

1 CITY OF CORAL GABLES  
2 PLANNING AND ZONING BOARD MEETING  
3 VERBATIM TRANSCRIPT  
4 CORAL GABLES CITY HALL  
5 405 BILTMORE WAY, COMMISSION CHAMBERS  
6 CORAL GABLES, FLORIDA  
7 WEDNESDAY, NOVEMBER 12, 2008, 6:00 P.M.

8 Board Members Present:

9 Tom Korge, Chairman  
10 Eibi Aizenstat, Vice-Chairman  
11 Robert Behar  
12 Jack Coe  
13 Jeffrey Flanagan  
14 Javier Salman

15 City Staff:

16 Eric Riel, Jr., Planning Director  
17 Walter Carlson, Assistant Planning Director  
18 Scot Bolyard, Planner  
19 Elizabeth Hernandez, City Attorney  
20 Carlos Mindreau, City Architect  
21 Joe King, Zoning Technician, Lead  
22 Dulce Conde, Zoning Technician  
23 Jill Menendez, Administrative Assistant  
24 Kevin Kinney, Parking

25 Also Participating:

26 Mari Molina  
27 Burton Hersh  
28 Laura Russo, Esq.  
29 Jose Gelabert-Navia  
30 Victor Damian, Esq.  
31 Richard Garcia  
32 Roxcy Bolton  
33 Elizabeth Stone  
34 Lisa Maroon  
35 Zeke Guilford, Esq.  
36 Kimball Woodbury  
37 Shirley Ornstein  
38 Robert Roark  
39 Wayne Block  
40 Yvonne Harrison  
41 Mario Garcia-Serra, Esq.

1     THEREUPON:

2             The following proceedings were had:

3             CHAIRMAN KORGE: Start the meeting.

4             Would you call the roll, please?

5             MS. MENENDEZ: Eibi Aizenstat?

6             MR. AIZENSTAT: Here.

7             MS. MENENDEZ: Robert Behar?

8             MR. BEHAR: Here.

9             MS. MENENDEZ: Jack Coe?

10            MR. COE: Here.

11            MS. MENENDEZ: Jeffrey Flanagan.

12            MR. FLANAGAN: Here.

13            MS. MENENDEZ: Pat Keon?

14            Javier Salman?

15            Javier Salman.

16            MR. SALMAN: Here

17            MS. MENENDEZ: Tom Korge?

18            CHAIRMAN KORGE: Here.

19            First item on the agenda is approval of the

20            Minutes of the Meeting of October 8th, 2008.

21            MR. BEHAR: Motion to approve.

22            CHAIRMAN KORGE: Moved, any second?

23            MR. COE: Second.

24            CHAIRMAN KORGE: Second. Any discussion,

25            corrections, additions?

1                   Hearing none, we will take the roll.

2                   MS. MENENDEZ: Robert Behar.

3                   MR. BEHAR: Yes.

4                   MS. MENENDEZ: Jack Coe.

5                   MR. COE: Yes.

6                   MS. MENENDEZ: Jeff Flanagan.

7                   MR. FLANAGAN: Yes.

8                   MS. MENENDEZ: Eibi Aizenstat.

9                   MR. AIZENSTAT: Abstain, I was not here.

10                  MS. MENENDEZ: Tom Korge.

11                  CHAIRMAN KORGE: Yes.

12                  Are we going to swear in the witnesses  
13 first or should we do that before each  
14 presentation?

15                  There is only one presentation, that  
16 requires the swearing of witnesses, right, the  
17 first one?

18                  MR. RIEL: However you would like to do  
19 it.

20                  MR. COE: Swear them now.

21                  CHAIRMAN KORGE: Well, first, we have a  
22 Streetscape presentation.

23                  How long is this going to last?

24                  MR. RIEL: About ten, fifteen minutes.

25                  CHAIRMAN KORGE: Ten, 15 minutes

1 presentation for Streetscape, so let's do that  
2 first, and then we can swear in the witnesses.

3 MR. RIEL: The only reason not to swear  
4 them in is because somebody might come in  
5 later.

6 CHAIRMAN KORGE: Right, and let me remind  
7 everybody, anybody who wants to testify on Item  
8 Number 6, regarding the plan, a Mixed-Use Site  
9 Plan Review and Vacation of Public Alleyway, you  
10 need to sign up over here.

11 Hello.

12 MS. MOLINA: Good evening. Are you guys  
13 ready for us?

14 Good evening, everyone. My name is Mari  
15 Molina.

16 I am the executive director of the Business  
17 Improvement District of Coral Gables.

18 As you know, the BID represents all the  
19 merchants and property owners of the central  
20 core of the business district, and we are here,  
21 this evening, to do a brief presentation after  
22 about nine months' worth of work.

23 I am going to explain the process shortly.

24 And I want to introduce Burton Hersh, who  
25 is the chairman of our Streetscape Advisory

1           Committee, but you all should have this piece,  
2           hopefully we got this to you.

3                     Anyone here in the audience who wants one,  
4           I left some up here at the desk with Jill.

5                     Basically, if you look at the front page  
6           here, and look at the names, we were facilitated  
7           by Dr. Chuck Bohl, over at the U.M. School of  
8           Architecture.

9                     On the team was Burton, our chairperson.

10                    We had Jaime Correa, David Plummer on the  
11           transportation and engineering front. We had  
12           Matt Bukolt, Glenn Pratt, John Fullerton, Jorge  
13           Hernandez.

14                    And then we had some retail folks, Kerry  
15           Newman, with Koniver Stern and two of our own  
16           members who served on the committee.

17                    Basically, the group looked at kind of the  
18           global best practices of what would make our  
19           City and our downtown the best that it could  
20           possibly be.

21                    We did not look at what had been done in  
22           the past, in terms of all the different  
23           scenarios. At one point there were three  
24           alternatives.

25                    Basically, we looked at global best

1 practices and started from scratch.

2 With that, I would like to turn it over to  
3 Burton, so he can go over the design  
4 recommendations.

5 CHAIRMAN KORGE: Thank you. Let me just  
6 note, for the record, that Javier Salman has  
7 arrived.

8 MR. HERSH: Thank you very much. This --  
9 the BID through its Streetscape Committee, after  
10 studying, as Mari Molina mentioned, the  
11 different aspects, did come up with a design for  
12 its vision of Miracle Mile, and also Giralda,  
13 and we looked at lots of precedents, like this  
14 being Aix en Provence in France.

15 I'm just going to go through this very  
16 quickly.

17 But we looked at a lot of very successful  
18 streets, and we also went through numerous  
19 designs, alternate designs, in order to come up  
20 with our final recommendations.

21 We looked at the street sections, for  
22 example.

23 And one of the things that we noticed, for  
24 example, on Miracle Mile, currently 80 percent  
25 of Miracle Mile is dedicated to vehicular

1 transportation and 20 percent for pedestrian.

2 So we are talking -- one of the things we  
3 tried to do is get closer to a 50-50 ratio for  
4 the street, and this is actually the current  
5 right-of-way, which is actually 75-25.

6 Actually this is Giralda, excuse me.  
7 Giralda is 75-25 and 80-20 for Miracle Mile.

8 And we looked at the street section of what  
9 we need to handle people walking back and forth.

10 We looked at various street furniture,  
11 treatments, again, some of the things that have  
12 been successful in other places.

13 I am going to kind of go through this  
14 quickly.

15 One of the things that we did want to  
16 accommodate, we wanted to try to get kiosks and  
17 some uses more on the right-of-way that we  
18 thought would help animate the street.

19 And because, in the end, what we see of  
20 Miracle Mile is a place where people want to  
21 come down and walk, a destination.

22 And, in order to do that, we thought having  
23 outside dining areas on the street, some  
24 examples like this in other cities, something --  
25 you know, maybe something not quite a hard

1 structure, but a soft structure with fans,  
2 color, again, to animate the street and these  
3 are just some.

4 Another problem that we saw with the  
5 Streetscape, our final recommendation was to go  
6 to parallel parking.

7 One of the things that happens with  
8 parallel parking is that it puts a greater  
9 burden, because there's just less spaces. We  
10 are going to lose about 80 to 90 spaces and you  
11 have situations like this, these blank  
12 connections between parking and the street, and,  
13 you know, these connections could be enhanced  
14 and that, we believe, would help to mitigate the  
15 loss of parking.

16 For Giralda Avenue, which is Restaurant  
17 Row, and this is just the 100 block, the BID has  
18 recommended a shared Streetscape.

19 This is currently Giralda, and as you can  
20 see, it is mostly street. It is difficult for  
21 just two people to walk by. This is a planned  
22 view of it. It is currently 25 pedestrian and  
23 75 percent for vehicular traffic.

24 Our recommendation is a shared street  
25 system.

1           A shared street, according to the best  
2           practice for shared streets, is a street that  
3           has actually no elevated curb.

4           So, instead of having an elevated curb, you  
5           would just see a material line. Everything is  
6           at the same level.

7           And what we would do is we would use bowers  
8           to mark where cars would be, and at certain  
9           times we could cut off the street and just --  
10          and make it something that can be used for an  
11          event, or you can have just normal parking, and  
12          you would mark it with bowers and things and  
13          outside dining areas.

14          This is a rendering of what we believe it  
15          could look like.

16          On Miracle Mile, the solution that the BID  
17          picked, was to go to parallel parking, to widen  
18          approximately twelve feet each side additional  
19          space, to give approximately 20 to 22 feet,  
20          which could be used for the public, and would  
21          end up being something like a 60-40 ratio.

22          These were just some sketches.

23          One of the things that you will notice is  
24          that we are going to need some help from  
25          Planning, because there are some zoning issues

1 that currently would not be allowed to be done.

2 We would also like to have some uses that  
3 could be, like we could have at night, like  
4 maybe music venues for more adult, maybe later  
5 night types of activities, which we believe,  
6 would support the Mile as a destination, a place  
7 where people would want to come and take a walk  
8 and spend some money.

9 These are some of our -- we hope that we  
10 can get some type of reaction from the Board  
11 conceptually in support of what we want to do.

12 CHAIRMAN KORGE: Thank you. Is there any  
13 action we need to take, at this time?

14 MR. RIEL: No, Mr. Chair. The BID is just  
15 looking for any comments, suggestions.

16 There's no formal recommendation required.

17 They just want to come to the Planning  
18 Board prior to going to the Commission and  
19 presenting the plan.

20 MR. HERSH: Well, actually, we would like,  
21 maybe, something, a feeling of the Board. Do  
22 you think we are going in the proper direction?

23 We understand we are not here for anything  
24 official, but --

25 CHAIRMAN KORGE: Is there a motion to

1 support the presentation?

2 MR. BEHAR: I make a motion to support it.  
3 I would like to have some comments.

4 If we need to open up for us, I make a  
5 motion to support the presentation.

6 CHAIRMAN KORGE: Okay. Is there a second  
7 and then we can have a discussion?

8 MR. AIZENSTAT: I would second that.

9 CHAIRMAN KORGE: Second.

10 We have a motion and a second.

11 And go ahead with comments and discussion.

12 MR. COE: Mr. Chairman, if I may, with  
13 reference to the Giralda one, I have no problem  
14 with, but I am most concerned about Miracle  
15 Mile.

16 Taking away parking spaces, I think, is a  
17 recipe for disaster, when you also include that  
18 with parallel parking.

19 Most people in Florida do not know how to  
20 parallel park, and that is pretty obvious.

21 And what you are going to have, is, you  
22 know, we lost a lane when they put the median  
23 in, and what you are going to have, which you  
24 have now, is two lanes in each direction and the  
25 inner lane, before you get to the parking

1 spaces, will now be perpetually stalled with  
2 cars, trying to figure out how to parallel  
3 park.

