the benefit of vacating it outweigh the
 20 benefit of it still existing, and I would
 21 submit to you, if you look at the various
 22 improvements that we're doing off-site, the
 23 million dollars that's recurring to the City in
 24 revenue as a result of the project, that indeed
 25 it outweighs whatever the value might be of the

1 the other is to see what, in fact, you're
 2 gaining from a public space that's being given
 3 to the project. So it's nothing of cash, if
 4 that's what you're concerned with.

5 MR. GARCIA-SERRA: No, or we can't either
 6 say, "You're not giving us cash but you're
 7 giving us X amount of value," or whatever else
 8 you're doing. You know, you have to be careful
 9 to --

10 MR. LEEN: Well, I'd like to give my own
 11 thoughts on that. I have taken a look at this
 12 issue. I've even issued an opinion on it.

13 There is some old case law which says that
 14 you can't auction off rights-of-way, alley
 15 vacations, things like that. But I don't think
 16 that that case law applies in a situation like
 17 this. This is a situation where you're not
 18 auctioning this off to any buyer who comes
 19 along and selling parts of the right-of-way.
 20 This is something that is being used by a
 21 particular project that's coming in and wants
 22 to basically use the public right-of-way.

23 MS. ALBERRO MENENDEZ: Right.

24 MR. LEEN: And so I do believe you can ask
 25 for value, and in fact, our Code says that.

1 alley, and, you know, we could, I guess, figure
 2 out what we paid for the property per square
 3 foot and, you know, multiply that by the amount
 4 of -- the 16,000 square feet in the alley and
 5 then give you an amount.

6 MS. ALBERRO MENENDEZ: I'm just trying to
 7 make a point. I don't think that \$100,000
 8 worth of, you know, pedestrian improvements
 9 cuts it, if you're looking to provide that for
 10 the vacating of an alley. I think that a
 11 little more needs to be considered, because it
 12 is a public alley and it's being held in trust.

13 MR. GARCIA-SERRA: You know, things that
 14 come off the top of my head, the one percent of
 15 the Art in Public Places is six million
 16 dollars --

17 MS. ALBERRO MENENDEZ: That's a different
 18 issue, though. That's a different requirement,
 19 that you're required to do, as required by your
 20 project, not necessarily -- you know, you can't
 21 tie both together.

22 MR. GARCIA-SERRA: Right.

23 MS. ALBERRO MENENDEZ: You have to do that,
 24 regardless of whether you're vacating an alley
 25 or not.

1 MR. GARCIA-SERRA: Uh-huh.
 2 MS. ALBERRO MENENDEZ: So --
 3 MR. GARCIA-SERRA: Well, you know, we have
 4 improvements off-site, which I don't know the
 5 exact amount, too, streetscape and landscape
 6 improvements, the sidewalks --
 7 MS. ALBERRO MENENDEZ: Right, which are all
 8 good.
 9 MR. GARCIA-SERRA: -- that Tim talked
 10 about. You know, the replacement parking that
 11 we're providing is better than the parking that
 12 you have now, in some ways, because it is
 13 structured parking, you know, not parking in
 14 the alley, that isn't metered.
 15 MS. ALBERRO MENENDEZ: Right.
 16 MR. GARCIA-SERRA: You know, there are
 17 several of these. We're doing an upgrade to a
 18 pump station that is a bigger upgrade than what
 19 we need for our own project. So you could
 20 factor in that amount of money. But at the
 21 same time, you know, I think we're caught in a
 22 situation here where the benefit has to
 23 outweigh -- the benefit received has to
 24 outweigh the benefit of the existing alley
 25 right now, but at least I would be reluctant to

1 MR. GRABIEL: Sold as condominium, okay.
 2 That's one.
 3 The other one is, on the retail areas on
 4 Bird Road, which is commendable and I think the
 5 large box is probably more attractive than
 6 smaller box. I see one -- that you're
 7 identifying one to be an extension of The
 8 Collection, the other one being a, I guess,
 9 food market?
 10 MR. GARCIA-SERRA: Right, that's what's
 11 shown right now on the elevations.
 12 MR. GRABIEL: Okay, and the question, this
 13 one, is to Staff. Ramon?
 14 Assuming the best or worst condition, that
 15 actually you have some kind of food market in
 16 there, they tend to not like glass walls, and I
 17 think the worst thing that could happen is to
 18 end up with that commercial space being
 19 occupied with solid walls. Are we, by Code or
 20 by including it into this process, requiring
 21 that all those windows remain as windows and
 22 not come back later on with a merchant that
 23 wants to put drywall on them and lose the
 24 beauty of going and looking into a commercial
 25 space?

1 break it down into literally a dollar amount
 2 and say, "Okay, well, this is how much we're
 3 going to -- "
 4 MS. ALBERRO MENENDEZ: No, but what I'm
 5 trying to illustrate is, it's a substantial
 6 amount, that it's not a little amount. It's
 7 something that's added to your development.
 8 MR. GARCIA-SERRA: Right.
 9 MS. ALBERRO MENENDEZ: It's a substantial
 10 amount to your development.
 11 MR. GARCIA-SERRA: Yeah.
 12 MS. ALBERRO MENENDEZ: So that's the point
 13 I was trying to get across.
 14 MR. GARCIA-SERRA: Yeah.
 15 CHAIRMAN AIZENSTAT: Julio?
 16 MR. GRABIEL: I have a new microphone, but
 17 it never works.
 18 I've got a couple of questions first. Are
 19 the live/work units going to be sold or are
 20 they going to be leased?
 21 MR. GARCIA-SERRA: Everything is
 22 condominium.
 23 Correct?
 24 MR. GONZALEZ: (Nods head).
 25 MR. GARCIA-SERRA: Sold.

