

**City of Coral Gables
 Planning and Zoning Board Meeting
 Wednesday, September 16, 2015
 Coral Gables City Commission Chambers
 405 Biltmore Way, Coral Gables, Florida**

MEMBERS	J14	F11	M11	A8	M13	J10	J29	A12	S9	S16	O14	D9	APPOINTMENT
	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	'15	
Robert Behar	-	-	-	-	-	-	-	-	P	E			Board-As-A-Whole
Marshall Bellin	P	P	P	C	C	C	P	P	P	P			Commissioner Vince Lago
Jeffrey Flanagan - Chair	E	P	P	C	C	C	E	P	P	P			Commissioner Pat Keon
Julio Grabiell	P	P	P	C	C	C	E	P	P	P			Mayor Jim Cason
Maria A. Menendez Vice Chair	P	P	P	C	C	C	P	P	P	P			City Manager Swanson-Rivenbark
Alberto Perez	E	P	P	C	C	C	P	P	E	P			Commissioner Frank C. Quesada
Frank Rodriguez	-	-	-	-	-	-	P	P	E	P			Commissioner Jeannett Slesnick

DRAFT

P = Present
E = Excused
C = Meeting Cancelled

City Staff and Consultants:

Charles Wu, Asst. Development Services Director
 Craig Leen, City Attorney
 Ramon Trias, Planning & Zoning Director
 Jane Tompkins, Development Services Director
 Jill Menendez, Administrative Assistant
 Simone Chin, Plans Coordinator Asst.
 Jessica Keller, Asst. Public Works Director
 Yamilet Senespleda, City Engineer

Court Reporter:
 Nieves Sanchez

Attachments:

- 09 16 15 Planning and Zoning Board Verbatim Minutes
- 09 16 15 Attendance/Speaker Sign In Sheet
- Public Comments received regarding "Paseo de la Riviera."
- Documents (pictures) entered into the record by Stuart Rich.

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, SEPTEMBER 16, 2015, COMMENCING AT 6:02 P.M.

9 Board Members Present:
 10 Jeffrey Flanagan, Chairman
 11 Maria Alberro Menendez
 12 Julio Grabiell
 13 Marshall Bellin
 14 Alberto Perez
 15 Frank Rodriguez

16 City Staff and Consultants:
 17 Charles Wu, Assistant Development Services Director
 18 Ramon Trias, Planning Director
 19 Craig E. Leen, City Attorney
 20 Jill Menendez, Planning Administrative Assistant

21 Also Participating:
 22 Tucker Gibbs, Esq.,
 23 on behalf of the Riviera Neighborhood Association
 24 Jeffrey Bass, Esq.,
 25 on behalf of the Applicant
 Laura Russo, Esq., Co-Counsel for the Applicant
 Jorge Navarro, Architect
 Tim Plummer, Traffic Engineer

1 (Thereupon, the following proceedings were
 2 held.)
 3 CHAIRMAN FLANAGAN: Good evening,
 4 everybody. This is the Special Meeting of the
 5 Planning and Zoning Board of the City of Coral
 6 Gables of September 16, 2015.
 7 I'm going to turn it over to the City
 8 Attorney for some introductory statements.
 9 MR. LEEN: Thank you, Mr. Chair.
 10 I just wanted to make a few preliminary
 11 statements about what's going to occur today.
 12 This is a hearing that's been continued from a
 13 prior hearing. So we're not going to go
 14 through everything again. And by "everything,"
 15 I mean, staff presentation, the opening
 16 arguments/presentations of the different
 17 parties.
 18 We're going to go right to the public
 19 hearing, but I just wanted to say, at the
 20 beginning, that everything that occurred at the
 21 last hearing is incorporated into what we're
 22 doing today. It's part of the same hearing.
 23 And so the decision that the Board makes will
 24 be based on the prior hearing and the continued
 25 hearing today.

1 Public Speakers:
 2 John P. Espinosa
 3 Sonya Gutlohn
 4 Jerry Marcus
 5 Lourdes Sanchez
 6 Ari Abril
 7 Hilario Candela
 8 Aramis Alvarez
 9 Alicia Fernandez
 10 Elizabeth Marcus
 11 Henry Pinera
 12 Sue Kawalerski
 13 Krista Rios
 14 Stuart Rich
 15 Mendy Fellig
 16 Javier Baeza
 17 Meg Daly
 18 Jor Vaughn
 19 Rim Norris
 20 Amado Acosta
 21 Barbara Newmann
 22 Tom Huston
 23 David Bixby
 24 Heidi Roth
 25 Roy Lyons
 Roberta Neway
 Michael Genden
 Larry Puyanic
 Larry Nolan
 Paul Posnak
 Betty Brody
 Brooks Miller
 Richard Waddell
 Charles Gelman
 Salvador Matus
 Jim Dockerty
 Christopher Hernandez
 Astrid Weinkle
 Sandra Levinson
 Lillia Citarella
 Richard Wood
 Jorge Rios

1 One other thing I wanted to address was,
 2 Mr. Rodriguez appeared on the phone, through
 3 Skype, last time, and if you were here, there
 4 was some difficulty with sometimes him being
 5 able to speak, and maybe being able to hear.
 6 So what I've asked is that he review the
 7 entire record, and the law, at least my view of
 8 the law, and I think I'm correct, indicates
 9 that a Board Member -- even a Board Member who
 10 wasn't present at the prior part of the
 11 meeting, if they review the entire record, they
 12 can then participate in the quasi-judicial
 13 hearing, and they're making a decision based on
 14 the record that's been presented.
 15 Now, Mr. Rodriguez did participate in the
 16 prior hearing, but, you know, because of these
 17 technical issues, we wanted to make sure that
 18 he reviewed the whole record.
 19 So at this time, I would ask,
 20 Mr. Rodriguez, did you review the entire
 21 record?
 22 MR. RODRIGUEZ: Yes.
 23 MR. LEEN: Okay. Do you feel that you can
 24 be fair in determining this matter today?
 25 MR. RODRIGUEZ: Yes.

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1 MR. LEEN: Okay. With that, I would also
2 say that I understand that there's a lot of
3 people here today who wish to speak, and my
4 understanding is that the names are going to be
5 called based on the cards that were supplied at
6 the last hearing.
7 Has there been a decision as to whether
8 other people will be allowed to speak?
9 CHAIRMAN FLANAGAN: Maria says -- the Vice
10 Chair says she has no objection. Any other
11 Member of the Board have an objection if
12 anybody --
13 MR. BELLIN: No.
14 CHAIRMAN FLANAGAN: No.
15 MR. LEEN: Okay. And, Mr. Chair --
16 MR. BASS: From the Applicant, we would
17 have no objection.
18 MR. LEEN: Okay. So if anyone else wants
19 to speak, you need to fill out a card and
20 provide it to THE SECRETARY.
21 Now, under our Code, the chair has the
22 ability to set the time limit for each speaker.
23 Mr. Chair, have you made a determination on
24 that?
25 CHAIRMAN FLANAGAN: Yeah. We're setting

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1 the timer at two minutes.
2 MR. LEEN: So the time will be set at two
3 minutes. So each person who comes up to speak
4 can speak for two minutes. We ask that you do
5 not go beyond two minutes.
6 I would also ask, although, you know, under
7 the First Amendment, you have a lot of rights
8 to say whatever you will, and I know that this
9 Board wants to hear from you and so does the
10 City Commission, I would ask that you not be
11 argumentative and that you adhere to a certain
12 level of decorum.
13 I'm sure that that will happen. I know
14 that the residents here today feel very
15 strongly about this, but also will adhere to
16 that level of decorum, and I'm sure that the
17 Applicant will, as well, and we'll see what
18 happens.
19 So with that, I would just turn it back to
20 the Chair and ask for the public hearing to
21 begin.
22 CHAIRMAN FLANAGAN: Thank you, Mr. City
23 Attorney.
24 And on the topic of decorum, I know
25 everybody is passionate, everybody is taking

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1 time out of their night and their week to be
2 here. At our last hearing, there were several
3 outbursts at various times during the evening,
4 so I will ask that you please be respectful of
5 the Chambers, maintain the decorum, and you can
6 address us when it's your turn to speak at the
7 podium. And other than that, any outburst or
8 clapping is now allowed.
9 We thank you for that.
10 MR. WU: Mr. Chair, if I may, for the folks
11 standing by the doors, please make sure the
12 doors are shut, because we cannot hear
13 ourselves if the door is open. There's a lot
14 of interference from the outside, reverberating
15 from outside to inside. So I would appreciate
16 that.
17 Thank you.
18 MR. LEEN: And Mr. Chair, one final thing.
19 Everyone's going to have to be sworn in again,
20 who wants to speak today, and I know the Chair
21 is going to do that in a second. Just so
22 everyone is aware, once the public hearing is
23 finished, we are going to give, my
24 understanding is, Mr. Gibbs a few more minutes
25 to conclude, and then the Applicant will have

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1 the final rebuttal, and then the matter will be
2 presented to the Board for their determination.
3 CHAIRMAN FLANAGAN: Okay. So the swearing
4 in. Everybody who wishes to speak this evening
5 must complete the roster on the podium with our
6 Secretary. We ask that you print clearly, so
7 the official records of your name and address
8 will be correct.
9 And now, with the exceptions of attorneys,
10 all persons who will speak on agenda items
11 before us this evening, please rise to be sworn
12 in.
13 MR. WU: And this is for everyone who
14 thinks they might be speaking, please rise,
15 also.
16 (Thereupon, the participants were sworn.)
17 MR. WU: And Mr. Chair, all of the e-mails
18 and communication received for the past two
19 other meetings are also made part of the
20 record.
21 CHAIRMAN FLANAGAN: Correct. And we have
22 those. Thank you.
23 And as a reminder, in deference to the
24 proceedings and everybody present, please
25 silence cell phones, pagers, whatever you may

1 have of an electronic nature, to help maintain
 2 quiet in the Chambers.
 3 And with that, we will begin the public
 4 hearing, the public comment process. I think
 5 we are going to start with the list from our
 6 last meeting.
 7 Jill will call the names. If you're here,
 8 please come up and speak. Please remember to
 9 state your name and address clearly, for the
 10 record. Please be sure to speak into the
 11 microphone. And then if you're not -- if that
 12 person is not here, Jill will go on to the next
 13 name.
 14 THE SECRETARY: Juan Espinosa.
 15 MR. ESPINOSA: Thank you very much.
 16 Hello. My name is John Espinosa. I live
 17 at 1216 Placetas Avenue, 15 feet outside the
 18 thousand foot notification zone.
 19 I moved to Coral Gables in 1998 because of
 20 its low density and architectural beauty, calm,
 21 serene neighborhood, not to have to a 252-room
 22 hotel, 234 apartments, 838 parkings and a
 23 14-story behemoth three blocks from my house.
 24 I'm concerned of the precedent this may set
 25 for other land close to the area, the massive

1 property and the strip mall to the other side.
 2 I agree, that Paseo is a beautiful project,
 3 that's too large for what's to be constructed.
 4 Mr. Plummer said that we live in an area
 5 that's very protected for traffic, and we would
 6 like to keep our area that way. My biggest
 7 concern is the traffic and developer funded
 8 traffic studies that are biased towards
 9 developers. There's not one traffic study in
 10 the City of Miami that has been accurate to
 11 date. Case in point, Brickell Avenue.
 12 In the traffic study, there are no studies
 13 done on cars arriving to the project.
 14 Everybody is speaking of it moving out. There
 15 was nothing done on Maynada, Manati, Aduana,
 16 Placetas, Andora nor Alfonso.
 17 All of the studies were conducted up to
 18 Caballero and Hardee. So we don't know how
 19 many cars are going to come through our
 20 neighborhood or potentially come through our
 21 neighborhood in the future.
 22 There's a lot of more points that I would
 23 like to say, but Architect Jorge Hernandez, who
 24 did a very good job, he said he was invested in
 25 this project 'cause he lives in the

1 neighborhood. But he will not be impacted by
 2 the traffic cutting through your neighborhood.
 3 You live right by Riviera Boulevard.
 4 As for Plummer & Associates, I hope that
 5 the studies conducted without traffic
 6 traversing through our neighborhoods are not
 7 detrimental to the families, neighbors and
 8 their families.
 9 Thank you very much.
 10 CHAIRMAN FLANAGAN: Thank you.
 11 MR. WU: Mr. Chair, for some housekeeping
 12 matters, can we have a roll call, please?
 13 CHAIRMAN FLANAGAN: Sorry about that.
 14 THE SECRETARY: Robert Behar?
 15 Marshall Bellin?
 16 MR. BELLIN: Present.
 17 THE SECRETARY: Julio Grabiell?
 18 MR. GRABIEL: Here.
 19 THE SECRETARY: Maria Menendez?
 20 MS. MENENDEZ: Here.
 21 THE SECRETARY: Alberto Perez?
 22 MR. PEREZ: Here.
 23 THE SECRETARY: Frank Rodriguez?
 24 MR. RODRIGUEZ: Here.
 25 THE SECRETARY: Jeff Flanagan?

1 CHAIRMAN FLANAGAN: Here.
 2 THE SECRETARY: Paul Gutlohn.
 3 Jerry Marcus.
 4 MR. MARCUS: Here.
 5 THE SECRETARY: And following, Lourdes
 6 Sanchez.
 7 MR. MARCUS: My name is Jerry Marcus. I
 8 live at 6401 Caballero Boulevard. I've lived
 9 there for more than 40 years, and I think we're
 10 maybe three houses down.
 11 Can't hear me? Should I use that microphone?
 12 MR. WU: Speak into the mike.
 13 MR. MARCUS: I am.
 14 Can you hear me now?
 15 Okay. My name is Jerry Marcus. I live at
 16 6401 Caballero Boulevard. I've lived there
 17 since 1971. And the project -- the proposed
 18 project is just -- we're very close to Jaycee
 19 Park, and it's just across from Jaycee Park,
 20 which I use.
 21 I had a major surgery a while back, and my
 22 doctor told me I should walk every day, which I
 23 do, and I go down to Jaycee Park and walk
 24 around the perimeter.
 25 And I found that many times I go there -- I

1 drive down there, and many times I go there,
2 cars are parked, even though there's no one in
3 the park, and I've reported this to the police
4 more than once, and I think people just park
5 there to go to their job or wherever they go,
6 and stay all day, because, obviously, ghosts
7 can't be in the park and drive a car.

8 So I find that this project will certainly
9 put a damper on my walking exercise, as well as
10 my enjoyment of the park, because I can just
11 imagine -- I rest from time to time on a bench,
12 and to have a view of a giant apartment and --
13 apartment building and a hotel building right
14 in my view.

15 So just for that reason -- I think that the
16 traffic in our area is going to be abhorrent
17 and I certainly am very much against it.

18 We're a residential area. We like our area
19 and we'd like to keep it the way it is, and I'm
20 speaking for a lot of our neighbors.

21 Thank you.

22 CHAIRMAN FLANAGAN: Thank you.

23 There's no -- ladies and -- thank you.

24 MS. SANCHEZ: Good evening. My name is
25 Lourdes Sanchez, and I live at 1000 Hardee

1 Road, in the Historic French Village -- in the
2 Historic French Village of the Riviera
3 Neighborhood.

4 After having reviewed the proposed project,
5 Paseo de la Riviera, I am in support of this
6 development. I believe that -- the height,
7 density and uses to be appropriate to a US-1
8 location or at -- near the University of Miami
9 Transit Station, and the architecture is an
10 elegant expression of Mediterranean
11 architecture today.

12 I am in full support of this project, as I
13 said before.

14 Thank you.

15 CHAIRMAN FLANAGAN: Thank you.

16 THE SECRETARY: Dr. Abril.

17 And Hilario Candela follows.

18 MR. ABRIL: Hi. My name is Ari Abril, and
19 I'm a resident of Coral Gables, at 6312
20 Leonardo Street. We have lived in the
21 neighborhood behind the proposed project for
22 the last fifteen years, and I'm here to show my
23 support for Paseo de la Riviera.

24 While not in favor of development for
25 development sake, my wife and I have studied

1 the project and are convinced that it is an
2 example of intelligent planning and elegant
3 architecture.

4 This project will be a leading example of
5 how people want to live today, with access to
6 transit, bike and pedestrian friendly paths,
7 wide and safe sidewalks and parks. Having
8 coffee shops and businesses will only add to
9 the outdoor culture of a thriving community.

10 Thank you.

11 CHAIRMAN FLANAGAN: Thank you.

12 THE SECRETARY: Hilario Candela.

13 And following will be Aramis Alvarez.

14 MR. CANDELA: Good evening. My name is
15 Hilario Candela, and I reside at 6201 Granada
16 Boulevard with my wife. We have lived in Coral
17 Gables for over the last 50 years.

18 I am an architect, and I have practiced in
19 our community for the same amount of time.

20 I'd like to take a moment to make some
21 references to a moment in our history, the
22 local history, that I think was significant.
23 You know, it is almost unthinkable now, but at
24 one time, in the late '60s, our loved landmark,
25 Douglas Entrance, was considered for

1 demolition.

2 I don't know how many people of the people
3 that have moved, you know, in the last --
4 recent, 10, 20 years, can think of that time
5 back, but I certainly do. It would now be
6 gone.

7 But it really changed, because it took a
8 tremendous risk to save it, save it for our
9 community and for the future, and there it
10 stays, the way Merrick had planned it.

11 The creation of community, when you look
12 back, can take different agents, of different
13 types. They can be neighbors in support or
14 concerned about development, or it could be a
15 group of professionals reviewing a project, or
16 neighbors and professionals and elected
17 officials all working together for the best of
18 the community.

19 The agent can also be a single individual,
20 that stops, do something that could be
21 considered minor, like picking up trash from
22 the public right-of-way. Sometimes the agent
23 could be a person or a group of persons that
24 envision a better place than the one that
25 exists now.

1 And that person invests his capital to
 2 accomplish that vision. That person takes a
 3 personal financial risk, for a possible gain,
 4 that, in the best cases, betters him or
 5 herself, but also betters the community.
 6 In the case of the Douglas Entrance, this
 7 is what we did, with Mr. Andrew Ferendio, Ed
 8 Grafton and Peter Spillis, when we saved and
 9 restored Douglas Entrance to obtain National
 10 Landmark Designation.
 11 We acted -- individually, and our group
 12 acted as agents of the community, known as
 13 Developers. So we changed quickly our hat.
 14 Mr. Merrick --
 15 CHAIRMAN FLANAGAN: Mr. Candela, I'm sorry
 16 to interrupt you. Out of fairness to everybody
 17 else, we're giving everybody two minutes to
 18 speak.
 19 MR. CANDELA: Oh, I'm sorry.
 20 CHAIRMAN FLANAGAN: And I believe -- yeah,
 21 the beeping was your two-minute mark. So if
 22 you wouldn't mind wrapping briefly, please.
 23 MR. CANDELA: Very good.
 24 I think that in looking at the project,
 25 both, as somebody who had lived there, and I

1 had participated in the presentation of this
 2 project, as a Member of the Board, when it was
 3 initially submitted.
 4 The Board had an opportunity to review the
 5 project. There were comments and resubmittals,
 6 to my recollection, and it had unanimous
 7 approval of the Board.
 8 I think, as a neighbor, I have lived in
 9 this neighborhood since 1972, when I moved to
 10 Florida, in 1110 Aduana Avenue, which is part
 11 of the area that is in the neighborhood, very
 12 close proximity to this area.
 13 My address today is 1237 South Alhambra.
 14 I'm very close to the area in discussion. I
 15 had the opportunity to see the project, in its
 16 architectural character and merits, and I had
 17 the opportunity to see the presentation by
 18 Mr. Tim Plummer, the engineer in charge of the
 19 presentation for traffic.
 20 Excuse me.
 21 This project had all the analysis for
 22 traffic that is presented as an objection from
 23 the Members of the Neighborhood Association of
 24 Riviera. I do not think the traffic is a
 25 problem. I truly believe this project has

1 live there, because I live very close it, I
 2 live just next to the French Village, I think
 3 the project fits the image and the description
 4 of Mr. Merrick for that area. It conforms with
 5 Mr. Merrick's vision of how to deal with height
 6 and the width of roads, and I think it would be
 7 a good community asset, in terms of the
 8 components that it has, parks, gardens, paseos,
 9 et cetera, and I recommend to you all that you
 10 support -- that I support this project, that
 11 you vote for this project.
 12 Thank you very much.
 13 CHAIRMAN FLANAGAN: Thank you.
 14 THE SECRETARY: Aramis Alvarez.
 15 And following will be Alicia Fernandez.
 16 MR. WU: Mitch, have you been sworn in yet?
 17 Have you been sworn in yet?
 18 MR. ALVAREZ: No.
 19 CHAIRMAN FLANAGAN: Is this gentleman the
 20 next speaker? Yes.
 21 (Thereupon, Aramis Alvarez was sworn.)
 22 MR. ALVAREZ: Yes.
 23 For the record, my name is Aramis Alvarez.
 24 I have served in the Board of Architects for
 25 the last five years, tenure ending in May. I

1 resolved the fears of traffic, that will be
 2 negative to the neighborhood.
 3 I think it's a great project for the
 4 neighborhood. These people have the right to
 5 develop, and if you have the wrong development,
 6 it will be a negative to our neighborhood. I
 7 think this project is an enhancement.
 8 The architecture, the proximity to the
 9 park, the open spaces surrounding it, are
 10 completely in favor of receiving a project of
 11 this nature.
 12 Obviously, in the neighborhood, we're going
 13 to have a better place to receive friends and
 14 family when they visit. So I'm totally in
 15 favor of this project. And this is my
 16 testimony. It's in the record, on my letter.
 17 Thank you for the opportunity.
 18 CHAIRMAN FLANAGAN: Thank you.
 19 THE SECRETARY: Alicia Fernandez.
 20 And following will be Elizabeth Marcus.
 21 MS. FERNANDEZ: Good evening. My name is
 22 Alicia Fernandez. My address is 6000 Granada
 23 Boulevard, where I have lived and owned for
 24 over 30 years. I've been a resident of the
 25 City of Coral Gables for the past 53 years.

1 Paseo de la Riviera is a project that will
2 improve our neighborhood. The project features
3 a much needed new hotel for the area, which we
4 can use for our families and guests when they
5 visit. It also includes a residential building
6 and neighborhood commercial, with restaurants,
7 cafes, designed around a beautiful public
8 space.

9 All of this will be close and convenient to
10 the Riviera Neighborhood and connected to us
11 through Jaycee Park.

12 My personal situation requires that I stay
13 close to home, and Paseo de la Riviera will
14 allow for me to take my daughter, who is
15 disabled, wheelchair bound, to enjoy this
16 beautiful place, while remaining close by and
17 safe.

18 There is nothing like this in our area,
19 family oriented, beautiful, and pedestrian
20 friendly.

21 I have spoken with a few of my neighbors
22 about the project. They told me it would be
23 fourteen stories high. I showed them the real
24 documentation of the project. The hotel is
25 only ten stories. And they have changed their

1 minds, after seeing the reality, that it's ten
2 stories, not fourteen, as some people have been
3 saying.

4 These buildings will not be any taller than
5 the existing UM Office Building, which is
6 visible, if at all, under the thick canopy or
7 our streets.

8 I'm very exited about the future of this
9 project and the positive effect it will bring
10 to my neighborhood.

11 Please support this project. Thank you.

12 CHAIRMAN FLANAGAN: Thank you.

13 THE SECRETARY: Elizabeth Marcus.
14 Christopher Zeller.

15 MS. MARCUS: My name is Elizabeth Marcus,
16 and I live at 6401 Caballero Boulevard, and
17 I've lived in my home for over 40 years, but
18 I've really been there longer, because my
19 parents lived across the street, at 6404
20 Caballero, and they built their home in 1957.

21 So I'm probably the oldest living resident
22 of the neighborhood. I don't know what that
23 means, but a lot, perhaps.

24 We live in a wonderful neighborhood, and I
25 would really like it to stay that way. A

1 number of years ago, in a very quiet, hot
2 summer, kind of like this one, we were shocked
3 to see the IRE Building go up, which now
4 belongs to the University of Miami.

5 It just appeared one day. Obviously, block
6 by block, but -- so at that time, restrictions
7 were put into the Code prohibiting more such
8 buildings from going up, and protecting the
9 US-1 corridor up to Riviera Drive.

10 The intent was to provide a buffer to the
11 residences, and to shelter and protect them
12 from the intrusion of high-rise buildings.

13 I'm very concerned that the project, Paseo
14 de la Riviera, which is asking for many
15 exceptions to the existing Code, would be
16 destructive to our neighborhood, to the
17 existing homes, and damaging to our quality of
18 life, but I'm also concerned about the whole
19 corridor and the precedent that it would set.

20 Besides my objections to the buildings
21 themselves, I'm also concerned about the
22 increase in traffic on our quiet streets,
23 inadequate parking, apartments which will be
24 rental, rather than owned, and already people
25 from across the highway park on our side.

1 I don't know -- those of you who are trying
2 to get out on US-1, it's very much of a
3 challenge to get out there from where I live,
4 and this development would only make this thing
5 worse.

6 So I hope you all will give this project --
7 this proposed project your very careful
8 consideration and think not just about our
9 neighborhood, but the whole future of the
10 corridor.

11 Thank you so much.

12 CHAIRMAN FLANAGAN: Thank you.

13 Ladies and gentlemen, please.

14 THE SECRETARY: Christopher Zeller.

15 Curtis George.

16 Henry Pineda.

17 MR. WU: Sir, were you sworn in earlier?
18 Were you sworn in earlier?

19 MR. PINEDA: No.

20 (Thereupon, Henry Pineda was sworn.)

21 MR. PINEDA: Yes, I do.

22 Hi. My name is Henry Pineda, and I live at
23 1215 Aduana Avenue. I wanted to start the
24 conversation by pointing out something that
25 Mr. Bass said.

1 He made a point to point out that this was
2 not a popularity contest. I agree with that.
3 It's not a popularity contest, but what this
4 is, is a representative form of government.

5 (Thereupon, a cell phone was ringing.)
6 MR. LEEN: Don't worry. It's okay. It's
7 okay. It's just a mistake.

8 MR. PINEDA: I prefer new wave music,
9 but --

10 MR. LEEN: It won't be against your time,
11 if it's okay, Mr. Chair.

12 CHAIRMAN FLANAGAN: Of course.
13 Go ahead, sir.

14 MR. PINEDA: But what I do want to remind
15 you guys is that this is a representative form
16 of government. This is something that
17 Commissioner Keon stressed during the Visioning
18 Workshop, that this is a representative form of
19 government, and we need to be heard, and we
20 need to make sure that we are having a
21 community that is uniform in its zoning, and
22 this would be an instance of spot zoning.

23 This has the same impact as spot zoning,
24 something that you guys have defined in the
25 Planning and Zoning documents as spot zoning,

1 the Riviera Neighborhood Association has, and
2 I'm not for it, for a number of reasons.

3 Number 1, first of all, we have a Visioning
4 Workshop Draft Report that was presented to our
5 Commission a couple of weeks ago, and that
6 draft report was very enlightening. I was at
7 the two days' worth of workshops.

8 The Draft Report specifically states
9 remarks made at that workshop, that we never
10 want another monstrosity in our neighborhood as
11 the UM Building.

12 The height of this Paseo project, it
13 mirrors that height, in our neighborhood.

14 What we expressed in meetings before the
15 Commission and in private meetings was the fact
16 that we have a perfect zoning plan right now,
17 and it's not that old, and there's a reason it
18 was put in place, as one of my fellow Riviera
19 Neighborhood Association members stated, it was
20 put in place for a reason, so that we don't
21 have that kind of height and density and the
22 monstrosity that is presented to us by that UM
23 project.

24 Some of the Visioning Report statements,
25 and -- and I say, the prevalent Visioning

1 same impact.

2 We need a comprehensive vision for the
3 entire US-1 corridor. We have not received
4 that.

5 The Visioning Workshop was, quote/unquote,
6 just the beginning, and we had some concerns
7 with the Visioning Workshop, that we have
8 shared with the Commissioners last week.

9 We need you guys to step in and put this to
10 rest. We need you guys to push back and to not
11 allow spot zoning in our community.

12 Thank you very much.

13 CHAIRMAN FLANAGAN: Thank you. Thank you.

14 THE SECRETARY: Sue Kawalerski.
15 Kawalerski, I'm sorry.

16 And Krista Rios and George Rios.

17 MS. KAWALERSKI: Good evening Chairman and
18 Board Members. My name is Sue Kawalerski. I
19 live at 6830 Gratian Street, where I've lived
20 since 1998.

21 I'm a Board Member of the Riviera
22 Neighborhood Association and very active.

23 I can tell you that I am for this project
24 for a downtown environment, but certainly not
25 in an adjacent neighborhood environment, like

1 Report statements, were things like this, lower
2 density, neighborhoods, parks, low-rise,
3 quieter, landscaping, no visible parking.

4 It now looks like a freeway. We need a
5 more neighborhood feel. Lower density, with
6 spacial continuity, development must maintain
7 height restrictions to prevent overwhelming
8 presence in adjacent neighborhoods. Parking
9 must be contained in garages, versus on the
10 street. No high-rise buildings greater than
11 five stories, and on and on and on.

12 I please ask you to pay attention to this
13 Visioning Report. It's very important.

14 And I have to say that the ratio of the
15 Riviera Neighborhood to the attendees at the
16 two days' worth of Workshops was one to three.
17 That means there was one neighbor versus
18 others, and those others were the Developers,
19 City Staff, and other interested parties that
20 do not live in this neighborhood.

21 I encourage you to look at this report,
22 because this report is very critical to what
23 the neighborhood is asking from you.

24 Thank you.

25 CHAIRMAN FLANAGAN: Thank you.

1 THE SECRETARY: Krista Rios and George
 2 Rios.
 3 Following will be Stuart Rich and Rebecca Rich.
 4 MS. RIOS: Good evening. My name is Krista
 5 Rios, and I live with my family at 1251 South
 6 Alhambra Circle. I have lived in Coral Gables
 7 my entire life, 26 years, and at my current
 8 home for the last 21.
 9 My home is just a block down from the
 10 proposed development, so I grew up in the
 11 immediate area where this project is being
 12 planned. I know what it's like to be a little
 13 kid, a teenager and a young adult and live in
 14 this area, to grow up with my family there in
 15 that very neighborhood.
 16 I also went to college and law school at
 17 the University of Miami, across the street from
 18 the proposed development, and I now practice in
 19 Coral Gables, at a firm very close to it, just
 20 off of Ponce de Leon.
 21 As a long-time resident, a former UM
 22 student and current professional working in the
 23 area, I have the opportunity to look at this
 24 project from varying angles.
 25 I was presented with the designs for the

1 new Paseo de la Riviera project and graciously
 2 explained the plans, including how the concern
 3 of increased traffic will be handled, so that
 4 it will not be an issue to neighbors in the way
 5 that people are so quick to assume.
 6 Not only is the design absolutely beautiful
 7 and will undoubtedly be a tremendous asset to
 8 the surrounding area, as a means of uniting the
 9 community, more access and safer access to
 10 restaurants, shops, job creation, et cetera,
 11 but the project will also, in turn, help to
 12 greatly boost the infrastructure of the City as
 13 a whole.
 14 I think this project is something immensely
 15 important for Coral Gables, especially the
 16 areas directly around the project. It has my
 17 utmost and complete support, and I respectfully
 18 ask that it has yours, as well.
 19 Thank you.
 20 CHAIRMAN FLANAGAN: Thank you.
 21 THE SECRETARY: Stuart Rich.
 22 You need to enter them into the record, sir.
 23 MR. RICH: Sorry?
 24 THE SECRETARY: Give your name and address
 25 and then present them into the record.

1 MR. RICH: My name is Stewart Rich.
 2 Address, 1222 Aduana Avenue, Coral Gables,
 3 Florida.
 4 CHAIRMAN FLANAGAN: Go ahead, sir.
 5 MR. RICH: Okay. I'm here to defend one
 6 who cannot speak, and that is Jaycee Park.
 7 This lovely park -- you should be getting a
 8 handout here of the pictures that I've taken.
 9 There's three examples.
 10 It's just behind the Holiday Inn, and the
 11 picture was taken just at the corner of Manati,
 12 Caballero. I've got a very small version here.
 13 It's this picture. For those of you in the
 14 audience, it's right here. It's a lovely park.
 15 This is taken from the corner.
 16 It's quiet enjoyment. It's welcomed by
 17 people of all ages. The park has been enlarged
 18 and approved over the years. It is
 19 immaculately maintained. Amenities include
 20 tennis, basketball courts, a covered pavilion,
 21 benches, children's play area -- you can see
 22 tiny children playing back here -- picnic
 23 tables and more.
 24 There's plenty of shade, as well as grassy
 25 areas for frisbee or other sports. No

1 improvements are needed at this time by a
 2 Developer. Thank you very much.
 3 It is currently free from major visual
 4 obstructions, but the Paseo project puts this
 5 freedom in mortal peril.
 6 Take a look at Picture 2 here. This is the
 7 official artist's representation, submitted by
 8 Mrs. Russo to the City with her packet, and it
 9 shows the view of the Paseo development from
 10 the park.
 11 Notice, the tree conspicuously hides almost
 12 all of the higher levels. This is -- well, you
 13 can draw your own conclusions.
 14 Now, Picture 3 is an actual photo from the
 15 dead center in the park. There is the Holiday
 16 Inn, and I used this nice symmetric type
 17 projection, that's the best I could do on it.
 18 It has an element of perspective to it.
 19 Assuming this is 30 feet tall, that's 145
 20 feet, where the block lines are right here.
 21 It's quite impressive and quite astonishing.
 22 The articulations of the structure are not
 23 known. I can't say what exactly that's going
 24 to look like.
 25 Anyway, the idea is that this thing is

1 going to be there for 50 years or more, for our
2 legacy and our prosperity. For youngsters and
3 the yet unborn, we need to do the right thing.
4 Install a building in reasonable proportion to
5 the area, that in turn will be praised in
6 coming years for foresight and preserving and
7 protecting the quality of life in our beloved
8 City, rather than cursed for allowing the
9 construction of this grossly oversized project.