4 That is problem number one.

5 MR. HERSH: May I respond?

6 MR. COE: Problem number two --

7 Okay, if you want.

8 MR. HERSH: You know, we -- I appreciate  
9 what you are saying, and it is certainly true.

10 To mitigate that, what we have done is the  
11 parallel parking that we're anticipating is an  
12 elongated parallel parking, and someone can  
13 just, actually you don't have to back into, you  
14 go to it frontwise.

15 And, in addition to that, and to the type  
16 of parking that we have being much simpler, the  
17 angled parking is extremely dangerous,  
18 particularly when backing out.

19 If you're trying to back out of an angled  
20 spot and you have someone to your right, you are  
21 completely blind.

22 Not only do we believe that the parallel  
23 parking spaces are somewhat easier to -- not  
24 quite as easy as the angled space, but not  
25 something that you have to back into, but far

1 more safer in terms of backing out.

2 MR. COE: But, the other point I have is  
3 the loss of parking spaces.

4 MR. HERSH: Right.

5 MR. COE: I suppose the trade off is people  
6 are going to go into these garages, and they are  
7 going to park in the garage.

8 MR. HERSH: Yes.

9 MR. COE: That is your intent, right?

10 MR. HERSH: Well, if -- that is the intent,  
11 and there are several things that they are doing  
12 to help that along.

13 One of them is maybe adjusting the time  
14 that you can spend at a space on Miracle Mile.

15 The other thing to mitigate that is to have  
16 connections that are truly friendly and easy to  
17 use.

18 MR. COE: What are you going to do, then,  
19 to enhance security in the parking garages?

20 Every woman I know who lives in Coral  
21 Gables refuses to use any of the parking  
22 garages, because they feel that their safety is  
23 in peril.

24 MR. HERSH: You know, one of the great  
25 things about Miracle Mile is it has a central



1 valet system.

2 You can park your car at Tarpon Enc and you  
3 can pick it up at the other end of Miracle Mile,  
4 and it is really a great service.

5 People that have that fear, they can use  
6 it.

7 MR. COE: So, your answer is they can valet  
8 park at \$10 or \$20 --

9 MR. BEHAR: No, no, it's not --

10 MR. HERSH: No, it is not \$20.

11 But, in addition to that, I think that we  
12 have to work at, you know, trying to fix it.

13 That is a good point.

14 MR. COE: Okay.

15 MR. BEHAR: Burton, I want to commend you  
16 guys for taking on this study. I am very  
17 pleased to see this.

18 About ten years ago, I had the option or  
19 the pleasure of working with Einstein Bagels and  
20 Starbucks, and I went to the City and we were  
21 trying to get outdoor seating, and at that time  
22 it was completely denied.

23 We -- I had to go back to my client and  
24 tell them I had to carve 625 square feet of  
25 space to create outdoor seating.



1           Today, the exact corner is one of the most  
2           used outdoor space in the whole Mile, so I am  
3           very pleased.

4           This past Saturday night I was -- at 10:45  
5           I came over to both Houston's -- and it was  
6           closed. They did not want to serve, it was  
7           already 10:45.

8           And I went across to Morton's, and they  
9           also were closed.

10           We are losing a lot of clientele that are  
11           heading over to Mary Brickell Village.

12           MR. HERSH: Yes.

13           MR. BEHAR: And I think we are making a big  
14           mistake by not letting those restaurants go a  
15           little bit longer, have the possibility to stay  
16           open.

17           I do agree with you that we are in a  
18           climate, that for the most part of the year we  
19           have a very nice outdoor, especially in the  
20           evening, sitting area.

21           And the best way, in the Champs-Elysses in  
22           Paris, and in all the cities throughout the  
23           world, the best examples where you have those  
24           situations where you promote to have outdoor  
25           seating. I am very encouraged, and I would



1 support, even the reduction of the parking, to  
2 be able to have more space to sit.

3 I think that we are moving in the right  
4 direction.

5 Again, I commend you guys, and I will  
6 support this process.

7 MR. HERSH: Thank you so much.

8 MR. AIZENSTAT: Did you go ahead and take a  
9 look at Las Olas Boulevard, at the way they do  
10 their parking? Because it seems very similar  
11 to what you want to go ahead and do.

12 MR. HERSH: We did look at Las Olas, and  
13 actually, there was one slide --

14 MS. MOLINA: We had some slides.

15 MR. HERSH: We have some -- I rushed  
16 through it because I was so conscious about  
17 taking the Board's time.

18 And if you look, actually we can give you  
19 -- we will present a copy for the Board of our  
20 presentation.

21 We did look at Las Olas -- we did look at  
22 Ft. Lauderdale. We looked at South Miami, and  
23 actually, we had a fantastic photograph of  
24 before and after of South Miami, which was just  
25 breathtaking, in the difference.



1           Unfortunately, I rushed through it. But I  
2 will give you copies.

3           MR. AIZENSTAT: I think South Miami has a  
4 wider street to deal with than --

5           MR. SALMAN: No, it doesn't.

6           MR. HERSH: No, actually, it seems that  
7 way.

8           MR. BEHAR: Las Olas is one lane.

9           MR. HERSH: Yeah, it's one lane.

10          MR. AIZENSTAT: It appears to be wider.

11          MR. HERSH: Actually, Las Olas is wider.

12          CHAIRMAN KORGE: I like it too, very much.  
13 I think it's a big improvement.

14                 I am sure that there will be objections to  
15 the loss of parking.

16                 But recall, you may recall, that when the  
17 median went in at Miracle Mile, there was an  
18 uproar about how this was going to, you know,  
19 ruin the business and it didn't. I think it was  
20 a big improvement. It makes the street more  
21 liveable.

22                 It requires, obviously, some coordination  
23 respecting the parking and access to the parking  
24 and signage, so people will know where to go to  
25 park for Miracle Mile.



1           Presumably that can be done without great  
2           difficulty.

3           The other observation I would make is that  
4           you might want to consider the possibility of  
5           using pavers on Miracle Mile as well.

6           I know you would still have the curb,  
7           because you don't want people walking into  
8           Miracle Mile.

9           But, the pavers or cobblestones, something  
10          to that effect, though they are a little more  
11          costly, would slow down the traffic some more,  
12          which would make it more conducive to  
13          pedestrians as well.

14          MR. HERSH:  Actually, we have a couple of  
15          things that we want to do to slow traffic down a  
16          little bit.

17          CHAIRMAN KORGE:  Yeah.  Great plan.  I like  
18          it.  A big improvement.

19          MR. HERSH:  Thank you so much.

20          MR. SALMAN:  Burt, I want to commend you  
21          and the BID for a very well thought out concept.

22          It takes into account a lot of the issues  
23          that are going to be critical to getting it  
24          passed, one of which is that reduction in  
25          parking.



1           I think that the solution lies, as you  
2 brought out, in the connection of the street  
3 back into the parking in a way that is user  
4 friendly, well lit, and I think the increase in  
5 activity of people using that will help  
6 mitigate, also, some of the concerns people have  
7 about having to park in a lonely parking garage  
8 if everyone is using it.

9           The use of the valet, and I think that -- I  
10 saw your presentation on line, the creation of  
11 certain valet stations throughout the design  
12 really will address a lot of those issues. So,  
13 I commend you, and I am 100 percent behind you.

14           MR. HERSH: Thank you so much.

15           MR. FLANAGAN: I think it's a great plan.

16           I was concerned about the parallel parking,  
17 just with the amount of traffic that uses  
18 Miracle Mile.

19           I know the parallel parking on Sunset Drive  
20 in South Miami really slows the traffic down  
21 during rush hour.

22           If you spend any time there you will see  
23 what a log jam is created, but when I hear you  
24 say you are going to do elongated spaces, that  
25 will make it much easier to get in and out of,



1            hopefully that will help a little bit.

2            MR. HERSH: Thank you. And I do hear the  
3            comments on the parallel parking and reduction,  
4            and there are some things, additional things,  
5            that we can do to present, not just to this  
6            Board, but to help with those concerns.

7            CHAIRMAN KORGE: Well, did you look at the  
8            alternative of no parking on Miracle Mile?

9            MR. HERSH: We did, but we were afraid to  
10           walk outside after that.

11           CHAIRMAN KORGE: Because, you know, there  
12           is absolutely no parking on Miracle Mile,  
13           actually, in the long run, it might work much  
14           better.

15           MR. SALMAN: I beg to differ. In the  
16           developing of a Streetscape, you want to have  
17           the activities of the cars moving and parking,  
18           and also that those cars park create a sense of  
19           security for the people walking.

20           If they are walking next to moving traffic,  
21           that becomes a little bit more daunting on the  
22           street that has the kind of traffic flow that  
23           Miracle Mile has.

24           On Giralda, it's a lot less intense,  
25           especially if you go through the expense of



1           treating the surface of the street with  
2           cobblestones and creating a whole lot of  
3           barriers, it's going to be very unfriendly for  
4           cars. But it is in a section that you could  
5           easily fill with people, whereas that is not the  
6           case necessarily with Miracle Mile.

7           MR. HERSH: I think it adds a little  
8           animation, and again, we have to work with  
9           parking.

10           I think if we adjust some of the time that  
11           you can stay at a meter, because what you want  
12           to do is, you want to provide a way that people  
13           can come, park, run into a store, pick up  
14           something and leave. That is what those are  
15           for. We can do things that, you know, adjusting  
16           the time, I think that would help mitigate that  
17           loss.

18           MS. MOLINA: I just want to add one more  
19           thing, as a lay person, sitting through these  
20           sessions with the design team, including David  
21           Plummer, who looked at a lot of these questions  
22           for us, I learned the fact that slowing traffic  
23           is a good thing, not a bad thing.

24           If we look at Sunset Place, and I grew up  
25           there, it went from diagonal to parallel.



1           And on the weekends, when I go there now,  
2           when I actually go to do shopping, traffic slows  
3           down to let the pedestrians through because you  
4           feel, obviously, the pinch there in the street.

5           So one of the things we do from the  
6           merchant's perspective in the commercial  
7           district, we want to slow down traffic. We  
8           don't want to be just a raceway thoroughfare for  
9           cars coming through, you know, east-west.

10          So, when we talk about congestion being a  
11          bad thing, it truly not necessarily is a bad  
12          thing, especially for our retailers and our  
13          pedestrians who feel comfortable crossing the  
14          street.

15          MR. BEHAR: One more question, when do you  
16          foresee implementing, you know, this becoming a  
17          reality?

18          MR. HERSH: Next Tuesday, we are going --

19          MS. MOLINA: On Tuesday we go for the first  
20          time publicly before the Commission to present  
21          this.

22          We have been working with all the City  
23          departments on this.

24          When we met with Public Works, basically  
25          their estimate is the earliest we could start



1           any construction would be summer of 2011, given  
2           all of the work that needs to be done in advance  
3           of the project.

4                     We would take great pains to make sure we  
5           would mitigate any interruptions to business,  
6           you know, do a plan, and Burton can speak more  
7           to that, but that's basically the --

8                     MR. HERSH: One of the things is, we have  
9           available monies already that are dedicated for  
10          this work. We have to start to spend that money  
11          in order to keep it, so we can start the design  
12          process now.

13                    And, I think by going to the Commission,  
14          that will set free the ability to start working  
15          on some actual drawings.