1 MR. TRIAS: Yeah, clearly, any change that
 2 affects the exterior is approved by the Board
 3 of Architects, and the Board of Architects
 4 already reviewed this project and that's the
 5 project that has been approved, so that cannot
 6 be changed. And in terms of signage, which
 7 sometimes blocks the glass, there's some very
 8 strict limitations, also, in terms of what the
 9 Code allows, so I'm comfortable with it.
 10 MR. GRABIEL: So you're comfortable that we
 11 can preserve that transparency into that
 12 commercial area?
 13 MR. TRIAS: Absolutely, plus the arcade,
 14 also, is 12 feet clear, right in front of it,
 15 so that in itself is a great architectural
 16 feature.
 17 MR. GRABIEL: Okay. Then my comment is
 18 that I also agree that the closure of the alley
 19 has great benefit to the development and to the
 20 developer and the project, and again, you know,
 21 \$90,000 of pedestrian improvements somehow
 22 doesn't balance. We have seen other developers
 23 come in here and landscaping from Ponce de Leon
 24 Circle all the way to Miracle Mile and changing
 25 of pavements. I don't see a tit for tat coming

1 from this project, and I think we need to look
2 at that.

3 That's one, and then the Art in Public
4 Places, I agree, is not to be touched for
5 something else. We can't take that number and
6 apply it to a park in a residential
7 neighborhood. It has to remain and preserve as
8 Art in Public Places.

9 MR. TRIAS: Yeah. The applicant, I think,
10 was wrong, comparing those two things. It's
11 apples and oranges.

12 As far as the alley, I would remind you
13 that they are doing an easement, and it does
14 function as a vehicular alley plus a
15 20-foot-wide paseo, and it's a better -- from a
16 circulation point of view, it breaks the block.

17 MR. GRABIEL: But it's basically a service
18 alley --

19 MR. TRIAS: Right.

20 MR. GRABIEL: -- to serve the commercial
21 and the residential and the rear-of-house.
22 It's not -- I mean, I know we use the word
23 "paseo" all the time, but a paseo is a
24 pedestrian, beautiful, landscaped area. This
25 is really a driveway underneath a building

1 concerned about -- I'm not concerned about the
2 width of those spaces, as far as a car fitting
3 in there, but I'm just asking you because of
4 the proportion, that when you do parallel park
5 and you back into that space, do you have
6 enough room to do that? That's all.

7 MR. GONZALEZ: We feel comfortable. We're
8 providing more than -- even more than the Code
9 requires. You can -- and I don't have -- The
10 drawing is not in our presentation, but
11 there's -- we're very comfortable with that.
12 We think there's adequate space.

13 CHAIRMAN AIZENSTAT: Okay.

14 Any other --

15 MS. ALBERRO MENENDEZ: I have a question.

16 CHAIRMAN AIZENSTAT: Yes.

17 MS. ALBERRO MENENDEZ: The proposed text
18 amendment, why is that being proffered? Is it
19 required if you want to increase the height
20 yourself?

21 MR. GARCIA-SERRA: Right now, we're limited
22 to a hundred feet of habitable height, and with
23 25 feet of architectural features above that,
24 and what we're proposing is 115 feet in height
25 for habitable space and 175 for the

1 that's going to be used by all the cars. It
2 can be beautified, it can be made as beautiful
3 as possible, but it's still a driveway
4 underneath a building. It's not a paseo.

5 Thank you.

6 CHAIRMAN AIZENSTAT: Just a question for
7 the architect. On the basement level, your
8 parking that you have there, who is that
9 intended for?

10 MR. GONZALEZ: For mixed-use.

11 CHAIRMAN AIZENSTAT: For mixed-use. What
12 is the width of your flow? In other words,
13 your driving area, what's the width of it? I
14 don't see any numbers here

15 MR. GONZALEZ: They're not indicated on
16 this set of drawings, but they're all in
17 accordance to the Code requirements, to the
18 Zoning Code requirements, so the single
19 direction is per Code and the 90-degree parking
20 is per Code.

21 CHAIRMAN AIZENSTAT: The reason I ask is
22 because you have some parallel parking spaces.

23 MR. GONZALEZ: Right. Those are also size
24 appropriate, and much longer.

25 CHAIRMAN AIZENSTAT: Right, but I'm just

1 architectural feature.

2 MS. ALBERRO MENENDEZ: Right, but the text
3 amendment that goes up to 190, the proposed MDX
4 (sic), is that something that you proffered.

5 MR. GARCIA-SERRA: No. The original
6 proposal was to leave the height of
7 architectural features to the discretion of the
8 City Commission. What Staff is recommending,
9 Staff modified that slightly, so that instead
10 of it being at the discretion of the City
11 Commission, the maximum height of the
12 architectural feature in the industrial area
13 can go up to 190.

14 MS. ALBERRO MENENDEZ: But then that
15 affects the other properties, as you indicated,
16 instead of being specific to your property. Am
17 I correct in that?