10 Thank you.

11 CHAIRMAN FLANAGAN: Thank you.

12 MR. LEEN: Thank you.

13 Mr. Chair, if it's okay with you, if anyone
14 goes over two minutes, I'm going to say
15 something at this point, just because we have a
16 lot of people who need to speak and we really
17 don't want to go over the time limit again and
18 have to continue the matter, and have everyone
19 have to come back a third time.

20 So if it's okay with you, Mr. Chair, it
21 will be strictly enforced going forward.

22 CHAIRMAN FLANAGAN: That's fine. Thank
23 you.

24 Does the Applicant and Mr. Gibbs have
25 copies of these photographs?

1 Jill, do we have extras from that last
2 speaker or do you -- yeah, you want this one?

3 Do you mind giving one to Mr. --

4 MS. MENENDEZ: No, I don't.

5 CHAIRMAN FLANAGAN: Thank you. Thank you.

6 THE SECRETARY: Mendi Fellig.

7 MR. FELLIG: Thank you for giving us an
8 opportunity to be here today and to show our
9 support for the Paseo --

10 MR. WU: Sir, your name and address, for
11 the record.

12 MR. FELLIG: My name is Mendi Fellig, and
13 my wife Hendi Fellig, and I live at 1251 Hardee
14 Road for the past ten years, with our children.

15 We are the closest property to the proposed
16 project, and thereby we are in many ways the
17 most affected.

18 We're here today to support the project,
19 because it is beautifully designed, with
20 community in mind. This project will not only
21 provide much needed housing in the area, but it
22 will provide cafes, restaurants and a
23 magnificent public space that everyone in our
24 community will benefit from, not to mention a
25 first rate hotel, where our guests will feel

1 comfortable to stay.

2 Madruga Avenue is assumed to be an alley
3 and people treat it as such. Cars zoom in and
4 out, and -- because we lack a proper traffic
5 solution.

6 Our garbage is rummaged through on a
7 regular basis and metal items miraculously
8 disappear from our yard. The lack of nighttime
9 activity and lighting makes it a perfect place
10 for unfortunately souls to hang out.

11 The developers are in constant contact with
12 my neighbors, myself. They share their vision.
13 They share their plans. They hear our
14 concerns, and they take these suggestions to
15 heart. They've continuously updated the
16 project, to make it from a great project to
17 fantastic.

18 The Developers, they have roots in the
19 Midwest, but they're local. They're here to
20 stay. This is not a condominium project. This
21 is apartments. There's one owner. Complaints,
22 comments, concerns, one person, with every
23 reason to keep it pristine.

24 The project is a true gem that will make
25 our neighborhood the envy of South Florida.

1 When I look around the room today, there
2 are many people here who have raised beautiful
3 families in the '70s, '80s, the '90s, but we're
4 in the 21st Century, and we need to be looking
5 forward to common sense development for our
6 children, near public transit, on the main
7 thoroughfare.

8 I realize you have a lot to consider here,
9 and I thank you for your time, and I hope
10 you'll make a wise decision and recommend this
11 project.

12 Thank you.

13 CHAIRMAN FLANAGAN: Thank you.

14 THE SECRETARY: Javier Baeza.

15 And following will be Angel Fernandez.

16 MR. BAEZA: My name is Javier Baeza, and I
17 live at 1219 Manati Avenue. I've been living
18 there since 1992. And even though it's a
19 beautiful project, took a lot of detail, a lot
20 of work, and I'm sure it would enhance some
21 community, but not the residential area where
22 me and my family live, where I raise my
23 children.

24 The traffic right now, at times, is
25 unbearable, in Madruga. The parking situation

1 at Jaycee Park -- I live two houses from Jaycee
2 Park -- is constantly being occupied by people,
3 who I believe work at the UM Building, because
4 they all have UM stickers on them.

5 The area where the EWM, and the building
6 next to it on Caballero, parking is also being
7 used by non-residents, and I think this project
8 will not benefit the residents of the area, in
9 my point of view.

10 So please consider the type of project
11 that's being recommended for this, and act
12 accordingly.

13 Thank you.

14 CHAIRMAN FLANAGAN: Thank you.

15 THE SECRETARY: Angel Fernandez.

16 Troy Register. Troy Register.

17 Maria Bustamante. Maria Bustamante.

18 Junias Aldajuste.

19 Meg Daly.

20 MS. DALY: Good evening. My name is Meg
21 Daly. I live at 1004 Cotorro. We also own a
22 home at 1010 Hardee Road. Both are in the
23 French Village. And Jaycee Park is my park.

24 This is where my kids grew up. This is the
25 place that we call home. I'm in favor of this

1 Richard Waddell.

2 MR. WADDELL: Good evening. My name is
3 Richard Waddell. My wife and I live at 1110
4 Placetas Avenue, and we're living there more
5 than 50 years, and believe me, I've seen some
6 changes in the University, including the IRE
7 project, which was built without my permission
8 or knowledge.

9 And I'm sure that what you do with the
10 Holiday Inn, as far as height and restriction,
11 will concern not only the Holiday Inn, but all
12 of the properties between 57th Avenue and
13 Maynada. Eventually that will affect all of
14 those properties. I firmly believe that.

15 Excuse me.

16 I do believe that you have a building
17 already on US-1 which would suit your purpose,
18 as far as height and restrictions are
19 concerned, and that's the Bank of America,
20 which is four stories, and I believe that would
21 be sufficient, because I think, as each
22 individual property owner comes up, they're
23 going to say, "I have a hardship. I'm going to
24 have this, and I need ten stories. I need
25 twelve stories" or whatever, but I think that

1 project. I'm in favor of a quality hotel in
2 our neighborhood. I'm in favor of having great
3 amenities near our homes, so I can actually
4 walk or bike rather than going to Downtown
5 Coral Gables, although I like it, and South
6 Miami, also I like it.

7 I love the proximity of having quality
8 amenities near our home. It's more of an urban
9 experience in our beautiful neighborhood in the
10 suburbs.

11 I'm also in favor of development within a
12 ten-minute walk of transit; a future vision of
13 sustainable development so people can live,
14 work and play near transit, without needing a
15 car.

16 This is a new concept for Miami, but not
17 new in other major cities throughout the
18 country, if not the world.

19 So I encourage you to approve this project,
20 and thank you for your time.

21 CHAIRMAN FLANAGAN: Thank you.

22 THE SECRETARY: Rebecca Rich. She was just
23 called earlier, and she was outside.

24 Rebecca.

25 MS. RICH: I'd like to defer my time to

1 four stories would be sufficient and will meet
2 everyone's criteria.

3 And now that the University of Miami has
4 jumped across US-1 and bought the IRE Building,
5 I'm sure at some point they will decide to
6 expand the University of Miami, which will be
7 an expanse and it will be an encroachment.

8 So I do believe you need -- you have a
9 unique opportunity to do this, to use the Bank
10 of America as a criteria for what you would
11 like to do, and I think that would be great.

12 And, besides, I think once you do that --

13 MR. LEEN: Pardon me, sir. Your time is
14 up. I'm sorry.

15 MR. WADDELL: That's okay.

16 CHAIRMAN FLANAGAN: Thank you.

17 THE SECRETARY: Patrick Beck.

18 Joe and Bonnie Vaughn.

19 Following will be Tim and Lauren Norris.

20 MR. VAUGHN: Hello. My name is Joe Vaughn.
21 My wife and I live at 1222 Manati Avenue. I've
22 been a commercial real estate broker in Coral
23 Gables for the past 35 years.

24 I look at this project as sort of winners
25 and losers. I think the winners may be the

1 Developer. Developers have to have a lot of
 2 chutzpah -- that's part of their character --
 3 and developments aren't always successful.
 4 There's a lot of vacant chutzpah in Downtown
 5 Miami four of five years ago.
 6 I think the City of Coral Gables will win,
 7 because you'll have a tax revenue base, with
 8 very little additional cost, and I think the
 9 University of Miami wins, because they have a
 10 hotel to supply their new medical center. They
 11 have a potential dormitory, that they didn't
 12 have to pay for, that their students can use,
 13 but I think they're losers, and many of the
 14 losers are sitting here. We're the homeowners.
 15 I'm kind of reminded of 2008, when my 401-K
 16 became a 201-K, and a lot of us sitting here
 17 think of our house and the equity we built up
 18 as part of our retirement. Hopefully not all
 19 of it, but part of it, and what you're doing
 20 is, you're taking 10 or 15 percent of my
 21 retirement away from me.
 22 I think the value of our homes will drop 10
 23 or 15 percent, and I think we're going to be
 24 punished because of that.
 25 Why do I say this? The mere scale of the

1 project. When I look at the renderings, it's
 2 like a surf living by the castle walls. We're
 3 inundated from the density and the height of
 4 the buildings.
 5 I think the traffic will be unbearable. I
 6 have visions of people parking on my lawn.
 7 It's kind of like the old Orange Bowl. Maybe I
 8 can charge them ten bucks and I can sell some
 9 beef kabobs. It's going to be very difficult.
 10 The project is so overwhelming that Jaycee
 11 Park, as Stuart mentioned, will become unusable
 12 for the local people. I can't take my
 13 grandchildren to the park.
 14 Have you been at a basketball game, with
 15 college kids playing? It's kind of a rough
 16 situation.
 17 What would the Developers do -- what would
 18 you folks do about the University end project?
 19 Are you going to tell them, they can't build
 20 twelve or fourteen stories, whatever it is? Of
 21 course not.
 22 What's going to happen on the other side of
 23 the University of Miami building?
 24 So that whole east side of Dixie Highway is
 25 going to be Brickell Avenue. We're living

1 behind that. It's going to change the
 2 liveability and the value of our neighborhood.
 3 Do the right thing. Following the zoning.
 4 CHAIRMAN FLANAGAN: All right. Ladies and
 5 gentlemen, I started the meeting by asking you
 6 to please maintain decorum. Unfortunately, we
 7 can't have any outburst, verbal, clapping, what
 8 have you.
 9 I think I have asked -- that was at least
 10 the third time, maybe the fourth, and we're
 11 only at 6:52 tonight.
 12 So, please, I'm going to ask again, no
 13 clapping. I know everybody is passionate. I
 14 know everybody has strong feelings, one way or
 15 the other. We appreciate that. We know that.
 16 But please keep it to yourself, unless you're
 17 speaking up at the podium.
 18 Thank you.
 19 Jill, next speaker, please.
 20 THE SECRETARY: Tim and Lorena Norris.
 21 And following would be Ann Lee.
 22 MR. NORRIS: Good evening. My name is Tim
 23 Norris. I live at 1031 Alfonso Avenue. I
 24 would like to ask you to recall the Applicant's
 25 consultant on traffic and transit, and he

1 showed all of us a map, and he pointed out the
 2 canals, and he said, "This affected area is
 3 protected from traffic."
 4 That was certainly news to me, and I
 5 gathered, from listening to some of the
 6 neighbors here tonight, that it was news to
 7 them, as well.
 8 If you see the traffic flowing from the
 9 east onto Hardee Avenue, at Granada, flowing
 10 south on Granada, some off the Highway, some
 11 from Hardee, the traffic going at the traffic
 12 circle at Maynada and Hardee, then going down
 13 around the roundabouts at Alfonso and the
 14 roundabout at South Alhambra, if can they can
 15 make it around the roundabout, because
 16 sometimes the traffic is backed all of the way
 17 up from Sunset to that roundabout, I think you
 18 would conclude that it's not so protected from
 19 the traffic.
 20 So while I did hear the Applicant's counsel
 21 say that the traffic is not an issue, I think
 22 that it certainly is, and I would ask that the
 23 Board please take that into consideration, what
 24 an additional 800 and 30 some or 40 something
 25 parking spaces -- and I don't know how many

1 units -- will mean to our local traffic.
 2 Thank you very much.
 3 CHAIRMAN FLANAGAN: Thank you.
 4 THE SECRETARY: Anne Lee.
 5 Antonio Fryguls.
 6 Amado Acosta.
 7 MR. ACOSTA: Good evening. My name is
 8 Amado Acosta. I live at 1225 South Alhambra
 9 Circle. I'm a Board Member of the RNA.
 10 If you look at US-1, from 12th Avenue to
 11 Dadeland, no building is higher than five
 12 stories. Why? I looked into it. Both, the
 13 City of Miami and Dade County, have established
 14 five stories as the maximum height. Why would
 15 we consider fourteen stories?
 16 Number 2, the number of parking spaces.
 17 There are 235 rooms, times three, is 703, three
 18 people average per room -- per apartment.
 19 250 hotel rooms, times 1.5 average per
 20 room, is 375. That's a thousand and 70.
 21 And then you add another 100 or so for the
 22 people that work in there.
 23 What you have, 1,170 people needing parking
 24 spaces. This project only provides for 834.
 25 Mind you, when the underline goes in, all

1 neighborhood.
 2 I am deeply opposed to the height of this
 3 proposed building. Ten stories is just beyond
 4 comprehension. I think it's pretty obvious,
 5 when they introduced that ordinance, after
 6 1971, when they built that building that's
 7 there now, that it's entirely too tall, and
 8 with that comes all of the density, and I think
 9 that's going to be the biggest problem with the
 10 proposed project, with the height it is.
 11 It's the density, the additional traffic,
 12 all of the people cutting through the
 13 neighborhoods. You know, the change in the
 14 park.
 15 I mean, I get it that, you know, we -- the
 16 whole country has to grow, and everybody wants
 17 to develop and make money and all of that
 18 stuff, but, you know, we live in Coral Gables
 19 for a reason, and the reason is that you guys,
 20 as the elected officials, are going to do the
 21 right thing and abide by the ordinances that
 22 were put in place for a reason.
 23 Thank you.
 24 CHAIRMAN FLANAGAN: Thank you.
 25 THE SECRETARY: Gisele Blum.

1 of the parking under the rail, rapid transit,
 2 disappears.
 3 Where are all those parked cars going to
 4 go? You know the answer.
 5 The last point I'd like to make, you had a
 6 preliminary report of this Visioning Report --
 7 of the Visioning Study. In that preliminary
 8 report, there was no mention of heights, but
 9 then you got a final report. The final report
 10 says, a ten-story height is being recommended.
 11 Out of the blue.
 12 You need to find out who did that, and for
 13 what reason.
 14 Thank you.
 15 CHAIRMAN FLANAGAN: Thank you.
 16 THE SECRETARY: Commissioner Chip Withers.
 17 CHAIRMAN FLANAGAN: He's outside?
 18 THE SECRETARY: Lourdes Sanchez.
 19 UNIDENTIFIED FEMALE VOICE: She spoke already.
 20 THE SECRETARY: Eloise Frang.
 21 Barbara Newmann.
 22 MS. NEWMANN: Yeah.
 23 Hi. Good evening. My name is Barbara
 24 Newmann. I reside at 1219 Aduana Avenue. I've
 25 owned my house since 1988. I love the

1 Robert Barnett.
 2 Gisele Blum.
 3 Robert Barnett.
 4 Tom Huston.
 5 MR. HUSTON: My name is Tom Huston. I live
 6 at 1121 Madruga Avenue, which is our third
 7 residence in this neighborhood. I guess our
 8 first one started about 1957.
 9 One of the earlier speakers in the prior
 10 hearing, I think his theme was, use the
 11 Metrorail, get out of your car. Well, if you
 12 use the Metrorail to go Downtown or maybe to
 13 Jackson Hospital Complex, it's great. If you
 14 use it to try to go anywhere else, it doesn't
 15 work, because it's only straight down US-1 and
 16 then straight up to the Downtown area, and then
 17 north.
 18 So you're going to use the car. And what
 19 kind of traffic are we going to look at? I can
 20 look out my kitchen window, and the traffic is
 21 gridlocked from about 3:30 or four o'clock,
 22 every afternoon, coming south.
 23 Now we're going to add another 830 parking
 24 spaces, and all of that traffic is just going
 25 to make it almost impossible to get south.

1 Plus, if you look at it, there's no red light
2 at the corner of Caballero Boulevard, and so
3 they're going to have to make either a U-turn
4 or go off into Caballero, make a U-turn there,
5 come back and then get northbound.

6 So the whole traffic pattern, to me, is not
7 workable, and I hope you'll consider that.

8 Thank you.

9 CHAIRMAN FLANAGAN: Thank you.

10 THE SECRETARY: David Bixby.

11 Valerie Grandin.

12 MR. BIXBY: Hi. I'm David Bixby. I live
13 at 1232 Hardee, which is just a block or so
14 away from the project.

15 UNIDENTIFIED FEMALE VOICE: We can't hear you.

16 MR. BIXBY: I live about a block from the
17 project, down the street from Jaycee Park. I
18 like watching the dogs walking by with their
19 families. I like watching the kids. Anybody
20 who thinks the traffic isn't going to have a
21 negative impact on this scenery, in this
22 neighborhood, is crazy.

23 We have a traffic plan, we're told, and yet
24 the traffic plan is seriously flawed. When you
25 come down to the end of Hardee, you turn right

1 to go to Caballero.

2 This shows you'd be turning left. This was
3 pointed out to the Developer, pointed out to
4 the Architect, back in November, and they're
5 still using the same graphics.

6 Okay. So that's a really serious issue,
7 because, all of a sudden, this realignment in
8 front of Jaycee Park has to be restudied.

9 We're talking about pushing buildings out
10 to the perimeter of land. I think a generation
11 from now, somebody is going to look at all of
12 us and say, "What were they thinking? What
13 were they thinking, moving these big buildings
14 up to the front of the street?"

15 I mean, where's the landscaping? We
16 created landscaping inside. That's valuable to
17 the Developer. But what does it do for the
18 neighborhood? Trees out here. Nice. They're
19 already there. They belong to the City.

20 We get a row of palm trees on each side.
21 Little toy soldiers standing up in front of the
22 streets. Pedestrian friendly? Hardly.

23 Thank you very much.

24 CHAIRMAN FLANAGAN: Thank you.

25 THE SECRETARY: Valerie Grandin.

1 Matt Flowers. Matt Flowers.
2 Daniel Diaz Leyva. Daniel Diaz Leyva.
3 This is from the list of today.

4 Heidi Roth.

5 And Roy Lyons will follow.

6 MS. ROTH: Hello. My name is Heidi Roth.
7 I reside at 5105 Granada Boulevard, which is
8 near the proposed project.

9 I've lived in Coral Gables for over 40
10 years. I maintained a law office here since
11 1982, and I'm here in support of this project.

12 I've seen many changes over the years. The
13 skyline of Coral Gables is just absolutely
14 spectacular now.

15 Change is inevitable, and the City has
16 always dealt with that in a very compassionate
17 and informed manner.

18 This project would be a beautiful addition
19 to the neighborhood. It will promote Metrorail
20 usage, promote pedestrian traffic, and it will
21 be a wonderful gathering place, where people
22 can walk to, and that we don't have very much
23 of here.

24 The existing structure, to say that it's
25 unattractive, I think would be kind, and

1 there's many alternatives that would probably
2 fit within density restrictions that we're
3 dealing with, like another CVS, a Walgreens,
4 or, worse yet, a box store. That would be
5 totally unacceptable.

6 Whereas this project provides a wonderful
7 alternative and would be of great benefit to
8 the neighborhood.

9 Thank you for your time, and I ask that you
10 approve this project.

11 CHAIRMAN FLANAGAN: Thank you.

12 THE SECRETARY: Roy Lyons.

13 Roberta Neway to follow.

14 MR. LYONS: Good evening. My full name is
15 Albert Roy Lyons. I live, with my wife, Paula,
16 at 6300 Caballero Boulevard. That's located
17 about 400 feet from the proposed structure.

18 I'd like to say that, for us, the decision
19 to remove or replace the Holiday Inn has
20 already been made, and so what we're looking at
21 is alternatives to what will be there to
22 replace it, and the previous speaker mentioned
23 some of them, and we've looked at those, maybe
24 some -- maybe a hardware store, a supermarket
25 or other alternatives to what she mentioned,

1 and we don't like those, compared to the
 2 existing Paseo de la Riviera project.
 3 So that's where it comes down to us.
 4 We have two little boys, that are under
 5 five years old. We also use Jaycee Park
 6 frequently, and if the -- well, let me say,
 7 when we first heard about this project, at the
 8 first meeting at the Holiday Inn, we also had
 9 some concerns. Some of them have been raised
 10 tonight.
 11 And I've met with NP International, with
 12 Brent Reynolds and his team, and they've
 13 addressed our concerns. Is it perfect?
 14 Nothing is ever perfect. But I think it's
 15 satisfactory for what we would like to see go
 16 in, in that location.
 17 One thing I like about their business
 18 models is that they just don't build and leave.
 19 They take the responsibility to stay as an
 20 owner and operate the project in the future,
 21 and the way we look at it, if they are as
 22 responsive in the future as they have been so
 23 far with our concerns, I'd like to have them as
 24 a neighbor, and I fully support this project.
 25 Thank you for the opportunity to address

1 you tonight.
 2 CHAIRMAN FLANAGAN: Thank you.
 3 MS. NEWAY: Hi. I'm Roberta Neway. I live
 4 at 1236 South Alhambra Circle. My parents
 5 built the house in 1950, and I've been crossing
 6 US-1, as a pedestrian, for going to work, for
 7 around 15 years, and I also walk everywhere in
 8 my neighborhood that I can, Publix, Bagel
 9 Emporium. So I probably know this area, as a
 10 pedestrian, better than anyone else in this
 11 room, and I know how unfriendly our streets
 12 are.
 13 I know we need density near mass transit,
 14 but this project -- I think it's a beautiful
 15 project, but it's too big for the space. It
 16 doesn't flow into the neighborhood, and it's
 17 way too dense, population wise, given our
 18 transit situation.
 19 Unfortunately, we are still an
 20 auto-dominated area, and we will be for quite a
 21 while.
 22 In fact, I'm afraid that the density of
 23 this project could discourage cycling and
 24 walking more than it encourages it. First,
 25 there would be a great deal of more traffic on

1 our connector roads. These people are going to
 2 go shopping at Publix, Whole Foods. They're
 3 going to take their kids to Sunset, to Riviera,
 4 and for that, they will use South Alhambra
 5 Circle, going or coming, one way or the other,
 6 and right now these streets have no traffic
 7 calming.
 8 The traffic situation is horrible. Try
 9 riding a bike on the first block of South
 10 Alhambra in rush hour, and you'll see what I
 11 mean.
 12 This just -- what is the plan? If this
 13 goes through, what is the plan for making the
 14 surrounding streets safer?
 15 Next, the Developer says there will be
 16 traffic calming at Caballero, and this would be
 17 a wonderful thing, if it happens. We've been
 18 waiting for it on South Alhambra for years now.
 19 They also promise a more attractive street
 20 behind the Paseo, but I didn't catch how this
 21 is going to be safer. I heard nothing about a
 22 bike path or how the sidewalks would be set up,
 23 will people be able to see cars coming out of
 24 the Paseo.
 25 I know our area will get denser, but it

1 can't get this dense.
 2 MR. LEEN: Time is up. I'm sorry, time is
 3 up.
 4 MS. NEWAY: Please let it be planned
 5 responsibly. Okay. Thank you for your time.
 6 CHAIRMAN FLANAGAN: Thank you.
 7 THE SECRETARY: Michael Genden.
 8 Larry Puyanyc will follow.
 9 MR. GENDEN: Good evening. My name is
 10 Michael Genden. I live at 955 Andora, with my
 11 wife, Christina.
 12 I went to the University of Miami
 13 Undergraduate School, Miami Law School. I've
 14 been a member of the Bar for 45 years, 22 as a
 15 lawyer, and 23 as a sitting Circuit Judge,
 16 where I am at right now.
 17 I've listened to thousands of cases,
 18 including a case called Kuvin versus the City
 19 of Coral Gables, in which I was asked to decide
 20 whether or not somebody could park their truck
 21 in their garage without it being covered.
 22 I ruled in favor of the City of Coral
 23 Gables. It went up on appeal. It was
 24 affirmed. It was affirmed en banc by the Third
 25 District.

1 And why did I do that and what did I have
2 to decide? I had to decide whether or not
3 somebody should be able to use their property
4 the way they want and park their truck in that
5 driveway, which was uncovered, or I was going
6 to decide whether or not the City of Coral
7 Gables had a right to determine what their
8 streets looked like.

9 And that's what I said in my order, when I
10 ruled for the City of Coral Gables.

11 Every case, every decision, comes down to
12 an issue and a position people are taking. So
13 what are you hearing here all evening? It's a
14 beautiful project, versus it's outrageous,
15 insofar as density. There's really not much
16 else to know.

17 I know these lawyers. I know Jeff. He's
18 had cases in front of me. Tucker has had cases
19 in front of me, and anybody who is a member of
20 the Bar knows who I am.

21 If anybody is sitting in this room, who
22 thinks that a 14-story tower is not going to be
23 outrageously dense, and create traffic, then
24 they're either not telling you the truth or
25 they need a psych eval, okay?

1 Now, I say to you, do the right thing, and
2 look at this thing in the clear light of day,
3 and ask yourself whether or not this is the
4 right thing for the residents who are going to
5 be affected, including me.

6 So I ask you to consider seriously your job
7 in making the right decision, like I've had to
8 do for my whole career.

9 CHAIRMAN FLANAGAN: Thank you, Judge.

10 MR. PUYANIC: I will give him one of my
11 minutes, because I agree with him 100 percent.
12 I'm up next.

13 CHAIRMAN FLANAGAN: Are you next?

14 MR. PUYANIC: Yeah.

15 My name is Larry Puyanich. I live at 535
16 Hardee Road, and I'm going to tell you, I
17 invite all of you to come to my house, five
18 o'clock, sit around, we'll have a drink, we'll
19 have a good time, and we'll watch cars lined up
20 at the traffic circles.

21 800 more cars in this neighborhood is not
22 necessary. I am dead against it. I represent
23 more than a thousand property owners in Coral
24 Gables, and I promise you, people who vote for
25 this, are going to have repercussions.

1 I will make it a personal vendetta to chase
2 people down who vote for this. This is
3 horrible.

4 MR. LEEN: Okay. Please. Please. Please.

5 MR. PUYANIC: Period. Thank you.

6 THE SECRETARY: Larry Nolan.

7 CHAIRMAN FLANAGAN: Should smack of a
8 threat.

9 MR. LEEN: Please note that you need to
10 decide this based on the evidence, not on a
11 threat.

12 MS. MENENDEZ: I don't think they vote for
13 us, anyway, so --

14 MR. PUYANIC: This is not a threat. This
15 is affecting my property value.

16 MR. LEEN: I understand, but it did sound
17 like a threat.

18 MR. PUYANIC: I am not that kind of a
19 person.

20 MR. LEEN: Okay.

21 MR. PUYANIC: I am angry that you would
22 consider breaking this rule --

23 MR. LEEN: I understand.

24 MR. PUYANIC: -- because it's been set up --

25 MR. LEEN: I understand.

1 MR. PUYANIC: For a Developer to make more
2 than money? That's ridiculous.

3 MR. LEEN: Okay. It's in the record.

4 CHAIRMAN FLANAGAN: Thank you.

5 MR. PUYANIC: Thank you.

6 THE SECRETARY: Larry Nolan. Larry Nolan.

7 MR. NOLAN: Thank you.

8 My name is Larry Nolan. I reside in
9 Illinois. I'm a property owner at 1205
10 Mariposa Avenue, Unit 224.

11 I'm invested in that condo, because I have
12 intentions of retiring to that condo at some
13 later date. I am in favor of this project,
14 because I believe that the property values that
15 I have invested in will increase, as opposed to
16 decrease.

17 I flew here today to testify on behalf of
18 this project. I hope you approve it. I think
19 it's a great idea.

20 Thank you.

21 CHAIRMAN FLANAGAN: Thank you.

22 THE SECRETARY: Paul Posnak.

23 Tracy Kerdyk -- Kerdyk, I'm sorry.

24 MR. POSNAK: Good evening, everyone. I
25 joined the UM faculty 30 years ago and my

1 first --
 2 CHAIRMAN FLANAGAN: I'm sorry, sir. Could
 3 we get your name and address, for the record?
 4 MR. POSNAK: Oh, I'm sorry. Paul Posnak,
 5 825 Catalonia Avenue. My first house was in
 6 the Riviera Neighborhood, which I got to love,
 7 and know fairly well.
 8 A few points. In the 1979 the Gables One
 9 Tower was built, causing so much revoltion when
 10 people saw what it was doing to the
 11 neighborhood aesthetically, and in terms of
 12 traffic and so on, that the present Codes and
 13 covenants were put in place to limit the height
 14 and density and parking -- amount of parking,
 15 for good reasons.
 16 The present proposal is not going to look
 17 as ugly as Gables One, partly because you have
 18 a great architect, Jorge Hernandez, who is also
 19 a great guy, and it's going to be beautiful in
 20 many ways, but the scale of this project is so
 21 out of propotion, as many people have
 22 mentioned this evening, to the neighborhood,
 23 for the residents, and what it is going to do
 24 to an already choke point of traffic?
 25 That is a choke point, that area. It is

1 absolutely impossible to imagine it getting any
 2 worse, with 840 or more parking -- new parking
 3 places, for more cars and families coming to
 4 and from work, and to and from shopping, and so
 5 on.
 6 To redo all of these Codes and covenants
 7 for something of this scale and size, in this
 8 neighborhood, if it's possible to re-consider,
 9 without throwing baby out with the bath water.
 10 There obviously are very good points being made
 11 by the Developer and certainly by the wonderful
 12 Architect to make this -- it's just the scale
 13 of it.
 14 If it can be scaled back and scaled down,
 15 so that it corresponds to the neighborhood
 16 somehow, and addresses some of the parking
 17 issues, perhaps, in the process, that would be
 18 great.
 19 Otherwise we are creating a domino effect
 20 here, and other huge developments will take
 21 place.
 22 MR. LEEN: Okay. Thank you, sir.
 23 MR. POSNAK: Thank you.
 24 THE SECRETARY: Betty Brody.
 25 Betty Brody.

1 MS. BRODY: No, I'm not speaking. I didn't
 2 check the box.
 3 THE SECRETARY: Thank you.
 4 Sonia --
 5 MS. GOTLOHN: Yes, Gotlohn. Thank you.
 6 Good evening, everyone. My name is Sonia
 7 Gotlohn, and my husband and I live at 1125
 8 Hardee Road.
 9 We have owned our home since August of
 10 1970, where we raised our two children. At the
 11 time we moved in, there was virtually no
 12 traffic on our street. In fact, the
 13 neighborhood children used to play ball in the
 14 middle of Hardee Road, because we seldom saw a
 15 car, and if one did come down our street, it
 16 was always at a very slow pace.
 17 The children either rode their bikes or
 18 walked to the Jaycee playground without fear of
 19 speeding cars.
 20 I can't say that for today. I'm horrified
 21 at the speed in which cars and trucks drive
 22 down Hardee Road. It's very difficult for
 23 mothers pushing baby strollers, walkers and
 24 joggers to safely enjoy Hardee Road, because of
 25 the increasing traffic and speed of the

1 drivers.
 2 And as you may be aware, there are no
 3 sidewalks on Hardee. So having to walk on
 4 grass, especially if it's wet, adds to the
 5 problem. These problems will only increase
 6 dramatically with the project you're
 7 considering.
 8 The traffic coming in and out of Hardee
 9 Road, by way of Caballero and Dixie Highway, is
 10 already very congested, and this, too, will
 11 increase with the hotel that is planned to face
 12 the area.
 13 Cars are now parked up and down Hardee
 14 Road, and across from the playground, and with
 15 the added buildings, stores and restaurants,
 16 this problem, too, will certainly increase.
 17 The traffic circle at the corner of Hardee
 18 Road and Maynada has not decreased the speed of
 19 cars up and down Hardee Road or Maynada. In
 20 fact, I'm just waiting for an accident to
 21 happen, because many of the cars coming into
 22 that intersection do not know the protocol of
 23 circles, and, therefore, One, proceed in front
 24 of cars already on the circle, and, Two, think
 25 that it's a speedway for them, once they leave

1 the circle, and continue on the straight road
2 ahead of them.