16                    MR. BEHAR: Is that State money or --

17                    MR. HERSH: It's County, I believe.

18                    MS. MOLINA: County. The County GOB bonds  
19          that we have earmarked.

20                    MR. HERSH: We would like to start getting  
21          the design going.

22                    CHAIRMAN KORGE: We have a motion on the  
23          table, so would you call the roll, please?

24                    The motion is recommendation in favor of  
25          the proposal to Streetscape the two streets we



1 are talking about.

2 MS. MENENDEZ: Jack Coe?

3 MR. COE: Yes, subject to my previous  
4 concerns. I will wait to see if you can handle  
5 those.

6 MS. MENENDEZ: Jeff Flanagan?

7 MR. FLANAGAN: Yes.

8 MS. MENENDEZ: Javier Salman?

9 MR. SALMAN: Yes.

10 MS. MENENDEZ: Eibi Aizenstat?

11 MR. AIZENSTAT: Yes.

12 MS. MENENDEZ: Robert Behar?

13 MR. BEHAR: Yes.

14 MS. MENENDEZ: Tom Korge?

15 CHAIRMAN KORGE: Yes.

16 Thank you very much for the presentation.

17 The next item on our agenda is Application  
18 Number 06-08-070-P. Mixed-Use Site Plan Review  
19 and Vacation of Public Alleyway at LeJeune Road,  
20 Greco and Granello Avenues.

21 Anybody who would like to testify in  
22 connection with this, and has signed up to  
23 testify, why don't we have them stand up now and  
24 swear them in right now, if you would.

25 (Thereupon, the prospective witnesses were



1           duly sworn.)

2                   CHAIRMAN KORGE:   Okay, thank you very  
3           much.

4                   Mr. Carlson, you're going to give us a  
5           presentation?

6                   MR. CARLSON:   Actually, I believe the  
7           Planning Director has a -- if you can bring up  
8           the Power Point, I would appreciate it.

9                   MR. RIEL:   Mr. Chair and members of the  
10          Board, members of the public, and those  
11          watching, I just want to kind of give you an  
12          overview before Walter gets into his  
13          presentation.

14                   The DY applications that are scheduled for  
15          City review, there are three separate  
16          applications, a Mixed-Use Site Plan Application,  
17          Vacation of a Public Alleyway, and a land swap  
18          on LeJeune Road, which has to do with City  
19          Parking Lot Number 31.

20                   The first two applications are subject to  
21          the Board's consideration this evening, the  
22          Mixed-Use Site Plan and Vacation of public  
23          alleyway.

24                   The land swap issue is a procurement issue,  
25          and is not under consideration this evening,



1 requires no input from this Board and will be  
2 considered by the Commission with the other two  
3 applications when they go forward.

4 I just want to clarify that for the record,  
5 and make sure everybody understands that.

6 CHAIRMAN KORGE: Can I ask you a quick  
7 question about that?

8 MR. RIEL: Sure.

9 CHAIRMAN KORGE: If the land swap is  
10 disapproved, would the whole project come back  
11 here again?

12 MR. RIEL: My assumption is, if the land  
13 swap is not approved, the project will not be  
14 able to proceed forward based upon the site plan  
15 presented.

16 CHAIRMAN KORGE: Just out of curiosity, why  
17 wasn't the land swap handled first, before it  
18 came to us?

19 MR. RIEL: The issue is, the issue of the  
20 three applications went to the Commission a  
21 number of months ago.

22 And the applicant asked that to be able to  
23 go through the three applications at the same  
24 time.

25 The Commission agreed to that. They did



1 identify certain issues that they wanted looked  
2 at, but that is the way the Commission wanted to  
3 proceed forward.

4 All three of these applications will go to  
5 the Commission, obviously depending upon your  
6 recommendation at the December 16th meeting.

7 With that, I'll turn it over to Walter.

8 MR. SALMAN: But we are not to rule or make  
9 any determinations --

10 MR. RIEL: No.

11 MR. SALMAN: -- with regard to the land  
12 swap?

13 MR. RIEL: Right. The staff report which  
14 you have before you this evening only has and  
15 was only advertised for the Mixed-Use Site plan  
16 and the alley vacation.

17 CHAIRMAN KORGE: But, this the proposal  
18 assumes that the land swap would occur because  
19 the design is built around the land swap.

20 MR. RIEL: Absolutely. When it goes to the  
21 Commission, the first thing on the agenda will  
22 be the land swap issue, because, obviously the  
23 City is the landlord, and then the site plan and  
24 the alley vacation will then follow.

25 MR. SALMAN: Just for clarity, this is the



1 part that was deferred from our last meeting?

2 MR. RIEL: Yes. Yes, it was. And for  
3 purposes of -- the staff report did not change.  
4 The information remained the same.

5 We did update different comments that we  
6 did receive, since the last meeting. Those have  
7 been concluded.

8 We have not received any additional  
9 comments, since the packet went out last  
10 Thursday.

11 Walter?

12 MR. CARLSON: Okay. Thank you very much.

13 As Eric indicated, this project is referred  
14 to as a DYL Merrick MXD.

15 The project is located in the industrial  
16 district, approximately one block south of the  
17 Village of Merrick Park.

18 The property is zoned commercial, along  
19 LeJeune Road and industrial along Granello and  
20 Greco Avenues.

21 The project is located within a mixed-use  
22 overlay district, and is approximately 2.3 acres  
23 in size.

24 A public alleyway bisects the property from  
25 north to south. And the property is currently



1 occupied by low-rise commercial buildings, and  
2 surface parking.

3 This graphic shows the land use  
4 designations for the property.

5 The portion of the site which fronts on to  
6 LeJeune Road is designated commercial, low-rise  
7 intensity, and the remainder of the site is  
8 designated for industrial use.

9 As was mentioned, this project lies within  
10 an MXD overlay district.

11 There are two districts within the City,  
12 one is the north industrial MXD district and the  
13 other is the south industrial MXD district.

14 This project lies within the south  
15 industrial MXD district.

16 This is a mixed-use project, which consists  
17 primarily of office use. There is some retail  
18 and restaurant uses and 42 residential units.

19 The maximum of 3.5 FAR is permitted to be  
20 developed on the site, and 3.3 -- only 3.35 FAR  
21 is being proposed.

22 There are 1,081 parking spaces required for  
23 the project and 1,083 parking spaces are  
24 provided.

25 That doesn't include the 34 public



1 replacement parking spaces, which gives a total  
2 of 1,117 parking spaces within the project.

3 The proposed public park is not a part of  
4 the MXD site plan review, which is before you  
5 this evening.

6 This chart compares the height of the  
7 proposed project with the height permitted by  
8 the Comprehensive Plan and the Zoning Code MXD  
9 overlay district.

10 The proposed project is six stories and 77  
11 feet along LeJeune Road and eight stories and 99  
12 feet for the remainder of the project.

13 The Comprehensive Plan permits six stories  
14 and 77 feet along LeJeune Road.

15 And the Zoning Code MXD overlay district  
16 allows 77 feet. There is no limitation on  
17 stories IN the Zoning Code for the MXD overlay  
18 district.

19 The Comprehensive Plan allows eight stories  
20 and 99 feet for the remainder of the property  
21 and a hundred feet, according to the MXD overlay  
22 provisions.

23 Again, there are no maximum stories  
24 designated in the Zoning Code for the MXD  
25 overlay district.



1           Both the Comprehensive Plan and the Zoning  
2           Code MXD overlay district provisions are met by  
3           this proposal.

4           The Zoning Code MXD provisions are intended  
5           to promote unified development, planned  
6           development, to encourage public realm  
7           improvements, utilize physical characteristics  
8           of the site, and create a variety of uses and a  
9           walkable pedestrian environment, also it's to  
10          promote public transit and a Mediterranean  
11          architectural design.

12          A detailed analysis and discussion is  
13          provided in the staff report, which is before  
14          you this evening, which addresses the project's  
15          compliance with the Zoning Code, the mixed-use  
16          district purpose and objectives, site plan  
17          review use criteria, street and alley vacations  
18          requirements issues which have been identified  
19          by the City Commission, a traffic study, the  
20          proposed public city park, the concurrency  
21          management analysis, public school concurrency  
22          review, attainable housing, and compliance with  
23          the Comprehensive Plan's goals, objectives and  
24          policies.

25          It was found that the project is consistent



1 with the Comprehensive Plan's goals, objectives  
2 and policies.

3 It satisfies the site plan review criteria  
4 for a proposed MXD project.

5 It satisfies standards for review for the  
6 vacation of a public alleyway.

7 The property owner is providing two  
8 signalized pedestrian crosswalks with the  
9 project. Public right-of-way improvements are  
10 provided in compliance with the City's master  
11 landscape plan.

12 Additional off-site improvements are being  
13 provided, which include landscaping, lighting,  
14 street repaving, curbing, crosswalks, drainage  
15 and undergrounding of utilities along both sides  
16 of Granello and Greco Avenues between LeJeune  
17 Road and Ponce de Leon Boulevard.

18 The project provides a residential  
19 component and a pedestrian environment, which is  
20 in accordance with the MXD objectives.

21 All delivery services, trash pick up and  
22 valet parking are contained within the  
23 building.

24 It was also found that the project  
25 satisfies all the City concurrency standards.



1           The applicant has secured Board of  
2           Architect review and approval for Mediterranean  
3           design.

4           There are no variances requested or  
5           required for this project.

6           The applicant has satisfactorily addressed  
7           all the City's departments via the DRC process  
8           and the applicant is assisting the City in  
9           efforts in the promotion of attainable housing,  
10          which is mandated by the State.

11          The Planning Department is recommending  
12          approval of the MXD site plan and vacation of  
13          the public alleyway with the following  
14          conditions:

15                 Those conditions are provided in your staff  
16                 report, as well.

17                 All valet stations, stacking and vehicular  
18                 circulation must be contained entirely within  
19                 the building.

20                 Payment for the 13 lost on-street parking  
21                 spaces, the provision of a directional signage  
22                 plan for on-site and off-site vehicular  
23                 circulation, no signage permitted above the  
24                 second floor facing onto LeJeune Road, second  
25                 floor of the building.



1           No building lighting permitted above the  
2 second floor facing onto LeJeune Road.

3           No building encroachments permitted on to  
4 LeJeune Road.

5           All off-site landscaping shall be irrigated  
6 and shall be supplied and controlled from the  
7 right-of-way.

8           Two signalized pedestrian crosswalks shall  
9 be provided. One of those shall cross LeJeune  
10 Road and the other to cross Ponce de Leon  
11 Boulevard.

12           FDOT shall review and approve the --  
13 approval is required for the proposed  
14 landscaping and pedestrian easement along  
15 LeJeune Road.

16           The site plan for the public park shall be  
17 subject to future City review and approval.

18           Any private use of that public park shall  
19 require City review and approval.

20           And finally, as proffered by the property  
21 owner, funds are contributed to assist the City  
22 in its efforts to promote attainable housing.

23           And that concludes the staff's  
24 presentation.

25           We do have a massing study model of the



1 building, the proposed building, which we would  
2 like to show you at this time.

3 MR. AIZENSTAT: You are taking into account  
4 a project that we had approved where the Deel  
5 Ford was? So you put that massing there?