18 MR. GARCIA-SERRA: Indeed, if that's
19 adopted, it would be applicable to whichever
20 area you're adopting it for --

21 MS. ALBERRO MENENDEZ: Right.

22 MR. GARCIA-SERRA: -- either the
23 industrial -- the underlying industrial area,
24 the mixed-use district, or perhaps, as
25 Mr. Flanagan suggested, the north industrial

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1 area.
2 MS. ALBERRO MENENDEZ: Let me ask Ramon,
3 why would we be considering that? Why would we
4 be jumping everybody up to that consideration?
5 MR. TRIAS: As opposed to --
6 MS. ALBERRO MENENDEZ: Why not look at it
7 on a case-by-case basis?
8 MR. TRIAS: Well, that's what the text
9 amendment says, because it is up to the
10 Commission to look at it in a case-by-case
11 basis. It's not a by-right. It's to be
12 reviewed by the Commission, not --
13 MS. ALBERRO MENENDEZ: But if you propose
14 this, though, and we change it, it's going to
15 be as-of-right to any development in the
16 industrial section.
17 MR. TRIAS: I wouldn't say that, but
18 maybe --
19 MR. LEEN: No, it still requires the
20 Commission to find that these factors exist,
21 and the Commission would be the one that -- and
22 it just says "may approve up to an additional,"
23 so my reading of this was that this would be as
24 part of the conditional use review. It would
25 end up going to the Commission. It would go

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1 through the Planning and Zoning Board. You
2 make your recommendation.
3 MR. TRIAS: Discretionary, if the
4 Commission determines that for aesthetic
5 purposes, that a certain height is necessary.
6 So that's the intent. Now, if we need to do it
7 better, certainly we could follow whatever
8 advice --
9 MS. ALBERRO MENENDEZ: But I'm just
10 questioning why we're doing it at all if -- I
11 mean, why we're doing it at all. Why are we
12 proposing to change the MXD overlay? I mean, a
13 lot of thought went into that. I mean, we're
14 looking at one particular project. Does
15 everything have to change for everybody?
16 CHAIRMAN AIZENSTAT: Can't we just change
17 it, if we wanted to, for this specific project,
18 or you can't?
19 MS. ALBERRO MENENDEZ: And look at them on
20 a case-by-case basis, because I imagine some
21 will have merit and some won't.
22 MR. TRIAS: Exactly, and this was the
23 simplest way to do that, to be able to look at
24 it as a discretionary, case-by-case, based upon
25 the Commission.

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1 MS. ALBERRO MENENDEZ: But they continue
2 aiming higher and higher.
3 MR. TRIAS: True, true.
4 MS. ALBERRO MENENDEZ: Because, for
5 example, this project, you're allowed 10 floors
6 in the MDX (sic), but then you're allowed a
7 certain height.
8 MR. TRIAS: Right.
9 MS. ALBERRO MENENDEZ: So they're
10 maximizing the tenth floor and then they're
11 pushing the height because they want nicer
12 units, but why not go the other way and have
13 nine floors and reach those heights and perhaps
14 look at architectural elements that bring it a
15 little bit higher, if that's their intent?
16 MR. TRIAS: Yeah, and the Code --
17 MS. ALBERRO MENENDEZ: We seem to be
18 continuing to --
19 MR. TRIAS: And if I could point out, the
20 Code doesn't regulate the number of stories
21 right now.
22 MS. ALBERRO MENENDEZ: Yeah.
23 MR. TRIAS: And that's one of the
24 weaknesses of the Code. In fact, if it did
25 what you're saying, it would probably be a

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1 better way of doing it, but it doesn't do it.
2 Instead, it says a hundred feet.
3 MR. LEEN: If I may, what I would -- If you
4 would like it to be more discretionary, you
5 should add additional factors, because right
6 now, the only factor that's really
7 discretionary is the building's aesthetics,
8 Factor 3, which is something that's more of a
9 judgment call, so you --
10 MS. ALBERRO MENENDEZ: Where are you, Mr.
11 Attorney?
12 MR. LEEN: I'm looking in Section
13 4-201.E.6, Height, Exhibit A, Zoning Code text
14 amendment.
15 CHAIRMAN AIZENSTAT: On Tab 6?
16 MR. LEEN: Tab 6, the ordinance, Exhibit A.
17 It doesn't have a page number but it's
18 Attachment G. Do you see it?
19 MS. ALBERRO MENENDEZ: Yeah.
20 MR. LEEN: There it is. There it is.
21 So, if you look at the first part of that,
22 that's Section 4-201.E.6, Height, and it has
23 the current language in the Zoning Code, which
24 is in a table, and then it's going to add this
25 additional language below, and all of this is

1 part of the mixed-use overlay district
 2 regulation. So this is relating to mixed-use
 3 districts, and it talks about if the underlying
 4 zoning designation is industrial, there can be
 5 an additional 20 feet of habitable building
 6 height. The Commission may approve that if the
 7 four conditions are present. So, by using the
 8 word "may," it's already discretionary, but if
 9 you really want it to be more discretionary, in
 10 the sense that you want to add additional
 11 factors, like how far away it is from
 12 single-family homes, or they should consider
 13 other issues in making that determination, this
 14 is where you would put it.

15 MS. ALBERRO MENENDEZ: But I'm just trying
 16 to figure out why we're looking at this, in
 17 addition to -- In other words, why are we
 18 including this as part of this application, is
 19 what I'm asking.

20 MR. LEEN: I think that you need to -- I
 21 mean, I'll defer, also, to Ramon, but my view
 22 is, you need to amend the Zoning Code -- You
 23 don't have to.

24 MS. ALBERRO MENENDEZ: To allow for this?
 25 MR. LEEN: To allow for this, you would

1 limit it to the north overlay district, as
 2 opposed as to anywhere else, perhaps because
 3 there's more density there, you know.