3 This will certainly occur at the circle
4 that you're proposing at the Paseo, at the end
5 of Hardee Road.

6 It was emphasized during the last meeting
7 at the Holiday Inn that there would be places
8 for us to walk in and around this project, and
9 how important that would be.

10 I respectfully want to say that for 45
11 years our family has been able to walk on
12 lovely tree-lined streets in our neighborhood
13 without this project.

14 We also feel that our property values will
15 decrease, because the quiet neighborhood that
16 we all moved into will turn into a mini New
17 York. That is not why we bought our homes in
18 the City Beautiful.

19 We have seen --

20 MR. LEEN: Please complete your statement.

21 MS. GOTLOHN: Pardon?

22 MR. LEEN: The time is up. Sorry.

23 MS. GOTLOHN: Oh, that's it?

24 MR. LEEN: Yeah.

25 MS. GOTLOHN: Can I finish the sentence?

1 MR. LEEN: Sure.

2 MS. GOTLOHN: I have seen the Holiday Inn
3 deteriorate over the years, so we do not object
4 to beautifying this, but we do ask for low-rise
5 structures, no taller than five -- four or five
6 stories, no retails spaces, underground parking
7 to accommodate the residents.

8 Thank you very much.

9 CHAIRMAN FLANAGAN: Thank you.

10 THE SECRETARY: Brooks Miller.

11 MR. MILLER: Good evening, Mr. Chairman,
12 Members of the Committee, Mr. Leen.

13 My name is Brooks Miller. I reside at 920
14 Andora Avenue.

15 You've heard a lot of points. There's some
16 key points you need to think about.

17 Number One, where are they going to put the
18 workers while they're building this
19 monstrosity?

20 Yes, I'm opposing it.

21 We've seen that problem time and time
22 again, particularly along Sunset Drive.
23 Riviera Park has now been destroyed. Not just
24 because of the construction workers, but
25 because of the fact we have the Riviera Health

1 Room, or whatever you call it, over there, that
2 has insufficient parking.

3 So now you can't go to Riviera, because all
4 of those parking spots are taken care of.
5 They're all being occupied.

6 I haven't seen a single proposal from the
7 Developer, what's going to be done with the
8 construction workers while this is being done,
9 and we know, because of the fact that they want
10 to charge the employees to park in there, that
11 they're going to want to park everywhere else.

12 The traffic in that area is already
13 abysmal. I have a son, who is developmentally
14 disabled. We ride over on a three-wheeler over
15 there, and we take our life in our hands,
16 because you have go around the park, on the
17 north side, to get in, and the traffic around
18 there, right now, is already dangerous.

19 I jog around there all of the time. I
20 cannot possibly imagine, with the density that
21 they're talking about right now, that this --
22 that all of the members of this Committee could
23 even remotely consider this.

24 As Mr. Leen said, you have to consider the
25 evidence. Where is the evidence that this, in

1 any way, shape or form, is going to help the
2 health and safety of the residents, which you
3 guys are committed to protecting?

4 The only thing you're protecting here are
5 the dollars that this Developer is going to get
6 from this project. And this thing about, "Oh,
7 he's going to stay on there?" Really?

8 He's going to put a deed restriction in
9 there, that he can't change the ownership of
10 this? That is just one more fallacy they've
11 created.

12 "Oh, yes, we're going to have biking
13 facilities?" Really? Where is it in the
14 plans?

15 "Oh, yes, we're going to have walking
16 facilities?" Really? I haven't seen those.

17 As pointed out, there's already no
18 sidewalks on Hardee. There's absolutely
19 nothing that's going to be done to protect the
20 citizens who reside in the area, and any
21 serious considered decision here, is going to
22 be, reject this project.

23 Thank you very much.

24 CHAIRMAN FLANAGAN: Thank you.

25 MR. GELMAN: Good evening. Charles Gelman,

1 1240 Aduana Avenue. I've lived there for 30
2 years with my wife. We're approximately three
3 blocks from the subject site, and for the
4 following reasons, we're against this project.

5 One that's already been discussed at length
6 is traffic. There's already much too much
7 traffic. There are six and seven cars deep to
8 make a left turn onto US-1. There's no traffic
9 light there. There's no traffic light
10 available, because there's a light on Dixie
11 Highway very close thereto.

12 Some days I have to turn around -- when I
13 want to take a left, I have to turn around and
14 go onto the Bagel Emporium side street just to
15 find a green -- a traffic light, so I can make
16 a left turn.

17 I work out at the University of Miami
18 Gymnasium. I have to use a bicycle at
19 nighttime to cross Dixie Highway and get to the
20 other side, because traffic is just
21 prohibitive.

22 There's not sufficient loading at the
23 hotel. I think they've only allotted two
24 parking spaces. That's not sufficient for
25 unloading, just two cars -- two space

1 allocated.

2 The UM opposing collegiate teams stay there
3 by autobus, and autobuses are going to be on
4 the Caballero Street, and making that --
5 Caballero and Hardee Street, it's going to
6 widen the density of the traffic and make it
7 impossible to pass.

8 The three intended uses just are too
9 overwhelming. Already, with the one use in
10 place, the parking lot is always full.

11 Jaycee Park only has one tennis court, that
12 will never be utilized freely by the residents,
13 because there's going to be traffic from the
14 residences in the hotel.

15 You know, the reason I purchased here was
16 for the residential character of the
17 neighborhood, and I just believe that there's
18 going to be -- it's going to affect the
19 walking, biking and child playing in the
20 street, and the possible loss of value to our
21 homes, and we just hope that you make your
22 decision carefully and seriously, because we're
23 going to have to live with it.

24 Thank you.

25 CHAIRMAN FLANAGAN: Thank you.

1 THE SECRETARY: Salvador Matus. Salvador
2 Matus.

3 Jim Dockerty.

4 MR. DOCKERTY: Hi. My name is Jim
5 Dockerty. I live at 1230 Catalonia. I'm
6 really happy to be here tonight, because I'm in
7 a room of people that love Coral Gables. So I
8 feel, you know, very at home here.

9 There's a lot of passion around this
10 development, and it's because people love the
11 City and care about the City very much.

12 I'm here to appeal to your sense of logic
13 about this development. I'm here to speak in
14 favor of it.

15 I don't own property near the development,
16 so I have no benefit or detriment to the
17 development, but I'm speaking to you, in a
18 broader sense, about the community of Coral
19 Gables.

20 I have commercial investments and
21 residential investments in Coral Gables, and
22 have for 30 years, with my wife. So I care
23 about the economic health of the City of Coral
24 Gables. And so I think that you need to
25 consider the business community in the City of

1 Coral Gables and sort of balance that against
2 the needs of the residential community.

3 So there's a lot of people in the
4 residential community that are being impacted
5 by this development, and I get that, and I'm
6 sensitive to that, but I, also, as a business
7 person, want to speak on behalf of the business
8 community of the City of Coral Gables.

9 Coral Gables is a part of the Greater Miami
10 Area. We compete with other municipalities
11 within South Florida for businesses, and in
12 order to compete to attract business, which
13 creates economic vitality, creates jobs and
14 continues to create growth in the value of the
15 residential properties in our community, we
16 need to respect and support the business
17 community, and so my appeal to logic tonight is
18 focused on the concept that the beautiful
19 residential town of Coral Gables is transected
20 by US-1 and Metrorail.

21 Those are two major arteries for
22 transportation, that have been here for many,
23 many years. Even if you bought a home in 1970,
24 US-1 was there, and if you bought a property in
25 the '80s, Metrorail was there.

1 The reality is, we need density of
 2 development along the Metrorail. That's what
 3 makes sense for the Greater City of Coral
 4 Gables.
 5 THE SECRETARY: Salvador Matus.
 6 MR. MATUS: My name is Salvador Matus. I
 7 live at 1228 Aduana Avenue. I am against the
 8 project. I'm against the project.
 9 CHAIRMAN FLANAGAN: You said, you're
 10 against the project?
 11 MR. MATUS: I am.
 12 MS. MENENDEZ: He's against the project.
 13 MR. MATUS: Thank you.
 14 THE SECRETARY: Mendi Fellig.
 15 Christopher Hernandez.
 16 MR. WU: Mr. Chair, how many speakers are
 17 left that are planning to speak? Can I see a
 18 raise of hands?
 19 Have you been sworn in? Can you all be
 20 sworn in at this time altogether?
 21 (Thereupon, more participants were sworn.)
 22 MR. HERNANDEZ: Hi. My name is Chris
 23 Hernandez. I live at 5726 San Vicente Street.
 24 I wasn't going to speak tonight, just 'cause I
 25 don't like to speak in public, and my father is

1 really nice. I think the paseo is a great
 2 idea.
 3 Just imagine sitting in that paseo, feeling
 4 the breeze, enjoying the space. I really hope
 5 that it gets approved, and -- I had another
 6 point.
 7 Oh, sitting from Jaycee Park, a lot of
 8 people have shown the building covering up the
 9 sky and the view, but I think if you frame the
 10 building on an eight-and-a-half by eleven
 11 paper, it's really easy to show the space that
 12 it takes up, but in reality, when it's built,
 13 there's not going to be an eight-and-a-half by
 14 eleven scale down framed around the project,
 15 but, rather, the project is going to frame the
 16 space on the interior of it, and I think that
 17 the space that it creates is going to be really
 18 beneficial to the community and it's going to
 19 create a lot of good experiences for the youth,
 20 and as we continue to grow up in the
 21 neighborhood.
 22 So thank you.
 23 CHAIRMAN FLANAGAN: Thank you.
 24 THE SECRETARY: Astrid Weinkle.
 25 Sandra Levinson to follow.

1 Jorge Hernandez. He's the architect of the
 2 project. So I felt that a lot people would
 3 think I was biased.
 4 But I thought it would be a disservice if I
 5 didn't speak, 'cause I noticed that there's not
 6 a lot of youth in the room and there definitely
 7 hasn't been a lot of youth standing up here in
 8 front of you.
 9 So one of the things I love about the
 10 Gables is the history, and although I may not
 11 have as much experience as a lot of people that
 12 have spoken up here, I think that' it's
 13 important to think about the experiences that I
 14 hope to experience in the future, because I
 15 hope to live in the Gables. I hope to continue
 16 to grow up in the Gables and raise my kids in
 17 the Gables, and a lot of the youth that I've
 18 spoken to, and my peers, who all live in the
 19 vicinity, as well, agree with me.
 20 I think it's a great project. I think
 21 rather than thinking of the project from the
 22 exterior, I think it's important to think of it
 23 from the interior and the space that it creates
 24 on the property. It has a great use of
 25 property. The public space it provides is

1 MS. WEINKLE: Good evening. My name is
 2 Astrid Weinkle. I live at 1119 Placetas
 3 Avenue. I've been a homeowner there since
 4 1984, 31 years.
 5 I'm also a member of the Riviera
 6 Neighborhood Association Board of Directors.
 7 This past Sunday, on WLRN, Tom Hudson, a
 8 reporter for the Miami Herald, who also is in
 9 partnership with WLRN, had a really amazing
 10 show on the Sunshine economy, transportation in
 11 South Florida.
 12 He acknowledged that Metrorail ridership is
 13 up by some percent, and yet bus ridership is
 14 down by four percent, and public surveys are
 15 mostly in favor of more buses and dedicated bus
 16 lines.
 17 He interviewed Mayor Carlos Gimenez, Miami
 18 Mayor Tomas Regalado, and Miami Beach Mayor
 19 Philip Levine. Philip Levine said, "The
 20 biggest issue we face right now is
 21 transportation."
 22 The three mayors were not only speaking
 23 about their municipalities, but about the whole
 24 community, indeed from Homestead, up into
 25 Broward, Fort Lauderdale, Boca Raton.

1 All of the mayors said, "We need to do a
 2 better job with all forms of mobility."
 3 They all spoke about the lack of good
 4 transportation east to west, west to east, and
 5 a real meaningful transportation, all of the
 6 north-south ways.
 7 Has anyone been on the 826 at any time of
 8 day and not been in a parking lot?
 9 Mayor Philip Levine, the Mayor of Miami
 10 Beach, said, "We are a victim of our own
 11 tremendous success," but he knows that his job
 12 as mayor is to protect the quality of life for
 13 the citizens of his community. The biggest
 14 issue is transportation.
 15 And he thinks that we need less cars on
 16 Miami Beach. There's a big project proposed
 17 for Watson Island. He doesn't want to make the
 18 congestion worse. Don't put the cart before
 19 the horse. Don't overpopulate. Don't make the
 20 congestion worse.
 21 Please consider that, when you consider
 22 this project. I'm not in a favor of it, in its
 23 current iteration.
 24 CHAIRMAN FLANAGAN: Thank you.
 25 THE SECRETARY: Sandra Levinson.

1 We, as a group, feel that our concerns have
 2 not been met or listened to. The first thing
 3 we heard, when we got -- well, Brent came to a
 4 meeting that we had -- no, Brent asked for a
 5 meeting, not too long after -- I don't remember
 6 the exact date. Maybe it was a few months
 7 after he started. And he told us and showed us
 8 what he had planned. And then just waited for
 9 us to be thrilled.
 10 This was the Board of the Directors.
 11 Well, I do have another thing I want to say
 12 in that regard. This is a list of the --
 13 MR. LEEN: Time.
 14 MS. LEVINSON: -- correspondence received
 15 regarding the Paseo development.
 16 CHAIRMAN FLANAGAN: We have a lot of that.
 17 MR. LEEN: It's time.
 18 MS. LEVINSON: Pardon?
 19 MR. LEEN: Time's up.
 20 MS. LEVINSON: Okay. It shows 19
 21 correspondence -- pieces of correspondence in
 22 favor of this, and it shows 31 pieces of
 23 correspondence, of people who love the
 24 development. I am standing here --
 25 MR. LEEN: Time's up.

1 Lillia Citarella will follow.
 2 MS. LEVINSON: Excuse me. I need to be
 3 sworn in.
 4 (Thereupon, Sandra Levinson was sworn.)
 5 MS. LEVINSON: Yes.
 6 Good evening. My name is Sandra Levinson.
 7 I live at 918 Alfonso Avenue. We've been there
 8 since 1989, and we're fairly close. We're on
 9 the street that is going to be affected by the
 10 traffic, because Alfonso is one of the few
 11 streets that does not have a traffic circle or
 12 a stop sign. So we're constantly having
 13 speeding down the street.
 14 I'll say, going in, that I think the
 15 development is totally out of size. The
 16 density is -- you know, we're all just boggled
 17 to think that this may happen in our
 18 neighborhood, and we also know that this is
 19 only the first one, because once you permit
 20 this, it's going to be like a disease, so to
 21 speak.
 22 One thing that I'm going to mention -- of
 23 course, I'm very actively involved in the
 24 Riviera Neighborhood Association and have been
 25 for about 14 years.

1 MS. LEVINSON: -- with over 50 letters.
 2 CHAIRMAN FLANAGAN: And I believe those are
 3 in our packet. We have a lot --
 4 MR. LEEN: You can put them in the record,
 5 if you'd like. I think they're already in the
 6 record.
 7 CHAIRMAN FLANAGAN: Let me just make sure.
 8 MR. LEEN: They're all in the record.
 9 CHAIRMAN FLANAGAN: Charles?
 10 MR. LEEN: Are they in the record?
 11 CHAIRMAN FLANAGAN: Do we have, as part of
 12 our packet and the record, all of the
 13 correspondence that the City has received?
 14 MR. WU: Everything we received are part of
 15 the record.
 16 CHAIRMAN FLANAGAN: Okay. Thank you.
 17 MR. LEEN: So as long as that's been
 18 received, it's in the record. If not, you can
 19 put it in the record, if you'd like. You can
 20 hand it over, if you'd like, and put it in the
 21 record.
 22 MS. LEVINSON: Well, they're out of order,
 23 but I'm saying --
 24 MR. LEEN: Please, no more discussion.
 25 Thank you.

1 THE SECRETARY: Lillia, please.
 2 The last speaker will be Richard Wood.
 3 MS. CITARELLA: Good evening. My name is
 4 Lillia Citarella. I live at 1225 Aduana
 5 Avenue. I am also one of those persons that
 6 was not planning on speaking, but hearing
 7 everything that's going on compelled me to get
 8 up and talk.
 9 I'm not a good public speaker, so excuse
 10 me.
 11 I am adamantly opposed to the Paseo de la
 12 Riviera. It is three blocks from my house. I
 13 do not think that the proposal has truly
 14 considered the traffic implications, the
 15 parking implications, the density of the
 16 project.
 17 I have been living there for ten years, so
 18 I am part of the 21st Century, and my daughter
 19 is part of that century, and I do not think
 20 that this project is going to help our
 21 community. I do not think that this project is
 22 going to benefit any of the -- my house, the
 23 premiums, anything.
 24 So I know that we're very passionate about
 25 this, the people that have spoken here today.

1 I am here to say that I think that you truly
 2 need to consider our desires, as residents.
 3 You truly need to consider the density of this
 4 project and how it will affect the residents.
 5 I understand that there's a need for
 6 development. I understand that there's a need
 7 for money to bring into the City, but not a
 8 project of this scope, not a project of this
 9 density, and not a project like this, where
 10 it's going to set a precedent for the future.
 11 I believe that this is going to be an
 12 example of spot zoning. I think that this is
 13 going to be -- there is no consideration for
 14 the mid-rise that's been happening. There's no
 15 buffer from my community, from where I live.
 16 As it is, there's a problem with biking,
 17 traffic, walking. There's a -- traffic, as
 18 someone said, at five o'clock, on Maynada, is
 19 out of control. The traffic leaving Caballero
 20 to US-1 is out of control. The traffic from
 21 Mariposa is out of control.
 22 A project of this density is going to make
 23 things worse and we really have not -- our
 24 concerns have not been addressed. Our concerns
 25 have not been considered. And it's very

1 upsetting that ten years ago I bought in this
 2 community, because I thought I was buying in a
 3 community of homes, not in a community of
 4 high-rises.
 5 We are not Brickell. We are not a
 6 Downtown. You need to consider that, and I ask
 7 you, the Commissioners, to consider our needs
 8 as residents.
 9 Thank you.
 10 CHAIRMAN FLANAGAN: Thank you.
 11 THE SECRETARY: Richard Wood.
 12 And following will be Jorge Rios.
 13 MR. WOOD: Good evening. I don't think I'm
 14 going to say really anything that you all
 15 haven't heard before.
 16 MR. WU: Your name, please.
 17 MR. WOOD: My name is Richard Wood. I live
 18 at 6500 Cellini Street. I've been a resident
 19 of Coral Gables my entire life. I literally --
 20 I was born in Doctors Hospital, so literally my
 21 entire life.
 22 I live in the area. I still own my
 23 parents' home in the area. I have several
 24 investment properties in the area.
 25 I'm not going to say anything that's --

1 really you all haven't heard. The citizens
 2 that are in favor of this project, I'm in favor
 3 of all of those same items. The hotel needs to
 4 be revamped. It would be great to have some
 5 shops, and I'm not opposed to development, but
 6 I'm in favor of smart development, and
 7 development within the Code.
 8 I'm, right now, currently, part of a
 9 project re-developing in Pinecrest, and I've
 10 developed that project within the Code. As a
 11 matter of fact, in Pinecrest, the Staff would
 12 not recommend this project. They would
 13 recommend against it, because it's not within
 14 the Code, and I don't really have an issue of
 15 applying for a variance. It's the process that
 16 we're going through.
 17 We're not applying for a variance. We're
 18 talking, a comp overlay. This really is
 19 re-writing the Zoning Code as we go along, for
 20 this property, then the next property.
 21 We need a Comprehensive Plan on this. It
 22 abuts residential property and duplex. It is
 23 completely out of scale with the neighborhood.
 24 We're not increasing the density slightly.
 25 We're increasing the density significantly,

1 four-fold, five-fold, and it is completely
2 contrary to what the intent of the current
3 Zoning Code and the special overlay along US-1
4 is.

5 It was for step down zoning into the back
6 neighborhoods. It was to avoid creating a
7 canyon along US-1, and that's what we're going
8 to have, is a canyon along US-1.

9 I'm not opposed to high-rise projects. I'm
10 opposed to it in this location. It belongs in
11 Downtown, along Ponce, where there are already
12 current projects of its size.

13 We're doing away with the FAR. We're doing
14 away with the setbacks. We're increasing the
15 density so high. There's nothing that's within
16 the current Code. It's just completely
17 rewritten, and I think the City -- as the
18 Planning Board and then the Commission, your
19 job is to enforce the Zoning Code, and it needs
20 to be done. This needs to be scaled back.

21 Thank you.

22 CHAIRMAN FLANAGAN: Thank you.

23 THE SECRETARY: Jorge Rios. The last speaker.

24 MR. RIOS: I need to be sworn in.

25 (Thereupon, Jorge Rios was sworn.)

1 MR. RIOS: I will.

2 Good evening. I wrote this letter to the
3 Mayor a month or two ago -- no, two months ago.

4 CHAIRMAN FLANAGAN: Sir, can we get your
5 address, for the record, please?

6 MR. RIOS: Yeah. That's where I'm starting.

7 CHAIRMAN FLANAGAN: Okay.

8 MR. RIOS: I live at 1251 South Alhambra
9 Circle, about a block away from this proposed
10 Paseo de la Riviera. I have lived in Coral
11 Gables, in that neighborhood, 30 years. At
12 that current address, 20 years -- 21 years.

13 I also have three rental properties about
14 two or three blocks away from this Paseo
15 project. I can include my addresses, if you'd
16 like, on the rentals.

17 I support the proposed development at the
18 current Holiday Inn location. I have seen the
19 Paseo design in-depth and it's beautiful.
20 Sight line concerns are not an issue. I can't
21 even see the tall building that allegedly is
22 there now -- well, it's there. I can't see
23 that tall building from my backyard or my dock,
24 and so it's not an issue for me.

25 I hope it does set a precedent for other

1 development and Zoning Code changes. Paseo
2 will only improve and enhance the South Dixie
3 corridor, across the U of M. Financially we
4 all know it makes sense.

5 I just want you to know, that as a current
6 resident, I want you -- well, this was for the
7 Mayor, but, anyway -- and all of the
8 Commissioners to know that this project is very
9 much needed. I am happy to know the crossover
10 bridge is finally in the works. That's a long
11 time coming. And I love the new underline
12 project. It will create a new, safe vibe
13 experience along Ponce de Leon, by U of M and
14 US-1, from South Miami all of the way to
15 Brickell. I can't wait.

16 Again, I applauded the Paseo de la Riviera
17 project and I hope it's only the beginning.

18 Jorge Rios.

19 Thanks.

20 CHAIRMAN FLANAGAN: Thank you.

21 Jill, is that all of the speakers?

22 THE SECRETARY: Yes.

23 CHAIRMAN FLANAGAN: Okay. So the Applicant
24 gave their presentation. Mr. Gibbs gave his
25 presentation. We had public comments.

1 Mr. Gibbs, do you want five minutes to give
2 a brief wrap up, and then Mr. Bass will have
3 time for rebuttal, if he wants?

4 MR. GIBBS: And it won't be five.

5 CHAIRMAN FLANAGAN: Okay.

6 MR. GIBBS: You all have heard a lot
7 tonight. I don't think I could add a lot to
8 what's been said, but I do want to recap what I
9 said at the last meeting, just for your memory
10 sake.

11 And, also, start off by talking about the
12 Visioning Report that you're going to be
13 looking at, after you consider this
14 application, and I understand why, but that
15 report has a recommendation, and this report
16 went to the City Commission last week, as I
17 think somebody said, but there are two
18 recommendations: One, to develop a TOD, a
19 Transit Oriented Development Overlay, but the
20 second recommendation is rather interesting.
21 It says, "The City must organize a workshop and
22 public process specifically focusing on the
23 Paseo de la Riviera proposal for the
24 re-development of the Holiday Inn site," and it
25 goes on and talks about, "The US-1, Red, Sunset

1 Corridor Visioning Workshop clearly identified
2 strong citizen interest in the re-development
3 proposal for the Holiday Inn site, that will
4 require a focused public process, organized by
5 public staff."

6 At the City Commission, it was clearly
7 stated by Members of the City of Commission,
8 that that was in addition to this process, and
9 that's what this visioning recommendation says.

10 So we'd like you to think about that. I
11 know you all have read it, because you're going
12 to be dealing with it after this, but I wanted
13 you all to understand the importance of that
14 recommendation.

15 I wanted to talk about the actual
16 application. The application is in four parts.
17 We discussed, at the last meeting, the Planned
18 Are Development, the Future Land Use Amendment,
19 the Zoning Code Text Amendment, and the
20 Mixed-Use Site Plan Review, and those four
21 items are the four items that you all will be
22 voting on tonight.

23 So, for just a second, I wanted to give
24 you, instead of talking about logic,
25 necessarily, I'm going to talk about the law,

1 PAD ordinance says, when you waive it, you must
2 find -- you must make specific findings that
3 the PAD provisions do not serve public benefit,
4 that these Zoning Code provisions aren't
5 important, because they don't serve a public
6 benefit, to a degree at least equivalent, or
7 such general zoning subdivision or other
8 general regulations or requirements, or you can
9 find that the actions, designs, construction or
10 other solutions proposed by the applicant,
11 although not literally in accord with the PAD
12 regulations, satisfy public benefits -- and I
13 love this -- to at least an equivalent degree.

14 I don't know what an equivalent degree is,
15 but I can tell you one thing, at the hearing,
16 in the presentation by the Applicant and the
17 presentation of the Staff, those standards were
18 not addressed. No one talked about a degree --
19 to a degree at least equivalent, no one talked
20 to any of that, and spoke to what that meant,
21 and no one provided any evidence regarding
22 that.

23 For that reason, your PAD does not meet --
24 the Staff recommendation for that PAD doesn't
25 meet the requirements of law for that PAD,

1 and what the law says, and what your Code says,
2 and I think Mr. -- I think it was Mr. Wood,
3 made a very good point about following the law,
4 because the decision you make, it must follow
5 the law, and it must be based on competent and
6 substantial evidence for the two items that are
7 quasi-judicial.

8 So let's start off with the PAD, which is
9 what we started off with before. The Staff
10 Report said the proposed plan does not meet the
11 literal requirements of the Zoning Code
12 regarding building height and adjacent
13 residential property, specifically talking
14 about the 45-foot height limit within a hundred
15 feet of the adjacent property. That's the
16 cut-out. It's the set back on the rear and on
17 the side. That's the concern.

18 And the application, according to this,
19 they want to adjust the building step backs
20 along Madruga, Caballero Boulevard and US-1.
21 That's what the Staff report says.

22 But your Code is pretty clear, because your
23 Code says, "You can waive it." You all
24 actually have the right to waive these
25 requirements under your PAD ordinance, but your

1 doesn't meet the standards.

2 The Land Use Amendment, that Land Use
3 Amendment sets a precedent. This will be the
4 only piece of property, the only piece of
5 property, along US-1, with this Land Use
6 designation of high density commercial -- high
7 intensity commercial Land Use, on the US-1
8 corridor, in the City of Coral Gables.

9 So you are now going to make this major
10 change. Remember, your Land Use -- your
11 Comprehensive Plan is your Constitution of
12 development. Everything must be consistent
13 with it.

14 You change that, and you have put the foot
15 in the door. You've opened that door, maybe a
16 crack, maybe just for this, but that's the one,
17 and that's important.

18 And then we look at, what happens to the
19 Amase property or the University Inn property,
20 as it's called, when that person comes in and
21 asks for a Land Use of high intensity and wants
22 to go up and have 150 feet, or 190 feet, with a
23 bonus? What are you going to say then?

24 What are you going to say about the
25 University Shopping Center?

1 Which leads me to the Text Amendment. The
 2 Text Amendment eliminates the Site Specific
 3 provisions relating not just to the Holiday
 4 Inn. You all know that this application, when
 5 it relates to those Site Specific text
 6 amendments, don't just deal with the Holiday
 7 Inn. They deal with two other properties.
 8 They deal with the Gables One property, the big
 9 University of Miami building, everybody has
 10 been talking about it, but it also deals with
 11 the shopping center, the University Shopping
 12 Center, where Bagel Emporium is at.

13 Now, what are those regulations, those Site
 14 Specifics? Those were put in in 1989. In
 15 1989. This isn't something out of the 1950s,
 16 as the Applicant said, and it right now says
 17 four feet -- or four stories or 45 feet;
 18 intensity is a 1.5 FAR, and it has setbacks of
 19 125 feet on the front and 25 feet on the rear.

20 But guess what? They want to get rid of
 21 every single one of those. They say, but
 22 that's okay, because you still have the
 23 commercial zoning. Under commercial zoning,
 24 you're going to be allowed, according to your
 25 Staff Report, 150 feet in height, by right, or

1 Text Amendments were put in to protect the
 2 neighborhood. This Mixed-Use Site Plan and all
 3 of this, what they're doing is, they're saying,
 4 you know what, we don't really care about that
 5 neighborhood.

6 Yes, our building is architecturally
 7 wonderful. It's in the wrong place. Put it
 8 Downtown, where it belongs, but not here.

9 So this is all going to maximize
 10 development on the site. It's out of scale.
 11 It's too big for the neighborhood. And for all
 12 of the reasons stated at the prior meeting, and
 13 this meeting, we urge you to just say no.

14 Make them come back with something that is
 15 more reasonable for this neighborhood.

16 Thank you.

17 CHAIRMAN FLANAGAN: Thank you, Mr. Gibbs.

18 MR. BASS: Mr. Chairman, Members of the
 19 Board, Jeffrey Bass is my name. 46 Southwest
 20 First Street is my address.

21 UNIDENTIFIED FEMALE VOICE: We can't hear you.

22 MR. BASS: Okay. Let me move these.

23 46 Southwest First Street is my address.

24 We've covered a lot of ground, and this is
 25 my rebuttal, and I have selected just a few

1 190 feet six inches, with a bonus. You're
 2 going to have a 3.0, doubling the FAR, by
 3 right, and going to 3.5 with a bonus.

4 And the setbacks? Zero. Zero setbacks.
 5 That's what they're asking for, not just for
 6 the Holiday Inn property, but for the other two
 7 properties.

8 And you don't think those people are going
 9 to come back and ask for an increase in their
 10 Land Use? Absolutely, they will.

11 Finally, the Mixed-Use Site Plan, and the
 12 Mixed-Use Site Plan is interesting, because
 13 Staff says, "Let's look at what the heights
 14 should be," because, for my clients, height is
 15 one of the big issues.

16 And they said, "Well, you know what, the
 17 University of Miami Building is 142 feet six
 18 inches. That seems reasonable. We're going to
 19 recommend that."

20 And that's what the Staff Report
 21 recommends, in terms of height, based on a
 22 building that everybody says was a mistake when
 23 it was built. When the City Commission in 1989
 24 created the Site Specific zoning category, all
 25 of that gets thrown out of the window. Those

1 areas where I think we need to focus our time
 2 very briefly.

3 Not a person stood before you, not one, to
 4 say that our building blocks their view of
 5 anything. They all came and said it was tall.
 6 They didn't say it blocks their view of the
 7 ocean. They didn't say it blocks their view of
 8 a National Park or a historically significant
 9 monument. They didn't say the height of our
 10 building stops them from doing one thing on
 11 their property.

12 They said that they don't like to look at a
 13 tall building.

14 The one thing that our building blocks is
 15 the building, the IRE building, the
 16 architecture of which nobody seems to find to
 17 be lovely. The only thing that this building
 18 will block will be the view of the IRE
 19 building.

20 And while nobody stood before you to say
 21 that their view was being blocked of anything,
 22 in any meaningful way, even if they did, since
 23 1959, in the State of Florida, you don't have a
 24 right to a view.

25 So, Number One, they said, as part of their

1 height arguments, that we don't like to look at
 2 tall buildings, but none of you -- none of them
 3 finished the sentence and explained to you how
 4 the height of that building affects them in any
 5 way.

6 This is not a plebiscite, as we said. This
 7 is not a popularity contest. You're not here
 8 representing simply the Riviera Neighborhood.
 9 You're representing the community as a whole,
 10 both sides of the Highway, and you're asked to
 11 discharge your duties by evaluating the
 12 proposal that's before you in accordance with
 13 sound planning concepts, not simply -- not
 14 simply the views expressed by certain members
 15 of the neighborhood.

16 So let's talk, again, about the height of
 17 the building. Nobody said it casts a shadow on
 18 their property. They didn't say that. The
 19 building is the same height as a tall building
 20 that is already there, no taller, and the great
 21 majority of the people who testified before
 22 you, there were a few exceptions, but the great
 23 majority of the people who testified before
 24 you, bought their homes with the Gables One
 25 Building already there, and that's a fact.

1 Traffic, let's just focus on the law,
 2 because we are a nation of laws, not of men or
 3 women, and you've adopted a law. You've
 4 adopted the GRID. The GRID is in your
 5 Comprehensive Plan.

6 And because this property is located in the
 7 GRID, you cannot deny it based on traffic. If
 8 you were to do that, you would be ignoring your
 9 laws. By placing this property within the
 10 GRID, the Commission has made the legislative
 11 statement that we want to encourage development
 12 here. That is your law, and you're here to
 13 apply that law.