6 MR. CARLSON: That's correct. To the south  
7 of this site is the Gables Gateway project.

8 I believe the applicant has a lengthy Power  
9 Point presentation they would like to provide to  
10 the Board.

11 CHAIRMAN KORGE: Are you finished for now?

12 MR. CARLSON: Yes.

13 CHAIRMAN KORGE: Would the applicant like  
14 to step forward and make their presentation,  
15 please?

16 MS. RUSSO: Good evening, Mr. Chairman and  
17 Members of the Board.

18 For the record, Laura Russo, with offices  
19 at 2655 LeJeune Road, representing DYL.

20 I am here along with co-counsel, Mario  
21 Garcia-Serra of Greenberg Traurig.

22 Representing DYL Merrick Park Development  
23 this evening is Vivian Bonet and Alberto  
24 DeArmas, and with the architectural team from  
25 Perkins and Will, Jose Gelabert-Navia and Ryce



1 Stallings, and our traffic engineer, Mr. Richard  
2 Garcia.

3 As you heard from both Mr. Eric Riel and  
4 Mr. Walter Carlson, we are here this evening  
5 requesting a Mixed-Use Site Plan Review and  
6 Approval, as well as your recommendation for  
7 approval of the vacation of the alley that is  
8 currently running north and south and bisects  
9 the property.

10 What I would like to do now, is turn this  
11 presentation over to Jose Gelabert, who has --  
12 and it is not a lengthy Power Point  
13 presentation. It is to the point and succinct.

14 Some of the members of the audience, if  
15 they attended the neighbors' meeting that we  
16 held, may recognize that there are a lot of the  
17 same slides, I don't think you call them slides,  
18 but from the presentation that we made at the  
19 neighbors' meeting, that we held in early  
20 September at the Youth Center, in order to  
21 dispel some rumors that were going around on  
22 this project.

23 Afterwards, we will be happy to answer any  
24 questions that the Board may have with respect  
25 to the project. Thank you.



1           Jose.

2           MR. GELABERT-NAVIA: Can you hear me? Is  
3 it working?

4           CHAIRMAN KORGE: Yes.

5           MR. GELABERT-NAVIA: Again, like Laura said,  
6 this will not be a lengthy --

7           CHAIRMAN KORGE: I think you need the  
8 microphone.

9           MR. GELABERT-NAVIA: This will not be a  
10 lengthy presentation.

11           What I would like to do is take a few  
12 minutes to take you through the project, and try  
13 to explain what we have been doing.

14           Again, we have been working on this project  
15 now for over a year. We have met with eight  
16 different City boards.

17           We had a meeting with the community, and we  
18 have met several times with the Board of  
19 Architects, and like Mr. Carlson said, we have  
20 gotten approval from the Board of Architects for  
21 this project.

22           Again, Mr. Carlson explained to you where  
23 the project is. Just to locate you, it is  
24 directly south of the Village of Merrick Park,  
25 and actually, I was part of the architectural



1 team seven years ago that designed the Village  
2 of Merrick Park, and it has come a long way  
3 since the days when it was the service yard for  
4 the City of Coral Gables.

5 Part of what I hope to show you today is  
6 that, hopefully, the same thing can be achieved  
7 with Greco, Granello and LeJeune, not exactly  
8 the most attractive part of the City, at this  
9 point.

10 This is, I remember, again, about seven  
11 years ago when we did build the Village of  
12 Merrick Park, part of the idea is that the whole  
13 area around Merrick Park would develop.

14 When we did Village of Merrick Park, the  
15 whole notion not only was that it would create  
16 development, but it also would act as a catalyst  
17 for the area.

18 Just two or three years ago, when the  
19 southern part of Merrick Park was rezoned for  
20 MXD, again, as Mr. Carlson presented, the whole  
21 notion was that you would have a thriving  
22 mixed-use district, which, in spite of the  
23 economy, it finally seems that it is coming  
24 around.

25 I never thought I would say this, but, in



1 the last few days, I felt a little bit like  
2 Sarah Palin coming out on the news and trying to  
3 clarify all the things that she did not say.

4 And, so, if you don't mind, I will start  
5 because there has been a lot of rumors about  
6 what this project is, and I would like to start  
7 by saying the things that it is not.

8 I am sure you have probably heard that this  
9 project will involve a number of street  
10 closures, especially going from LeJeune over to  
11 the residential area.

12 I am saying this, not only to the Board,  
13 but to some of the folks that are here, from the  
14 neighbors that might not have been at the  
15 neighborhood meeting.

16 That, categorically, is not true.

17 Not only are we not opening those streets,  
18 we have no authority to open those streets.

19 You might have heard that the project  
20 facing LeJeune exceeds the allowable height.

21 The project is 77 feet high, which conforms  
22 to the Code.

23 You might have heard that the project has a  
24 bunch of subsidized low cost units in it.

25 It does not.



1           The project is only 42 units, and the units  
2           are luxury housing.

3           You might have heard that the project will  
4           obliterate the alley, and that there will be no  
5           service alley anymore.

6           As you will see, in the presentation, the  
7           service alley is actually being increased by 50  
8           percent.

9           There is a land swap involved, and, again,  
10          the word has gone out that the City is giving  
11          away precious land and is not getting anything  
12          in return.

13          That's not true.

14          The City is getting for the parking --  
15          surface parking lot that exists right now, it is  
16          getting a public park that will be not only paid  
17          for by the developer, but the maintenance of  
18          that park, in perpetuity, will also be paid by  
19          the development.

20          There has been word that there will be a  
21          loss of public parking as a result of this  
22          project.

23          In fact, when the project is completed,  
24          there will be 280 spaces, which will be  
25          available to the public.



1           There is, again, a rumor that we are going  
2           to do all these awful things with the public  
3           utilities.

4           The utilities are actually being updated,  
5           modernized and buried within the project.

6           And, finally, you might have heard that  
7           this project is going to cause an extraordinary  
8           hardship and financial burden to the City.

9           There was an economic study done, which,  
10          again, I don't know if it is in your hands  
11          already, but it has been made available to the  
12          City, in which our economic analysis has gone  
13          through, in great detail, how this will increase  
14          the tax base of the City, increase the number of  
15          jobs and offset the taxes for those of us that  
16          live in the City of Coral Gables.

17          I won't go in through the zoning analysis,  
18          Mr. Carlson already did it, but, again, we are  
19          not exceeding, in fact, we are under every  
20          single threshold that the MXD Code asks for.

21          This property has been -- a number of  
22          people have tried to develop it over the years,  
23          and it has been, on the one hand, a very  
24          attractive property, and on the other hand, it  
25          has been an extremely difficult property to



1           develop, primarily because of its shape.

2                   As you can see, the property sits on a  
3           triangular site, and, again, numerous projects  
4           have been proposed, and none have really gone  
5           forward, because it has been very difficult.

6                   Our client, when they began trying to  
7           develop the property, there were two  
8           alternatives, either they went strictly by the  
9           Code, and, frankly, avoided these eight boards  
10          that we have gone through, or really tried to do  
11          a project that would lift the spirit of what the  
12          MXD district is all about, which is really to  
13          enhance the life of the area, to create a vital  
14          neighborhood.

15                  And that is why we embarked on this  
16          project, and the land swap, and the alley  
17          vacation.

18                  It is interesting, when the Miracle Mile  
19          project was presented earlier, actually, I did a  
20          similar study twenty years ago.

21                  I have been living in this community right  
22          now for 28 years, and some of you know that I  
23          also teach in the University of Miami.

24                  And, one of the things that I teach is  
25          actually history of architecture and the history



1 of Coral Gables.

2 So, the original Mediterranean Code, and  
3 the revisions to the Mediterranean Code, I was  
4 part of those two committees, and I was very  
5 conscious, when we began designing this project,  
6 that it really lived up to the spirit of what  
7 George Merrick was trying to do.

8 One of the things that we analyzed is that  
9 Merrick had gone through a number of projects in  
10 which he was going to go beyond a single-family  
11 house and was going to actually propose  
12 mixed-use projects, whether it was the Biltmore  
13 Hotel or what, to a great extent, became the  
14 model for a number of the elements of our  
15 project, which is the Segovia Apartments, which  
16 is just a few blocks north of our project.

17 We went and we analyzed a number of the  
18 elements, and one of the things, and we spent a  
19 great deal of time with the City architect,  
20 Carlos Mindreau, to see how we could take all  
21 the architectural elements that had been part of  
22 the heritage of Coral Gables, and without making  
23 a pastiche, somehow incorporate them into our  
24 project, the balconies, the changing roof lines,  
25 the material richness of Coral Gables.



1           The other thing that we did research on and  
2           spent some time in is to analyze other mixed-use  
3           projects that had been successful around the  
4           country, that had a scale similar to our  
5           project.

6           And, actually, we went and saw a number of  
7           projects in California, besides obviously, some  
8           success stories we had here in Coral Gables, in  
9           which you have projects that would actually have  
10          the richness of the mixed-use, that the Code is  
11          spelling out for this area.

12          Now, just to explain a little bit of what  
13          the site consists of, our client, DYL, owns  
14          everything that you see there in gray.

15          They own approximately 80 percent, maybe 75  
16          percent of the lot.

17          Everything, except for the surface parking  
18          lot that sits on the northwest corner of the  
19          triangle.

20          This is the lot as it looks. I was told to  
21          stop referring to these streets as Downtown  
22          Baghdad, but, frankly, if you try to drive  
23          through the streets, and the potholes and the  
24          sidewalks, it is really an area that is in much  
25          need of rehabilitation.



1           One of the things, and, again, we analyzed  
2           by Code, and our client, frankly, said, what are  
3           our options?

4           And, one of the things was, okay, what if  
5           we did everything exactly by the Code? What  
6           would happen if -- the question was asked, what  
7           if the land swap doesn't go through? What if we  
8           leave the corner with the surface parking lot?

9           Well, what we have there is actually a  
10          unique situation with both the zoning and the  
11          Florida Building Code create.

12          A situation that, unfortunately, you might  
13          have seen in other parts of Coral Gables, such  
14          as, to show you where the old Charades  
15          Restaurant used to be, or, sadly, the entry to  
16          Coral Gables and Miracle Mile, where right now  
17          you have two huge blank walls that grace and  
18          frame the Pollo Tropical on the corner and the  
19          Denny's.

20          We could have had that alternative, and I  
21          will show you a diagram of that. I will turn it  
22          to how it looked.

23          The other one was, how can we really  
24          develop the whole lot, and really turn it into a  
25          true mixed-use project?



1           We have spent the last year, again, risking  
2           that, in fact, if the land swap doesn't go  
3           ahead, if the alley vacation doesn't go ahead,  
4           we are back to Square 1.

5           First of all, I would like to just show you  
6           this diagram of the way the alley currently  
7           looks, is what you see there in yellow, and, you  
8           know, for those of you that are architects, you  
9           know that the reason for alleys, and certainly  
10          the reason for alleys in Coral Gables, is that  
11          the service is somehow moved away from the major  
12          streets and internalized.

13          Right now, there is an alley on the  
14          project. What we are proposing, even though we  
15          are asking for the alley vacation, is not to  
16          eliminate the functions that the alley presently  
17          produces and contributes to the site.

18          What we are doing, since, right now the  
19          site is not going to be a bunch of different  
20          parcels, but, hopefully, will be one single  
21          unified parcel, is we are providing a service  
22          alley, which is what you see there in green,  
23          which is 50 percent longer than the present  
24          alley that exists, which will service all of the  
25          retail that is on the ground floor.



1           This new alley is going to be open 24  
2 hours, and one of the things that we have  
3 striven for, in the whole project, is to  
4 actually internalize all the services, which is  
5 something that doesn't occur right now.

6           But, again, just for the sake of argument,  
7 we did a diagram of what the project would look  
8 like, that corner would look like, the corner of  
9 Greco and LeJeune, if we went ahead and designed  
10 this project as of right, if we decided not to  
11 ask for the land swap, not to ask for the alley  
12 vacation.