4 MR. BELLIN: Craig, let me ask you a
 5 question. An MXD overlay is a conditional use?

6 MR. LEEN: Yes.

7 MR. BELLIN: It has to come to us?

8 MR. LEEN: Yes.

9 MR. BELLIN: Then it goes to the
 10 Commission?

11 MR. LEEN: Indeed.

12 MR. BELLIN: So the limiting factor really
 13 is, they don't have to approve it; they can
 14 approve it here and nowhere else. That's up to
 15 them. But I think if we add this provision, it
 16 ought to be available to any MXD project, and I
 17 think that's a fairer way to do it.

18 MR. LEEN: That's up to the Board. I'm
 19 just saying that if you wanted to limit it
 20 to -- I don't think you can limit it solely to
 21 this project. I do think you could put some
 22 limitations by either adding additional factors
 23 that would make it apply less frequently or you
 24 could maybe limit it to the north overlay
 25 district, which is an area in our Code, which

1 need to amend the Zoning Code. Obviously, you
 2 don't have to recommend that, but if you want
 3 to approve this project, you need to amend the
 4 Zoning Code. There's no other mechanism to
 5 approve this height.

6 MR. GRABIEL: You cannot limit it to just
 7 this.

8 MR. LEEN: You're in danger of doing spot
 9 zoning.

10 CHAIRMAN AIZENSTAT: That would be spot
 11 zoning.

12 MS. ALBERRO MENENDEZ: I see. I got it
 13 now.

14 MR. BELLIN: Craig, let me ask a question.

15 MR. LEEN: I mean, you could consider a
 16 site-specific, but I would not recommend it in
 17 this type of situation. Usually those are
 18 reserved for nonconforming uses that we're
 19 legalizing through a site specific.

20 My recommendation -- Now, you could try to
 21 limit it by -- For example, when you said the
 22 north overlay district, because there is a
 23 north overlay district, I think you could
 24 include that, because that's a defined area,
 25 and as long as there's reasons that we would

1 is on our map.

2 MR. BELLIN: Isn't it limited by the
 3 approval of the Commission?

4 MR. LEEN: Yes, it's already limited by the
 5 approval of the Commission, which means that it
 6 also has to come to the Planning and Zoning
 7 Board.

8 MR. BELLIN: Yes.

9 CHAIRMAN AIZENSTAT: Yes, Ramon?

10 MR. TRIAS: Mr. Chairman, I think that
 11 limiting it to the north overlay district could
 12 be perfectly incorporated into the Code.

13 As to Marshall's comment, Mr. Bellin's
 14 comment, there's a distinction between the
 15 overlay and the mixed-use projects by
 16 themselves. And if you do a mixed-use project
 17 Downtown, for example, you can go much higher
 18 if you have the right land use and so on. So
 19 it's a more complex discussion than just simply
 20 that 100 maximum height. So probably the best
 21 thing is to narrow it in the simplest way,
 22 which is the north overlay.

23 MS. ALBERRO MENENDEZ: But why did you
 24 choose 190, you know, and six inches? Why did
 25 that come up?

1 MR. TRIAS: Because that's a magical number
 2 that appears in the Code many times.
 3 MS. ALBERRO MENENDEZ: That's what I'm
 4 concerned about, that perhaps we haven't done
 5 the necessary, you know --
 6 MR. TRIAS: The concern was that to leave
 7 it open-ended, with no maximum limit, could be
 8 less easy to implement. So that's completely
 9 arbitrary. You can choose whatever you want.
 10 What I would say is that from a design point of
 11 view, 25 feet doesn't work, and that is what's
 12 in the mixed-use right now, in terms of the
 13 additional -- That's just insufficient to make
 14 any kind of statement.
 15 MS. ALBERRO MENENDEZ: 25 feet is what
 16 you're saying is the minimum?
 17 MR. TRIAS: The current regulations do not
 18 lead to excellent architecture.
 19 MS. ALBERRO MENENDEZ: I understand.
 20 MR. TRIAS: So that's the reason that
 21 this --
 22 MR. LEEN: If I could, just from a legal
 23 basis, another rational basis for that number,
 24 is there's at least some parts of the City
 25 where you can do habitable space up to that

1 I mean, one of the important things about
 2 this style are the proportions and these
 3 vertical components, and as you can see, to get
 4 that same kind of proportion here, that's kind
 5 of what we need. The same goes for the
 6 windows. I mean, these are very small details,
 7 but if you look at the windows of the Biltmore,
 8 they're very tall and slender.
 9 CHAIRMAN AIZENSTAT: No, I agree, for the
 10 windows. I'm just asking why that
 11 architectural feature on the end is -- Are you
 12 trying to match something or --
 13 MS. PLATER-ZYBERK: No. I think we just
 14 felt that there was height needed at that
 15 particular point in between -- This is a
 16 U-shaped building and we're trying very hard to
 17 make it feel as if it's made of several
 18 different components. So each of the long bars
 19 has a small amount of articulation at each end,
 20 essentially, to provide shadow and make you
 21 feel that it's not just sort of the continuous
 22 modern bar.
 23 Likewise, on the south side, it indents in,
 24 and we felt that there needed to be some
 25 portion that grew taller than the roofs of the