14 That may be a surprising law to some, but
 15 it is a law, nonetheless.

16 So as a matter of law, traffic is not a
 17 legitimate basis upon which to deny this
 18 application, although we certainly spent a lot
 19 of time hearing about it, but as a matter of
 20 fact, this project is very gentle when it comes
 21 to traffic.

22 You heard the expert testimony by Mr. Tim
 23 Plummer, who reviewed it, and found it to be
 24 fully compliant with every applicable Code and
 25 standard. He prepared a report.

1 The City reviewed and approved
 2 Mr. Plummer's report, and the City took
 3 Mr. Plummer's report and had its outside
 4 consulting firm, Atkins, review it, and Atkins
 5 reviewed and approved Mr. Plummer's report,
 6 but, importantly, and you heard some talk about
 7 the alternative here, an alternative as of
 8 right commercial development would generate 100
 9 percent more p.m. peak trips.

10 So we go in there and build a box, build a
 11 commercial development, with the square footage
 12 that we are allowed to build, without one
 13 public hearing, the p.m. peak traffic
 14 generation would be 100 percent that of which
 15 we're showing here now.

16 So people who are here speaking against
 17 this project and complaining about traffic are
 18 taking two inconsistent positions, because this
 19 project is far more gentle, in terms of
 20 traffic, than the alternative.

21 And I'd like to take a moment to say, this
 22 Board unanimously approved Mediterranean
 23 Village. Mediterranean Village is not on a
 24 major arterial, like US-1, it is not across the
 25 street from the Metrorail, and Mediterranean

1 Village generates ten times the traffic of this
 2 project, and Mediterranean Village is adjacent
 3 and across from single family residential.
 4 These are the facts.

5 There seems to be some misunderstanding,
 6 and it's understandable, about the nature of
 7 this portion of Coral Gables. This is an urban
 8 area. Your Comprehensive Plan has designated
 9 these roads, quote, "All roads within the City
 10 are classified as roads within the existing
 11 urbanized areas by the State of Florida, and
 12 are within the existing urban infill area by
 13 Miami-Dade County."

14 This is an urban area. Like it or not,
 15 that's the reality.

16 I need to clean up the record in a few
 17 areas, based on some misstatements that were
 18 made, I think, innocently, but they merit
 19 correction.

20 The objector suggested that the Site
 21 Specifics on this property were approved in
 22 1989. They were not. They were approved in
 23 1979. And they were approved in 1979, when the
 24 City adopted Ordinance 2307. I believe it was
 25 an honest mistake, but a mistake nonetheless.

1 I think you should have the facts correct. And
2 Site Specifics were put there in 1979.

3 Next, at the last hearing, the objector
4 stated, quote, "The FAR limit is being removed
5 and not replaced with another FAR limit. It's
6 being removed altogether."

7 That's just a false statement, so let's
8 correct the record. By removing the Site
9 Specific, our FAR, as a commercial property
10 owner, would be the same as that enjoyed by
11 every other person with commercial property
12 within the City.

13 The statement was made that there would be
14 no FAR limit. That's just not true. Our limit
15 would be 3.0. 3.5, with a bonus. That's a
16 fact. That's an indisputable fact.

17 Now, I was tickled that Mr. Pineda agreed
18 with me that this is not to be a popularity
19 contest or a plebiscite, but I need to part
20 company upon the suggestions that he made, as
21 well as others, that this is spot zoning.

22 Let's be clear, this is not spot zoning.
23 The placement of the restriction in 1979 was
24 spot zoning. We are seeking to restore the
25 zoning to the 3.0 that should have and

1 That wasn't your case on the other side,
2 was it?

3 No? Okay.

4 The objectors have said, you need to defer
5 this application. They've said it a number of
6 times. They said, you need to defer it until
7 you have a plan. You need a plan. You need a
8 plan before you can approve this project.
9 That's what they've said.

10 Well, you have a plan. You have a
11 Comprehensive Plan. It's required by the State
12 Law, and you've adopted it. This Visioning
13 report is not a law. It's a preliminary
14 report. Your Commission had it presented to
15 them. They could have elected to adopt it.
16 They did not.

17 They said it's a very good beginning.
18 There's more work to be done. That argument is
19 the fallacy of the false alternative. They
20 would like to continue to kick this can down
21 the road, longer and longer, because they just
22 want to keep things the way they are, but
23 things change, and your Comprehensive Plan
24 tells you how they should change, and they have
25 told -- the Comprehensive Plan says, and we

1 previously existed.

2 You look, when looking at spot zoning, to
3 see, are you giving the Applicant a benefit not
4 enjoyed by others similarly situated, with
5 similar properties? The answer to that
6 question is, no. You're not giving us anything
7 special. You're taking away something onerous
8 and outdated. So it is not spot zoning. You're
9 correcting spot zoning, and if you want to read
10 the case that defines what spot zoning is, it's
11 the Bird-Kendall Homeowners Association versus
12 Miami Dade County, and you could find that at
13 695 So.2d 908, decided by the Third District
14 Court of Appeal in 1997, reviewed and approved
15 by the Florida Supreme Court.

16 I know a little thing about it. It was my
17 case. I know what spot zoning is. This is not
18 spot zoning. This is a correction of spot
19 zoning. In fact, not removing it, would be
20 reverse spot zoning, because it's being placed
21 there to put a burden on our property, where
22 other commercially designated and zoned
23 properties do not have that burden.

24 The objectors have stood before you and
25 said, "You need to defer this application."

1 mentioned it briefly, but it was some time ago,
2 you have an expressed mandate; locate higher
3 density development along transit corridors and
4 near multi-modal stations. That's your policy,
5 MOB 1.1.3.

6 Promote mixed-use development. Your
7 Comprehensive Plan says that, in Mobility
8 Element 1.1.1.

9 Encourage Land Use decisions that encourage
10 infill and the redevelopment of underutilized
11 lands, that support walking, bicycling and
12 public transit use. That's Mobility Element
13 1.1.2. This application does all of that.

14 You've heard about height, time and time
15 again, and as we told to you during the first
16 hearing, Mr. Merrick had a vision for height,
17 and a very elegant algorithm to determine it.
18 It was simple, 1.5 times the width of the
19 adjacent right-of-way or road.

20 If you do that calculation here, you yield
21 a height of 150 feet, and our application is
22 clearly under that.

23 So as it relates to height, as it relates
24 to the law, as it relates to your Comprehensive
25 Plan, this application represents the

1 confluence of the best thinking on urban
 2 planning that we could bring to you.
 3 What was remarkable to me was, in the
 4 roughly two hours that we've sat here, there
 5 seemed to be agreement about one thing, which
 6 almost never happens, even our fiercest
 7 destructors have said these are beautiful
 8 buildings.
 9 There seems to be unanimity that in terms
 10 of the architecture of this, the buildings are
 11 beautifully designed. There's just a
 12 suggestion that they're in the wrong place.
 13 But that's not true. They're in the right
 14 place. We're replacing an existing hotel.
 15 That's an obvious fact, but it merits mention.
 16 This is not as if we're taking a grassy
 17 field, that has always been a grassy field, and
 18 re-developing. We are replacing an existing
 19 hotel with a modern hotel.
 20 There was a statement that I must ask
 21 Mr. Hernandez to address, as part of this
 22 rebuttal, and it's an important statement. It
 23 was raised by Mr. Gibbs. He'll do it very
 24 briefly.
 25 Mr. Gibbs challenge us as having failed to

1 nearly a five-minute walk. We are taking
 2 public property and setting arcades that are
 3 increasing the sidewalks up to 40 feet. In
 4 fact, the sidewalks vary from 18 feet in width
 5 to 40 feet in width.
 6 We are giving additional setback to
 7 Madruga. There is a traffic circle. There
 8 will be improvements on Jaycee Park. These are
 9 off-site improvements. And many, many more
 10 that have been listed in the report, and were
 11 listed to you in the last Staff presentation.
 12 If anyone has any questions, I will take
 13 them, but, if not, I think that addresses the
 14 question asked.
 15 Thank you.
 16 MR. BASS: Lastly, Mr. Chair, in closing,
 17 let me return to the law that you are all sworn
 18 to uphold, and that's your Comprehensive Plan.
 19 You have a design element in your
 20 Comprehensive Plan. It hasn't been mentioned
 21 up until now by any of the objectors, but it
 22 seems to highlight and crystalize the issue
 23 that's before you.
 24 This is what your Comprehensive Plan says,
 25 in its design element as its goal.

1 satisfy the standards of the public benefits
 2 that have been designed into this project. I'd
 3 like to say, in the instant, that your Staff
 4 has found that this application does satisfy
 5 your PAD ordinance and your MXD ordinance, and
 6 I would urge you to adopt your Staff's
 7 recommended findings in that respect, but let
 8 me just take a moment, because it has been so
 9 long since we presented this to you, to
 10 Mr. Hernandez briefly highlight for you the
 11 public benefit that your other side has
 12 challenged, in under two minutes, and then I
 13 will close in under one minute.
 14 MR. HERNANDEZ: Good evening. Jorge
 15 Hernandez, 5726 San Vicente.
 16 Let me just read for you the definition of
 17 public benefits in our Code. It says, "A
 18 public benefit is a future used land area
 19 improvement, building, facility, structure or
 20 service that provides a benefit, whose
 21 expressed benefit is to the public."
 22 We enumerated at the last meeting all of
 23 the features of this project that do that. The
 24 Paseo itself, half an acre, in the middle of
 25 the project, 1,000 linear feet of arcades,

1 Number One, "Maintain the City as a
 2 liveable City, attractive in its setting and
 3 dynamic in its urban character."
 4 These are your words.
 5 The applications that are before you bring
 6 some long overdue dynamism to the urban fabric
 7 in this location, and we urge you to move your
 8 Staff recommendations for approval, so that we
 9 can actually make this the dynamic fabric that
 10 your Comprehensive Plan commands.
 11 Thank you.
 12 CHAIRMAN FLANAGAN: Thank you, Mr. Bass.
 13 All right. So that closes the public
 14 hearing portion. We're now into the time for
 15 debate and discussion amongst the Boad Members.
 16 MR. LEEN: Mr. Chair, before you do so,
 17 there are four items, and I would like to
 18 re-arrange their order for when you consider
 19 them.
 20 You're going to discuss them all at the
 21 same time, but we're requesting that you vote
 22 on each of them separately.
 23 The first item you should consider is
 24 listed as Number 6, and that's what has been
 25 referred to as the Comprehensive Plan change.

1 That's the legislative item, where you have
 2 discretion, but you have to consider everything
 3 that's been presented to you today, and then
 4 you should look at the Comprehensive Plan, as
 5 it's written, and then you need to make a
 6 decision that the law requires be, at the very
 7 least, fairly debatable, what you decide. So
 8 there has to be a rational basis for what you
 9 do.
 10 The second item I'd like you to look at is
 11 Number 7, which was discussed as the Site
 12 Specific Amendment.
 13 The third item I'd like you to look at is
 14 the Planned Area, and that's also a legislative
 15 change, although it does not relate to a lot of
 16 properties, as was mentioned.
 17 Three, this is a quasi-judicial matter,
 18 clearly a quasi-judicial matter. It's a
 19 Planned Area Development approval.
 20 Now, under our Zoning Code, a Planned Area
 21 Development approval is considered a
 22 Conditional Use. So you have to evaluate this,
 23 and look at the evidence that's been presented
 24 to you, and then determine whether you should
 25 approve this Planned Area Development.

1 As was mentioned, there are some, I'll call
 2 them, waiver, modifications, to certain zoning
 3 provisions, and you have to make a
 4 determination that this is in the best interest
 5 of the City, and that was discussed by the
 6 Applicant, the two different prongs that you
 7 could see, and we can go over that, if you have
 8 any questions about it, and that's
 9 quasi-judicial.
 10 The fourth item is the Site Plan review,
 11 the Mixed-Use Site Plan Review. That's also
 12 quasi-judicial. Now, for those two items, 3
 13 and 4, if a Court -- when a Court reviews what
 14 you've done, if it does, it will look at three
 15 things: First, did we provide due process?
 16 Did people get a chance to have notice and an
 17 opportunity to be heard? And I believe that
 18 we've done that.
 19 The second issue would be whether you
 20 departed from the essential requirements of
 21 law, and assuming that you apply the law that's
 22 been provided here, that shouldn't be an issue.
 23 This is all covered by our Code.
 24 And then the third issue, which is really
 25 the principal issue a Court looks at, is

1 whether there's competent and substantial
 2 evidence supporting your decision and any
 3 conditions that you impose, and the conditions
 4 -- you can impose conditions as to Item --
 5 what's listed as Item 5 on the Agenda and
 6 what's listed as Item 8, which are the third
 7 and fourth issues I want you to look at.
 8 You cannot impose any conditions as to the
 9 legislative changes, which are 1 and 2.
 10 With that, unless there's -- do any of the
 11 counsels have any thoughts on that, because
 12 I'll give you an opportunity? I think I've
 13 stated it accurately.
 14 With that, I would turn it back to you, but
 15 I would ask you that when you get to the votes,
 16 that you do it in that order.
 17 Remember, the first three are ordinances.
 18 The last one would be a resolution.
 19 CHAIRMAN FLANAGAN: Okay.
 20 MR. LEEN: All of this will go to the City
 21 Commission after you decide.
 22 CHAIRMAN FLANAGAN: Thank you.
 23 Okay. But we'll discuss them altogether.
 24 Anybody have any thoughts or questions they
 25 want to start with?

1 MS. MENENDEZ: I was hoping to maybe get
 2 some explanation from the traffic engineer on
 3 the impact of the traffic into the
 4 neighborhood, and in our very congested area of
 5 US-1.
 6 MR. WU: While Mr. Plummer is coming up,
 7 for the record, we did receive a two-page
 8 communication from Ms. Laura Russo -- it's in
 9 your dais -- regarding traffic numbers from
 10 FDOT.
 11 Thank you.
 12 MR. PLUMMER: Tim Plummer, with offices at
 13 1750 Ponce de Leon Boulevard, here in Coral
 14 Gables.
 15 MS. MENENDEZ: Just if you could go over
 16 what the projections are from this building, as
 17 far as where the traffic is going to go in the
 18 a.m., the p.m.
 19 I understand it's outside (sic) the GRID;
 20 however, I'm familiar with the fact that
 21 although it's outside the GRID, they do have a
 22 responsibility to mitigate the impacts.
 23 So I'd like to also know how they propose
 24 to mitigate the impacts to the neighborhood and
 25 to US-1, which is pretty congested in the

1 morning. I see it every morning.
 2 MR. PLUMMER: Right. Sure.
 3 A couple of items on that. Let's start
 4 with where the project started, and the project
 5 started with an access plan that's very similar
 6 to the Holiday Inn site today, which was access
 7 onto Madruga, access onto US-1.
 8 After our numerous meetings with the
 9 neighbors, we realized their big traffic
 10 concern was protecting the residential streets,
 11 which we understood. So we developed an access
 12 plan that addressed that.
 13 As we said in the previous hearing, all of
 14 the outbound traffic from this project goes
 15 onto US-1. No one will be able to exit the
 16 parking garage and go south into the
 17 neighborhood. The only --
 18 MS. MENENDEZ: How are you stopping that
 19 from happening?
 20 MR. PLUMMER: To protect the residential
 21 streets.
 22 MS. MENENDEZ: Yeah. How are you stopping
 23 the traffic from going south?
 24 MR. PLUMMER: There's a gate.
 25 MS. MENENDEZ: Okay.

1 MR. PLUMMER: And the only one that will
 2 have access to the gate is the valet for the
 3 hotel. Valet will be able to return down
 4 Madruga, on to Caballero, to get to the valet
 5 station at the hotel. Those are the only
 6 vehicles that will be exiting the garage onto
 7 Madruga. Everyone else has to go onto US-1.
 8 So we changed our plan to make sure we
 9 protected those residential streets.
 10 Further, we knew, when we went out and
 11 observed the traffic and looked at the
 12 different plans, Madruga is a very unfriendly
 13 street. Most people see it as an alley.
 14 MS. MENENDEZ: Right.
 15 MR. PLUMMER: One of the improvements the
 16 project is doing is going to narrow that
 17 street, to try to control the speed. We heard
 18 there were issues of speeding down Madruga,
 19 between Mariposa Court and Hardee.
 20 The way the alignment of Madruga today into
 21 Hardee exists, it's very unsafe. It comes in
 22 at an angle. It's very difficult for drivers
 23 to look over their shoulder to see oncoming
 24 traffic.
 25 MS. MENENDEZ: You don't have a plan,

1 right, that you can be pointing at?
 2 MR. PLUMMER: Yes, I do.
 3 If I talk about the exiting, there will be
 4 gates here to prevent anyone exiting this
 5 garage from going into the residential streets.
 6 Everyone has to exit into US-1. That's the
 7 biggest way we're protecting the residential
 8 streets.
 9 MS. MENENDEZ: And how do they get into the
 10 garage?
 11 MR. PLUMMER: From US-1.
 12 MS. MENENDEZ: How do they do that, if
 13 there's no left turn there?
 14 MR. PLUMMER: They're going to have to
 15 U-turn on US-1.
 16 MS. MENENDEZ: Wow.
 17 MR. PLUMMER: Just so you understand, that
 18 is something that FDOT promotes. They cannot
 19 put -- the traffic signal spacing is a
 20 standard. FDOT would not allow a traffic
 21 signal here. What they do, from their access
 22 management plans, on their streets, and this is
 23 their arterial highway, is, they allow maybe an
 24 opening, and they expect people to U-turn, that
 25 need to go to those directions, make a left

1 turn or U-turn.
 2 So those coming from the north can come and
 3 U-turn or, what's going to happen for the
 4 apartment users, the ones that are working in
 5 Downtown Coral Gables, working in Downtown
 6 Miami, working in the Grove, when they come
 7 north on US-1 to come home, they're going to
 8 use the signal at Mariposa Court, and they will
 9 be able to come up Madruga --
 10 MS. MENENDEZ: Okay.
 11 MR. PLUMMER: -- and into the property.
 12 MS. MENENDEZ: Okay.
 13 MR. PLUMMER: That's the main entrance.
 14 So some will choose to U-turn, some will
 15 choose to use Mariposa Court. I would use
 16 Mariposa Court, the signal.
 17 So Madruga, also -- as I mentioned, we're
 18 narrowing Madruga, to help control the speed.
 19 This is the issue. It's hard to tell on this
 20 one, but Madruga today comes in at a very
 21 severe angle onto Hardee.
 22 MS. MENENDEZ: Right.
 23 MR. PLUMMER: We're going to make it safe.
 24 We're going to make it 90 degrees, so that you
 25 get a better Site Plan and you can see oncoming

1 traffic.
 2 We are putting a traffic circle in at the
 3 intersection of Hardee and Caballero. That
 4 will help many things, including the
 5 pedestrians that use Jaycee Park, from this
 6 area, or any other of the areas that are coming
 7 to Jaycee Park, that will slow the traffic
 8 down -- that will not only slow the traffic
 9 down, but it puts crosswalks in, so that it
 10 makes it safe for the pedestrians to get to
 11 Jaycee Park.
 12 You asked me a question, Maria, as well,
 13 about US-1.
 14 MS. MENENDEZ: US-1 in the morning heading
 15 north and US-1 going south.
 16 MR. PLUMMER: Uh-huh. We've talked a lot
 17 about the location of this project. It's on
 18 US-1, a major arterial. It's adjacent to the
 19 Metrorail.
 20 What the County leaders did years ago, and
 21 the City adopted, was a level of service
 22 standard for US-1 that is 50 percent more than
 23 capacity. Why did they do that? They wanted
 24 to incentivize developers to redevelop, as this
 25 project is doing, along this corridor, because

1 how to address traffic calming, when the street
 2 closures started, especially in Coral Gables.
 3 There's a process you go through.
 4 So the City has adopted about 80 percent of
 5 the standard for the County for traffic
 6 calming. So based on speed or based on volume,
 7 a street could be eligible for traffic calming
 8 devices.
 9 MS. MENENDEZ: Okay.
 10 MR. PLUMMER: And, again, as we've
 11 mentioned, you know, in the previous
 12 presentation, this project is in the GRID.
 13 It's exempt from traffic concurrency, because
 14 this is where the City leaders want it --
 15 MS. MENENDEZ: I know, but you are
 16 required, though, to put in the necessary
 17 mitigations.
 18 MR. PLUMMER: Absolutely, and that's what
 19 we've done. And the Staff report says that
 20 we've addressed all of the standards. We've
 21 mitigated, as necessary, and we have an access
 22 plan that best protects the neighbors, and
 23 that's right in the Staff report.
 24 MS. MENENDEZ: Can you explain to me how
 25 the valet parking is going to work for the

1 this is the proper way -- if we're going to get
 2 people out of their cars and using Metrorail,
 3 this is where they want more dense development,
 4 the County and the City.
 5 MS. MENENDEZ: Right. I'm familiar with
 6 that, but --
 7 MR. PLUMMER: So it meets -- even this
 8 project, with the additional project traffic,
 9 it meets the standard of US-1.
 10 MS. MENENDEZ: What level of service does
 11 Madruga and the surrounding streets have to
 12 this project?
 13 MR. PLUMMER: Level of service E.
 14 MS. MENENDEZ: And where does it push it
 15 to, what level of service?
 16 MR. PLUMMER: Oh, nowhere near that.
 17 MS. MENENDEZ: Nowhere?
 18 MR. PLUMMER: Nowhere near that.
 19 MS. MENENDEZ: Still at E, is what you're
 20 saying?
 21 MR. PLUMMER: Still at E. The City adopted
 22 level of service E for the residential streets.
 23 So what we always look at is, where are the
 24 volumes, as they relate to traffic calming?
 25 The County adopted a plan about 20 years ago on

1 hotel?
 2 MR. PLUMMER: Sure.
 3 So someone that comes into the hotel, to
 4 get to the valet, they're going to come and use
 5 the traffic circle, come into the valet
 6 station.
 7 The valet operator, depending on the time
 8 of the day, can either go out US-1 and come
 9 into the parking garage or they would be able
 10 to come in through Madruga to drop the vehicle
 11 off in the garage.
 12 On exit, someone needs their car back, we
 13 have a second valet station here, for the
 14 retail uses and others, but they will be able,
 15 for the hotel, to come out of the garage, and
 16 they'll have access, through the gates, and be
 17 able to return the car to the valet station.
 18 MS. MENENDEZ: Okay. You wanted to ask --
 19 CHAIRMAN FLANAGAN: Yeah.
 20 So, Tim, who has access to the gate there
 21 on Madruga?
 22 MR. PLUMMER: It's the valet attendants.
 23 CHAIRMAN FLANAGAN: Valet only? Is it
 24 access in or just --
 25 MR. PLUMMER: In for the residents.

1 Residents can come in that way.
 2 CHAIRMAN FLANAGAN: Okay.
 3 MS. MENENDEZ: The residents can come in
 4 that way, too?
 5 MR. PLUMMER: Residents can come in that
 6 way, because, again, when we heard from the
 7 neighbors about the concerns about the U-turns,
 8 we wanted to make sure that the residents could
 9 come in using the signal at Mariposa Court and
 10 come up Madruga.
 11 So we modified that, so that the residents
 12 could come in that way.
 13 MS. MENENDEZ: You know, that street there,
 14 it's very substandard. I don't see how you're
 15 going to -- you're depending on it a lot for
 16 all of that traffic.
 17 MR. PLUMMER: Well, we're not depending on
 18 it a lot, but it's an option.
 19 MS. MENENDEZ: It's an option, but I saw
 20 that the way that the traffic flows out of the
 21 project, you have some of the traffic going
 22 towards Mariposa, going down Madruga and
 23 turning onto --
 24 MR. PLUMMER: Not exiting.
 25 MS. MENENDEZ: I'm sorry?

1 MR. PLUMMER: Not exiting.
 2 Anyone exiting the parking garage must go
 3 to US-1, Maria. They cannot leave the garage
 4 and use Madruga.
 5 MS. MENENDEZ: But if they have a remote,
 6 you're saying --
 7 MR. PLUMMER: They will not have a remote.
 8 MS. MENENDEZ: The property owners? You
 9 just said that --
 10 MR. PLUMMER: The property owners will be
 11 able to get in, but not out.
 12 MS. MENENDEZ: Not out? How do you control
 13 the remote? I don't understand.
 14 MR. PLUMMER: The technology is there where
 15 you can handle it, where it can come in one
 16 way -- a certain card will allow you to get in,
 17 but that same card will not allow you to get
 18 out.
 19 MS. MENENDEZ: Okay. All right.
 20 MR. PLUMMER: Yeah. So, again, we spent a
 21 lot of time on this, and, really, I feel very
 22 strongly that listening to the residents, this
 23 is the best access plan that we can come up
 24 with to protect those residential streets and
 25 it really addresses it quite well.

1 CHAIRMAN FLANAGAN: Tim, you may know this
 2 answer, though. How is Mariposa being
 3 re-configured with the pedestrian bridge that's
 4 going to go over US-1?
 5 MR. PLUMMER: There is a re-configuration
 6 of the intersection. We've got those plans
 7 from Miami-Dade Transit. They've got a plan
 8 that's in place and construction is starting
 9 soon.
 10 The interesting thing about that is, there
 11 will be more green time for the exit from
 12 Mariposa Court, because we no longer have to
 13 worry about pedestrians crossing and those
 14 conflicts. You know, when you're at that
 15 signal at Mariposa Court, and you have to make
 16 the left turn, you've got all of the UM kids
 17 and others crossing, so you have to wait.
 18 That phase is no longer part of the traffic
 19 signal timing, because everyone has to cross
 20 above grade, so it gives a little more green
 21 time for those movements.
 22 I'll be here, if anyone else has any more
 23 questions.
 24 MS. MENENDEZ: Thank you.
 25 I have questions. Well, does anybody else

1 have questions? I have questions on the
 2 intensity, the height, from Staff.
 3 CHAIRMAN FLANAGAN: Go ahead.
 4 MS. MENENDEZ: Who, from Staff, will be
 5 addressing questions on height?
 6 MR. TRIAS: I will.
 7 MS. MENENDEZ: So currently this area is
 8 zoned for low commercial intensity; is that
 9 correct?
 10 MR. TRIAS: Right. Right. Yeah, that's
 11 correct.
 12 MS. MENENDEZ: What's the maximum height
 13 for low?
 14 MR. TRIAS: With a Med bonus, it would be
 15 97.
 16 MS. MENENDEZ: Okay.
 17 MR. RODRIGUEZ: I'm sorry, is that 97?
 18 MR. TRIAS: With the Med bonus, yes.
 19 MS. MENENDEZ: 97 or 77? It says here, 77.
 20 CHAIRMAN FLANAGAN: Yes.
 21 MR. TRIAS: I'm sorry, 77.
 22 CHAIRMAN FLANAGAN: Yes. The Staff report
 23 says 77.
 24 MR. TRIAS: 77. I made a mistake. Yes.
 25 MS. MENENDEZ: And what is this application

1 going to? What's the height?
 2 MR. TRIAS: 142. The requested height for
 3 the project.
 4 MS. MENENDEZ: Is one --
 5 MR. TRIAS: Now, the maximum height in the
 6 Land Use -- the maximum height in the Land Use
 7 will be 190 and six inches, with Med bonus;
 8 however, the project is requesting 142.
 9 MS. MENENDEZ: 142, but then there's
 10 additional height, right?
 11 MR. TRIAS: In the Land Use, potentially.
 12 So that is one of the issues that you should
 13 keep in mind, that the project is, at this
 14 point, requesting less than the Land Use
 15 request could allow.
 16 MS. MENENDEZ: I understand. The Land Use
 17 request is what they're requesting, but the
 18 Land Use currently is at what height?
 19 MR. GRABIEL: 77.
 20 MS. MENENDEZ: 77.
 21 MR. TRIAS: Right.
 22 MS. MENENDEZ: Okay. And they're
 23 proposing, you say, 142, but then they have
 24 equipment on top, right, because I see it here
 25 in the sketch?

1 MR. TRIAS: Right. Right. That's --
 2 MS. MENENDEZ: How much higher does it go?
 3 MR. TRIAS: I don't know exactly the total
 4 height.
 5 MS. MENENDEZ: Because it passes 150.
 6 MR. TRIAS: The architect can answer that.
 7 MR. HERNANDEZ: The Mediterranean Bonus
 8 Ordinance requests above the height, which is
 9 measured to the top of the slab, in this case,
 10 it's 142, it mandates, for the incentive bonus
 11 system, that you have a parapet of ten feet,
 12 and an additional fifteen feet to hide
 13 equipment and provide a silhouette.
 14 MS. MENENDEZ: Right.
 15 MR. HERNANDEZ: So the Gables One Tower
 16 currently is at 142, but all of their equipment
 17 is visible up and down US-1. So the reason the
 18 Med Bonus put those requirements into the
 19 incentive, which happens in all of the
 20 commercial properties in the Downtown and
 21 throughout Coral Gables and US-1, is to hide
 22 equipment.
 23 MS. MENENDEZ: Right.
 24 MR. HERNANDEZ: That's there to hide the
 25 equipment, and it's required for Med Bonus.

1 You don't get the bonus if you don't provide
 2 that, but the definition of height is top of
 3 the roof slab. That's 142-6.
 4 MR. TRIAS: Right. And that is the
 5 standard definition in the Code, and that's
 6 what we're using.
 7 MS. MENENDEZ: So it's 25 more for the
 8 equipment?
 9 MR. HERNANDEZ: Yes.
 10 MR. GRABIEL: Ten and fifteen.
 11 MS. MENENDEZ: Right.
 12 MR. HERNANDEZ: They actually want the
 13 ten-foot parapet. You must provide the
 14 ten-foot parapet. And they give you another
 15 fifteen for the equipment screening and the
 16 silhouetting of profiles.
 17 MS. MENENDEZ: So that goes to what, you
 18 said, 157?
 19 CHAIRMAN FLANAGAN: 167.
 20 MS. MENENDEZ: 167.
 21 MR. HERNANDEZ: Whatever that math is.
 22 Yeah. Let's see, 162 and five -- yeah, 167.
 23 MS. MENENDEZ: Okay. Does anybody else
 24 have questions? I'm looking through my notes.
 25 CHAIRMAN FLANAGAN: Anybody else have

1 questions?
 2 MR. BELLIN: I have a question. I have two
 3 concerns. I think the height is a little too
 4 much, and I would suggest that maybe you can
 5 find a way to bring it down somewhat.
 6 Also, I'd like to know how you're getting
 7 around the issue of it being adjacent to single
 8 family or MF-1, the 45 feet or three stories.
 9 Now, I know once you put an MXD, the Site
 10 Specifics go away, but the underlying zoning
 11 doesn't go away. So you still have that issue.
 12 And I'm not sure that the PAD really gets rid
 13 of that requirement.
 14 I'd like to hear from Staff and get their
 15 opinion on it.
 16 MR. HERNANDEZ: You want me to answer or
 17 the City can --
 18 MR. TRIAS: Yeah. I think the Applicant
 19 could answer the proposal, what they're doing.
 20 Now, Staff has recommend had the project should
 21 comply with the 45 feet and the 100 feet
 22 setback, which is the nature of your question.
 23 MR. BELLIN: Yes.
 24 CHAIRMAN FLANAGAN: So, Ramon, to be clear,
 25 as presented, it does not meet that

1 requirement?
 2 MR. TRIAS: Right. As presented, it does
 3 not comply with the Code, as it relates to the
 4 separation from the single family neighborhood.
 5 That's correct.
 6 MR. BELLIN: And apparently it can't be
 7 made to comply, unless the building, the
 8 parking garage, is lowered.
 9 MR. TRIAS: There are multiple ways to
 10 redesign the project. It's not too distant
 11 from compliance, but it doesn't comply and
 12 Staff recommends that it should.
 13 MR. HERNANDEZ: Well, one of the things
 14 that was touched upon earlier, it is a PAD, and
 15 in a PAD, one of the things you can judge is
 16 whether a requirement is satisfied to an equal
 17 or greater degree.
 18 So what you see there is the sight line, in
 19 red dashed lines, is the sight line from
 20 Madruga, for a 45-foot height. You could see
 21 that the angle of sight -- and, in fact, that
 22 neighbor testified tonight. It's Mr. Mendi.
 23 He testified tonight. The angle of sight
 24 from Madruga for a 45-foot high building is
 25 actually worse than an angle of sight for this

1 parking plan with me. Maybe if it's in your
 2 packet, I could look at it, but the issue --
 3 yeah, it's probably in there.
 4 I think that's only true in this Site Plan.
 5 MR. GRABIEL: No. It's all floors.
 6 MR. HERNANDEZ: It's everywhere? Right.
 7 MR. GRABIEL: All floors have the last row,
 8 and then you have a space of about ten, twelve
 9 feet, which is totally unutilized.
 10 MR. HERNANDEZ: A small space. Right.
 11 Well, I'll tell you what it's utilized for
 12 here, which is, again, as a result of meetings
 13 with neighbors, the loading dock was turned in
 14 towards this private street.
 15 This street here is wider than the Madruga
 16 right-of-way, and we carved it out of our
 17 property, and so the loading dock was turned,
 18 so you would see no loading. So the trays of
 19 things to service the restaurant use that
 20 pathway.
 21 There is no loading dock in the hotel. The
 22 hotel does not sit on a parking plant. It
 23 comes all the way down to the floor, and,
 24 therefore, all the loading for the entire
 25 project, both buildings, happen at that

1 building, when it is set back from the Madruga
 2 property line an additional almost 15 feet.
 3 We've set back from Madruga 14 feet 10 inches.
 4 The required setback there can be zero, by
 5 Code, and it produces an equal or better
 6 benefit, and that's one of the possibilities of
 7 the PAD.
 8 The PAD allows you the flexibility, if you
 9 can prove that you are meeting the spirit of
 10 the law equally or better.
 11 MR. GRABIEL: A question on the parking.
 12 MR. HERNANDEZ: Sure.
 13 MR. GRABIEL: If you look at the plan, you
 14 have a zone of space not utilized behind the
 15 parking -- the last row of parking that opens
 16 to Madruga.
 17 MR. HERNANDEZ: Yes. One second. Let me
 18 pull the pertinent drawing out.
 19 MR. GRABIEL: Okay. Yes.
 20 You can see it there, and you can see it in
 21 the typical parking level. Why is that space
 22 necessary? Why could we not push the building
 23 back and add that setback to the setback that
 24 you already established?
 25 MR. HERNANDEZ: I don't have the typical

1 southeast corner of the property -- more or
 2 less, southeast corner of the property.
 3 So we need a corridor to service that. On
 4 the upper floors, it may be different.
 5 MR. GRABIEL: I like a lot of things about
 6 the project. I like that we are adding an
 7 intense development near the Metrorail. I
 8 think that's important for the City.
 9 I think, the City, there is a need for
 10 those kinds of projects.
 11 I like that the units, the residential
 12 units, are relatively small in size. That, I
 13 assume, brings in younger families or singles,
 14 who are losing a lot of residential
 15 opportunities and stock in Coral Gables. We
 16 are infilling a lot of properties and my kids
 17 can't afford Coral Gables, but they could
 18 afford to live here.
 19 I think the Millennium Generation would
 20 enjoy the use of this facility, because of the
 21 smaller size units and the access to the
 22 Metrorail. I think that's extremely important
 23 and I like that about the project. I like that
 24 it's mixed-use. I like that hopefully the
 25 units will be affordable for people whose

1 incomes can't afford a house in Coral Gables.
2 I like the design.