13           And, again, this would have saved us eight  
14 boards and approximately eleven months.

15           We could have had a project in which you  
16 would have had a development in the property  
17 that our client owns to the east of the alley  
18 and another building to the other part of the  
19 property that our client owns to the west of the  
20 alley.

21           Unfortunately, you would have had two other  
22 things. You would have had two blank walls,  
23 which, by code, we could not have opened.

24           Not only would we have had those two blank  
25 walls, we would have had a situation by which



1 the parcel, and we analyzed this, as well, that  
2 the City would retain in the development, could,  
3 at best, accommodate a single story building.

4 So, the scenario that this property could  
5 have had, maybe will have, is that you would  
6 have had another Miracle Mile or that you would  
7 have had another site like Charades.

8 Instead of that, and that is what we are  
9 bringing to you today, and this has to do with  
10 the whole site being developed as one, and with  
11 the land swap, and I know that this is not going  
12 before you today, in terms of the consideration  
13 in which what is a liability could be turned  
14 into an asset, by developing that corner.

15 We also did a detailed diagram of what that  
16 whole block looks like, and the diagram, the  
17 animation that Mr. Carlson showed you, showed  
18 you our property and also showed you the Gables  
19 residential project directly to the south.

20 What was not shown in that animation is  
21 what, again, is already zoned as of right for  
22 the rest of the property.

23 Immediately to the north of Greco, there is  
24 one single property owner that owns all of that  
25 property and, as of right, could also develop a



1 property in the industrial area, which is a  
2 hundred feet high, and, facing LeJeune, he could  
3 also lower it to 77 feet.

4 Directly to the south of Granello, next to  
5 the Gables residential project, again, that  
6 scale of the development could continue and, in  
7 fact, projects have been designed for some of  
8 those parcels, and are just awaiting for the  
9 economy to get better, and, then, they will  
10 proceed.

11 But, again, I am showing you this, because  
12 you have to get a sense of what this whole area  
13 is already zoned for.

14 The other thing, which, actually to my  
15 surprise, a lot of people did not realize, is  
16 that to the west side of LeJeune, even though  
17 what you see there is, right now, single-family  
18 -- I mean, single-story commercial properties,  
19 that side is zoned for five stories.

20 That, already, the property that is at the  
21 corner of LeJeune and Ponce has been developed  
22 to that height, but, again, sooner or later,  
23 those properties will be developed as well.

24 So, when you think of this area, I think it  
25 is important to realize, not only what it is,



1 but what it will become.

2 The same way that, you know, ten years ago,  
3 if anybody had seen the maintenance yard for the  
4 City of Coral Gables, it would have been  
5 difficult to imagine that the Village of Merrick  
6 Park would have occurred there.

7 This is the way our project looks and,  
8 again, our project is scaled up.

9 Facing LeJeune, it is 77 feet.

10 The project is only six stories high,  
11 facing LeJeune, and one thing, which, again, I  
12 always give credit to our client, because it has  
13 been done largely because they believe that this  
14 zone should be -- this area should be  
15 mixed-use.

16 It does contain a true mixed-use. The  
17 ground floor of the project is going to be  
18 high-end retail.

19 The next four stories of the project are  
20 going to be offices, and the last two stories,  
21 last three stories of the project, are going to  
22 be residential.

23 This is designed as a living, working  
24 community.

25 Not only that, we designed this project to



1           be gold, Leed gold. It is going to be also, a  
2           centerpiece for sustainability.

3                     The first gold may be after Miami green,  
4           but the second, I should say, Leed certified  
5           project, which is, again, a testament to all the  
6           things that we are trying to do, to really make  
7           this a sustainable building.

8                     The last image that I wanted to show you is  
9           the project as it faces the new public park.

10                    And, again, like Mr. Carlson said, and  
11           Laura reiterated, the park -- and, actually, we  
12           are replacing every square inch that is in the  
13           surface parking lot, with a park.

14                    This is a park that is entirely available  
15           to the public. There is absolutely no fences.

16                    This is a park that will be designed, right  
17           now it has not been designed. It will be  
18           designed, if the land swap goes through, with  
19           the full involvement, not only of the City  
20           staff, the City Parks and Recreation Department,  
21           but also with the community.

22                    And, again, this will be done at absolutely  
23           no cost to the City, entirely paid for by the  
24           developer and the maintenance, in perpetuity,  
25           will also be done by the developer, and all the



1 surface parking spaces are going to be replaced  
2 within the building.

3 In addition to that, the City -- not the  
4 City, the developer, our client, is also  
5 completely redoing Greco and Granello Avenues.

6 That will be, the streets will be totally  
7 redone, the sidewalks will be totally redone and  
8 there will be landscape provided both on the  
9 Greco and the Granello side.

10 So, that concludes my presentation.

11 I will be happy to answer any questions.

12 CHAIRMAN KORGE: Any questions of the  
13 applicant at this time?

14 MS. RUSSO: What I would like to do is just  
15 state of the record that I have reviewed all the  
16 conditions that have been placed of record by  
17 staff, and I want to state of record that we  
18 accept all the conditions that have been placed  
19 on the two applications, and I know there are a  
20 lot of people that would like to speak, so we  
21 are more than happy to wait to answer questions,  
22 you know, as different questions may come up  
23 during the different people that are here to  
24 speak and what I would like to do is be able to  
25 address those questions, if necessary, and be



1 called to the podium, or call the appropriate  
2 person and reserve time for rebuttal.

3 CHAIRMAN KORGE: That will be fine, but are  
4 there any initial questions?

5 MR. BEHAR: I have not seen you do a  
6 presentation on the actual building design.

7 Are you prepared to do that today or are we  
8 just going to rely on the package that you sent  
9 us?

10 MS. RUSSO: Do you have the building  
11 design?

12 MR. GELABERT-NAVIA: I have the building  
13 design.

14 MS. RUSSO: Do you have the building  
15 design? You can go through it.

16 We are prepared. Absolutely.

17 MR. GELABERT-NAVIA: The building, one of  
18 the elements that we wanted to do, and, again,  
19 there is quite a lot of parking provided.

20 It starts off with, there is a full  
21 basement of parking that is available to the  
22 public and to the retail, which is accessible  
23 through Granello Avenue.

24 The ground floor of the building, again,  
25 one of the things that we wanted to do is, you



1           see a lot of projects in which you have -- in  
2           fact, some of the ones that are going up on  
3           Ponce de Leon right now, the typical arrangement  
4           is you have a pancake of parking, and then on  
5           top of the parking, you have, whether it is an  
6           office building or an apartment building,  
7           usually the ground floor winds up being quite  
8           inhospitable.

9                     What we tried to do in here is, as you can  
10           see, I am sorry this is not color coded, but the  
11           whole building has a ring of retail completely  
12           around it.

13                    There is no parking on the ground floor,  
14           and there is only the entries. There is one  
15           that goes down to the basement, to the basement  
16           parking, and there is a ramp that goes over to  
17           the upper floors.

18                    One of the things we tried to do, and I  
19           mentioned the thing of the alley before, is that  
20           all the service is internalized.

21                    The new service alley that you see in it  
22           gives access to all the garbage, to Florida  
23           Power and Light, so, there is no absolutely no  
24           need to have any service on Greco, LeJeune or  
25           Granello.



1           The next few floors are offices. Again,  
2           the offices go all around LeJeune and around  
3           Greco and then they turn the corner.

4           And the way we designed the parking is that  
5           the levels of the parking line up exactly with  
6           the levels of the offices.

7           As I mentioned before, the upper levels of  
8           the building have a series of residential  
9           units. There is three levels.

10          Because we were required to set back the  
11          building from LeJeune Road, what happens is that  
12          facing LeJeune, there is actually a very large  
13          green, landscaped courtyard, which softens the  
14          scale, again.

15          When you look at the roof, the whole thing  
16          that you will see is actually green, and then it  
17          has a series of two story townhouses that,  
18          again, face that side.

19          Again, these are -- I can go back to the  
20          renderings but these are the elevations of the  
21          project.

22          This is the side that faces LeJeune Road.

23          And, again, the building has quite a great  
24          deal of number of stepbacks.

25          We tried as much as possible, again, to



1 articulate the function that was behind it.

2 The ground floor is, again, a covered  
3 arcade that goes around the whole site, and it  
4 has a series of terraces and trellises and then  
5 it steps back to the level of the offices from  
6 the third to the sixth level.

7 And then what you see there, in the last  
8 few stories, are the little townhouses that are  
9 on the roof.

10 This is the side that faces Greco.

11 And, again, we created a number of -- there  
12 is balconies everywhere.

13 Wherever there is the residential, we  
14 stepped it further behind. There are covered  
15 terraces, where we have --

16 The elevators were designed so that you  
17 have, basically, like a series of almost like  
18 houses sitting on top of the building.

19 This is the part that faces the park. The  
20 idea there being that there was a restaurant  
21 possibly facing the park.

22 Again, you can pretty much see the offices  
23 on the first few levels.

24 What you see there, with the balconies and  
25 the arcades are over in the residential levels



1 on the top floor, and then the area where the  
2 parking comes.

3 On either corner, there is a bookend of  
4 residential.

5 The whole ground floor is, again, not  
6 parking, but is retail. We tried to lower the  
7 scale as much as possible of the parking  
8 levels.

9 I know there was a concern with providing  
10 enough screening in the parking levels from the  
11 -- for the cars, for the residential project  
12 across the street, and what we have done, I'm  
13 sorry you can't see it that well at that scale,  
14 but it not only has screens, but it has a series  
15 of solid louvers where the headlights are, so  
16 that there will be no lights from the cars  
17 coming out. You will not be able to see them.

18 And, again, this is a diagram of what could  
19 be done without either a land swap or alley.

20 CHAIRMAN KORGE: Thank you very much.

21 Any other questions before we take  
22 testimony from the audience?

23 MR. BEHAR: Are we going to come back?

24 CHAIRMAN KORGE: She reserved time for  
25 rebuttal.



1 MS. RUSSO: To answer questions.

2 MR. BEHAR: Are we going to let the public  
3 first ask the questions before we, as a Board,  
4 discuss it?

5 CHAIRMAN KORGE: Yes. The public can  
6 testify now.

7 MR. AIZENSTAT: That way we will have all  
8 the input.

9 CHAIRMAN KORGE: Mr. Damian, are you  
10 representing a group of the homeowners?

11 MR. DAMIAN: Yes.

12 CHAIRMAN KORGE: Do you want to make a  
13 presentation at this time?

14 MR. DAMIAN: I do.

15 Is this microphone working?

16 Prior to the presentation that was just  
17 made, I was prepared and would have gone  
18 straight to the comments on the staff report and  
19 recommendations, but I do feel compelled, before  
20 going into that portion, to make a couple of  
21 comments on the presentation.

22 And first, I think you might have been  
23 struck, as I was struck, by reference to this  
24 area as downtown Baghdad.

25 I represent Shirley Maroon and 300 unit



1 owners of -- excuse me, homeowners in the area,  
2 all of whom signed a petition, which has been  
3 presented to this Board.

4 I assure you, they do not feel they are  
5 living in Downtown Baghdad, nor for that matter  
6 do they feel that they are in need of  
7 rehabilitation.

8 These are citizens of Coral Gables and I  
9 think those remarks were just uncalled for, and  
10 not only uncalled for, but not true.