1 number. So, you know, the thinking would be,
 2 that number has been approved somewhere. Now,
 3 it's not being approved for habitable space
 4 here, but the thinking is, the architectural
 5 element, there may be less objection to going
 6 to that, as opposed to going above it, which
 7 would then bring it above other heights that
 8 have been approved in the City.
 9 MS. ALBERRO MENENDEZ: And is that the same
 10 case for the 120, Ramon, that it's just a good
 11 number?
 12 MR. TRIAS: 120?
 13 MS. ALBERRO MENENDEZ: Yes, where it's
 14 habitable space.
 15 MR. TRIAS: Yes, pretty much. It's an
 16 arbitrary number. We could just not have one,
 17 but at some point it may be easier to enforce
 18 if we have one.
 19 MS. ALBERRO MENENDEZ: Okay.
 20 CHAIRMAN AIZENSTAT: Let me just ask the
 21 architect. The architectural feature you're
 22 putting there, why?
 23 MR. GONZALEZ: I wanted to make a point to
 24 all these questions of height, and then I'd let
 25 Liz speak more specifically about that.

1 two bars. So it's really aesthetic.
 2 CHAIRMAN AIZENSTAT: Thank you.
 3 Is any part of that going to be used by the
 4 City for antennas or relays or anything?
 5 MS. PLATER-ZYBERK: Oh, now, there's an
 6 idea. No, we hadn't considered that.
 7 CHAIRMAN AIZENSTAT: Okay. I just want to
 8 make sure.
 9 MS. PLATER-ZYBERK: We thought, you know,
 10 it should be well-lit at night, but --
 11 CHAIRMAN AIZENSTAT: Okay.
 12 MS. PLATER-ZYBERK: It could be useful.
 13 MR. GRABIEL: I actually think both
 14 architects and the developer should be
 15 commended. I mean, this is a high-quality
 16 project. I think it's going to improve the
 17 area, bringing high-end residential to that
 18 zone. I think it's very good, very good.
 19 The height doesn't bother me at all. If
 20 you look at a section and you project a line
 21 from the residential across from Bird Road, you
 22 won't see the tower.
 23 CHAIRMAN AIZENSTAT: Right.
 24 MR. GRABIEL: The low building at 45 feet
 25 and the other building at 115 actually blocks

1 that tower. So that tower there is going to be
2 hard to be seen from anywhere, except for maybe
3 Altara, as you're walking or driving by it. So
4 that doesn't bother me at all.

5 I think what they have done to push the
6 habitable building area 200 feet from the line
7 of Bird Road is highly commendable. You know,
8 they could build it at 100 feet, and they
9 actually pushed it, which means that you
10 actually will see less -- You won't be able to
11 see that building at all, when you're on Bird
12 Road, driving, or the residential across the
13 street just can't see the building, because it
14 will be blocked by the lower building. So the
15 height doesn't bother me at all, you know.

16 CHAIRMAN AIZENSTAT: Right.

17 MS. ALBERRO MENENDEZ: Julio, can I ask you
18 something? What about the -- forgetting about
19 the project, what about the proposed height
20 that the City is proposing for the MDX (sic),
21 the 190/6, the 190 feet and six inches? Does
22 that concern you at all, as far
23 as architecturally?

24 MR. GRABIEL: No. No, I think -- on the
25 contrary, I think one of the things that is

1 happening lately in the City of Coral Gables,
2 and it has been going on now for a few decades,
3 is that our buildings are not stopped at a flat
4 roof, that we're creating a series of
5 silhouettes, and that's what makes the skyline.
6 We don't have high-rises going up and down. We
7 have a fairly high -- a very limited height to
8 all our buildings, so I think the idea of
9 bringing in elements that break that plane is
10 excellent, and with the 190, that's what will
11 be happening, so I --

12 MS. ALBERRO MENENDEZ: How about the
13 habitable space issue? Is that a --

14 MR. GRABIEL: No, that doesn't bother me at
15 all, especially with the 200-foot setback.
16 That's why I think -- for this particular
17 project.

18 MS. ALBERRO MENENDEZ: But we're also
19 approving the overall --

20 MR. GRABIEL: Well, what I'm understanding,
21 from the attorney and the Staff, is that we
22 can put this as an overlay on the north overlay
23 district, and that means that that's just that.

24 CHAIRMAN AIZENSTAT: In other words, you're
25 saying that we can put this just on the north.

1 MR. GRABIEL: Exactly.

2 CHAIRMAN AIZENSTAT: Okay. To move
3 forward, does anybody want to make a motion?

4 MR. FLANAGAN: I'll move Item 5 on our
5 agenda, as far as the Staff's recommendation.
6 Sorry, the mike wasn't on. I move Item 5 of
7 the agenda, in accordance with Staff's
8 recommendation and conditions.

9 MR. GRABIEL: I second it.

10 CHAIRMAN AIZENSTAT: We have a motion and a
11 second, with Staff's recommendation. Any
12 discussion?

13 Having none, call the roll, please.

14 MS. MENENDEZ: Jeff Flanagan?

15 MR. FLANAGAN: Yes.

16 MS. MENENDEZ: Julio Grabiell?

17 MR. GRABIEL: Yes.

18 MS. MENENDEZ: Maria Menendez?

19 MS. ALBERRO MENENDEZ: Yes.

20 MS. MENENDEZ: Alberto Perez?

21 MR. PEREZ: Yes.

22 MS. MENENDEZ: Marshall Bellin?

23 MR. BELLIN: Yes.

24 MS. MENENDEZ: Anthony Bello?

25 MR. BELLO: Yes.

1 MS. MENENDEZ: Eibi Aizenstat?

2 CHAIRMAN AIZENSTAT: Yes.

3 On the second item, with the text
4 amendments --

5 MR. FLANAGAN: I'll move Item 6, in
6 accordance with Staff's recommendation and
7 conditions, but with the amendment that it
8 apply only to -- Is it the north MXD, Craig?
9 Would that be the right language?