3 I don't like the parking garage at all. I
4 think we should not have -- one of the
5 residents who objected to the project showed us
6 the photograph with the tree hiding the parking
7 garage. You don't show any renderings where
8 the traffic garage is seen from the park, and I
9 think it's going to be atrocious. I don't
10 think it's going to be looking good at all.

11 I think it would benefit the project if we
12 could lower the parking garage by one level.
13 There is a hundred spaces, approximately, per
14 level. With shared parking, by having the
15 Metrorail next door, you could reduce it, I
16 understand, up to 20 percent.

17 Coral Gables does not have those
18 regulations, I understand that, but typically
19 when you have a development that is next to a
20 Metrorail, you can reduce parking up to 20
21 percent.

22 If you were to eliminate one level of
23 parking, that's only, I calculated it, 12
24 percent. That's 107 spaces. You're reducing
25 the number of units -- of spaces by 12 percent,

1 south side facing the park. So anybody in the
2 park will be looking at cars.

3 We've had very bad examples, where that
4 happens in North Ponce, where you drive on that
5 street at night and you see right through the
6 parking, and you see the lights and the
7 fluoresce and everything else.

8 I would not vote for this project unless I
9 was assured that the filter on those spaces
10 would be done in such a way that you could not
11 see inside of the space and that no light will
12 filter or bleed out of the garage at night.

13 Still, it's a very massive structure facing
14 the park. I would like you guys to consider
15 greening that face of the garage. I mean, it's
16 been done all of the time, and it would be
17 wonderful if you're sitting on the park and you
18 look at that garage, and you don't see a
19 structure, but you see a green wall. I don't
20 know if that's something you might want to take
21 a look at, but I think that those things should
22 be important to look at. The height of the
23 building and the treatment of the garage, to
24 me, are very important.

25 MR. HERNANDEZ: Thank you.

1 and you can lower the building one whole level.

2 You have a lot of floor to floor height on
3 your two buildings. By just tinkering those
4 heights for the floor, you might be able to
5 reduce another floor, and that's two floors.

6 I think you would be a much more acceptable
7 project if those kinds of things could be done
8 to fix the project. I think the neighbors are
9 complaining about the height of the building,
10 and I can feel for them. You know, they've
11 been living with this other ugly building right
12 next door, and this is right next to it, and
13 it's high.

14 I don't have a problem with the height. I
15 mean, I've said this many times in these
16 meetings, that Coral Gables has a tradition of
17 having high-rises next to low-rise residential,
18 starting with the Biltmore and projects all
19 over the place. So that doesn't -- but I think
20 it should ameliorate the impact that it's
21 having on the residential units, and the
22 parking garage, to me, is the worse part.

23 The second thing I don't like about the
24 parking is that you're not screening it.
25 You're not putting a filter of activity on the

1 The comment about the screening, we have
2 had that question from Staff, and in a prior
3 series of reports, which I believe are public
4 record, we said that, in fact, we would provide
5 exactly that kind of screening against light
6 pollution.

7 There is a two-story pergola on the setback
8 from Madruga. We're setting back and
9 additional 15 feet, to benefit the neighbors
10 across from us on Madruga. So that that first
11 15 feet are greened, and we would be amenable
12 to a green wall treatment for the remainder of
13 that wall, yes.

14 MR. GRABIEL: I would also like to suggest
15 that -- and I think it's something we should
16 look at as a policy within the City of Coral
17 Gables -- that no parking garage can go all of
18 the way down to the ground, and at least that
19 first level should have human activity. Right
20 now you have cars and the dump trucks right on
21 the street, on Madruga, where there's a
22 residential on the other side.

23 I would encourage you to take that edge and
24 actually put some habitable space, so that
25 anybody walking on that street or driving by

1 that street, at that level, is not looking at
 2 cars or screens or just a porch, but actually
 3 habitable space.
 4 MR. HERNANDEZ: Space, yeah.
 5 I think we can look into that.
 6 Thank you.
 7 MR. RODRIGUEZ: Yeah. I have a question
 8 for Mr. Gibbs.
 9 You know, I've sat here and listened to
 10 everybody. I appreciate everybody taking the
 11 time to come out and give an opinion and give a
 12 voice.
 13 I don't have the kind of background that
 14 some folks on the -- I'm a lawyer. My brother
 15 is an architect. I'm not. And I'm new to the
 16 Planning and Zoning Board.
 17 You know, I see this, and I heard --
 18 listened very closely to what both counsels had
 19 to say, and, you know, my concern is that, to
 20 me -- and I haven't read the case that Mr. Bass
 21 indicated that he was counsel for, and I'm
 22 interested to hear what you have to say about
 23 that case, and I'm interested in hearing what
 24 you have to say about Mr. Bass' argument that
 25 it isn't spot zoning, and that, rather, if we

1 regulations are much more lax than the
 2 protections that were put in the Site Specific
 3 zoning.
 4 Now, if Mr. Bass wants to argue that Site
 5 Specific zoning is spot zoning, and I might
 6 agree with him, but the fact is, he will then
 7 throw out the entire Coral Gables Zoning Code,
 8 because virtually every piece of property in
 9 Coral Gables, it has a Site Specific zone on
 10 it, and if he wants to go do that, and if they
 11 want to go do that, that's their business, but
 12 to argue that the Site Specific zoning is spot
 13 zoning may be a great law school question, may
 14 be a great issue. I don't know if it's ever
 15 going to be brought up in this City.
 16 I don't think Mr. Bass or his clients are
 17 going to do that in this case.
 18 The fact is that those provisions were put
 19 in to protect the neighborhood. Whether it's
 20 1979 or 1989, the argument that was made to
 21 this group at the last meeting was, those
 22 regulations are from the 1950s. That's an old
 23 fashion concept.
 24 Well, protecting the neighborhood isn't an
 25 old fashion concept. My clients may call it

1 didn't allow it, it would be spot zoning.
 2 I find that somewhat counter-intuitive, but
 3 I'm interested in what you have to say about
 4 that.
 5 MR. GIBBS: My position on the issue of
 6 spot zoning is a very legal position. I
 7 understand what my clients are saying, in terms
 8 of the concept of it being spot zoning. It's
 9 not.
 10 I understand what Mr. Bass is saying.
 11 Mr. Bass knows that I'm very familiar with the
 12 case. I actually now represent the
 13 Bird-Kendall Homeowners Association and have
 14 for several years. So I am familiar with the
 15 concept.
 16 I've never made that argument. I don't
 17 plan on making that argument about spot zoning,
 18 but what is being said here is, it has the
 19 essence of spot zoning. It is talking about
 20 taking a small area, which is what I talked
 21 about, the small area being Tract A, which is
 22 going to have the -- is going to have the
 23 zoning regulations taken out, and Mr. Bass is
 24 correct, they will be replaced by the
 25 underlying Commercial Zoning, but those zoning

1 spot zoning. What they're saying is, they're
 2 taking away -- they're seeking to have you take
 3 away the protections for their neighborhood,
 4 based on one piece of property.
 5 While that may not be spot zoning, it is a
 6 targeted zoning.
 7 MR. RODRIGUEZ: Thank you.
 8 MR. GIBBS: Thank you.
 9 MR. PEREZ: I just have a few comments. I
 10 mean, I share my concerns of the height issue
 11 with Marshall and Julio, as well, and given the
 12 fact that the Applicant is requesting, as per
 13 Number 3, a PAD, I believe there should be a
 14 way of exploring a shared parking, which I
 15 believe, as part of the PAD, there is a
 16 possibility of achieving a shared parking, and
 17 what that ratio is, I am not sure.
 18 But, again, my biggest concern is the
 19 overall height. So I would ask if you could
 20 please, with Staff and the Applicant, perhaps
 21 look at how, through the PAD, we could achieve
 22 some type of a shared parking, so we could
 23 alleviate the overall height, not necessarily
 24 toward US-1, because that does not concern me
 25 as much as it does the overall height towards

1 the back.
 2 Then my other concern, and this, I'm sure,
 3 is an item that I'm sure the Applicant has
 4 explored, and I'm not going to dive into it too
 5 much, but at first site, in looking at the Site
 6 Plan, I do have some concerns over the overall
 7 efficiencies and accessibility of the loading
 8 dock on the east side of the building and how
 9 that plays into the food and beverage for the
 10 hotel, the servicing of the restaurant.
 11 Again, I mean, I'm sure you guys have done
 12 that homework, but I have a concern over
 13 whether radius analyses were done accessing
 14 that one drive, with, you know, service trucks,
 15 semis, et cetera. Again, I'm assuming here,
 16 but I'm just looking at it from a concern
 17 perspective, and just making sure that you guys
 18 look at that, because what I wouldn't want to
 19 do is have, you know, delivery trucks, et
 20 cetera, at 5:30 or six o'clock in the morning,
 21 on Caballero or Madruga, waking up the kids who
 22 live in the neighborhood.
 23 So, again, my overall concern is the
 24 height. I would ask that we explore to see
 25 how, as per the PAD, how we could have some

1 overall shared parking, to reduce the height
 2 towards the back and see how we, you know, keep
 3 an eye out for overall servicing of the
 4 property, more so for the hotel portion of the
 5 project.
 6 Aside from that, I mean, I believe it's a
 7 great project. I do believe the density of it,
 8 where it's located, is a density that's
 9 deserved in the area. I believe the team has
 10 done a great job.
 11 My concern from day one has been the
 12 height. So, again, I would ask to see how we
 13 could alleviate some of that height towards the
 14 back part of the project.
 15 MR. BELLIN: Jorge, I have a couple of
 16 questions. I don't agree with the line of
 17 sight issue, with respect to the 45 feet.
 18 That's my opinion.
 19 Also, I'd like to know how you're
 20 satisfying -- you want to put an MXD overlay on
 21 the property and you need eight percent of the
 22 total building in commercial space.
 23 MR. HERNANDEZ: I didn't hear the last
 24 part. I'm sorry.
 25 MR. BELLIN: There's a requirement, when

1 you put an MXD overlay, that you have an eight
 2 percent --
 3 MR. HERNANDEZ: Yes. Yeah, or the entire
 4 ground floor. Laura, you can take the
 5 question.
 6 MR. BELLIN: Or the entire ground floor for
 7 commercial use.
 8 MR. HERNANDEZ: Yes.
 9 MR. BELLIN: For permitted commercial uses.
 10 MR. HERNANDEZ: Yes.
 11 MR. BELLIN: How do you comply with that?
 12 MR. HERNANDEZ: Well, everything on the
 13 ground floor is permitted commercial use.
 14 Lobbies don't count. Ground floor lobbies, as
 15 you know, don't count.
 16 MR. BELLIN: Ground floor lobbies don't
 17 count.
 18 MR. HERNANDEZ: Right.
 19 MR. BELLIN: Mechanical rooms don't count,
 20 and I think that you're looking at needing
 21 about 32,000 square feet --
 22 MR. HERNANDEZ: Of additional commercial?
 23 MR. BELLIN: Of commercial use, total.
 24 MR. HERNANDEZ: No. That's not the way we
 25 read it. Yeah. And one of the things that we

1 did in working with Staff is, because the
 2 Paseo, per se, is going to have cafes, that
 3 also was given the PAD as a kind of credit for
 4 that.
 5 So there will be dining in the paseo.
 6 There will be coffee in the paseo.
 7 MR. BELLIN: I don't believe that really,
 8 you know --
 9 MR. HERNANDEZ: Well, maybe we should ask
 10 Staff. I don't know.
 11 MR. BELLIN: Well, let's ask Staff.
 12 MR. HERNANDEZ: Yeah.
 13 MR. WU: What was the question?
 14 MR. BELLIN: The question is, how are they
 15 complying with the requirement for eight
 16 percent commercial use on the ground floor?
 17 MR. WU: It is either eight percent or the
 18 ground floor being commercial use, and we take
 19 the interpretation that they've met the ground
 20 floor being commercial use.
 21 MR. TRIAS: And you're welcome to disagree.
 22 I mean, clearly that's up to you.
 23 MR. BELLIN: And I do.
 24 MR. WU: Yes, it's an either/or situation.
 25 The entire building, eight percent be

1 commercial, or the ground floor being
 2 commercial.
 3 MR. BELLIN: Or the entire ground floor.
 4 MR. WU: Yes.
 5 MR. BELLIN: And lobbies don't count, so
 6 the entire ground floor has to be commercial.
 7 MR. WU: Well, lobbies are required to
 8 reach the ground floor, so they don't count,
 9 correct, but the remaining of the ground floor
 10 is commercial.
 11 MR. BELLIN: All right. Staff's called it.
 12 MR. TRIAS: It is a bona fide mixed-use
 13 project. I mean, it really is. And it does
 14 comply with the Code in that respect.
 15 MR. WU: Mr. Chair, if I can talk about --
 16 one of the comments came up about shared
 17 parking. It's helpful to understand the
 18 concept of shared parking and how applicable it
 19 is on this site.
 20 Shared parking is when you have two
 21 different -- two or three different types of
 22 uses on one property, where the uses have
 23 different peak times being used for the entire
 24 property. For example, you have an office use
 25 and you have a residential use.

1 The office use peak time is in the daytime.
 2 The residential use peak time is at nighttime.
 3 So you can have a garage, and you do not have
 4 to provide all of the parking for the
 5 residential use and all of the parking for the
 6 office use, because there would be efficiencies
 7 in that garage, where you have peak times in
 8 the daytime being used for the office, and the
 9 same garage, at nighttime, be used for
 10 residential.
 11 This property has primarily hotel and
 12 residential uses. The peak times are generally
 13 the same at night. The only efficiencies you
 14 will gain are the smaller retail -- the retail
 15 component on the ground floor.
 16 So the shared parking, in this concept,
 17 probably will not be beneficial.
 18 I think what I'm hearing is the concept of
 19 consideration, because it's close to Metrorail,
 20 there might be some discount consideration for
 21 the parking, as what the City of Miami is doing
 22 today, if it's close to Metrorail, that it does
 23 not require any parking.
 24 That is a very progressive idea. I don't
 25 know if you're ready for it, but I think it's

1 something worth discussing, the idea of, it's
 2 close to Metrorail, there could be some
 3 consideration of a reduced parking requirement.
 4 I just wanted to put that out there. Two
 5 different concepts.
 6 MS. MENENDEZ: That has to be studied. I
 7 mean, that has to be studied, as far as a more
 8 comprehensive look at whether, in fact, and how
 9 much would you credit them with.
 10 MR. WU: Correct, and we're not at that
 11 point yet, but I think you can bring it up for
 12 the City Commission's consideration.
 13 MS. MENENDEZ: We're not.
 14 MR. PEREZ: Has the Applicant worked with a
 15 parking consultant on the overall layout or
 16 design of the garage?
 17 You have?
 18 MR. HERNANDEZ: Yes, we have.
 19 MR. PEREZ: Okay.
 20 MR. HERNANDEZ: They also did a study of
 21 shared parking, and some degree of shared
 22 parking is able to be attained, but we designed
 23 to the existing Code. As Mr. Wu said, there's
 24 certainly conversations about that, and we all
 25 know that in the Mediterranean Village project,

1 because you considered it as a form based Code,
 2 isolated for that project, you created a
 3 mechanism where you could have that discussion,
 4 but we're not doing that here, so we designed
 5 for the Code.
 6 As I said, we would not be amenable to
 7 having these discussions, but we didn't want to
 8 come in here with a project that was not Code
 9 compliant, as per today, with regards to
 10 parking.
 11 MR. WU: And reflecting the public's
 12 concern about the parking impact on the
 13 residential streets, it would be safe to err on
 14 the side of providing ample parking on site.
 15 I think this came up in conversations
 16 they've had in the community.
 17 MR. HERNANDEZ: Yeah. Yeah.
 18 CHAIRMAN FLANAGAN: Marshall, can I go
 19 back, to make sure I understand what your
 20 concern is?
 21 You're saying they need eight percent
 22 commercial or the entire ground floor, which
 23 would mean they would need about 32,000 square
 24 feet of commercial.
 25 MR. BELLIN: It's eight percent of

1 permitted uses, and there's a list of permitted
 2 uses in the Code. So that's my concern.
 3 We've seen this issue before on other
 4 buildings.
 5 CHAIRMAN FLANAGAN: Right. Because a quick
 6 math shows about 19,000 square feet of retail.
 7 MR. BELLIN: Yes.
 8 CHAIRMAN FLANAGAN: Okay. I mean, I'll
 9 echo the comments about height concerns. I
 10 definitely have a concerned about that. I
 11 think, as you go up and down US-1, until you
 12 get to some of the buildings in Dadeland, you
 13 don't have anything of this height, other than
 14 the building next door, which sounds like
 15 everybody has agreed it is the anomaly, and it
 16 seems to be an error that happened at one
 17 point, or it was an unintended consequence of a
 18 change in the Zoning Code. So the height
 19 definitely concerns me.
 20 Also I'm very concerned about, why does the
 21 application seek to strike the Site Specifics
 22 for the entire block, rather than just the
 23 subject property.
 24 MR. WU: Mr. Chair, for consideration, you
 25 can also direct and provide direction to limit

1 the Site Specific to this site, if you think
 2 it's appropriate. That's well within your
 3 realm.
 4 MS. MENENDEZ: I guess the question is, why
 5 was it -- why was it considered?
 6 CHAIRMAN FLANAGAN: Right.
 7 MS. MENENDEZ: I mean, why is it being
 8 requested?
 9 CHAIRMAN FLANAGAN: Right. I mean, this
 10 application --
 11 MS. MENENDEZ: Or is that something that
 12 has to be done that way? I'm not sure.
 13 CHAIRMAN FLANAGAN: And I don't know. I'd
 14 like to know if it has to be done that way. I
 15 mean, I would -- the meat of this application
 16 concerns this parcel of property. So I'm not
 17 sure why we have taken the two parcels to the
 18 north to delete the Site Specifics.
 19 MR. TRIAS: In reality, you don't even have
 20 to delete the Site Specifics, because even
 21 though the Code has Site Specifics, once you do
 22 the PAD, once you do the mixed-use, once you go
 23 with the Med bonus, you are able to not follow
 24 those setbacks.
 25 So that's one of the curious things about

1 the Code.
 2 MS. MENENDEZ: But why is it being proposed
 3 that way?
 4 MR. TRIAS: So that was the way -- that's
 5 what the Applicant proposed. And it made
 6 sense --
 7 MS. MENENDEZ: So why is it being proposed
 8 that way?
 9 CHAIRMAN FLANAGAN: And recommended that
 10 way?
 11 MR. TRIAS: It's recommended that way, and
 12 I'll tell you why, because I do think that that
 13 is the spot zoning question that we have, those
 14 Site Specifics, and the fact that once a
 15 realistic project is proposed, which includes
 16 all of those other issues that I discussed, the
 17 Site Specifics don't really apply, and that is
 18 the reality of the Code.
 19 CHAIRMAN FLANAGAN: Ms. Russo, when did
 20 your client purchase the property?
 21 MR. RUSSO: My client is in the process of
 22 purchasing the property. The closing will take
 23 place very shortly. But it's been sort of the
 24 equivalent of an agreement for deed. So there
 25 have been progress payments that have been

1 made, I want to say, for the past year.
 2 CHAIRMAN FLANAGAN: Okay.
 3 MS. RUSSO: For the past year. So there's
 4 been a substantial, substantial investment.
 5 The closing is very imminent.
 6 CHAIRMAN FLANAGAN: Okay. I mean, the
 7 regulations have been in place since 1979?
 8 MS. RUSSO: 1979.
 9 CHAIRMAN FLANAGAN: Okay.
 10 MS. RUSSO: And I'm going to state my name.
 11 Laura Russo. My address, 2655 Le Jeune Road.
 12 I am co-counsel for the Applicant.
 13 In response to the question, when the
 14 application was done, and we came in and spoke
 15 with Staff, the thought of dealing with the
 16 Site Specifics was to deal with Tract A. I
 17 mean, the Site Specifics dealt with Tract A,
 18 which was the particular block in question, on
 19 which the Gables One or what used to be
 20 considered the IRE building was built, and the
 21 University Shopping Center.
 22 The only building that was built when the
 23 restrictions were put in place, and, in fact,
 24 when the setback restrictions were put in
 25 place, which was 1949, was the University

1 Shopping Center.
 2 So the Gables One building already did not
 3 meet the Site Specific restrictions, in terms
 4 of the setbacks. So that was one of the
 5 reasons, was just to make it a cleaner
 6 operation.
 7 I mean, we're more than happy to limit the
 8 Site Specifics to just the property in
 9 question. It was a way of dealing with Staff
 10 and trying to make the processes clean and not
 11 trying to carve out this parcel, but we have no
 12 objection to carving it out and making the Text
 13 Amendment apply only to the subject property.
 14 MR. LEEN: Mr. Chair, if I could comment on
 15 the Site Specifics. I do think that it's
 16 probably -- the word was cleaner, but it's
 17 probably cleaner or more consistent to amend
 18 the side specifics, but I don't believe you
 19 have to. I do agree with that.
 20 Normally Site Specifics, at least in our
 21 Code, there's a provision -- our Code has
 22 changed several times, and our City is 90 years
 23 old, so we have a lot of legally non-conforming
 24 structures. We also have a number of
 25 annexations, where properties come in, and we

1 reasons that have been listed today.
 2 MR. WU: Mr. Chair, it's five minutes to
 3 9:00.
 4 CHAIRMAN FLANAGAN: Right.
 5 MS. MENENDEZ: Extend.
 6 CHAIRMAN FLANAGAN: So as we all know, the
 7 City Code requires us -- we must end at 9:00,
 8 unless we agree to extend the meeting.
 9 MS. MENENDEZ: Sure.
 10 CHAIRMAN FLANAGAN: So if anybody wants to
 11 make a motion to extend.
 12 MS. MENENDEZ: I'll make a motion to
 13 extend.
 14 CHAIRMAN FLANAGAN: Until?
 15 MR. PEREZ: I'll second.
 16 MS. MENENDEZ: What do you think? Well, we
 17 can amend it again. So let's give it a shot.
 18 9:15.
 19 MR. WU: 9:15?
 20 MS. MENENDEZ: Yeah.
 21 CHAIRMAN FLANAGAN: Albert.
 22 MR. LEEN: You know, I need to make one
 23 additional caveat. When I say it's better to
 24 amend the Site Specifics, I mean, if you decide
 25 to approve this application. Obviously, it's

1 have these Site Specifics, which are quite
 2 extensive, in the back of our Zoning Code.
 3 And what the Zoning Code says is, these
 4 Site Specifics are in a sense -- obviously
 5 they're not legally non-conforming structures
 6 or -- pardon me, legally non-conforming
 7 structures, because they comply with the Site
 8 Specific, but that's the purpose of these Site
 9 Specifics.
 10 They're basically legalizing a lot of older
 11 structures, in older areas within Coral Gables,
 12 and they're specific to that area. I've always
 13 given the opinion that the Site Specifics take
 14 precedent over the more general provisions of
 15 the Zoning Code, because they're specific to
 16 that property.
 17 However, if you approve a PAD, and that
 18 PAD -- and you do that knowing there's a Site
 19 Specific, the PAD takes precedence over the
 20 Site Specific, in my opinion, if you approve
 21 it, because the PAD allows you to waive any
 22 provision in the Zoning Code.
 23 So, in my view, I don't think you have to
 24 amend the Site Specifics. I do think it's
 25 better to do that, though, for a number of

1 all contingent on that. You have to make that
 2 ultimate determination in each of these items.
 3 CHAIRMAN FLANAGAN: Okay. So we have a
 4 motion to extend the meeting until 9:15, a
 5 motion by Maria. Second by Albert.
 6 Any discussion?
 7 Jill.
 8 THE SECRETARY: Marshall Bellin?
 9 MR. BELLIN: Yes.
 10 THE SECRETARY: Julio Grabiell?
 11 MR. GRABIEL: Yes.
 12 THE SECRETARY: Maria Menendez?
 13 MS. MENENDEZ: Yes.
 14 THE SECRETARY: Alberto Perez?
 15 MR. PEREZ: Yes.
 16 THE SECRETARY: Frank Rodriguez?
 17 MR. RODRIGUEZ: Yes.
 18 THE SECRETARY: Jeff Flanagan?
 19 CHAIRMAN FLANAGAN: Yes.
 20 MS. MENENDEZ: I have a question for Staff.
 21 On Page 14 of the Staff report, you get into
 22 the whole issue of the Zoning Code Text
 23 Amendment, and you have, for example, which I
 24 thought it was a great chart, it basically
 25 provides the existing Site Specific zoning, FAR

1 1.5, proposed by right Commercial Zoning
2 Regulations, with low-rise Land Use at three,
3 and so am I understanding that what's being
4 proposed goes from a 1.5 FAR to a 3 FAR?

5 MR. TRIAS: According to what the City
6 Attorney explained, you may have that
7 interpretation; however, the provisions of the
8 Land Use, which is the 3.0, in my view, could
9 take precedence over the Site Specifics. The
10 Land Use would, which is not a Zoning issue.
11 So there's that issue.

12 Now, the request is to make it cleaner and
13 to make it as clear as possible. So the
14 current Land Use in all of those commercial
15 properties is 3.0. That is what the Applicant
16 explained, and that is what's being requested
17 at this point.

18 MS. MENENDEZ: What I'm trying to get a
19 handle on is what they're allowed for at this
20 time versus what they're proposing.

21 So when you look at Page 14, existing Site
22 Specific zoning regulation, it says, "FAR 1.5."
23 Is that what they're allowed to do today
24 without going through this process? Or is it
25 3? You tell me.

1 approve this project, to remove the Site
2 Specific, because it causes confusion.

3 MS. RUSSO: The Site Specific does have the
4 FAR at 1.5, and with Mediterranean bonuses, you
5 could go up to at 2.0.

6 MR. LEEN: Right.

7 MS. RUSSO: Under the current Site Specific
8 regulations. If you eliminate the Site
9 Specific regulations, the property goes back to
10 the same standard that's applied to all
11 commercial properties in the rest of Coral
12 Gables, regardless of whether they're low-rise
13 intensity or high-rise intensity.

14 MR. TRIAS: Right.

15 MS. MENENDEZ: Right.

16 MS. RUSSO: Which is 3.0 FAR, and you can
17 go to 3.5, if you obtain the Mediterranean
18 bonuses.

19 MS. MENENDEZ: But if you obtain the
20 Mediterranean bonuses, your height, though, is
21 77?

22 MS. RUSSO: Correct. Without changing the
23 Land Use, correct.

24 MS. MENENDEZ: Right. What's the Land Use
25 at?

1 MR. TRIAS: It could be seen as both, okay,
2 and I believe that the Site Specifics say 1.5,
3 and I would defer to the City Attorney on an
4 interpretation, because the Land Use -- the
5 Land Use does allow the 3.

6 MR. LEEN: Yes. Just to clarify, when we
7 have a Site Specific, and we have something in
8 our Comprehensive Plan, the Comprehensive Plan
9 does take precedence, that's true, but we apply
10 the more restrictive.

11 So you could have a Zoning Code that allows
12 up to a 3.0 FAR, but our Zoning Code allows up
13 to a 1.5 FAR.

14 Now, what I was saying, though, in addition
15 to that --

16 MS. MENENDEZ: Do they have to change the
17 Zoning Code to comply with the Land Use Code?

18 MR. LEEN: Well, what I was saying was that
19 if you approve a PAD, though, which is allowed
20 under our Zoning Code, and that PAD has a Site
21 Plan that allows up to 3.0. In my opinion,
22 that takes precedence over the Site Specific,
23 because now there's a PAD, that's allowed in
24 our Zoning Code, and you've approved that.

25 Still, I think it's better, if you were to

1 MS. RUSSO: The Land Use is commercial
2 low-rise intensity, which allows 45 feet, but
3 the City Attorney has issued opinions, with
4 respect to, Site Specifics can have
5 Mediterranean bonuses applied, so you're
6 allowed 13.5 two times, so a total of 27 feet.

7 So with the Site Specifics, the project
8 could go up to 72 feet.

9 MS. MENENDEZ: 72 feet.

10 MR. BELLIN: Laura, let me ask you a
11 question. The Site Specifics -- if we approve
12 an MXD overlay, the Site Specifics go away?
13 It's a non-issue? Isn't that correct?

14 MS. RUSSO: It depends. There are
15 different ways to look at the interpretation.

16 MR. BELLIN: It says clearly, in the
17 Code --

18 MR. TRIAS: Yes, and that is the problem.
19 I wish I could answer a black and white
20 question, like Ms. Menendez is asking. I wish
21 it was as simple as saying, it's A or B.

22 However, the Code is confusing sometimes,
23 and sometimes it overlaps. So that is correct.
24 All of those issues are true. There's Site
25 Specifics. There's the Land Use. And then

1 there's the Med bonus. And then there's the
2 MXD. And all of those issues, all of those
3 issues affect the way that the Land Use is
4 regulated.

5 MR. LEEN: But what I'm saying is that even
6 if you did not amend the Site Specific, but you
7 approve the PAD, I believe that that's
8 permissible. That's the opinion I would give.
9 The only reason I could see you not amending
10 the Site Specifics, though, is if you're
11 worried about other properties that are
12 included in it, because if you're going to
13 allow a Site Specific for this property to go
14 up to the higher height, I don't see why you
15 wouldn't also logically amend the Site Specific
16 for this property.

17 MS. MENENDEZ: Talk to us about precedent.
18 We approve this one. Then, you know, a month
19 from now someone assembles a two-acre, and they
20 come back and then -- you know, and, meanwhile,
21 I mean, where does it balance out?

22 MR. LEEN: I understand.
23 Coral Gables is interesting, because its
24 Zoning Code is largely in its Comprehensive
25 Plan. Our Comprehensive Plan has height

1 limitations, FAR limitations within it.
2 So you always have the option whether to
3 amend or not amend the Comprehensive Plan. You
4 have to look at issues of consistency. You
5 have to look at the plan as a whole. And a
6 party may come to you nearby and say, "Well,
7 you just approved a Comprehensive Plan change
8 for this property. So we think you should
9 approve it for that property," and you would
10 have to consider that, and if they don't agree
11 with what you did, they don't have an appeal,
12 because it's not quasi-judicial, and you're
13 giving tremendous deference, but, you know,
14 they could sue. They could sue and they could
15 say that it's basically arbitrary, it's not
16 fairly debatable, what you did.

17 MS. MENENDEZ: So, you know, the reason I
18 ask all of these questions, and, in particular,
19 this last one that I ask, is because when I
20 initially saw this, without looking at the
21 report, I basically said, "Oh, this should go
22 through some visioning process." You know,
23 some type of -- I know that there's a lot of
24 changes that people want, urban development,
25 but the intensity, you know, being near to the

1 neighborhoods, the impact, more putting more
2 traffic onto US-1.