11 To the extent that the City of Coral Gables  
12 has failed these residents, if they have, by  
13 allowing the potholes and garbage and whatever  
14 else was referred to, then the City should take  
15 care of that and they should take care of it  
16 immediately.

17 I am just -- would be flabbergasted if that  
18 condition exists and is not corrected, and these  
19 citizens of the area are not begging for this  
20 development to rehabilitate them.

21 They live in a -- basically a residential  
22 area, bounded by some stores, some restaurants  
23 on LeJeune, and on the other side an industrial  
24 area, which has a maximum house -- maximum  
25 development limitation of two stories.



1           There is substantial traffic on LeJeune  
2           Road that they face. This project will not  
3           decrease the traffic, it will not make it  
4           better, it will make it way worse.

5           Now, I'm going to refer -- as I say, I am  
6           still referring to the comments that were made.

7           The fact that it makes the traffic way  
8           worse is going to the part of the presentation I  
9           was going to make on staff, because mixed-use  
10          development, one of the things it is supposed to  
11          do is just the opposite.

12          And, that is not going to occur here, but I  
13          will get to that.

14          What will happen here, this is not Baghdad,  
15          but it will become Biscayne Boulevard North.

16          What you are going to have is highly  
17          concentrated retail stores, right on LeJeune  
18          Road, right onto a high traffic area, and that  
19          will increase.

20          The retail stores, of course, will make the  
21          brake lights go on and the traffic situation  
22          that we have on LeJeune Road, going south, in  
23          the evening, is going to be substantially  
24          worse.

25          They indicate that if they don't do this,



1           they are going to do a hundred foot building  
2           that is going to be blank walls, and the fact of  
3           the matter is, they can't.

4                     They have no right. There is no right to  
5           mixed-use development.

6                     That is why they are here. This Board has  
7           to approve it, has to approve the mixed-use  
8           development because this is an industrial zoned  
9           area.

10                    (Applause.)

11                    CHAIRMAN KORGE: Thank you, but really, we  
12           don't need the applause. Thank you, anyway.

13                    Continue, Mr. Damian.

14                    MR. DAMIAN: I am glad you said that and I  
15           think that is a fact, we don't need applause.

16                    I think this is -- we are looking at this  
17           in a serious way, but I think there are emotions  
18           out there and I think it is sometimes difficult  
19           to hold that down.

20                    The last comment I have on the comments  
21           that were just made is they say, well, 38  
22           surface parking spaces are being taken away, but  
23           don't worry, we are going to give them back.  
24           They can come and valet park, as you indicated,  
25           at seven bucks, nine bucks, ten bucks.



1           That valet parking is going to be down  
2 below surface. There is no nobody in the  
3 neighborhood that is going to be not parking at  
4 a parking meter in surface parking where they  
5 can pull in, put 25 cents in a meter and,  
6 instead, park for \$7 to \$10 in this building.

7           That is not going to happen.

8           That is my remarks on the Power Point  
9 presentation.

10           Last, I would point out, that this project  
11 seems to be tied to the Gables Gateway, because,  
12 as you saw, it was part of the presentation. It  
13 was part of the presentation because in order to  
14 have mixed development work, yet there is a  
15 certain critical mass you have to have to reach  
16 the goals and the achievements that are set  
17 forth in the Coral Gables Zoning Code, which was  
18 recently adopted, but which is recognized by  
19 architects and land planners and city planners.

20           There are certain reasons for the mixed  
21 development, why there are set-offs, why you  
22 allow greater density, why you allow greater  
23 height, because you get certain things in return  
24 from the development, but it needs a critical  
25 mass.



1           Gables Gateway, which was going through the  
2 review process, I don't see that project going  
3 forward.

4           I think, I am pretty sure that project has  
5 been abandoned, and with the abandonment of that  
6 project, the critical mass of -- on your mixed  
7 development is out the window.

8           There are two major problems with this  
9 mixed development project.

10           First, this planned project that we have  
11 here is not your true mixed development.

12           It does not accomplish less traffic. It  
13 does not accomplish making this a pedestrian  
14 area where people work and shop and live in the  
15 same space.

16           It is too small, 42 units, it doesn't do  
17 that.

18           You have retail spaces, that are going to  
19 be for attraction to people that are going to  
20 Merrick Village.

21           Maybe they will stop over here, maybe they  
22 will come off US 1, maybe they will stop when  
23 they are coming home from work from LeJeune  
24 Road, exactly the opposite of what mixed-use  
25 development is supposed to be.



1           Mixed-use development is supposed to be --  
2           supposed to encourage self-contained living,  
3           self-contained retail shopping and all the  
4           rest.

5           I don't need to lecture you guys on that.  
6           Most of you are architects or in the building  
7           and development area and know that very well.

8           So, that is the first major problem, it  
9           does not achieve the desired development  
10          contemplated by mixed-use development.

11          You need to read Section 4.201 of the Coral  
12          Gables Code.

13          That 4.201 is the mixed-use development  
14          district, and it is, its purpose is to provide a  
15          method by which tracts of land -- make tracts of  
16          land, may be developed as planned unified  
17          projects rather than a lot by lot basis.

18          And, as I said, without the critical mass,  
19          what you have here is one large massive big  
20          building, that is developed on a building by  
21          building basis, exactly the opposite of what you  
22          want in the mixed development.

23          Second, it is to provide for residential  
24          uses at higher densities in exchange for public  
25          realm improvements.



1           I have heard nothing about a public realm  
2           improvement here, except the phantom park.

3           Where is that park going to be developed?  
4           How is it going to be developed?

5           What is going to be in that park?

6           What are the facilities in that park?

7           How is that going to encourage pedestrian  
8           use?

9           How is that going to encourage mothers and  
10          their children walking from the 42 luxury  
11          apartments, and not taking public transportation  
12          somewhere else?

13          That park must be a part of this  
14          development and of this presentation, because if  
15          you don't have that, and the park is two blocks  
16          away, three blocks away or the park is not for a  
17          purpose that goes along with this development,  
18          then you haven't even started to get the A-2  
19          requirement, which is you trade off the high  
20          density in exchange for public realm  
21          improvements, which makes a mixed-use  
22          development more attractive.

23          You don't have that here.

24          It provides -- it is to provide maximum  
25          design freedom by permitting property owners an



1           opportunity to more fully utilize the physical  
2           characteristics of the site to modify  
3           development regulations and the planning of  
4           mixed uses.

5                     And that goes along with four, a unified  
6           design providing continuity among the various  
7           elements, causing a better environment.

8                     And again, when you get down to it, the  
9           better environment is, a half mile, a quarter  
10          mile in each direction, so you don't walk more  
11          than a quarter of a mile, that you can live  
12          within that area, shop within that area, park  
13          within that area, and to encourage public  
14          transportation, so that you get less traffic on  
15          the surrounding streets, not more traffic on the  
16          surrounding streets.

17                    What I have heard here is just the  
18          opposite. We are going to get more parking,  
19          more cars, more traffic on LeJeune Road going  
20          in, going out, and then utilizing the retail  
21          spaces that are there.

22                    That is the organized -- this is Number 6,  
23          by organizing appropriate building densities,  
24          public transit will be further strengthened as  
25          an alternative to the use of private vehicles.



1           That is the goal of mixed use. That is the  
2           trade off for allowing ten stories and allowing  
3           the high density.

4           We are not getting that, that is not  
5           addressed. It is not addressed because it is  
6           not going to happen.

7           Going to Number 7, increase the choices  
8           available for transportation to encourage  
9           increased mobility and reduction in  
10          transportation expenses.

11          Choices shall include public transit,  
12          bicycle and pedestrian circle -- circulation  
13          opportunities.

14          Unfortunately, that was totally absent from  
15          the presentation, either by staff or by the pin  
16          point presentation.

17          Again, the trade-off for mixed-use, this is  
18          what the Zoning Code requires for the trade-off  
19          for the mixed-use.

20          We will give you the ten stories, we will  
21          give you the high density, but you must provide  
22          the trade-off.

23          We are not getting it.

24          We go then to staff report.

25          Before we get to staff's report, I just --



1 to sum up the -- what the code envisions is walk  
2 throughs, bike paths, public transportation and  
3 pedestrian use.

4 It would not allow -- mixed development was  
5 not provided to allow a developer greater  
6 density and height in exchange for nothing, and  
7 that is what we are getting for the proposal  
8 here.

9 If the Gables development takes place --  
10 does not take place, the Gables Gateway  
11 development, then this will be a stand alone  
12 building.

13 And, you will not only have not  
14 accomplished anything, you have gone backwards  
15 in planning in Coral Gables.

16 The second problem with this development,  
17 and this is where I go to staff, is it's way too  
18 premature. They put the cart before the horse.

19 First, I have indicated that the park,  
20 which has to be the central element of any  
21 mixed-use development, is totally absent in this  
22 discussion, except to say there will be some  
23 park in the future.

24 We must see the park first, if this is ever  
25 going to be allowed.



1           I don't think that that little park that  
2           they are talking about is going to offset the  
3           mixed-use and the high density that we would  
4           get.

5           It says in -- on Page 2 of 22 at 3B, this  
6           is the staff report, On-Street Parking, payment  
7           shall be provided by applicant, successors or  
8           assigns according to established requirements  
9           for the loss of 13 on-street parking spaces  
10          resulting from the project.

11          I assure you the citizens, the residents of  
12          this area, are not interested in the City being  
13          paid for the loss of the 13 parking spaces, and  
14          I have already addressed the developer's promise  
15          to give -- offset this loss by providing valet  
16          parking or other expensive parking below ground  
17          in this project, which is not attractive to the  
18          people.

19          The next item is 4B, also on Page 2,  
20          Traffic Calming.

21          That is one of the things that is supposed  
22          to be done.

23          They say as proffered by the applicant,  
24          provide pedestrian crosswalks and signalization  
25          at the following street intersections, San



1 Lorenzo and Ponce, LeJeune and Greco, all costs  
2 for design et cetera, et cetera, will be borne  
3 by the developer.

4 But we haven't seen that. We haven't seen  
5 what that signalization is going to be. We  
6 haven't seen what the traffic calming is going  
7 to be.

8 That has to be a part of the presentation.  
9 It has to be what is the trade-off for giving  
10 them the ten stories and the high density.

11 Public city park improvements, approval of  
12 this site does not include -- Number 5 on Page  
13 3.

14 This approval of this site does not include  
15 the proposed public city park to be located at  
16 Greco.

17 Improvements and site plans of the proposed  
18 park shall be subject to further City review in  
19 the future.

20 That is not acceptable.

21 Request, Page 3. This report doesn't  
22 provide any analysis or background regarding the  
23 proposed land swap at LeJeune Road, Parking Lot  
24 Number 31, to the proposed parking at the corner  
25 of Greco and Granello.



1           Now, what they are saying is, we are not  
2 going into what the City is going to have to  
3 approve later, because the City has said that  
4 they want to approve that after this project has  
5 been approved.

6           It doesn't matter that the City has to  
7 approve it later. They have to come to you and  
8 say what they are going to do. It is part of  
9 the project. They can't just be absent on it,  
10 and they are absent on it.

11          They don't tell you what is going on.

12          The staff says that the Development Review  
13 Committee approved this project. I was there.  
14 It was not approved.

15          What they said was they had no objection  
16 for purposes of fire, for purposes of the fire  
17 hydrants and various things like that.

18          That is all that the Development Review  
19 Committee is saying. It doesn't create a fire  
20 hazard. It does not create a situation where  
21 fire trucks cannot get in.