10 MR. LEEN: That's sufficient guidance.

11 MS. ALBERRO MENENDEZ: What is the
12 boundaries of that north?

13 MR. LEEN: Do you have the geographical
14 boundaries?

15 MR. GARCIA-SERRA: I believe in the Staff
16 presentation, we can see that map.

17 MR. LEEN: Here, it's --

18 MR. GARCIA-SERRA: And I believe it's
19 called the North Industrial Mixed-use District,
20 I think, is the exact name. I know which one.

21 Okay, so it would essentially be the north
22 red dotted line area.

23 MS. ALBERRO MENENDEZ: The north --

24 MR. GARCIA-SERRA: That's only the one
25 side.

1 CHAIRMAN AIZENSTAT: Which would include
 2 the U.S. 1 --
 3 MR. GARCIA-SERRA: No, it doesn't.
 4 CHAIRMAN AIZENSTAT: No?
 5 MR. FLANAGAN: Let me -- That pointer
 6 seemed to be going all the way down to U.S. 1.
 7 CHAIRMAN AIZENSTAT: Exactly.
 8 MR. FLANAGAN: So, Mario, can you tell
 9 us the southern -- What are the boundaries of
 10 the north district, please?
 11 MR. GARCIA-SERRA: You know, what happens
 12 is, it's mid-block. You see, this is Bird,
 13 this is LeJeune, and here's Ponce.
 14 MR. FLANAGAN: Right.
 15 MR. GARCIA-SERRA: And this frontage here
 16 is commercial, and this is what the underlying
 17 zoning -- it would be hard to tell you, because
 18 it's pretty much going down the center of this
 19 block and the center of this block, but indeed
 20 on the zoning map of the City, or excuse me, on
 21 the Future Land Use Map of the City, it's
 22 defined as the northern mixed-use district.
 23 CHAIRMAN AIZENSTAT: Okay. So it would not
 24 include the U.S. 1 area and so forth? Okay.
 25 Continue, Jeff, please.

1 MR. BELLIN: Yes.
 2 MS. MENENDEZ: Anthony Bello?
 3 MR. BELLO: Yes.
 4 MS. MENENDEZ: Jeff Flanagan?
 5 MR. FLANAGAN: Yes.
 6 MS. MENENDEZ: Eibi Aizenstat?
 7 CHAIRMAN AIZENSTAT: Yes.
 8 And with the final item, with the vacating
 9 of the public alleyway?
 10 MS. ALBERRO MENENDEZ: I'd like to make a
 11 motion, but with a condition, that you try to
 12 locate an off-site, in the proximity, within
 13 the Gables, Coral Gables.
 14 CHAIRMAN AIZENSTAT: Try to locate or --
 15 MS. ALBERRO MENENDEZ: Well, that you
 16 locate a parcel that could be dedicated for a
 17 public park, and it be in Coral Gables, in
 18 other words, not in Miami, but in that vicinity
 19 of the area.
 20 CHAIRMAN AIZENSTAT: I would rather --
 21 just, if I may, instead of within Coral Gables,
 22 I would like to ask if it could be within the
 23 proximity to this neighborhood.
 24 MS. ALBERRO MENENDEZ: That's even better.
 25 It's just I had in mind the City of Miami

1 MS. ALBERRO MENENDEZ: Yeah.
 2 MR. LEEN: So the zoning -- the three
 3 zoning provisions that are being amended, they
 4 would all be just in the north overlay
 5 district, which is what was just described to
 6 you.
 7 MR. FLANAGAN: Correct.
 8 MR. LEEN: Okay.
 9 MR. GRABIEL: Second.
 10 CHAIRMAN AIZENSTAT: Anything further with
 11 your motion?
 12 MR. FLANAGAN: I don't think so.
 13 CHAIRMAN AIZENSTAT: With Staff's
 14 recommendation included?
 15 MR. FLANAGAN: It was.
 16 CHAIRMAN AIZENSTAT: Okay. We have a first
 17 and a second. Any discussion?
 18 Call the roll, please.
 19 MS. MENENDEZ: Julio Grabiell?
 20 MR. GRABIEL: Yes.
 21 MS. MENENDEZ: Maria Menendez?
 22 MS. ALBERRO MENENDEZ: Yes.
 23 MS. MENENDEZ: Alberto Perez?
 24 MR. PEREZ: Yes.
 25 MS. MENENDEZ: Marshall Bellin?

1 being just --
 2 CHAIRMAN AIZENSTAT: Well, within the City
 3 of Coral Gables.
 4 MS. ALBERRO MENENDEZ: Right, because
 5 Ponce, I think the east side of Ponce is Miami,
 6 and I just didn't want it to be jumping over
 7 there.
 8 CHAIRMAN AIZENSTAT: No, no, that's why I
 9 wanted it to say --
 10 MS. ALBERRO MENENDEZ: So I wanted to keep
 11 it in the proximity of the project. I like it
 12 even better.
 13 CHAIRMAN AIZENSTAT: Within the City of
 14 Coral Gables.
 15 MS. ALBERRO MENENDEZ: Right.
 16 CHAIRMAN AIZENSTAT: So it's something that
 17 the City will control.
 18 MS. ALBERRO MENENDEZ: Right, and in
 19 proximity to the project.
 20 CHAIRMAN AIZENSTAT: Correct.
 21 MR. GARCIA-SERRA: If I could, could it
 22 also potentially be for improvement of existing
 23 open space? In other words, I think what
 24 you're looking at is finding a parcel,
 25 acquiring it and making it some sort of public

1 open space.