3 So, you know -- and your report says it.
4 You kind of like encourage it, taking it a step
5 further and looking at the whole corridor of
6 US-1. And so my concern is, moving forward on
7 a project, which is asking for a lot more
8 intensity that it's allowed to have, without
9 looking at the overall corridor of US-1, that's
10 my concern.

11 MR. TRIAS: Yes, and the recommendation of
12 the US-1 Workshop is that some of these issues
13 can be resolved through an overlay that deals
14 with the area around the station in a more
15 comprehensive way, that maybe deals with the
16 parking issues, with the Land Use issues, with
17 the height, et cetera. That is the
18 recommendation, yes.

19 MR. BELLIN: Craig, we can approve the Site
20 Specific issue for this piece only, as opposed
21 to the two other pieces?

22 MR. LEEN: Yes. You could recommend that.
23 It would be rewritten by Staff and the
24 Applicant, but, yes, you could.

25 MR. BELLIN: I would prefer to do that,

1 because in order for you to put an MXD or a
2 PAD, there are certain requirements. The piece
3 next door may not have the requirement to be
4 able to do that. So it's sort of like giving
5 them the ability to do something that nobody
6 else on, you know, the Dixie Highway corridor
7 would be able to do.

8 MR. LEEN: I can understand that. You
9 could limit it to just this application.

10 MR. BELLIN: I would prefer to do that.

11 MR. LEEN: That would also address some
12 concern as to precedent, as to the nearby
13 properties. It would be treating this more
14 uniquely.

15 MR. BELLIN: Yeah.

16 MR. BASS: If that were to be imposed as a
17 condition, we would accept that.

18 UNIDENTIFIED MALE VOICE: We can't hear
19 you.

20 MR. BASS: Jeffrey Bass, for the Applicant.
21 If that were to be imposed as a condition, we
22 would accept that.

23 CHAIRMAN FLANAGAN: Okay.
24 Go ahead, Albert.

25 MR. PEREZ: I have a question as to Staff's

1 recommendation. Can you walk me through the
2 rationale behind the reverter clause?

3 MR. TRIAS: I think we have to withdraw
4 that. I further discussed it with the City
5 Attorney, and it's not workable at this point,
6 but concern -- I mean, in terms of the big
7 picture, what we were thinking was that there's
8 a project that is being proposed.

9 That project is 142 feet, plus the
10 mechanical, but let's just use the normal
11 language that we use in the Code. It's 142
12 feet. The Land Use that is being requested
13 allows 190 feet. So what if you approve the
14 Land Use, and, then, all of a sudden, the
15 project changes?

16 Well, that was the concern. The concern is
17 that 142 or 120 or 100 and something may be
18 appropriate. On the other hand, 190, in our
19 view, was excessive. So that was what we were
20 trying to deal with.

21 MR. PEREZ: Can we just cap it? I mean,
22 why -- 18 months goes by rather quick. I mean,
23 why would you sit here and almost, say, 18
24 months pass by, you're going to take their
25 development rights away, after the process that

1 MR. LEEN: So what that means is that --
2 you know, for the residents and the public,
3 that this would be something in the chain of
4 title. It would be recorded. And you could
5 not go above 142, including your successors in
6 interest.

7 MS. RUSSO: Correct.

8 MR. LEEN: Without releasing the covenant.

9 MS. RUSSO: Right.

10 MR. LEEN: Without releasing the covenant.

11 MS. RUSSO: It could be done by Site
12 Specific, as well.

13 MR. LEEN: What are you saying, Mr. Gibbs?

14 Pardon me. Mr. Gibbs is asking who
15 releases it.

16 Typically it's the City, if it accepts the
17 covenant. So that's true. I mean, someone
18 could apply to have the City release it, and
19 conceivably a future Commission could release
20 the covenant. That's true. You should be
21 aware of that.

22 It doesn't mean they will. There's a
23 difference. But it means they could.

24 MR. BELLIN: Craig, we haven't come to any
25 conclusion as to what the height should be on

1 we've all gone through? I don't see why --
2 again, I just don't understand the thought
3 behind it.

4 MR. TRIAS: Yeah. The Applicant has
5 proffered a covenant to limit the height, but,
6 on this issue, I really would prefer to ask
7 Craig for the best approach.

8 MR. LEEN: Yeah. That would be fine. If
9 it's being proffered -- I was going to say --

10 MS. RUSSO: It's been proffered --

11 MR. LEEN: -- you could amend the Zoning
12 Code to cap it at 142, but a restricted
13 covenant would be equally good, and they're
14 proffering it, so --

15 MR. RUSSO: My proffer is of record. I
16 made that of record. It should be in your
17 package. But when we saw Staff's report and
18 the concern that there could be an issue with
19 height coming in at 190, we immediately said,
20 on the record, our intent is to build this
21 project at this height, and nothing more, and
22 we proffered to put a restrictive covenant on
23 the property.

24 You know, so we'll put it, any way. You
25 know, whether you prefer it as a Text --

1 this project. Is 142 the number or can we put
2 a condition that we'd like to see a story or
3 two taken off the building?

4 MR. LEEN: You can place a condition on the
5 Site Plan or the PAD approval.

6 MR. PEREZ: Well, I mean, it should be
7 tied --

8 MR. LEEN: But it needs to be tied to
9 something.

10 MR. PEREZ: It should be capped at whatever
11 it's approved at.

12 MR. LEEN: I mean, the Applicant is saying
13 that there hasn't been evidence presented of
14 harm. The residents are saying, there's harm.
15 You know, you have to evaluate that and
16 determine whether you can impose a limitation
17 as to height, but it has to be supported by
18 substantial competent evidence.

19 MR. GRABIEL: Ramon, one question.

20 MR. TRIAS: Yes.

21 MR. GRABIEL: Projects that have been
22 approved by this group and by the City in other
23 parts near the Metrorail station, in -- off of
24 Ponce, what heights are those buildings?

25 MR. TRIAS: I think the easiest comparable

1 is the Collection Residences, which is recent,
2 and it was approved close to the other station,
3 which is in the City of Miami, and it also
4 deals with the issue of the setback from the
5 neighbors. So all of the same issues are
6 there.

7 And that is the only other place in the
8 City that allows a height in between the 190 or
9 the 97. It actually allows 120, 120 feet,
10 which used to be 100, but it changed recently
11 to 120, and 10 stories. Those are the two
12 regulations that play into place there, in
13 terms of height.

14 That is the only comparable that I can
15 offer as something to have a discussion, that
16 is different than the 190 that is what's
17 allowed Downtown and done Downtown many times.

18 CHAIRMAN FLANAGAN: Ramon, how high, again,
19 was the Collection Residences?

20 MR. TRIAS: It was 120.

21 CHAIRMAN FLANAGAN: That was 120. And
22 then, mention was made of Mediterranean
23 Village. What was -- I'm forgetting at this
24 point, I'm sorry to put you on the spot -- what
25 did the max height end up being there?

1 MR. TRIAS: Well, generally, in the
2 project, it was 190.

3 CHAIRMAN FLANAGAN: Okay.

4 MR. TRIAS: Except for the restaurant, that
5 was a little bit taller. I forget exactly how
6 much taller, but it was in the 200 and
7 something.

8 CHAIRMAN FLANAGAN: Right, a little over
9 that.

10 Okay. So it's generally 190.

11 MR. TRIAS: Yes.

12 CHAIRMAN FLANAGAN: Which is, other than
13 the proffered covenant, what these properties
14 could be developed to?

15 MR. TRIAS: Yes. Yes.

16 MR. GRABIEL: One of the problems we have
17 in the City is that we don't have a middle
18 ground. We either have 77 feet, or we go up to
19 90 --

20 MR. TRIAS: 97 or 190.

21 MR. GRABIEL: So, I mean -- to Staff, maybe
22 that's something we should look at, to find a
23 middle ground, whereas a mid-rise facility. I
24 think this building, in my opinion, is one that
25 would fall into a mid-rise definition, if we

1 had that.

2 MR. TRIAS: Yeah.

3 MR. GRABIEL: Yeah, 190 is obviously too
4 tall. 77 doesn't make it.

5 MR. TRIAS: The only one we have is the
6 Industrial Overlay, which is the Collection,
7 which is the 120, the only thing similar to
8 what you're describing.

9 MR. GRABIEL: 120 sounds good to me.

10 CHAIRMAN FLANAGAN: But, Julio, under a
11 Land Use mid-rise classification, with Med
12 bonus, this could go up to 97.

13 MR. TRIAS: Right. So right now we have 97
14 and 190.

15 CHAIRMAN FLANAGAN: Right. And did I
16 understand correctly, if you add Med bonus in
17 under the current as of rights, you can get up
18 to 77?

19 MS. RUSSO: Correct. Well, actually, 72.
20 It's 45, plus 27, so 72 feet.

21 CHAIRMAN FLANAGAN: But you'd be stuck at
22 your 1.5 FAR.

23 MS. RUSSO: No. We could go to a point --
24 an additional .5, so 2.0 FAR and 72 feet, with
25 the front setbacks of 125 and the rear setback

1 at 50. You could have loading on and off, and
2 access.

3 So you could technically build a commercial
4 project with access on Madruga, as of right, 72
5 feet, with 125 feet of parking in front and 50
6 feet of parking and loading in the back,
7 without a public hearing.

8 CHAIRMAN FLANAGAN: Got it.

9 MR. WU: Mr. Chair, it's 9:12.

10 CHAIRMAN FLANAGAN: Yeah.

11 I mean, some form of this project, I think,
12 is appropriate and better than, let's call it,
13 a standardized strip small zoning development.

14 MS. RUSSO: As of right. As of right.

15 CHAIRMAN FLANAGAN: Yeah. I completely
16 agree. I have to agree with a lot of people
17 that I think the scale -- I agree with density
18 on US-1. I know traffic can't really be a
19 concern, because it's in the GRID, and I can
20 appreciate that, but the intensity of it, I
21 struggle with, and I really struggle with the
22 change in the Land Use classification, because,
23 if I understand it correctly, based on the
24 Staff report, this is going to be the only
25 commercial high-rise intensity piece along the

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1 US-1 corridor.
 2 MR. TRIAS: Yes. That's correct.
 3 MS. RUSSO: Right. Although the reality
 4 is, the project immediately next door, the
 5 Gables One, is already -- right. Right.
 6 CHAIRMAN FLANAGAN: But -- agreed, but I'm
 7 not going to look at that for compatibility.
 8 That's the anomaly, the outlier, and I think,
 9 from a comparability standpoint, that's not
 10 compatible. This is not compatible, at the
 11 height or the intensity that it's at, and we
 12 talk about spot zoning, we don't talk about
 13 spot future Land Use map designations, but if I
 14 had to say, if there was ever one of those
 15 kinds of -- and we've approved, in the past,
 16 Mr. Bass, I know, and we have struggled with
 17 that, and if you --
 18 MR. BASS: Debes versus Monroe County.
 19 Spot planning in reverse. It's just as
 20 unlawful in the planning context as it is in
 21 the Zoning.
 22 CHAIRMAN FLANAGAN: I always say, the
 23 colors on the map are very indicative. And if
 24 I look at this map --
 25 MS. MENENDEZ: You're going from low

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1 density to high density.
 2 MR. BASS: The Biltmore is the same color
 3 red. The Biltmore is the same color red.
 4 MS. MENENDEZ: Yeah, but when was that
 5 done?
 6 MR. LEEN: Look, I want to be clear. I
 7 don't think that you have to change the Land
 8 Use. I don't see that. I think we could
 9 defend our position.
 10 But you should consider the fact that there
 11 is a building of that height right next door.
 12 You should consider that, and you should
 13 consider what's been said today, and the
 14 concern about, you know, that this would be the
 15 only spot.
 16 There's positives and negatives here.
 17 There's arguments on both sides. I think you
 18 have discretion.
 19 MR. RODRIGUEZ: Excuse me. When was that
 20 building built, the UM Building?
 21 MR. HERNANDEZ: 1971.
 22 MR. LEEN: 1971.
 23 MR. RODRIGUEZ: So from 1971 to 2015,
 24 there's been nothing like that, and everybody,
 25 I think -- I mean, everybody -- just like -- by

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1 the way, I didn't say this, but I think the
 2 project is beautiful, Mr. Hernandez. I mean,
 3 you know, I think it's spectacular.
 4 I have other concerns, that, you know, have
 5 been discussed by the Board and some of the
 6 people who spoke, but it was a wonderful
 7 presentation, and, you know, Mr. Plummer --
 8 everybody did a great job, but there's issues.
 9 1971, this building was built, and now
 10 we're in 2015. I'm not terribly persuaded that
 11 we should look at that building as anything
 12 other than --
 13 MS. MENENDEZ: An eyesore.
 14 MR. RODRIGUEZ: -- as Jeff said, an
 15 anomaly.
 16 MR. LEEN: I understand.
 17 MR. RODRIGUEZ: Something that was
 18 dramatically reacted to almost immediately
 19 after it was built, and it was how many years
 20 ago? Fifty years ago.
 21 MS. MENENDEZ: And caused the 1979 --
 22 MR. RODRIGUEZ: Other than that, it's
 23 instructive for what not to do. That's what
 24 it's instructive for.
 25 MR. LEEN: I understand, but Mr. Chair --

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1 CHAIRMAN FLANAGAN: I'm sorry to break the
 2 train of thought.
 3 Can I get a motion to extend the meeting?
 4 MS. MENENDEZ: So moved.
 5 CHAIRMAN FLANAGAN: Until?
 6 MS. MENENDEZ: 9:30.
 7 CHAIRMAN FLANAGAN: 9:30.
 8 MR. PEREZ: I'll second.
 9 CHAIRMAN FLANAGAN: Second. Motion, 9:30.
 10 Any comment?
 11 Jill.
 12 THE SECRETARY: Julio Grabiell?
 13 MR. GRABIEL: Yes.
 14 THE SECRETARY: Maria Menendez?
 15 MS. MENENDEZ: Yes.
 16 THE SECRETARY: Alberto Perez?
 17 MR. PEREZ: Yes.
 18 THE SECRETARY: Frank Rodriguez?
 19 MR. RODRIGUEZ: Yes.
 20 THE SECRETARY: Marshal Bellin?
 21 MR. BELLIN: Yes.
 22 THE SECRETARY: Jeff Flanagan?
 23 CHAIRMAN FLANAGAN: Yes.
 24 Sorry. Craig.
 25 MR. LEEN: Mr. Chair, all I'm saying is

1 that you do need to consider it. I think that
2 you could go either way on this. You know,
3 either side is fairly debatable, in my opinion.
4 So I think you could make your decision.

5 The one thing you need to think about is,
6 whatever you want to recommend as to the
7 height -- like, for example, if you want to put
8 a condition on it and make it 120 or 130 or
9 whatever you want to do, you can't do, unless
10 you change the Land Use, because there is a
11 huge gap.

12 And just because you change the Land Use
13 doesn't mean that you can't limit the height,
14 you know, because you have -- remember, there's
15 a number of items that you're considering.

16 That doesn't mean that the Applicant will
17 accept a limitation of the height. Not
18 necessarily. They may challenge it in front of
19 the Commission and on appeal, but you can limit
20 the height, in my opinion.

21 MR. TRIAS: Mr. Chairman, if I could make a
22 comment.

23 CHAIRMAN FLANAGAN: Of course.

24 MR. TRIAS: This is clearly a policy
25 choice. It's a yes or no. You could say yes

1 MR. TRIAS: For the Site Specific
2 amendment. Only this parcel.

3 CHAIRMAN FLANAGAN: Okay.

4 MR. WU: So that's the first --

5 MS. MENENDEZ: For the Land Use?

6 MR. TRIAS: No. No. For the Site
7 Specifics.

8 MR. BELLIN: The Site Specifics.

9 MR. TRIAS: Land Use is only for this
10 parcel.

11 MS. MENENDEZ: For Site Specific zoning?

12 For the zone --

13 CHAIRMAN FLANAGAN: He's saying --

14 MS. MENENDEZ: Just Site Specific --

15 CHAIRMAN FLANAGAN: He's saying that this
16 parcel should be the only one considered for
17 the removal of the Site Specifics.

18 MS. MENENDEZ: Oh, for the removal of the
19 Site Specifics. Okay. Got it.

20 MS. RUSSO: Right.

21 MS. MENENDEZ: I was confused there.

22 CHAIRMAN FLANAGAN: Craig, you think it's
23 cleaner to remove it, but it doesn't have to be
24 removed?

25 MR. LEEN: I don't think it has to be

1 or you could say no. It has to do with what
2 should happen around the Metrorail station, in
3 the big picture.

4 Nothing has been built since 1971. Not
5 only, not another tower, but nothing else,
6 okay? All of the projects around that area
7 predate 1971.

8 So the choice may be just to remain as is,
9 but there hasn't been any other proposal, at
10 this point, and I'm speaking of the two parcels
11 right next to there. They predate that --

12 CHAIRMAN FLANAGAN: Right. Correct.

13 MR. TRIAS: Yeah.

14 MR. RODRIGUEZ: Has there been a proposal
15 for the entire corridor, you know, on US-1?

16 MR. TRIAS: I haven't seen one, no.

17 CHAIRMAN FLANAGAN: Okay. Any further
18 thoughts or comments?

19 Any motions?

20 Marshall, I'm sorry, remind me, what was
21 the condition you mentioned earlier?

22 MR. LEEN: Mr. Chair --

23 MR. BELLIN: About the eight percent? That
24 this piece only be -- excuse me, that this
25 piece only be considered for --

1 removed, if you approve everything else, but
2 it's better, because it causes a confusion in
3 the Code.

4 MR. TRIAS: Right.

5 MR. LEEN: You know, it would have to be
6 interpreted.

7 MR. TRIAS: I completely agree.

8 MS. MENENDEZ: What happens to the other
9 properties that have the same restriction?

10 MR. LEEN: They will continue to have that
11 restriction.

12 MS. MENENDEZ: But when they come before
13 us?

14 MR. LEEN: If you change their Land Use and
15 you grant a PAD, then that will take
16 precedence. If you don't, they'll continue to
17 abide by the Site Specifics.

18 CHAIRMAN FLANAGAN: See, I don't think we
19 should rewrite the Site Specifics.

20 MS. MENENDEZ: You know, I don't --

21 MR. WU: Mr. Chair, was there a motion?

22 CHAIRMAN FLANAGAN: Not yet.

23 MR. LEEN: I would request, although
24 ultimately it's up to you, but that you
25 consider Item 6 first, which is the

1 Comprehensive Plan change, and there's been a
 2 proffered restrictive covenant, which I think
 3 you should consider in conjunction with that.
 4 MS. MENENDEZ: That's the Future Land Use
 5 Map Amendment? Is that the one you're
 6 referring to?
 7 MR. LEEN: Yes.
 8 MR. TRIAS: Yeah, and that's the policy
 9 choice --
 10 MR. LEEN: That's the policy decision.
 11 CHAIRMAN FLANAGAN: Right, but the
 12 covenant, Craig, can't be considered a proffer
 13 with the Comp Plan change?
 14 MR. LEEN: You can't impose it, but it can
 15 be proffered. It's been proffered.
 16 CHAIRMAN FLANAGAN: As part of the PAD and
 17 mixed-use Site Plan, right?
 18 MR. RUSSO: It was proffered as a separate
 19 letter. In addition, in our application, our
 20 project, everything, is 142-6, but when the
 21 concern was raised that someone might want to
 22 come in and add extra floors, then I said,
 23 that's never our intent, and so I proffered a
 24 letter, that was made a part of the record,
 25 that we were limiting the height to 142-6 and

1 we would do that by --
 2 MR. LEEN: And you're proffering that in
 3 conjunction with your Comp Plan change?
 4 MS. RUSSO: In conjunction with the Comp
 5 Plan change.
 6 And we said we could do it by restrictive
 7 covenant, by Site Specifics and whatever manner
 8 the City felt that it would be best to limit
 9 the height on this parcel.
 10 MR. LEEN: I'm sorry for interrupting. Was
 11 there, Mr. Gibb is saying, a letter? I didn't
 12 -- when was the letter?
 13 MS. RUSSO: It's in the file. I want to
 14 say it was before we had our last hearing. So
 15 I'll get you a copy.
 16 MR. LEEN: It's on the record now.
 17 MS. RUSSO: It's on the record.
 18 MR. LEEN: You're making that proffer.
 19 MR. TRIAS: Yes. And I think we should
 20 follow the City Attorney's recommendation in
 21 the specifics of how to make it happen. The
 22 Applicant has agreed to the concept, and
 23 whatever process or whatever document is
 24 appropriate by the City Attorney.
 25 MR. LEEN: Mr. Chair, Mr. Bass seems to

1 want to --
 2 CHAIRMAN FLANAGAN: Go ahead, Mr. Bass.
 3 MS. BASS: Just in response, I think it's
 4 an important point to make, the Zoning Code may
 5 have been in place for many, many years, but
 6 subsequent to that time, you've adopted a
 7 Comprehensive Plan, and you've updated that
 8 Comprehensive Plan, and you've included in it a
 9 mandate, in your Comprehensive Plan, that you
 10 shall increase density in certain areas.
 11 So I would urge you to not just look at
 12 1971 or '79 as a snapshot in time. You're
 13 making a decision today, based on your Codes
 14 and your Comp Plan, as it exists today, and one
 15 of them is a mandate to increase density in
 16 locations such as this.
 17 MR. RODRIGUEZ: Does the Comprehensive Plan
 18 address height?
 19 MR. BASS: In the various --
 20 MR. TRIAS: The Land Use Map.
 21 MR. BASS: In the various Land Use
 22 categories.
 23 MR. LEEN: I just have to say to that,
 24 though --
 25 CHAIRMAN FLANAGAN: I'm sorry, it's a broad

1 policy, to increase density along transit
 2 areas. Nothing says it should or shall be done
 3 in this block or on this property.
 4 MS. MENENDEZ: And how, and how to do it.
 5 MR. BASS: Agree.
 6 CHAIRMAN FLANAGAN: Okay. I understand.
 7 Comp Plans are very broad policy --
 8 MR. LEEN: And Mr. Chair, it needs to be
 9 pointed out that the same Comp Plan, though,
 10 has this limitation.
 11 CHAIRMAN FLANAGAN: Correct.
 12 MR. LEEN: It's not like we're talking
 13 about the Zoning Code. We're talking about the
 14 Comp Plan. The Comp Plan has a limitation,
 15 which you will be amending. So, in my view,
 16 you don't have to amend it, if you don't want
 17 to.
 18 MR. TRIAS: Right.
 19 MR. LEEN: Although you should consider
 20 everything that's been presented.
 21 MR. TRIAS: Right.
 22 MR. LEEN: And I would recommend -- I don't
 23 recommend anything on your outcome, but I do
 24 recommend that you accept the restrictive
 25 covenant, if you approve the item.

1 CHAIRMAN FLANAGAN: Okay. Any additional
 2 comments or anybody ready to make a motion?
 3 MR. WU: Item Number 6 first.
 4 CHAIRMAN FLANAGAN: Right. The City
 5 Attorney -- I'm just waiting for somebody to --
 6 MR. PEREZ: So the restrictive covenant
 7 will address that -- the repealer clause,
 8 right?
 9 MR. TRIAS: Right. Right. That would not
 10 be done.
 11 MR. LEEN: Yes. It will be, instead.
 12 MR. TRIAS: Yeah.
 13 MR. LEEN: Please, note, it's not exactly
 14 the same, because a repealer would remove the
 15 entire Comp Plan change. There's a real
 16 question as to its legality, whether you can do
 17 that.
 18 MR. PEREZ: Correct.
 19 MR. LEEN: Most City Attorneys and County
 20 Attorneys, and I tend to agree, don't like
 21 repealer provisions. A restrictive covenant is
 22 better.
 23 MR. GRABIEL: It's decision time.
 24 CHAIRMAN FLANAGAN: So first one you wanted
 25 for us to take action on is Number 2, which is

1 the Ordinance of the City Commission of Coral
 2 Gables requesting an amendment to the Future
 3 Land Use Map.
 4 MR. TRIAS: Yes.
 5 MR. LEEN: Well, the reason why. Yes,
 6 because if you do recommend that, then you have
 7 to go to the other items and consider it.
 8 You're going to have to give a recommendation
 9 as to each.
 10 If you don't recommend that, then you can't
 11 recommend some of these other items.
 12 MS. MENENDEZ: Right. Well --
 13 MR. BELLIN: Craig, specifically, what is
 14 the restrictive covenant? What is it going to
 15 say? What is it going to do?
 16 MR. LEEN: It will limit the height on this
 17 property to whatever the height is in the
 18 restrictive covenant, which was 146 feet.
 19 MR. TRIAS: Whatever the Commission
 20 approves, because it may be less.
 21 MR. LEEN: Yes, whatever is approved by the
 22 Commission.
 23 MR. BELLIN: So it's the height that we
 24 approve, as long as --
 25 MR. LEEN: What they're saying, though, is,

1 if this project doesn't go forward, future
 2 successors in interest will not be able to go
 3 above that amount. They'll be limited.
 4 So it will have the effect of a repealer,
 5 at least as to repealing it to 146 feet, but
 6 what you need to understand is, it doesn't
 7 repeal it all of the way back to the mid
 8 intensity category. It would limit it to 140.
 9 MR. BELLIN: Okay. So it doesn't repeal
 10 it --
 11 MR. HERNANDEZ: 142 feet six inches.
 12 MR. LEEN: 142 feet six inches. So, just
 13 for the record, the proposed restrictive
 14 covenant is 142 feet six inches. It would
 15 apply to this property owner and to successors
 16 in interest.
 17 CHAIRMAN FLANAGAN: But somebody could come
 18 back -- if this never got built, somebody would
 19 come back with new plans that aren't as nice
 20 looking or aren't as detailed --
 21 MR. TRIAS: And that has happened. That
 22 has happened in the past in other places.
 23 There has been a change of Land Use, change of
 24 Zoning, a project, and then another project.
 25 So one needs to consider that possibility.

1 MR. BELLIN: I think we want to make sure
 2 that --
 3 MR. LEEN: Yes. As of right, there could
 4 be a 142 feet six inch building, but it
 5 couldn't be this building, because this
 6 building requires other changes to the Code.
 7 That's why there's a PAD.
 8 That would have to be approved in the -- if
 9 it's not approved now, it would have to -- I
 10 guess what I'm saying is -- I know this is very
 11 complicated, but, yes, if you approve it to
 12 142-6, with the restrictive covenant, there
 13 could be a future project that comes forward.
 14 It might be a Conditional Use, maybe with a
 15 Mixed-Use Site Plan. Then you would have to
 16 approve that, and it would come to you. It
 17 could be as of right, and then that would just
 18 go through the Board of Architects procedure,
 19 and then it would be as of right.
 20 MR. GRABIEL: If we were to approve this
 21 paragraph, where it goes from commercial
 22 low-rise intensity to commercial high-rise
 23 intensity, how do we bring in the height
 24 control? Do we have to address it here or do
 25 we address it in one of the other three?

1 MR. LEEN: Well, you can address it in
 2 multiple places, but they're proffering -- what
 3 they are proffering for the Land Use change is
 4 the restrictive covenant.
 5 If you want a lower height than that, you
 6 can't put a condition on a Land Use change, so
 7 you would have to do that as part of the Site
 8 Plan review and the PAD review. You would have
 9 to impose a height restriction.
 10 It would have to be based on substantial
 11 competent evidence. It would have to be
 12 addressing a harm that the height causes. You
 13 should articulate that, why you're doing that.
 14 MS. MENENDEZ: Well, I can't support the
 15 intensity going from low-rise to high-rise,
 16 because of the impact that I think it's going
 17 to have to the neighborhood. Plus I also have
 18 an issue with them not maintaining the 45-foot
 19 height within the 100 feet of the property.
 20 So I'll make the motion not to accept
 21 Number 2.
 22 MR. RODRIGUEZ: I second it.
 23 CHAIRMAN FLANAGAN: So basically it's a
 24 motion to deny the request to amend the Comp
 25 Plan Text and Map Amendment, right?

1 MR. LEEN: Yes. That's Item 6 on your
 2 Agenda.
 3 CHAIRMAN FLANAGAN: Correct.
 4 MR. LEEN: The motion is to recommend
 5 denial.
 6 CHAIRMAN FLANAGAN: There was a second.
 7 MR. LEEN: Just so you're aware, that means
 8 that you could not approve this project. The
 9 Commission could not, if that's recommended.
 10 MR. WU: Who second the motion?
 11 CHAIRMAN FLANAGAN: Mr. Rodriguez.
 12 So we have a first and a second.
 13 Floor is open for discussion.
 14 Seeing none, Jill, can you call the roll,
 15 please?
 16 THE SECRETARY: Maria Menendez?
 17 MS. MENENDEZ: Yes.
 18 THE SECRETARY: Alberto Perez?
 19 MR. PEREZ: No.
 20 THE SECRETARY: Frank Rodriguez?
 21 MR. RODRIGUEZ: Yes.
 22 THE SECRETARY: Marshall Bellin?
 23 MR. BELLIN: No.
 24 THE SECRETARY: Julio Grabiell?
 25 MR. GRABIEL: No.

1 THE SECRETARY: Jeff Flanagan?
 2 CHAIRMAN FLANAGAN: Yes.
 3 MS. MENENDEZ: That was three to three.
 4 MR. LEEN: Okay. Because the vote is three
 5 to three, the item fails -- the motion fails.
 6 The item still exists.
 7 But the Code says, if there's a tie,
 8 there's an automatic continuance. Now, that's
 9 always been interpreted that if you can't
 10 resolve the tie. So --
 11 MR. WU: We do have one more member.
 12 MR. LEEN: Here?
 13 MR. TRIAS: Not here. Not today.
 14 MR. WU: No. Another member that's absent.
 15 MS. MENENDEZ: Doesn't it go to the
 16 Commission without a recommendation?
 17 MR. LEEN: Well, we can talk about that in
 18 a second, but what the Code says, if there's a
 19 tie, that it's automatically continued. So
 20 that's what it says.
 21 So, for example, if the vote had been three
 22 to two, which is not -- just for people at
 23 home, we have seven members of this Board. The
 24 Code says that it acts by a majority of the
 25 Board, which is four.

1 If no one can obtain a vote of four, either
 2 for or against, it goes to the Commission with
 3 no recommendation. Our Code, though, has a
 4 strange provision that says that if there's a
 5 tie, that it's automatically continued until
 6 the tie is broken.
 7 MS. MENENDEZ: When is it that it goes to
 8 the Commission without a recommendation?
 9 MR. TRIAS: When it fails.
 10 MR. LEEN: For example, if the vote was
 11 three to two, that would be no recommendation,
 12 because you need four.
 13 MS. MENENDEZ: Oh, it's got to have four.
 14 I'm sorry, yeah, that's right.
 15 MR. BELLIN: Craig, would this be
 16 acceptable to the yes votes, if certain
 17 conditions were placed on it? And the
 18 conditions being, one is the 45 feet --
 19 MR. TRIAS: But that's different. I mean,
 20 that is dealt with --
 21 MS. MENENDEZ: It's part of that one. It
 22 says it here, the 45 feet.
 23 CHAIRMAN FLANAGAN: It's part of the second
 24 one.
 25 MS. MENENDEZ: No. Well --

1 MR. LEEN: My view, I'd be curious -- I'd
 2 like to --
 3 MS. MENENDEZ: Here, Land Use Map
 4 Amendment, and it says here, for all Land Use
 5 classification, a maximum height of 45 feet is
 6 permitted within 100 foot of the property line
 7 adjacent to single-family residences.
 8 MR. TRIAS: Right, but you're not changing
 9 that provision. What happens is, that applies
 10 to all of the Land Use categories, yes.
 11 I mean, the request is only to change the
 12 Land Use.
 13 MS. MENENDEZ: Okay. I understand.
 14 MR. TRIAS: Yeah.
 15 MR. WU: To commercial high. That is all
 16 one --
 17 MS. MENENDEZ: Got it.
 18 Doesn't change my vote, but that's my
 19 mistake.
 20 CHAIRMAN FLANAGAN: All right. It's 9:30.
 21 Motion to extend?
 22 MS. MENENDEZ: I'll move it.
 23 MR. PEREZ: I'll second.
 24 MS. MENENDEZ: To 9:45.
 25 CHAIRMAN FLANAGAN: Okay.

1 recommendation, in order to be able to go to
 2 Commission. He's proffered that.
 3 Are you willing to accept that, on behalf
 4 of the residents?
 5 MR. BASS: Let me clarify. No
 6 recommendation, meaning, the Board does not
 7 have a recommendation.
 8 MR. LEEN: Oh, does not have a
 9 recommendation. Okay. You're not agreeing to
 10 a recommendation of no.
 11 Let me think about that. Why don't you
 12 address the other provisions? You may end up
 13 having three-three votes on those, as well.
 14 MR. PEREZ: A question.
 15 MR. LEEN: Yes.
 16 MR. PEREZ: It will be continued until
 17 when? So if we're to leave it at three-three,
 18 it's continued until --
 19 MR. WU: The Code stipulates, the next
 20 meeting.
 21 MR. PEREZ: Okay.
 22 MR. WU: It's written in the Code.
 23 MR. LEEN: Let me just think about that.
 24 Why don't you consider the other items, because
 25 you need make a recommendation as to each?