22          Compliance with the Zoning Code. They say,  
23 again, that the Planning -- this is staff -- the  
24 Planning Department, Planning and Zoning Board  
25 and City Commission may recommend such



1 conditions to the approval that are necessary to  
2 ensure compliance with the standard set at  
3 3-408, and this is the trade offs, but the staff  
4 has not made any such recommendations.

5 And, last, I will go back to on Page 8, the  
6 stated purpose of the mixed development, and  
7 this is staff, provide a method by which the  
8 tracks of land can be utilized for the greater  
9 good and provide residential uses at higher  
10 densities in exchange for public realm  
11 improvements.

12 That is, it comes to the conclusion and  
13 they say, staff says, that accomplishes this.

14 And, I would say to you, look at it, I  
15 don't think it accomplishes that at all.

16 What is accomplished here, as I said  
17 initially, was we are getting one very large  
18 ten-story building with a hundred and some odd  
19 parking spaces and retail parking down below,  
20 with no trade-off coming from the other side,  
21 and I think the -- this Board should reject this  
22 application in its present form.

23 CHAIRMAN KORGE: Thank you.

24 Any questions at this time?

25 MR. BEHAR: Yes. Just a second.



1           For the record, let me clarify something  
2           that Mr. Damian, you made, regarding the Gables  
3           Gateway project.

4           One, the Gables Gateway project has no  
5           ties, whatsoever, to this project.

6           Two, the Gables Gateway project has not  
7           been abandoned.

8           In fact, we are going through the  
9           permitting process as we speak.

10          And I want you to understand that this  
11          project has nothing to do -- and the project,  
12          more importantly, has not been abandoned.

13          MR. DAMIAN: Oh, I agree. It has nothing  
14          to do with it.

15          MR. BEHAR: I just want to clarify what you  
16          put in the record.

17          MR. DAMIAN: My point was Gables Gateway is  
18          a separate project, it is not part of this, so  
19          it is not part of the critical mass.

20          Whether the Gables Gateway project goes  
21          forward, Mr. Behar, I don't know.

22          All I know is that --

23          MR. AIZENSTAT: You said it's been  
24          abandoned.

25          MR. BEHAR: You said it has been



1 abandoned. I just want to clarify.

2 MR. AIZENSTAT: That is what you said.

3 MR. COE: He did not like your editorial  
4 comment about abandonment.

5 MR. DAMIAN: Okay.

6 MR. BEHAR: I just want to clarify the  
7 record.

8 MR. DAMIAN: I don't know whether the  
9 public does or does not know, but for all  
10 intents and purposes, what we see is that the  
11 Gables Gateway project was moving along at a  
12 very strong pace, and now, all of a sudden, it  
13 stopped.

14 Our feeling, the public's feeling, is it  
15 was abandoned.

16 It is clearly, I agree with you, not part  
17 of the project, but when they did the  
18 presentation, it was part of the project. It  
19 was one critical mass that they showed you, and  
20 they indicated that.

21 I am not saying that it is owned by the  
22 same builder.

23 MR. BEHAR: No, I think that their intent  
24 is to show you the massing, within the context  
25 of this surrounding area.



1 MR. DAMIAN: That is right.

2 MR. BEHAR: I don't think -- at least, it  
3 is my interpretation, from their presentation,  
4 they never intended to mix the two projects  
5 together.

6 MR. DAMIAN: The critical mass was the  
7 important thing there. And one, I think, is  
8 tied to the other in that fashion.

9 MR. BEHAR: Okay.

10 MR. AIZENSTAT: Actually, one of the  
11 questions that I was actually going to ask was  
12 actually answered, which was, how do you know  
13 that that project was abandoned?

14 The other comment, which I would like to  
15 make, or ask you is, while I agree that it is  
16 not Downtown Baghdad, the street that is there  
17 presently is not in great condition.

18 And, I would like to find out from Public  
19 Works why there hasn't been certain repairs, and  
20 maybe there haven't been certain repairs because  
21 of the projects that are going to be coming  
22 forward, and it could be money spent on the  
23 street and because of certain projects, they  
24 deem it to be a waste, or so forth.

25 That I don't know, but that would be



1 something that, I, myself, would like to know,  
2 as to why.

3 MR. DAMIAN: I guess that is a  
4 self-fulfilled prophesy.

5 MR. AIZENSTAT: Right. Well, I am just  
6 saying as far as the part about the park, my  
7 understanding is that you have to have that park  
8 or that land swap the way it is presented to us  
9 in order for this project to go forward.

10 My understanding is that if there is no  
11 land swap and a park -- and my understanding is,  
12 also, that the park has to be on the property,  
13 adjacent to this project.

14 And if that's not the case, my  
15 understanding is that this project can't go  
16 forward, as is, is that correct, Eric?

17 MR. RIEL: That's correct.

18 MR. DAMIAN: Where is it in the staff  
19 report that it says that the park would be  
20 adjacent to the project?

21 MR. RIEL: The proposed site plan for the  
22 remainder of the block includes a blank area for  
23 the park.

24 MR. DAMIAN: Is that in the staff report?

25 MR. RIEL: It's actually part of the



1 background information. It's in their  
2 documents.

3 MR. DAMIAN: Can I see that?

4 MR. RIEL: Sure.

5 MR. AIZENSTAT: Because that is what I saw  
6 there when I reviewed it. I did see that park  
7 as part of the site plan.

8 MR. DAMIAN: Because the park right now --

9 CHAIRMAN KORGE: If we do approve it, I  
10 mean, I understand that will be a condition of  
11 the approval.

12 There's not going to be an approval -- if  
13 we approve this, assuming we approve this, the  
14 park area is a part of that.

15 And without the park area and the  
16 improvements to the park area, our approval  
17 wouldn't go forward.

18 And if the Commission decides that it won't  
19 do the land swap for whatever reason, then our  
20 approval will be voided, as I understand it.

21 MR. RIEL: Correct.

22 MR. AIZENSTAT: That's the understanding.

23 MR. DAMIAN: The land swap has to go  
24 forward. There is no doubt about that.

25 MR. AIZENSTAT: And a park created.



1 MR. DAMIAN: And the park in it.

2 MR. AIZENSTAT: Yes.

3 MR. DAMIAN: What I am saying is, if the  
4 park, the manner in which the park is going to  
5 be integrated into this development project, is  
6 not shown to you, then, they are not showing to  
7 you how this total project is going to mitigate  
8 against the --

9 MR. AIZENSTAT: Well, I agree with that.  
10 From what I heard from the developers, and I am  
11 just telling you what I understood, was that  
12 they're willing to do whatever the Parks and  
13 Recreation Department and whatever other  
14 departments deem necessary for that parcel to  
15 create a park.

16 Whether that park is going to be passive,  
17 whether it is going to be active, whatever  
18 equipment is going to be there, whatever staff,  
19 which, in my opinion, is the right people to  
20 look at a park would be the staff and the Parks  
21 and Recreation Department.

22 I was on the Board for the Parks and  
23 Recreation for a long time, so if they are  
24 willing to agree to that, I am not talking about  
25 the project in general, I am just talking about



1 the park situation, if they are willing to agree  
2 to that, to me it shows that they are willing to  
3 do whatever is needed for the park, according to  
4 the way they have it laid out here.

5 Correct me if --

6 MR. DAMIAN: Well, no, I agree that they  
7 will. They have to. There is no question about  
8 that.

9 But, in order to have the mixed-use  
10 development, the whole for purpose of this Board  
11 agreeing to the mixed-use development, is to see  
12 that the total concept all works together and  
13 the fact that Parks and Recreation may like a  
14 park in a certain spot or in a certain area, or  
15 done in a certain way, is not their job, as part  
16 of the mixed-use development. That is this  
17 Board's job, and without the presentation as  
18 part of it --

19 MR. AIZENSTAT: We are looking at the  
20 site, the way it is laid out.

21 One of the items, which this Board has  
22 always maintained that had they wanted, was a  
23 site plan.

24 There have been certain projects that have  
25 come before this Board without a site plan that



1 I remember.

2 And those projects were, actually, either  
3 denied or those projects were sent back, because  
4 there was not a site plan that was attached to  
5 whatever they were asking for.

6 So, one other question, actually, maybe I  
7 should address this to the attorney for the  
8 developers, because I do not see a traffic study  
9 anywhere in here.

10 There is?

11 MR. COE: No traffic study.

12 MR. AIZENSTAT: I didn't see that.

13 MR. DAMIAN: It is not part of the  
14 package.

15 MR. AIZENSTAT: Is it part of the packet  
16 that we have?

17 MR. RIEL: No, it is not part of the  
18 package because in terms of the quantity and in  
19 terms of making copies of that -- but, it is  
20 part of the file, it's available for review.

21 But every project that comes through has to  
22 have a traffic site.

23 MR. AIZENSTAT: Because I agree with Mr.  
24 Damian, that there should be a traffic study  
25 done on the project and the property prior, so



1           that we can take a look at it.

2           MR. RIEL:  There has been one done.  And  
3           the Public Works Department, as a part of their  
4           review, does review it.

5           And that is how we come forward with  
6           recommendations regarding traffic calming and  
7           other improvements that are necessary.

8           MR. AIZENSTAT:  But we haven't seen what --

9           MR. RIEL:  You haven't physically gotten a  
10          copy of it, no.

11          We have not, for the past year or two,  
12          provided copies of that, but that is a part of  
13          the application process.

14          CHAIRMAN KORGE:  Does it provide specific  
15          traffic calming measures?

16          MR. RIEL:  Yes, it does.

17          CHAIRMAN KORGE:  So, there are specific  
18          things that would be done.

19          They are subject to approval of the State  
20          and so forth.

21          MR. RIEL:  Those specific traffic calming  
22          measures are actually shown on the site plan  
23          that you have in this packet here.

24          MR. AIZENSTAT:  But, usually there has been  
25          a traffic engineer on a project this size, that



1 has come before us, if the Board has had any  
2 questions and so forth.

3 MS. RUSSO: We have our traffic engineer  
4 here, Mr. Richard Garcia, and so you know, not  
5 only did we do a traffic report, but based on  
6 comments and additional issues that were raised  
7 at DRC, we then had a supplemental traffic  
8 report responding to issues and the traffic  
9 calming comes from measures, and it comes from  
10 Alberto Delgado, Director of Public Works, along  
11 with the Traffic Advisory Board for this zone.

12 Some of this are wish lists that the  
13 Traffic Advisory Board has determined needs to  
14 be done in the area.

15 MR. AIZENSTAT: Okay. So, you have gone  
16 through that process?

17 MS. RUSSO: We have gone through that  
18 process.

19 CHAIRMAN KORGE: Where is that shown on  
20 here?

21 MS. RUSSO: The traffic is imbedded in both  
22 -- I am sure Mr. Delgado and Mr. Garcia would  
23 be happy to answer any concerns.

24 MR. RIEL: I mean, my preference would be  
25 to have the applicant go through what the



1 traffic calming proposal is.