2 MS. ALBERRO MENENDEZ: Park space.

3 MR. GARCIA-SERRA: Which, of course, is a
4 challenge, because who knows if we can find
5 that space. If we do, does the seller know
6 that we need it in order to get this done --

7 MS. ALBERRO MENENDEZ: Right.

8 MR. GARCIA-SERRA: -- and then it could be
9 held hostage. There could be other public
10 spaces around there, including some, perhaps,
11 on the school district property, which we could
12 improve.

13 MS. ALBERRO MENENDEZ: The purpose is
14 really to provide an amenity to the public.
15 So, I mean, I don't have the answer for you,
16 outside of requesting that it be subject to,
17 you know, a public amenity being provided to
18 the public.

19 MR. GARCIA-SERRA: So perhaps a condition
20 that requires us to improve -- to acquire and
21 improve a public open space, so as to justify
22 the benefit that's being provided for the alley
23 vacation.

24 MS. ALBERRO MENENDEZ: It's just, I see the
25 project with really very little public

1 MR. LEEN: If I may, I remember you had
2 mentioned about the paseo. Can it be there, or
3 are you saying it needs to be somewhere
4 off-site?

5 MS. ALBERRO MENENDEZ: The problem with the
6 paseo is, my impression when I looked at the
7 details of the drawings is that I really don't
8 think it's encouraging public use, with
9 high-end units. I mean, if you look at it, it
10 doesn't say public area, I mean, not that it --
11 but it doesn't really invite the public to go
12 through there. I guess if you have a car and
13 you want to reach the other side, you can do
14 it, but I don't see it being intended for the
15 public.

16 MR. GARCIA-SERRA: Yeah. It was certainly
17 designed not just as a driveway. You know,
18 there's considerable height in that space, and
19 there are, like Alejandro mentioned, benches
20 and so forth. You know, there could be perhaps
21 further enhancements done to that area.

22 Is there anything that comes to mind?

23 MS. ALBERRO MENENDEZ: Well, I don't know
24 if any of my Board members have comments.
25 That's my comment.

1 amenities and we have to -- I mean, I would
2 feel more comfortable vacating the alley and
3 approving the vacation of the alley if, in
4 fact, something is provided for the public.

5 MR. GARCIA-SERRA: Let's say we're in a
6 situation that we could lease, for some period
7 of time, a --

8 MS. ALBERRO MENENDEZ: No.

9 MR. GARCIA-SERRA: No?

10 MS. ALBERRO MENENDEZ: No.

11 MR. GARCIA-SERRA: You see, that's the
12 issue, of what exactly can we do.

13 MS. ALBERRO MENENDEZ: Right.

14 MR. GARCIA-SERRA: I don't know, perhaps we
15 can --

16 MS. ALBERRO MENENDEZ: The ideal thing
17 would be a green space that would be used for
18 the public, as a public park. I think the area
19 needs it. There's a lot of concrete in that
20 area. I know there's a small space in the area
21 of the Village of Merrick Park, and Village of
22 Merrick Park provides a lot more green area
23 than a lot of developments that I've seen,
24 but it would be great to have some green space
25 tied to that development for the public use.

1 CHAIRMAN AIZENSTAT: Do you have a
2 suggestion?

3 MR. GONZALEZ: No, but I would refer to,
4 there's a page in the document that
5 specifically details the paseo.

6 MS. ALBERRO MENENDEZ: Yeah, I saw it.

7 MR. GONZALEZ: And, you know, the scale of
8 the paseo. The paseo is open. It's very tall.
9 It's a 16-foot-high space with coffer in
10 addition to that, completely open to the
11 street, where you can see through, straight
12 through the block. I think it is inviting.
13 People are going to see the other side of the
14 property. It's a way to get out of the rain,
15 as well. It's shaded, which here is an
16 amenity, I would say, from the heat. So --

17 CHAIRMAN AIZENSTAT: Any ideas?

18 MR. GARCIA-SERRA: Something just was
19 mentioned to me, which I think is an idea that
20 has some value. We'd have to see exactly what
21 stage it is in the process, but as many of you
22 know, under the Metrorail guideway, there is
23 the M line, it's called -- it's sort of our
24 response to the -- I forget what that's called
25 in New York, but -- the high line, yeah.

1 Improvements to that area under the Metrorail
2 so as to make it a better pedestrian and
3 cyclist sort of area, for mobility. Possibly
4 we can look to see what they're doing and see
5 if we can help them. That's in somewhat close
6 proximity to the area.

7 MR. LEEN: You know, the City Commission
8 has also been very focused on the local
9 schools, and has mentioned Carver Elementary,
10 which is nearby, and also Gables High School.
11 So, you know, I think that from what I'm
12 hearing from the Board member is that we would,
13 the City -- or at least the Planning and Zoning
14 Board, you know, may want you to do more than
15 the paseo, though.