1 Jill.
 2 THE SECRETARY: Alberto Perez?
 3 MR. PEREZ: Yes.
 4 THE SECRETARY: Frank Rodriguez?
 5 MR. RODRIGUEZ: Yes.
 6 THE SECRETARY: Marshal Bellin?
 7 MS. BELLIN: Yes.
 8 THE SECRETARY: Julio Grabiell?
 9 MR. GRABIELL: Yes.
 10 THE SECRETARY: Maria Menendez?
 11 MS. MENENDEZ: Yes.
 12 THE SECRETARY: Jeff Flanagan?
 13 CHAIRMAN FLANAGAN: Yes.
 14 So where are we at?
 15 Craig?
 16 MR. LEEN: Well, you presently have a
 17 three-three vote on Item Number 6.
 18 Do you have any suggestions?
 19 MR. BASS: Recognizing the conundrum that
 20 you face of interpretation, we would accept
 21 going to Commission construing it as a no
 22 recommendation.
 23 MR. LEEN: What Mr. Bass is saying is that
 24 he would be willing to accept this as a no
 25 recommendation, a three-three no

1 CHAIRMAN FLANAGAN: All right. So the next
 2 item would be Item 7 on the Agenda, which is
 3 the request to delete the Site Specific
 4 regulations from Tract A.
 5 MR. RODRIGUEZ: And this is the one
 6 everybody says is superfluous anyway, doesn't
 7 matter what we do. That's what you said and
 8 that's what Mr. Trias said, right?
 9 MS. MENENDEZ: If we approve the PAD.
 10 MR. LEEN: If you approve the entire PAD.
 11 MR. RODRIGUEZ: Okay.
 12 MR. TRIAS: Right.
 13 MR. LEEN: Now, this one has been limited,
 14 is my understanding, to just this property.
 15 That's what the Applicant has proffered.
 16 MR. BELLIN: Yes.
 17 MR. WU: Mr. Chair, I have a concern. If
 18 we have a recommendation that's positive to
 19 Number 7, how can you explain this to the City
 20 Commission, that we do not have a
 21 recommendation of the Comprehensive Plan
 22 change, but you have a different recommendation
 23 on the remaining items? Because you have to
 24 have the Comp Plan in place for the other items
 25 to occur.

1 MR. LEEN: I see Mr. Wu's concern, except
 2 that you have no recommendation, really, as to
 3 Number 6 at this moment, because it's a tie.
 4 CHAIRMAN FLANAGAN: Right, but 7 could
 5 travel on its own, one way or the other, right?
 6 MR. LEEN: It could. You're not required
 7 to vote the same way.
 8 I think, in front of the Commission, I
 9 agree with you, they need to act consistently,
 10 but --
 11 MR. WU: 7 cannot occur until 6 occurs.
 12 MR. LEEN: No. 7 could occur independently.
 13 MR. TRIAS: It could be independent. We
 14 could remove -- yeah.
 15 MR. RODRIGUEZ: Well, it's not going to
 16 occur unless somebody makes a motion, somebody
 17 that wants it.
 18 MR. TRIAS: Yeah, and what I would advise
 19 is that your role is to advise the Commission,
 20 so it would be very helpful if you could really
 21 tell them what you believe should happen.
 22 And if you disagree, say, no, I mean,
 23 clearly, one way or the other.
 24 MR. GRABIEL: Well, independent of what the
 25 actual height of the building is and the

1 setbacks, I think there is a need to change the
 2 conditions that that site is at. It cannot
 3 remain forever a low-rise building.
 4 MS. MENENDEZ: But maybe not -- so am I
 5 hearing you right by saying that, modify it,
 6 not necessarily remove it?
 7 MR. GRABIEL: Well, I'm saying, remove it
 8 and then we can qualify it and recommend to the
 9 Commission what constrains we would vote for.
 10 MS. MENENDEZ: What is the --
 11 MR. GRABIEL: Which is, as I understand,
 12 the best approach for us right now, correct?
 13 MS. MENENDEZ: But if you remove this, what
 14 is the underlying --
 15 CHAIRMAN FLANAGAN: Commercial low-rise.
 16 MS. MENENDEZ: Commercial low-rise?
 17 MR. TRIAS: Yes. Yes. That would be the one.
 18 MR. LEEN: Yes, it would go to commercial
 19 low-rise.
 20 MS. MENENDEZ: This goes to commercial
 21 low-rise, if you --
 22 MS. RUSSO: It is commercial low-rise.
 23 MS. MENENDEZ: It is commercial.
 24 CHAIRMAN FLANAGAN: You have to get rid of
 25 the Site Specifics.

1 MR. TRIAS: Page 14 summarizes all of that.
 2 So if you look at the second column --
 3 MS. MENENDEZ: It would go to 77 feet.
 4 MR. TRIAS: With Med bonus.
 5 MS. MENENDEZ: It would allow for a 77-foot
 6 building.
 7 MR. TRIAS: With Med bonus. And what
 8 happens is, right now, it's a few feet less,
 9 but it's very similar.
 10 And one could make the argument that the
 11 Land Use actually applies already, so --
 12 MS. MENENDEZ: It would be 77 plus how
 13 much?
 14 MR. TRIAS: No, 77 would be the maximum.
 15 MS. RUSSO: 72 to 77 would be the maximum
 16 height.
 17 MR. TRIAS: Yeah. The Land Use Map says
 18 50. 50 means 77 in Med bonus language.
 19 MS. MENENDEZ: Right.
 20 MR. GIBBS: Mr. Chairman --
 21 CHAIRMAN FLANAGAN: Yes, Mr. Gibbs.
 22 MR. GIBBS: -- may I ask a question? I
 23 just want to clarify something.
 24 Ms. Menendez said that if you wanted to
 25 change the Site Specific from what's there now

1 to something else, as opposed to just getting
 2 rid of it -- is that something still on the
 3 table? I thought that was a question you had
 4 asked Mr. Grabiell.
 5 MS. MENENDEZ: Right, but then he explained
 6 that what this would do is remove the Site
 7 Specific and it would revert back to the
 8 original, which was commercial low intensity.
 9 MR. TRIAS: Right. That's one option.
 10 MS. MENENDEZ: Which is at 77.
 11 MR. TRIAS: Another option is to amend the
 12 Site Specifics, obviously. There are many
 13 options.
 14 MS. MENENDEZ: And the other option, I
 15 guess, is what you're proffering, which is to
 16 amend it.
 17 MR. GIBBS: Yeah, because then the setbacks
 18 are zero. The setbacks are zero and the FAR is
 19 3.0.
 20 MS. MENENDEZ: Right. I see that. Right.
 21 I see that.
 22 MR. LEEN: You know, just giving you
 23 advice, it would make sense that you would
 24 probably vote the same way on this item as the
 25 Comp Plan change.

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1 MR. TRIAS: Yes.

2 MR. LEEN: And I'm going to give an
3 opinion, and I'll explain it, for the record,
4 that a three-three vote is just a no
5 recommendation.

6 So this will progress to the City
7 Commission, either way.

8 So you should just vote the way that you
9 feel on that item.

10 Now, when we get to the final two items,
11 you may want to impose a condition as to
12 height, which is lower than what they're
13 proposing, and at least give the Commission
14 your idea of what you think the appropriate
15 height would be.

16 But someone should make a motion as to Item
17 7. I can't predict the outcome, but, you know,
18 it may be the same.

19 CHAIRMAN FLANAGAN: They're working on it.

20 Anybody ready to make a motion on Item
21 Number 7 on our agenda?

22 Craig, what happens when nobody's ready or
23 willing to make a motion?

24 MR. LEEN: I really recommend that you make
25 a motion and have a vote. It doesn't matter

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1 whether it's to approve or to not approve,
2 particularly if it ends up three-three.

3 MS. MENENDEZ: I'll make a motion to deny
4 the request to change the Site Specifics. Did
5 I say that right?

6 MR. RODRIGUEZ: I second the motion.

7 MR. LEEN: So the motion is to deny the
8 change to the Site Specifics. So the Site
9 Specific would stay the same, under your
10 recommendation, if you vote yes.

11 MS. MENENDEZ: But I would want to say that
12 I understand that it should be looked at. I
13 think there should be a process in place to
14 look at it, as I mentioned before, overall, the
15 corridor, and not do it piecemeal.

16 MR. TRIAS: And that process already
17 exists. We're working on that.

18 CHAIRMAN FLANAGAN: All right. So to be
19 clear, we've got a motion and a second to deny
20 request Number 7, which would be recommend
21 denial of deletion on the Site Specifics.

22 MR. BELLIN: I would like to ask a question
23 before we vote on that.

24 CHAIRMAN FLANAGAN: So everybody is clear,
25 I think we've asked it, but let's just triple

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1 check, the Site Specifics can stay in place,
2 right? Like this could be denied and some
3 either approval or some modified approval of
4 the remaining two items could go forward?

5 MR. LEEN: Yes. I don't recommend it,
6 because it seems like if you're going to
7 approve the application, you would approve the
8 amendment to the Site Specific, for just this
9 property.

10 CHAIRMAN FLANAGAN: Right.

11 MR. LEEN: But I've given an opinion, you
12 don't have to.

13 MR. TRIAS: But you don't have to.
14 Technically you don't have to.

15 MR. LEEN: You don't have to.

16 MR. BELLIN: What happens if we approve
17 Number 9, the MXD overlay?

18 MR. LEEN: The MXD overlay, you can approve
19 it, but it will not be able to be put into
20 place until the Comp Plan is changed.

21 CHAIRMAN FLANAGAN: We have a motion and a
22 second to deny Item Number 7 on tonight's
23 agenda. Any further discussion?

24 Jill, call the roll, please.

25 THE SECRETARY: Frank Rodriguez?

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1 MR. RODRIGUEZ: Yes.

2 THE SECRETARY: Marshal Bellin?

3 MR. BELLIN: No.

4 THE SECRETARY: Julio Grabiell?

5 MR. GRABIEL: No.

6 THE SECRETARY: Maria Menendez?

7 MS. MENENDEZ: Yes.

8 THE SECRETARY: Alberto Perez?

9 MR. PEREZ: No.

10 THE SECRETARY: Jeff Flanagan?

11 CHAIRMAN FLANAGAN: Yes.

12 MR. LEEN: No recommendation.

13 Now, I recommend you go to Item Number 5,
14 Mr. Chair, which is the top item on the agenda.

15 CHAIRMAN FLANAGAN: The PAD.

16 All right. Next up is --

17 MR. LEEN: Mr. Chair, this is a
18 quasi-judicial item. It's based on competent
19 and substantial evidence in the record. You're
20 acting as judges for this one.

21 If you impose any conditions, it should be
22 stated in the record. You should state what
23 they would be, and they should be based on
24 competent and substantial evidence.

25 CHAIRMAN FLANAGAN: Okay. With that said,

1 Item Number 5, this is to approve the request
 2 for the PAD.
 3 MR. GRABIEL: I would move to approve it,
 4 with certain conditions.
 5 CHAIRMAN FLANAGAN: Okay. Which are?
 6 MR. GRABIEL: The conditions are, reducing
 7 the height of the building to 120 feet, based
 8 on other buildings in the City of Coral Gables
 9 near rapid transit and railways, which are high
 10 intensity; total and complete screening of the
 11 parking, so that no filter light can come out
 12 of the parking garage; that there is activity,
 13 habitable activity, on the ground floor of the
 14 parking garage, so that as you walk by Madruga
 15 or drive by Madruga, you don't see cars; also
 16 that that facade of the parking garage be
 17 turned into a green facade, so the view from
 18 the park is one of continuous green and not of a
 19 structure.
 20 How the height is reduced is up to the
 21 developer and the architect.
 22 And I would also, maybe -- I don't know if
 23 it's a recommendation, that the City and the
 24 developer look at reducing the number of cars,
 25 by doing shared parking and the use of the

1 Metrorail as a way of reducing the cars, so
 2 there's less cars on the site.
 3 CHAIRMAN FLANAGAN: And, Julio, that
 4 includes the balance of Staff's recommendations
 5 and conditions?
 6 MR. GRABIEL: Yes.
 7 (Simultaneous speaking.)
 8 MR. TRIAS: Mr. Chairman, the only one that
 9 I would recommend is the compliance with the 45
 10 feet and 100 feet setback.
 11 MR. GRABIEL: Oh, yeah. Okay. Agreed.
 12 MR. LEEN: You're adding that to your
 13 recommendations?
 14 MR. GRABIEL: Yes, adding the 45 feet.
 15 MR. TRIAS: Which is in compliance with the
 16 Code, with the Code requirements.
 17 MR. LEEN: And I understand that there
 18 would need to be a second to consider this, but
 19 I would ask the Applicant, would you accept
 20 those as proffered conditions?
 21 MS. RUSSO: Yes.
 22 MR. LEEN: Okay.
 23 MR. BASS: We accept them for purposes of
 24 this evening motion, but we're left in a
 25 difficult position --

1 CHAIRMAN FLANAGAN: Could you speak up?
 2 I'm sorry.
 3 MR. LEEN: So you're accepting them for
 4 purposes of -- you're not objecting to them?
 5 MR. BASS: -- of this evening's hearing. I
 6 can't tell you right now whether -- we're
 7 accepting them for tonight, but we're going to
 8 reserve our right to look at them and revisit
 9 them, if need be.
 10 MR. LEEN: So they're not necessarily
 11 proffered. You know, they might be in the
 12 future.
 13 MR. BASS: Those are what's been proposed
 14 by a Board Member. We're not accepting them.
 15 MR. LEEN: I understand.
 16 MR. TRIAS: There's a motion. If there's a
 17 second, then they should vote on it soon.
 18 CHAIRMAN FLANAGAN: Well, I know, but Craig
 19 is trying to see if they would accept. So the
 20 Applicant is not accepting the conditions.
 21 Which is fine, the Board can still put it
 22 forward.
 23 MR. LEEN: No. That's fine. You can move
 24 it forward.
 25 CHAIRMAN FLANAGAN: Okay. So we have a

1 motion to approve with those conditions.
 2 MR. PEREZ: So you proposed it from 142 to
 3 120?
 4 MR. GRABIEL: 120. Based on other
 5 buildings within the City of Coral Gables that
 6 have been approved with that height.
 7 MR. LEEN: There's been no second as of
 8 this time?
 9 CHAIRMAN FLANAGAN: Not yet.
 10 MR. LEEN: I'll wait to see if there's a
 11 second.
 12 MR. BELLIN: I'll second it.
 13 MR. LEEN: Mr. Chair, I would like to give
 14 one other piece of advice. It's up to you,
 15 obviously, how you decide to vote.
 16 If you think that this is the way that the
 17 building should be, even though it's not
 18 consistent with your vote necessarily as to the
 19 Comp Plan, my opinion is, you could still vote
 20 for this.
 21 You're basically telling the Commission
 22 what you think should be there, and then we'll
 23 have to address what to do with the Comp Plan,
 24 if the Commission were to approve this.
 25 You know, there's different ways to address

1 a situation like this, but I would recommend,
2 in order to give the Commission the most
3 guidance possible, that you tell them what you
4 think should be there, assuming the Comp Plan
5 allow it.

6 MR. PEREZ: So, Julio, I just want to be
7 clear on the rationale behind the 142 to the
8 120. So you're basing the 120 on previous
9 approvals of buildings --

10 MR. GRABIEL: Yes. Other projects,
11 similar, mixed-use, that have been approved
12 with that height, in areas that have high
13 intensity use and circulation.

14 MR. RODRIGUEZ: Is that one building? Am I
15 right?

16 MR. TRIAS: There are two. There's
17 actually two, because the Merrick One, Merrick
18 Place that you approved recently, that's also
19 the 120.

20 MR. RODRIGUEZ: And the Collection?

21 MR. TRIAS: The Collection Residences,
22 yeah.

23 CHAIRMAN FLANAGAN: Okay. We have a motion
24 and a second. Any further discussion?

25 MS. MENENDEZ: I just want to -- it's hard

1 MR. LEEN: Mr. Chair, I would just
2 recommend that if you do -- do a motion to
3 approve this, that you impose the same
4 conditions.

5 CHAIRMAN FLANAGAN: Okay.

6 MR. TRIAS: And there's a few other
7 conditions in the Staff report that are fairly
8 typical and I would recommend you follow those,
9 too.

10 MR. BELLIN: Jeff, time. You need to
11 extend it.

12 CHAIRMAN FLANAGAN: Okay. Go ahead,
13 Marshall. You want to extend?

14 MR. BELLIN: By ten o'clock.

15 MR. PEREZ: I'll second.

16 CHAIRMAN FLANAGAN: Okay. Motion to extend
17 it until 10:00.

18 Jill.

19 THE SECRETARY: Julio Grabiell?

20 MR. GRABIEL: Yes.

21 THE SECRETARY: Maria Menendez?

22 MS. MENENDEZ: Yes.

23 THE SECRETARY: Alberto Perez?

24 MR. PEREZ: Yes.

25 THE SECRETARY: Frank Rodriguez?

1 -- I mean, I like the height better, but it's
2 hard for me for approve something without
3 really looking at it and seeing the mix, and,
4 you know, the uses and things. So I'm not
5 going to be able to support it.

6 CHAIRMAN FLANAGAN: Okay.

7 MR. LEEN: Do we have a vote?

8 CHAIRMAN FLANAGAN: Yeah. No futher
9 discussion?

10 Jill, if you would call the roll, please.

11 THE SECRETARY: Marshal Bellin?

12 MR. BELLIN: Yes.

13 THE SECRETARY: Julio Grabiell?

14 MR. GRABIEL: Yes.

15 THE SECRETARY: Maria Menendez?

16 MS. MENENDEZ: No.

17 THE SECRETARY: Alberto Perez?

18 MR. PEREZ: Yes.

19 THE SECRETARY: Frank Rodriguez?

20 MR. RODRIGUEZ: No.

21 THE SECRETARY: Jeff Flanagan?

22 CHAIRMAN FLANAGAN: Yes.

23 Next item would be Item 8 on our agenda,
24 which is approval of the Overlay and Special
25 Purpose Districts and then MXD for the project.

1 MR. RODRIGUEZ: Yes.

2 THE SECRETARY; Marshall Bellin?

3 MR. BELLIN: Yes.

4 THE SECRETARY: Jeff Flanagan?

5 CHAIRMAN FLANAGAN: Yes.

6 Anyone have a motion for Item 8 on the
7 agenda?

8 MR. GRABIEL: Yeah.

9 I would move to accept it with the same
10 conditions as were done for the previous vote,
11 including the Staff's recommendations.

12 MR. TRIAS: Thank you.

13 CHAIRMAN FLANAGAN: Did we need to include
14 in these the Applicant's proffer of a covenant?
15 Well, actually, if we went down to 120, I guess
16 it wouldn't matter.

17 MR. LEEN: We'll talk about that once you
18 do this vote.

19 CHAIRMAN FLANAGAN: Can we add the
20 Applicant's covenant into this item?

21 MR. TRIAS: In the Staff conditions, what
22 we had said was that a Site Specific amendment
23 to 142 feet.

24 CHAIRMAN FLANAGAN: Right.

25 MR. TRIAS: So that's one way to do it.

1 Now, I don't know if it's the best way to do
 2 it, but that was the one that we had put in, in
 3 this report.
 4 MR. LEEN: No?
 5 MS. RUSSO: You can impose the 120, but
 6 we're not proffering the 120 as a restrictive
 7 covenant.
 8 CHAIRMAN FLANAGAN: No. You proffered
 9 142-6.
 10 MS. RUSSO: 142-6, correct.
 11 CHAIRMAN FLANAGAN: You're still proffering
 12 that?
 13 MS. RUSSO: Yes. Yes.
 14 MR. BASS: Yes.
 15 CHAIRMAN FLANAGAN: Even though it's down
 16 to 120, I'd like still to tag that here as a
 17 condition, as a back stop.
 18 MR. LEEN: Okay. That's a proffered 146.
 19 But that doesn't mean -- so you're basically
 20 accepting the 146 as a proffer --
 21 CHAIRMAN FLANAGAN: As a back stop.
 22 MR. LEEN: -- in connection to this?
 23 CHAIRMAN FLANAGAN: Yeah. Right.
 24 MR. LEEN: But you're imposing a further
 25 limit of 120, which is not agreed to at this

1 time.
 2 MR. TRIAS: And the other correction is,
 3 we're removing the reverter clause, which is
 4 also listed as one of the conditions.
 5 MR. LEEN: Yeah.
 6 MR. BASS: I understand what you're doing.
 7 CHAIRMAN FLANAGAN: And you're okay with
 8 it?
 9 MR. BASS: No, but --
 10 CHAIRMAN FLANAGAN: You are. You proffered
 11 146.
 12 MR. BASS: Yes. I mean, the 142-6, we're
 13 sticking to.
 14 CHAIRMAN FLANAGAN: Okay.
 15 MR. LEEN: Depends on what the motion is,
 16 but that would be accepted as a proffer.
 17 CHAIRMAN FLANAGAN: Correct. Okay.
 18 MR. PEREZ: I'll second.
 19 CHAIRMAN FLANAGAN: We need a motion first.
 20 MR. PEREZ: Oh, Julio didn't --
 21 CHAIRMAN FLANAGAN: Oh, you did. I'm
 22 sorry. That's right. With the same conditions
 23 as the last time, plus Staff, plus the
 24 Applicant's proffer. Okay.
 25 MR. LEEN: Do you accept the Applicant's

1 proffer?
 2 MR. GRABIEL: Yes, I accept them.
 3 CHAIRMAN FLANAGAN: Motion and a second.
 4 Is there any discussion?
 5 Seeing none, Jill.
 6 MR. RODRIGUEZ: Yeah. Let me just say
 7 something, because, I mean, we've had a healthy
 8 debate, and a lot of people have made really
 9 good points, but what's happening now is that
 10 we're going to just go ahead and vote. It
 11 sounds to me like it's going to end up being
 12 four-two, with 120.
 13 They're not agreeing to that. They're
 14 going to go to the Commission and ask for what
 15 they came here asking us to do, except now
 16 they're going to have -- in addition, they're
 17 going to have yes votes on the 120.
 18 I -- you know -- let's just have a vote. I
 19 think everybody has said what they've had to
 20 say.
 21 THE SECRETARY: Maria Menendez?
 22 MS. MENENDEZ: No.
 23 THE SECRETARY: Alberto Perez?
 24 MR. PEREZ: Yes.
 25 THE SECRETARY: Frank Rodriguez?

1 MR. RODRIGUEZ: No.
 2 THE SECRETARY: Marshall Bellin?
 3 MR. BELLIN: Yes.
 4 THE SECRETARY: Julio Grabiell?
 5 MR. GRABIEL: Yes.
 6 THE SECRETARY: Jeff Flanagan?
 7 CHAIRMAN FLANAGAN: Yes.
 8 All right. That disposes of those.
 9 MR. LEEN: So Mr. Chair -- may I?
 10 So just on the two three-three votes.
 11 CHAIRMAN FLANAGAN: Yes.
 12 MR. LEEN: You know, I looked at the
 13 matter. To me, there's a no difference between
 14 a three-three vote, and a three-two vote, and a
 15 two-three vote. I think that that provision in
 16 the Code doesn't apply here. It doesn't make
 17 any sense, because this matter has already been
 18 continued once, and I see no purpose to
 19 continue it again, particularly as there's been
 20 a four-two vote on two of the items.
 21 So pursuant to my authority in 2-201-E-9 of
 22 the Code, and E-8, I don't believe that should
 23 apply here.
 24 And, in fact, I'm going to recommend to
 25 Staff that it be removed from the Zoning Code,

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1 because there is no such thing as a tie vote
 2 when you can't get a majority.
 3 If, for example, the Code allowed you to
 4 act with less than a majority of the whole,
 5 there could be a tie vote, but it doesn't. So
 6 that provision is illogical.
 7 MS. MENENDEZ: My understanding, if you
 8 don't get four, it goes through with no
 9 recommendation.
 10 MR. LEEN: That's the way I think it should
 11 be.
 12 MR. TRIAS: That's correct. That's correct.
 13 MS. MENENDEZ: That's the way I have always
 14 understood it.
 15 MR. LEEN: That's the way it should be. So
 16 that's the way it's going to be interpreted
 17 going forward.
 18 MR. PEREZ: Goes to Commission as a no?
 19 CHAIRMAN FLANAGAN: As no recommendation.
 20 MS. MENENDEZ: No. No recommendation, the
 21 two that didn't --
 22 MR. LEEN: Two have no recommendations.
 23 Now, for purposes of the Commission, if the
 24 Comp Plan could be changed to be 120 feet, it
 25 might be useful, Mr. Chair, to have a straw

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1 poll as to whether the Planning and Zoning
 2 Board would support that or not.
 3 MS. MENENDEZ: I would like to see the
 4 plans.
 5 MR. LEEN: You would like to see the plans?
 6 MS. MENENDEZ: Yes. That's what we just
 7 voted on, Craig. But they got the four-two,
 8 so --
 9 MR. LEEN: I see.
 10 Well, I would view that, when this comes
 11 before the Commission, as the Board basically
 12 saying that you would accept 120 feet.
 13 Obviously, the Comp Plan would have to reflect
 14 that or it can't be done.
 15 MR. TRIAS: Correct.
 16 MR. LEEN: Okay.
 17 CHAIRMAN FLANAGAN: Okay. One last item on
 18 the Agenda was supposed to be a discussion
 19 item, Item Number 9.
 20 MS. MENENDEZ: Can we defer that to our
 21 next meeting?
 22 MR. TRIAS: Mr. Chairman, I would recommend
 23 you do that.
 24 MS. MENENDEZ: I'd like to move --
 25 CHAIRMAN FLANAGAN: The Vice Chair has

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1 moved to defer it.
 2 MR. TRIAS: And if anybody wants copies of
 3 the report, we have a few extra copies
 4 available for the public.
 5 CHAIRMAN FLANAGAN: The Vice Chair has
 6 moved to defer it. Do we have a second?
 7 MR. PEREZ: Second.
 8 CHAIRMAN FLANAGAN: We've got a second.
 9 Any discussion?
 10 Seeing none, Jill.
 11 THE SECRETARY: Alberto Perez?
 12 MR. PEREZ: Yes.
 13 THE SECRETARY: Frank Rodriguez?
 14 MR. RODRIGUEZ: Yes.
 15 THE SECRETARY: Marshall Bellin?
 16 MR. BELLIN: Yes.
 17 THE SECRETARY: Julio Grabiell?
 18 MR. GRABIEL: Yes.
 19 THE SECRETARY: Maria Menendez?
 20 MS. MENENDEZ: Yes.
 21 THE SECRETARY: Jeff Flanagan?
 22 CHAIRMAN FLANAGAN: Yes.
 23 All right. Any further discussion on
 24 anything?
 25 Meeting's adjourned. Thank you all.

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1 (Thereupon, the meeting was concluded at 9:55
 2 p.m.)
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1 CERTIFICATE
2
3 STATE OF FLORIDA:
4 SS.
5 COUNTY OF MIAMI-DADE:
6
7
8

9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
10 Public for the State of Florida at Large, do hereby
11 certify that I was authorized to and did
12 stenographically report the foregoing proceedings and
13 that the transcript is a true and complete record of my
14 stenographic notes.

15
16 DATED this 29th day of September, 2015.
17
18
19
20
21

22 SIGNATURE ON FILE
23 _____
24 NIEVES SANCHEZ
25

Attendance/Speaker Sign In Sheet – August 12, 2015

Planning & Zoning Board Meeting

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)	
1.	John P. Espinosa	1216 Placetas Ave. GG, FL	786-441-4575	<input checked="" type="checkbox"/>	(1)
2.	Tucker G. Waj	PO Box 1010 33133	305-445-8486	<input checked="" type="checkbox"/>	
3.	PAUL GUTLOHN M.D.	1125 HARDEE RD CGAL	305-666-2622	<input checked="" type="checkbox"/>	
4.	SONYA GUTLOHN	1125 HARDEE RD CG	305-666-2622	<input checked="" type="checkbox"/>	(31)
5.	Alette Carolan	615 Sunset Road	31701-4821	<input checked="" type="checkbox"/>	
6.	DAVID Carolan	615 Sunset Road	31610-3251	<input checked="" type="checkbox"/>	
7.	Jerry Marcus	6401 Caballero Blvd.	305 6651357	<input checked="" type="checkbox"/>	(2)
8.	LOURDES SANCHEZ	100 HARDEE ROAD		<input checked="" type="checkbox"/>	(3)
9.	DR ABRIL			<input checked="" type="checkbox"/>	(4)
10.	HILARIO CANDELA	GRANADA HARDEE		<input checked="" type="checkbox"/>	(5)
11.	ARAMIS ALVAREZ	S. ALHAMBRA		<input checked="" type="checkbox"/>	(6)
12.	ALICIA FERNANDEZ	GRANADA		<input checked="" type="checkbox"/>	(7)

Attendance/Speaker Sign In Sheet – August 12, 2015

Planning & Zoning Board Meeting

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)
1.	Elizabeth Marcus	640 Caballero Blvd	305 665 1357	<input checked="" type="checkbox"/> (8)
2.	Christopher Zeller	900 BAYAMO AVE	305 321 3221	<input checked="" type="checkbox"/>
3.	CURTIS GEORGE	957 MAJANZAS AVE	305-793-1090	<input checked="" type="checkbox"/>
4.	Henry Pineda	1215 Advaug Ave	305-778-3792	<input checked="" type="checkbox"/> (9)
5.	Sue KAWALERSKI	6830 GRATIAN ST	305 978-2233	<input checked="" type="checkbox"/> (10)
6.	HILARIO CAJUELA Repeat	6201 GRANADA BLVD.	305-569-2222	<input checked="" type="checkbox"/>
7.	ARAMIS ALVAREZ Repeat	1237 SOUTH L HAMBURG circle	305-862-0214	<input checked="" type="checkbox"/>
8.	Brent Reynolds <small>Project team</small>	2903 Salzedo st		<input type="checkbox"/>
9.	Charles Nolan <small>Project team</small>	2903 Salzedo st.		<input type="checkbox"/>
10.	Laura Russo <small>Project team</small>	2655 LeTorne Rd PH1F	3/476-8300	<input type="checkbox"/>
11.	Jeff Boss <small>Project team</small>	465 SW 1st St Miami 33130	305 381-6001	<input type="checkbox"/>
12.	Jorge NAVARRO <small>Project team</small>	333 SE 2nd ST Miami 33131	305 579-0821	<input type="checkbox"/>

Attendance/Speaker Sign In Sheet – August 12, 2015

Planning & Zoning Board Meeting

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)	
1.	KRISTA Rios	S. ALHAMBRA		<input checked="" type="checkbox"/>	(11)
2.	JORGE Rios	S. ALHAMBRA		<input checked="" type="checkbox"/>	
3.	Stuart Rich	1222 Aluana Ave	305-661-8262	<input checked="" type="checkbox"/>	(12)
4.	Rebecca Amanda Rich	1222 Aluana Ave	305-661-8262	<input checked="" type="checkbox"/>	entered into the record (pics)
5.	Mendy Fellig	1251 Hardee Road	305 206 4013	<input checked="" type="checkbox"/>	(13)
6.	SONYA GUTLOHN Repeat	1185 Hardee Rd	305-666-2022	<input type="checkbox"/>	
7.	JAVIER BAEZA	1219 MANATI AVE	305-662-1814	<input checked="" type="checkbox"/>	(14)
8.	ANGEL FERNANDEZ	1218 MANATI AV.	305-666-5688	<input checked="" type="checkbox"/>	
9.	Troy Register	1240 Placeta Ave.	305 807 2216	<input checked="" type="checkbox"/>	
10.	MARTA BUSTAMANTE	1210 Placetas Ave	305 667-0960	<input checked="" type="checkbox"/>	
11.	JUNIAS ALDAJUSTE	Representing Atkins	954-729-5003	<input type="checkbox"/>	
12.	Meg Daly	1064 Cotorro Avenue	305-439-1199	<input checked="" type="checkbox"/>	(15)
	John Daly	1004 Cotorro Avenue	305-439-1199	<input checked="" type="checkbox"/>	

Attendance/Speaker Sign In Sheet – August 12, 2015

Planning & Zoning Board Meeting

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)
1.	Patrick Beck ^x	535 Valencia Coral Gables, FL	704-621-9988	<input type="checkbox"/>
2.	Jessy Pineda ^x	2655 LeJeune Rd., *PH-1FCoral Gables	305-476-8300	<input type="checkbox"/>
3.	JULIE & BOBBIE VAUGHN	1222 MANATI AVE, CA 33146	305-667-7221	<input type="checkbox"/> (17)
4.	TIM & LORENA MORRIS	1031 ALFONSO AVENUE	305 667-1964	<input type="checkbox"/> (18)
5.	ANNE LEE	519 LORETTO AVENUE	305-439-1843	<input type="checkbox"/>
6.	ANTONIO FRIGOLS	1131 MANATI AVE	305-992-9620	<input type="checkbox"/>
7.	CHLOE Withers	1104 Hardee Rd	305 216 7972	<input checked="" type="checkbox"/>
8.	Amado Acosta	1225 S. Alhambra Cir	305 345 2244	<input checked="" type="checkbox"/> (19)
9.	Loordes Sanchez ^{Repeat}	1000 Hardee Road	(786) 351-4092	<input checked="" type="checkbox"/>
10.	Alia A. Fernandez ^{Repeat}	6000 Granada Blvd	305 6063636	<input checked="" type="checkbox"/>
11.	Jimmy - Eloise Frang	601 Granada Blvd	973-731-4132	<input type="checkbox"/>
12.	Barbara Neumann	1219 Aduana AVE ^{Coral Gables}	305 582 8898	<input checked="" type="checkbox"/> (20)

Attendance/Speaker Sign In Sheet – August 12, 2015

Planning & Zoning Board Meeting

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)
1.	GISELE BLUM	1212 ADUANA AVE CORAL GABLES FL 33146	305/710-4731	<input checked="" type="checkbox"/>
2.	ROBERT BARNETT	1140 S. HATHAM BRK C.R.	305-646-9083	<input checked="" type="checkbox"/>
3.	Tom Hurfan	1121 Madras Ave	305-619-0550	<input checked="" type="checkbox"/> (21)
4.	David Buxby	1132 Hardee	305-646-5120	<input type="checkbox"/> (22)
5.	Valerie John Grandin	1805 Ponce de Leon	407 617 4842	<input checked="" type="checkbox"/>
6.	Matt Flowers	924 Sorolla Ave	352 219 6938	<input checked="" type="checkbox"/>
7.				<input type="checkbox"/>
8.				<input type="checkbox"/>
9.				<input type="checkbox"/>
10.				<input type="checkbox"/>
11.				<input type="checkbox"/>
12.				<input type="checkbox"/>

Attendance/Speaker Sign In Sheet – September 16, 2015

Planning & Zoning Board Meeting re: Paseo de la Riviera

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)
1.	DANIEL DIAZ LEYVA	— MANATI	305 482 8441	<input checked="" type="checkbox"/>
2.	HEIDI ROTH	5105 GRANADA BLVD	305 332 -0679	<input checked="" type="checkbox"/> (23)
3.	Ray Lyons	6200 casbellero	305-934-7298	<input checked="" type="checkbox"/> (24)
4.	Roberta Newby	1236 So. Alhambra Cir.	305 661-5661	<input checked="" type="checkbox"/> (25)
5.	JOE VAUGHAN	1222 NAYAM AVE	305-667-7021	<input type="checkbox"/>
6.	¹¹⁹ MICHAEL GENDEN ^{Genden}	95 ANDORA AVE	905 661-3070	<input checked="" type="checkbox"/> (26)
7.	LARRY PUYANIC	535 Hardee Rd	305 310-4476	<input checked="" type="checkbox"/> (27)
8.	LARRY NOLAN ^{MAIL}	1205 MARIPOSA AVE #224 CORRAL GABLES 33146 856 So. FOLEY AVE, KANKAKEE, IL 60901	(815) 592-5730	<input checked="" type="checkbox"/> (28)
9.	Paul Posnak	829 Catalonia Ave Coral Gables 33134	(305) 441-1191	<input type="checkbox"/> (29)
10.	TRACY KORDYK	935 S. Alhambra Circle 33146	305 794-2538	<input type="checkbox"/>
11.	TERKI SCANDURA	935 S. Alhambra Circle 33146	305 801 0680	<input type="checkbox"/>
12.	Beth Brody	6210 Maggie St	305 662 5260	<input type="checkbox"/> (30)

Attendance/Speaker Sign In Sheet – September 16, 2015

Planning & Zoning Board Meeting re: Paseo de la Riviera

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)
1.	BROOKS MILLER	920 ANDORA AVE	305-467-0376	<input checked="" type="checkbox"/> 32
2.	Barbara Neumann ^{Repeat}	1219 Aduana Ave.	305 582 8898	<input type="checkbox"/>
3.	Richard Waddell	1110 Placetas AVE	305-665-5540	<input checked="" type="checkbox"/> 16
4.	Charles H Gelman	1240 Aduana Ave	305-666-1559	<input checked="" type="checkbox"/> 33
5.	Salvador WISUS	1228 Aduana Ave	305 632 4908	<input type="checkbox"/> 35
6.	Jim Dockerty	1230 CATALONIA	305-582-6927	<input type="checkbox"/> 34
7.	Hendri Felty	1251 HARVEE ROAD	305 303 8215	<input type="checkbox"/>
8.	CHRISTOPHER HERNANDEZ	5726 SAN VICENTE ST.	305 609-8006	<input checked="" type="checkbox"/> 35
9.	Astrid Weinkle	1119 Placetas Ave 33146	305-979-3984.	<input checked="" type="checkbox"/> 36
10.	SANDRA Levinson	918 ALFONSO AVE ³³¹⁴⁶	305-793-5006	<input checked="" type="checkbox"/> 37
11.	Lillia Citarella	1225 ADUANA	305-491-6909	<input checked="" type="checkbox"/> 38
12.	RICHARD Wood	6500 Pellini St.	305-661-8748	<input checked="" type="checkbox"/> 39
	JORGE Rios	1251 S. ALHAMBRA Cir	305 796 9892	40

**09 16 15 UPDATED - Correspondence received regarding "Paseo de la Riviera"
City of Coral Gables – Planning and Zoning**

	Date Received	Name and Address	Object	Support	Comments (Verbatim)
1.	09 16 15	Rene Infante 5920 Granada Boulevard infanterene@yahoo.com	X		<p>From: Rene Infante Jr. [mailto:infanterene@yahoo.com] Sent: Wednesday, September 16, 2015 2:11 PM To: Trias, Ramon; Cason, Jim; fquesdada@coralgables.com; Keon, Patricia; viago@coralgables.com; Slesnick, Jeannett; Swanson-Rivenbark, Cathy; Leen, Craig Subject: The Holiday Inn/ Paseo De La Riviera Project and Variance Request</p> <p>My name is Rene Infante, I reside at 5920 Granada Blvd. Coral Gables, Florida. 33146. I have lived in the city of Coral Gables for the past 30 years. We have 3</p> <p>MY FAMILY AND I OPPOSE THE ABOVE REFERENCED PROJECT AND VARIANCE REQUEST. (45 FT. TO 140 FT.)</p> <p>MY FAMILY AND I ALSO OPPOSE TO THE BUILDING OF THE THIRTEEN STORY MIXED USE TOWERS AT HARDEE/ CABALLERO/ US1.</p> <p>MY FAMILY AND I OPPOSE THE HEIGHT/DENSITY/ TRAFFIC.</p> <p>HOW MANY MORE PROJECTS IS THE CITY OF CORAL GABLES WILLING TO APPROVE THAT DESTROY OUR NEIGHBOHOODS AND OUR THE QUALITY OF LIFE?</p> <p>Regards, Rene Infante</p>
2.	09 16 15	Lina De Ona 1021 Manati Avenue linatheona@aol.com	X		<p>Hello. I reside at 1021 Manati Ave, Coral Gables and I strongly oppose The Holiday Inn/Paseo de la Riviera Variance request.</p> <p>I have lived in this area for over fifteen years. I truly believe this project will change the dynamics of this quiet and quaint neighborhood.</p> <p>My children grew up utilizing JC park and I urge you to leave the park and the surrounding area without the proposed development.</p> <p>It will bring more traffic, change the environment and family oriented atmosphere.</p> <p>I urge you to fight and plea on behave of all the parties who oppose this venture.</p> <p>Thank you, Lina de Oña</p>
3.	09 15 15	Raymond Latanae Parker 5735 Granada Boulevard Rlp1955@aol.com	X		<p>From: Raymond Latanae Parker [mailto:rlp1955@aol.com] Sent: Tuesday, September 15, 2015 3:13 PM To: Trias, Ramon; Cason, Jim; Quesada, Frank; Keon, Patricia; Lago, Vince; Slesnick, Jeannett; Swanson-Rivenbark, Cathy; Leen, Craig</p>

**09 16 15 UPDATED - Correspondence received regarding "Paseo de la Riviera"
City of Coral Gables – Planning and Zoning**

	Date Received	Name and Address	Object	Support	Comments (Verbatim)
					<p>Subject: Paseo De La Riviera Variance Requist</p> <p>TO MEMBERS OF THE PLANNING AND ZONING BOARD. MY WIFE LINDA AND I WHO RESIDE AT 5735 GRANADA BLVD WOULD LIKE TO REGISTER OUR OBJECTIONS TO THE ABOVE VARIANCE REQUEST FOR THE PROPOSED PROJECT ON THE HOLIDAY INN SITE . SPECIFICALLY WE OBJECT TO THE HEIGHT, DENSITY AND TRAFFIC IN OUR BEAUTIFUL SOUTH GABLES NEIGHBORHOOD.IN ADDITION THIS PROPOSED PROJECT WOULD ADVERSELY AFFECT OUR CHERISHED JAY C PARK OPPOSITE THE BACK OF THE HOLIDAY INN . PARKING IS LIMITED THERE AND THE ADDITIONAL CARS WOULD EFFECTIVELY ELIMINATE ANY AVAILABLE PARKING SPACES FOR US TO ACCESS THE PARK. IF YOU WANT TO GET A FEELING ABOUT HOW THIS PROJECT WOULD AFFECT OUR NEIGHBORHOOD JUST GO TO THE PARK AND SIT AN A BENCH AND LOOK TOWARD THE HOLIDAY INN AND THEN IMAGINE WHAT IT WOULD LOOK LIKE IF YOU WERE LOOKING UP TO THIS VAST THIRTEEN STORY PROJECT.</p> <p>SINCERELY, RAYMOND. LATANAE PARKER MD</p>
4.	09 15 15	Jennifer Nader Jenader72@aol.com	X		<p>My name is Jennifer Nader, I reside at 10185 lakeside Drive, Coral Gables 33156. I have lived in the city of Coral Gables for the past 10 years.</p> <p>MY FAMILY AND I OPPOSE THE ABOVE REFERENCED PROJECT AND VARIANCE REQUEST. (45 FT. TO 140 FT.)</p> <p>MY FAMILY AND I ALSO OPPOSE TO THE BUILDING OF THE THIRTEEN STORY MIXED USE TOWERS AT HARDEE/ CABALLERO/ US1.</p> <p>MY FAMILY AND I OPPOSE THE HEIGHT/DENSITY/ TRAFFIC.</p> <p>Traffic is unbearable as it is! This project will only make it all much much worse!</p> <p>Please make sure that my e mail is presented to the Board.</p> <p>Thank you, Jennifer Nader</p>
5.	09 14 15	Betty Temple Bctemple46@aol.com	X		<p>Dear Mr. Trias,</p> <p>I am totally against the variance request by the developers of the nearby Paseo de la Riviera. The height of the two towers, as well as the density, and the excessive traffic that will be generated are unrealistic for the area.</p> <p>I choose to live in Coral Gables after relocating from Pennsylvania. I love the quiet streets, the quick response by both the fire and police departments, however I do not like what Coral Gables is becoming - a developer's Mecca.</p> <p>Shame on the commissioners who think this is the vision Merrick had for this beautiful community! Please think long and hard before granting a variance to the developers of Paseo de la Riviera.</p>

**09 16 15 UPDATED - Correspondence received regarding "Paseo de la Riviera"
City of Coral Gables – Planning and Zoning**

	Date Received	Name and Address	Object	Support	Comments (Verbatim)
					<p>Once their request is granted, it will only open the door for other developers in the surrounding area to demand similar variances.</p> <p>Thank you, Betty Temple</p>
6.	09 14 15	Carlos and Lisette Hondal chondal@comcast.net	X		<p>Mr. Cason, Mrs. Slesnick,</p> <p>As two of our well-known leaders in Coral Gables, one a second-term mayor and another a well-known real estate professional, we suggest a more careful review of this project. We live near Jaycee Park, where our two children grew up playing and enjoying the lifestyle that many other cities honestly envy. We don't think the impact on traffic, density and frankly lifestyle will be positive and has been truly and <i>completely</i> considered. We understand the attractiveness of more "taxable value" and "investment in properties", but don't think putting this \$172 Million project will be worth the value or the investment. Simply the additional rooms, the additional commerce and additional traffic has been underestimated and not considered accurately in the impact of our city. The interest of only quantifying the impact in either square footage and/or a tax base increase does NOT consider the impact on quality of the neighborhood and the quality of our lifestyle. You both are professionals, but I don't think the impact from a 252 room hotel, 224 apartments (many with families, even with small families or couples) are being properly considered. The height of the development and the commercial aspect of this development is just being under-estimated as it affects the quality of life in Coral Gables. If the lifestyle of the gables is damaged or diminished, those expectations of the improvement on value and investment will be lost. We suggest you and the Coral Gables commission re-consider this zoning amendment. Your responsibility is to serve the people of Coral Gables with a vision of the future, not the <i>temptation</i> of a larger taxable value or additional investment in our great city. Short-term thinking is never worth sacrificing over long-term quality or life of a great city like Coral Gables.</p> <p>Thank you for allowing us to contribute our thoughts to this very important issue affecting our lifestyle.</p> <p>Respectfully, Carlos and Lisette Hondal</p>
7.	09 12 15	Eric Aserlind 6304 Caballero Blvd. Coral Gables, FL 33146 easerlind@bellsouth.net		X	<p>Dear Mayor, Commissioners, and Mr. Trias,</p> <p>I have lived in Coral Gables for over 25 years and have lived at 6304 Caballero Blvd. for the last 20 years. I was a member of the RNA in the past and was even a Board Member when I opposed developments that were out of proportion to the neighborhood or when our concerns were not being addressed. Sadly, the RNA seems to have evolved into a Luddite-like forum for anti-development squeaky wheels, dominated by those with the loudest voices or the most time on their hands.</p> <p>That being said, I support the Paseo project because the developer has made significant changes that we brought up in consultations. Some of the changes included the placement of the driveway</p>

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	Date Received	Name and Address	Object	Support	Comments (Verbatim)
					<p>for cars and deliveries to a private driveway instead of facing Jaycee park. The developer has also offered to put in a crosswalk and circle to slow down drivers. The project is beautiful and while at first glance may seem imposing, upon a fair evaluation I believe the project better serves our neighborhood than a strip mall would. I live close to the proposed project, especially compared to some of the whiners; I can look across JayCee Park and see the site. Based on the prodigious amount of homework done by the developer, I believe there will be little neighborhood impact from traffic.</p> <p>Like it or not, South Florida is still a growing, vibrant community and traffic is something we all have to live with and, as we have always done in the past, we adapt. A strip mall, especially one with a grocery store anchor, will result in far more intra-neighborhood traffic woes than a tastefully executed high end hotel/residential development. Beside, every strip mall up and down US 1 has vacant storefronts. I would guess that the residents of Bal Harbour are not complaining about the existence of the Shoppes of Bal Harbour or the Sheraton.</p> <p>Thank you for your thoughtful consideration. Eric Aserlind</p>

9/16/2015 2:53 PM

Y:\P Z B\Synopsis\Paseo de la Riviera 09 16 15 - UPDATED.docx

Menendez, Jill

From: Trias, Ramon
Sent: Wednesday, September 16, 2015 2:44 PM
To: 'Rene Infante Jr.'; Cason, Jim; fquesdada@coralgables.com; Keon, Patricia; viago@coralgables.com; Slesnick, Jeannett; Swanson-Rivenbark, Cathy; Leen, Craig
Cc: Menendez, Jill
Subject: RE: The Holiday Inn/ Paseo De La Riviera Project and Variance Request

Dear Mr. Infante:

Thank you for your email. I will forward it to the Planning and Zoning board members.

We appreciate your interest in the future of Coral Gables.

Ramon Trias
Director of Planning and Zoning

From: Rene Infante Jr. [<mailto:infanterene@yahoo.com>]
Sent: Wednesday, September 16, 2015 2:11 PM
To: Trias, Ramon; Cason, Jim; fquesdada@coralgables.com; Keon, Patricia; viago@coralgables.com; Slesnick, Jeannett; Swanson-Rivenbark, Cathy; Leen, Craig
Subject: The Holiday Inn/ Paseo De La Riviera Project and Variance Request

My name is Rene Infante, I reside at 5920 Granada Blvd. Coral Gables, Florida. 33146. I have lived in the city of Coral Gables for the past 30 years. We have 3

MY FAMILY AND I OPPOSE THE ABOVE REFERENCED PROJECT AND VARIANCE REQUEST. (45 FT. TO 140 FT.)

MY FAMILY AND I ALSO OPPOSE TO THE BUILDING OF THE THIRTEEN STORY MIXED USE TOWERS AT HARDEE/ CABALLERO/ US1.

MY FAMILY AND I OPPOSE THE HEIGHT/DENSITY/ TRAFFIC.

HOW MANY MORE PROJECTS IS THE CITY OF CORAL GABLES WILLING TO APPROVE THAT DESTROY OUR NEIGHBORHOODS AND OUR THE QUALITY OF LIFE?

Regards,

Rene Infante

Menendez, Jill

From: Trias, Ramon
Sent: Wednesday, September 16, 2015 2:42 PM
To: 'Lina De Ona'; Cason, Jim; Slesnick, Jeannett; Keon, Patricia
Cc: Menendez, Jill
Subject: RE: Public Hearing

Dear Ms. De Ona:

Thank you for your email. I will forward it to the Planning and Zoning board members.

We appreciate your interest in the future of Coral Gables.

Ramon Trias
Director of Planning and Zoning

-----Original Message-----

From: Lina De Ona [<mailto:Linatheona@aol.com>] ✓
Sent: Wednesday, September 16, 2015 1:49 PM
To: Trias, Ramon; Cason, Jim; Slesnick, Jeannett; Keon, Patricia
Subject: Public Hearing

Hello.
I reside at 1021 Manati Ave, Coral Gables and I strongly oppose The Holiday Inn/Paseo de la Riviera Variance request.

I have lived in this area for over fifteen years. I truly believe this project will change the dynamics of this quiet and quaint neighborhood.

My children grew up utilizing JC park and I urge you to leave the park and the surrounding area without the proposed development.

It will bring more traffic, change the environment and family oriented atmosphere.

I urge you to fight and plea on behave of all the parties who oppose this venture.

Thank you,
Lina de Oña

Sent from my iPhone

Menendez, Jill

From: Trias, Ramon
Sent: Wednesday, September 16, 2015 8:27 AM
To: Menendez, Jill
Subject: FW: Paseo De La Riviera Variance Request

From: Trias, Ramon
Sent: Tuesday, September 15, 2015 3:17 PM
To: McLaughlin, Megan
Subject: FW: Paseo De La Riviera Variance Request

From: Trias, Ramon
Sent: Tuesday, September 15, 2015 3:16 PM
To: 'Raymond Latanae Parker'; Cason, Jim; Quesada, Frank; Keon, Patricia; Lago, Vince; Slesnick, Jeannett; Swanson-Rivenbark, Cathy; Leen, Craig
Subject: RE: Paseo De La Riviera Variance Request

Dear Mr. Parker:

Thank you for your email. I will forward it to the Planning and Zoning board members.

We appreciate your interest in the future of Coral Gables.

Ramon Trias
Director of Planning and Zoning

From: Raymond Latanae Parker [<mailto:rjp1955@aol.com>]
Sent: Tuesday, September 15, 2015 3:13 PM
To: Trias, Ramon; Cason, Jim; Quesada, Frank; Keon, Patricia; Lago, Vince; Slesnick, Jeannett; Swanson-Rivenbark, Cathy; Leen, Craig
Subject: Paseo De La Riviera Variance Request

TO MEMBERS OF THE PLANNING AND ZONING BOARD. MY WIFE LINDA AND I WHO RESIDE AT 5735 GRANADA BLVD WOULD LIKE TO REGISTER OUR OBJECTIONS TO THE ABOVE VARIANCE REQUEST FOR THE PROPOSED PROJECT ON THE HOLIDAY INN SITE . SPECIFICALLY WE OBJECT TO THE HEIGHT, DENSITY AND TRAFFIC IN OUR BEAUTIFUL SOUTH GABLES NEIGHBORHOOD.IN ADDITION THIS PROPOSED PROJECT WOULD ADVERSELY AFFECT OUR CHERISHED JAY C PARK OPPOSITE THE BACK OF THE HOLIDAY INN . PARKING IS LIMITED THERE AND THE ADDITIONAL CARS WOULD EFFECTIVELY ELIMINATE ANY AVAILABLE PARKING SPACES FOR US TO ACCESS THE PARK. IF YOU WANT TO GET A FEELING ABOUT HOW THIS PROJECT WOULD AFFECT OUR NEIGHBORHOOD JUST GO TO THE PARK AND SIT AN A BENCH AND LOOK TOWARD THE HOLIDAY INN AND THEN IMAGINE WHAT IT WOULD LOOK LIKE IF YOU WERE LOOKING UP TO THIS VAST THIRTEEN STORY PROJECT. SINCERELY. RAYMOND. LATANAE PARKER MD< /font>

Menendez, Jill

From: Trias, Ramon
Sent: Wednesday, September 16, 2015 8:26 AM
To: 'jenader72@aol.com'
Cc: Menendez, Jill; McLaughlin, Megan
Subject: RE: The Holiday Inn/ Paseo De La Riviera Project and Variance Request

Thank you for your email. I will forward it to the Planning and Zoning board members.

We appreciate your interest in the future of Coral Gables.

Ramon Trias
Director of Planning and Zoning

From: jenader72@aol.com [<mailto:jenader72@aol.com>]
Sent: Tuesday, September 15, 2015 9:31 PM
To: Trias, Ramon
Subject: The Holiday Inn/ Paseo De La Riviera Project and Variance Request

My name is Jennifer Nader, I reside at 10185 lakeside Drive, Coral Gables 33156. I have lived in the city of Coral Gables for the past 10 years.

MY FAMILY AND I OPPOSE THE ABOVE REFERENCED PROJECT AND VARIANCE REQUEST. (45 FT. TO 140 FT.)

MY FAMILY AND I ALSO OPPOSE TO THE BUILDING OF THE THIRTEEN STORY MIXED USE TOWERS AT HARDEE/ CABALLERO/ US1.

MY FAMILY AND I OPPOSE THE HEIGHT/DENSITY/ TRAFFIC.

Traffic is unbearable as it is! This project will only make it all much much worse!

Please make sure that my e mail is presented to the Board.

✓ Thank you,
Jennifer Nader

Menendez, Jill

From: Trias, Ramon
Sent: Wednesday, September 16, 2015 8:28 AM
To: Menendez, Jill
Subject: FW: Paseo de la Riviera Variance Request

From: Trias, Ramon
Sent: Monday, September 14, 2015 5:37 PM
To: McLaughlin, Megan
Subject: Fwd: Paseo de la Riviera Variance Request

Sent from my iPhone

Begin forwarded message:

From: "Trias, Ramon" <rtrias@coralgables.com>
Date: September 14, 2015 at 5:36:06 PM EDT
To: Betty Temple <bctemple46@aol.com>
Cc: "Cason, Jim" <jimcason@coralgables.com>, "Quesada, Frank" <frank@coralgables.com>, "Keon, Patricia" <PKeon@coralgables.com>, "viago@coralgables.com" <viago@coralgables.com>, "Slesnick, Jeannett" <slesnick@coralgables.com>, "Swanson-Rivenbark, Cathy" <cswanson@coralgables.com>, "Leen, Craig" <cleen@coralgables.com>
Subject: Re: Paseo de la Riviera Variance Request

Dear Ms. Temple:

Thank you very much for your email.

I will forward your comments to the members of the Planning and Zoning board. We really appreciate your interest in this issue.

Ramon Trias

Sent from my iPhone

✓ On Sep 14, 2015, at 5:10 PM, Betty Temple <bctemple46@aol.com> wrote:

Dear Mr. Trias,

I am totally against the variance request by the developers of the nearby Paseo de la Riviera.

The height of the two towers, as well as the density, and the excessive traffic that will be generated are unrealistic for the area.

I choose to live in Coral Gables after relocating from Pennsylvania. I love the quiet streets, the quick response by both the fire and police departments, however I do not like what Coral Gables is becoming - a developer's Mecca.

Shame on the commissioners who think this is the vision Merrick had for this beautiful community!

Please think long and hard before granting a variance to the developers of Paseo de la Riviera. Once their request is granted, it will only open the door for other developers in the surrounding area to demand similar variances.

Thank you,
Betty Temple

I

Sent from my iPad

Menendez, Jill

From: Carlos Hondal <chondal@comcast.net>
Sent: Monday, September 14, 2015 10:13 PM
To: Cason, Jim; Slesnick, Jeannett; Planning
Cc: Lisette Hondal
Subject: Comment/Suggestion on "Paseo de la Riviera"

Mr. Cason, Mrs. Slesnick,

As two of our well-known leaders in Coral Gables, one a second-term mayor and another a well-known real estate professional, we suggest a more careful review of this project. We live near Jaycee Park, where our two children grew up playing and enjoying the lifestyle that many other cities honestly envy. We don't think the impact on traffic, density and frankly lifestyle will be positive and has been truly and *completely* considered. We understand the attractiveness of more "taxable value" and "investment in properties", but don't think putting this \$172 Million project will be worth the value or the investment. Simply the additional rooms, the additional commerce and additional traffic has been underestimated and not considered accurately in the impact of our city. The interest of only quantifying the impact in either square footage and/or a tax base increase does NOT consider the impact on quality of the neighborhood and the quality of our lifestyle. You both are professionals, but I don't think the impact from a 252 room hotel, 224 apartments (many with families, even with small families or couples) are being properly considered. The height of the development and the commercial aspect of this development is just being under-estimated as it affects the quality of life in Coral Gables. If the lifestyle of the gables is damaged or diminished, those expectations of the improvement on value and investment will be lost. We suggest you and the Coral Gables commission re-consider this zoning amendment. Your responsibility is to serve the people of Coral Gables with a vision of the future, not the *temptation* of a larger taxable value or additional investment in our great city. Short-term thinking is never worth sacrificing over long-term quality or life of a great city like Coral Gables.

Thank you for allowing us to contribute our thoughts to this very important issue affecting our lifestyle.

Respectfully,

Carlos and Lisette Hondal
Coral Gables

Menendez, Jill

From: Trias, Ramon
Sent: Wednesday, September 16, 2015 8:29 AM
To: Menendez, Jill
Subject: FW: Paseo de Riviera

From: Trias, Ramon
Sent: Monday, September 14, 2015 9:46 AM
To: 'easerlind'; Cason, Jim; Quesada, Frank; Lago, Vince; Keon, Patricia; Slesnick, Jeannett
Cc: breyolds@np-international.com; McLaughlin, Megan
Subject: RE: Paseo de Riviera

Dear Mr. Aserlind:

Thank you for your email. We will provide your comments to the members of the Planning and Zoning Board.

We appreciate your interest in the future of Coral Gables and encourage you to continue your participation in this discussion.

Ramon Trias
Director of Planning and Zoning

From: easerlind [<mailto:easerlind@bellsouth.net>]
Sent: Saturday, September 12, 2015 3:31 PM ✓
To: Cason, Jim; Quesada, Frank; Lago, Vince; Keon, Patricia; Slesnick, Jeannett; Trias, Ramon
Cc: breyolds@np-international.com
Subject: Paseo de Riviera

Dear Mayor, Commissioners, and Mr. Trias,

I have lived in Coral Gables for over 25 years and have lived at 6304 Caballero Blvd. for the last 20 years. I was a member of the RNA in the past and was even a Board Member when I opposed developments that were out of proportion to the neighborhood or when our concerns were not being addressed. Sadly, the RNA seems to have evolved into a Luddite-like forum for anti-development squeaky wheels, dominated by those with the loudest voices or the most time on their hands.

That being said, I support the Paseo project because the developer has made significant changes that we brought up in consultations. Some of the changes included the placement of the driveway for cars and deliveries to a private driveway instead of facing Jaycee park. The developer has also offered to put in a crosswalk and circle to slow down drivers. The project is beautiful and while at first glance may seem imposing, upon a fair evaluation I believe the project better serves our neighborhood than a strip mall would. I live close to the proposed project, especially compared to some of the whiners; I can look across JayCee Park and see the site. Based on the prodigious amount of homework done by the developer, I believe there will be little neighborhood impact from traffic.

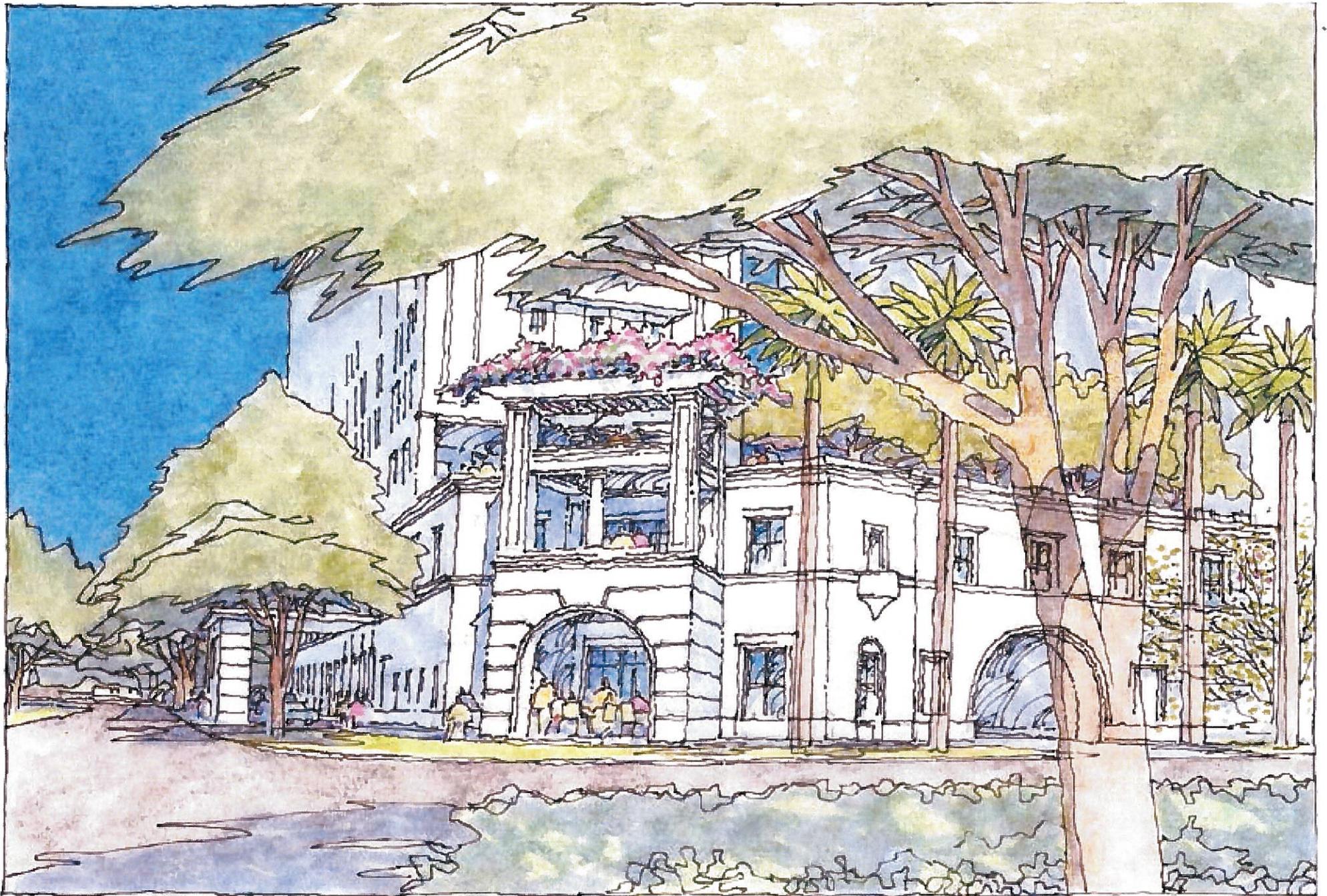
Like it or not, South Florida is still a growing, vibrant community and traffic is something we all have to live with and, as we have always done in the past, we adapt. A strip mall, especially one with a grocery store anchor, will result in far more intra-neighborhood traffic woes than a tastefully executed high end hotel/residential development. Beside, every strip mall up and down US 1 has vacant storefronts. I would guess that the residents of Bal Harbour are not complaining about the existence of the Shoppes of Bal Harbour or the Sheraton.

Thank you for your thoughtful consideration.

Eric Aserlind
6304 Caballero Blvd.
Coral Gables, FL 33146
305/606-5041



S. RICH JC PARK P. 1 of 3



ARTIST RENDITION VIEW OF PROJECT FROM JAYCEE PARK

SCALE: N.T.S.

RICH #3

145'

145'