16 So are you open to that? Would you proffer
17 that?

18 MR. GARCIA-SERRA: Right now, it's a
19 condition that, as part of the alley vacation,
20 requires us to look into and commit to some
21 sort of improvement of either public open space
22 or educational space or whatever other
23 categories you can come up with. You know, I
24 think that's acceptable, and I think between
25 now and City Commission, we can further

1 Any further comment? No?
2 Call -- Yes, Marshall?

3 MR. BELLIN: I have a comment. This
4 building went to the Board of Architects and it
5 was awarded Mediterranean bonus at 3.5. The
6 paseo is a requirement of an MXD overlay. I
7 don't really feel that that's an amenity if
8 it's a requirement, and I agree with Maria, I
9 think there needs to be a really hard look at
10 some way -- I'm not even sure that --

11 I'll ask Ramon. Are all the requirements
12 fulfilled with respect to the Mediterranean
13 bonus?

14 MR. TRIAS: Yes. In fact, the applicant
15 went a second time to the Board, specifically
16 to deal with that, just in case, and I think
17 that your point about the paseo, the paseo is
18 one of the optional elements. Clearly, you to
19 fulfill some of them, but they chose to do a
20 paseo and to make it architectural.

21 MR. BELLIN: The paseo is required.

22 MR. TRIAS: Well, in the --

23 MR. BELLIN: If you're over 200 feet,
24 you're required to have one.

25 MR. TRIAS: Right. In this case, you're

1 solidify and figure out, you know, what it is
2 that we can do.

3 CHAIRMAN AIZENSTAT: Are you okay with
4 that, Maria?

5 MS. ALBERRO MENENDEZ: Yes.

6 MR. FLANAGAN: If we're throwing ideas out
7 there real quick, get the School Board to
8 reopen the track, because that used to be open
9 and available to everybody to use.

10 MR. GARCIA-SERRA: I know, it's closed.

11 MR. FLANAGAN: They intermittently closed
12 it off and then it was closed more and more as
13 the years went on. They just redid it, they
14 resurfaced it, but as far as I know, you can't
15 get in there anymore, and that was a nice
16 amenity --

17 MR. GARCIA-SERRA: Okay.

18 MR. FLANAGAN: -- for everybody to use.

19 MR. GARCIA-SERRA: Good example.

20 CHAIRMAN AIZENSTAT: So we have a motion.

21 MR. GRABIEL: Second.

22 CHAIRMAN AIZENSTAT: Julio, second.

23 Are we clear on what the motion is? Jill?

24 MS. MENENDEZ: Yeah.

25 CHAIRMAN AIZENSTAT: Okay.

1 right. You're correct.

2 MR. BELLIN: So it just seems like it's an
3 amenity, but --

4 MR. TRIAS: I think that Staff has enough
5 direction to work with the applicant, to
6 enhance some public space. Hopefully in the
7 next couple of weeks or so, we'll come up with
8 a plan.

9 MR. BELLIN: Okay.

10 MR. GARCIA-SERRA: Marshall, to make sure
11 that your question is addressed, we know we
12 need to do more. You know, it's clear that
13 that's -- We know we need to do more as far as
14 public benefit, and we have some ideas on what
15 to do.

16 MR. BELLIN: Would you be willing to give
17 up some of the retail space for public
18 amenities? You're talking about a huge -- you
19 know, you've got 56,000 square feet because of
20 the alley vacation. Maybe you can find 5,000
21 feet or --

22 MR. GARCIA-SERRA: You know, that's
23 something that could be part of the
24 conversation, to see what the City needs and
25 what we could potentially provide, as far as

1 that's concerned, and I know where you're
 2 coming from on the paseo, also. Indeed, it's
 3 required. We would say, you know, it's a
 4 little bit bigger and a little bit better than
 5 your average required paseo, but it's clear
 6 that just that, on its own, is not going to cut
 7 it, as far as the public benefit that we're
 8 proffering.

9 MR. BELLIN: Okay.
 10 CHAIRMAN AIZENSTAT: We have a motion and a
 11 second. Call the roll, please.
 12 MS. MENENDEZ: Maria Menendez?
 13 MS. ALBERRO MENENDEZ: Yes.
 14 MS. MENENDEZ: Alberto Perez?
 15 MR. PEREZ: Yes.
 16 MS. MENENDEZ: Marshall Bellin?
 17 MR. BELLIN: Yes.
 18 MS. MENENDEZ: Anthony Bello?
 19 MR. BELLO: Yes.
 20 MS. MENENDEZ: Jeff Flanagan?
 21 MR. FLANAGAN: Yes.
 22 MS. MENENDEZ: Julio Grabiell?
 23 MR. GRABIEL: Yes.
 24 MS. MENENDEZ: Eibi Aizenstat?
 25 CHAIRMAN AIZENSTAT: Yes.

1 MR. GARCIA-SERRA: Thank you very much and
 2 have a good night.
 3 CHAIRMAN AIZENSTAT: Thank you. That's it.
 4 The meeting is adjourned.
 5 Walter, good luck.
 6 The next meeting is scheduled for April
 7 29th.
 8 MS. MENENDEZ: 29th.
 9 CHAIRMAN AIZENSTAT: Yes, April 29th.
 10 (Thereupon, the hearing was adjourned at
 11 8:40 p.m.)
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CERTIFICATE

1
 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6

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

14 I further certify that all public speakers were
 15 duly sworn by me.
 16

DATED this 17th day of March, 2015.

17
 18
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 20 SIGNED COPY ON FILE

21
 22 JOAN L. BAILEY, RDR, FPR

23
 24 Notary Commission Number EE 083192.
 25 My Notary Commission expires 6/14/15.