2 CHAIRMAN KORGE: Okay, that's fine.

3 MR. RIEL: I am not the applicant. I'd  
4 rather them go through it.

5 CHAIRMAN KORGE: No, I asked only because  
6 you said it was in here, and I didn't notice it  
7 in here.

8 MR. RIEL: It is included on the site plan,  
9 basically.

10 CHAIRMAN KORGE: Okay.

11 MS. RUSSO: Would you like the traffic  
12 engineer to address any of these issue here?

13 MR. AIZENSTAT: I mean, there are certain  
14 questions which I have. I just don't know if  
15 it's the right time.

16 MS. RUSSO: Wherever you're ready, we're  
17 prepared to answer those questions.

18 MR. RIEL: I don't know if -- We had 20  
19 additional persons that have asked --

20 MR. AIZENSTAT: Right. No, I understand.

21 CHAIRMAN KORGE: Well, I'd like to give Mr.  
22 Damian more time. He came here for this very  
23 purpose and --

24 MR. RIEL: I just want to make sure that,  
25 you know, if questions come up, that staff will



1 be able to answer them to the --

2 MR. AIZENSTAT: It's just that Mr. Damian  
3 has made some points that I feel that if we are  
4 addressing at this time --

5 MR. RIEL: It is fine to come back to it.  
6 However you would like to do that.

7 MR. AIZENSTAT: Whatever the Chairman --

8 CHAIRMAN KORGE: Well, let's address the  
9 traffic now, because I have the same question  
10 regarding what the traffic calming was, the  
11 signalization and was it actually part of this?

12 MS. RUSSO: I think we are going to allow  
13 our traffic engineer first, and then any  
14 follow-up from Mr. Delgado.

15 Because it was actually Mr. Delgado, Public  
16 Works Director, that came up with the traffic  
17 calming measures that he wanted, based on the  
18 Traffic Advisory Board.

19 I am not sure what zone this is, but this  
20 zone had a wish list.

21 Go ahead.

22 MR. GARCIA: Good evening, Richard Garcia.

23 I did the traffic impact report --

24 MR. DAMIAN: I will interrupt myself until  
25 the traffic report is presented.



1           CHAIRMAN KORGE: I am sorry, Mr. Damian, I  
2 didn't realize I was interrupting your  
3 presentation.

4           If you would like to finish it --

5           MR. DAMIAN: No. That is fine.

6           MR. AIZENSTAT: I thought you were done,  
7 and I apologize.

8           CHAIRMAN KORGE: I did think you were done,  
9 but if you are not done, really, I'd like you to  
10 --

11          MR. DAMIAN: I was done until we were told  
12 that --

13          CHAIRMAN KORGE: I would expect you to  
14 respond.

15          MR. DAMIAN: Yes.

16          CHAIRMAN KORGE: But if you are done with  
17 your initial presentation --

18          MR. DAMIAN: Well, my initial presentation  
19 pointed out that there was not this traffic  
20 report, nor traffic calming, nor any of it, and  
21 now we are going to see it, so I guess I will to  
22 make the comments afterwards.

23                 I would point out, again, every project  
24 that goes forward in Coral Gables, has a traffic  
25 study. That is clear.



1           What is different with respect to the  
2           traffic calming and the traffic report that is  
3           done when you have a mixed-use development is,  
4           it is supposed to be a part of the total  
5           project.

6           How in the totality of it, traffic is going  
7           to be reduced in the City, and in the totality  
8           of it, how we are going to encourage public  
9           transportation.

10          And I am looking forward to hearing about  
11          that, so I will make my remarks afterwards.

12          CHAIRMAN KORGE: Thank you.

13          MR. GARCIA: I think a copy of our latest  
14          study is being submitted. In turn, I will pass  
15          it around.

16          Initially, we did the initial traffic study  
17          back in May of 2007.

18          Subsequently, your City has reviewed it and  
19          had some comments and we met with the City, with  
20          Alberto, and they wanted us to incorporate  
21          additional intersections and additional  
22          analysis, and also to include various committed  
23          development projects, which we did.

24          Subsequently, our latest study was done on  
25          March of this year, 2008.



1           And, probably because of the volume of it,  
2           it wasn't included, I would assume.

3           We did look at various intersections and  
4           arterials.

5           Just to also remind you, this area where  
6           this project lies is part of the City's TCEA,  
7           which is a transportation concurrency exception  
8           area, so, in reality, the project can't be  
9           denied due to traffic concurrency, but, in any  
10          regard, we still look at traffic to see if there  
11          are any improvements that can be made or if  
12          there are any deficiencies that can be improved  
13          on.

14          I wanted to -- I don't want to go through  
15          the entirety of this report, because it is  
16          pretty lengthy.

17          We did meet all the level of service  
18          standards and criteria for LeJeune Road, for the  
19          intersections, we did five intersections, but I  
20          did want to mention that LeJeune Road is a State  
21          road, so obviously we are going to need approval  
22          from FDOT.

23          I was a former FDOT permits engineer and I  
24          was also a former traffic operations engineer.

25          So, I am aware of what they are going to



1 look for.

2 Currently, there were some comments made  
3 regarding that there is a substantial amount of  
4 traffic on LeJeune. Well, it is a State road,  
5 so that is its purpose is to carry high volumes  
6 of traffic.

7 However, when we look at traffic volume in  
8 that segment, it is at Level of Surface C,  
9 existing, even with this project and the other  
10 project, because that roadway is designed for a  
11 lot of capacity, so there is still some reserve  
12 capacity and that included our project, it  
13 included background traffic projected out for  
14 three years into the future, and it included 11  
15 committed development projects, which were all  
16 included in the report.

17 MR. AIZENSTAT: So that's what I want to  
18 ask you. You don't only look at current  
19 conditions, you look at the Gateway Project  
20 being there and other projects being developed?

21 MR. GARCIA: Absolutely.

22 Absolutely.

23 If you want, I can even give you --

24 MR. AIZENSTAT: Well, it's a very thick  
25 file.



1           MR. GARCIA: It should be on Page 16. If  
2 you go to Page 16, you will see it in there.

3           In any regard, we also looked at what this  
4 project would generate as far as traffic when we  
5 compare it to, like a maximum as of right.

6           And when we did that analysis, we looked  
7 that this project would actually generate 24  
8 percent less traffic than if we were to build  
9 out a maximum use development on this site.

10          We looked at, also, daily percentages to  
11 see how they would compare with a maximum as of  
12 right compared to our project, and what we found  
13 was, in the a.m. peak hour, we generate 50  
14 percent less traffic, or a maximum as of right  
15 project would actually have double the a.m.  
16 traffic, and in the p.m., about 40 percent more  
17 traffic if it was fully built out.

18          Now, I heard mention that this is not a  
19 mixed-use project, and I am a traffic engineer,  
20 and, so, I don't want to get into the validity  
21 of a mixed-use project with respect to  
22 architectural or planning, but with respect to  
23 traffic engineering, this is clearly a mixed-use  
24 project.

25          Our analysis found that this project would



1           have, very conservatively, a 10 percent  
2           internalization.

3                     That is an internal capture within the  
4           different uses, because of the mixed variety of  
5           it.

6                     Additionally, when we looked at the  
7           restaurant usage, the retail usage, there were  
8           between 44 and 50 percent pass-by. What does  
9           that mean? That means about 50 percent of that  
10          traffic is already on the road, so, for those  
11          uses.

12                    Some of the internalization sometimes is  
13          even greater, but we always take very  
14          conservative analyses, because if we start  
15          taking these huge discounts, and then your staff  
16          would review it and say, of course, you have no  
17          impact, you discounted it all, so we look at a  
18          very conservative number.

19                    Lastly, we could have taken a reduction for  
20          transit usage.

21                    Clearly, every project in an infill area,  
22          according to Dade County's traffic engineers,  
23          every project that is east of the Palmetto  
24          infill area is entitled to transit reduction  
25          because this is where you want your high



1 densities because this is where your  
2 infrastructure is for transit, being so close to  
3 US1 and the Metrorail.

4 To really say that this type of project is  
5 not going to incur any transit usage, I really  
6 don't understand where that logic comes from.

7 CHAIRMAN KORGE: Excuse me for  
8 interrupting, but how do you figure your  
9 internalization? What was that number again?

10 MR. GARCIA: 10, 10 percent.

11 CHAIRMAN KORGE: How do you figure that?

12 MR. GARCIA: There's a cross -- it's a very  
13 complicated analysis, a cross multiplication  
14 based on each use, and how they get attracted to  
15 the other use, and the interactions between  
16 those.

17 MR. AIZENSTAT: Can you break that down  
18 between residential and offices?

19 MR. GARCIA: Whatever the uses are. If  
20 it's three uses generally, you have to have  
21 three, you can do it with as little as two, but  
22 generally at least three uses, and there is an  
23 interaction.

24 And if you have are four, it looks like a  
25 rectangle with an X in the middle and there is



1 an interaction between each use and the other  
2 use.

3 An interaction between attraction and --  
4 now I forget the inverse of attraction, excuse  
5 me.

6 MR. SALMAN: Repulsion.

7 CHAIRMAN KORGE: Repulsion?

8 MR. SALMAN: Repulsion.

9 MR. GARCIA: I don't think that's the term  
10 we use.

11 MR. SALMAN: It's repulsive, I know.

12 MR. GARCIA: Repulsive, right.

13 Thank you. I appreciate that.

14 So, like I mentioned, the DOT has to  
15 maintain levels of services. This is within the  
16 TCEA, and, so, we don't really have to meet  
17 concurrency.

18 But, even if we did, this project clearly  
19 meets concurrency. I think that is why your  
20 staff is recommending approval, and hasn't had  
21 any specific, you know, traffic comments to  
22 address.

23 But, if you have any specific questions, I  
24 have all the analysis here, and I can certainly  
25 look at it.



1           MR. AIZENSTAT: Just, I am still curious  
2 about that 10 percent internalization.

3           Do you look at breaking that down between  
4 the components, the three components that are in  
5 a mixed-use project?

6           MR. GARCIA: Yes. It is a factor of the  
7 type of use, the intensity of --

8           MR. AIZENSTAT: Right, but apart from the  
9 factor, do you have -- 10 percent, did you do a  
10 study that said 3 percent goes to residential, 4  
11 percent goes to offices, and the balance goes to  
12 commercial? Do you look at it that way?

13          MR. GARCIA: There is a breakdown, I don't  
14 know enough about the sheet, the compilation  
15 sheet.

16          MR. AIZENSTAT: I am very curious about  
17 what the breakdown is, because I see that, as  
18 far as the residential component, it is a  
19 minimal component of the project, from what I  
20 see.

21           I think they said about 42?

22          MS. RUSSO: 42.

23          MR. AIZENSTAT: 42 units.

24           And what percent, then, of the overall  
25 project, would be the residential component?



1           Eric, can you give me a breakdown between  
2 the --

3           MR. GARCIA: I don't know if we have the  
4 actual spreadsheet that we use.

5           MS. RUSSO: 20 percent.

6           MR. AIZENSTAT: So, 20 percent is  
7 residential, what percent is offices?

8           MS. RUSSO: 66 percent.

9           MR. AIZENSTAT: Okay. And the balance  
10 would be commercial?

11          MS. RUSSO: Retail. Retail, which includes  
12 restaurants.

13          MR. RIEL: It's on Page 6 and 7 in the  
14 staff report.

15          MR. AIZENSTAT: I'm sorry?

16          MR. RIEL: Bottom of Page 6, top of Page 7  
17 in the staff report.

18          Percentages and square footage and numbers.

19          CHAIRMAN KORGE: Okay. 26 percent  
20 residential, 27 percent -- 26.6 percent  
21 residential, 12.8 percent commercial, 56.9  
22 percent office. That was commercial retail.

23          And 56.9 percent, office and, again, 26,6  
24 percent commercial, which should add up to 100  
25 percent.



1 MR. AIZENSTAT: I'm sorry to interrupt  
2 you.

3 MR. GARCIA: No, it's okay.

4 CHAIRMAN KORGE: I mean, residential.

5 MR. GARCIA: That concludes my  
6 presentation, if you have any other questions.

7 MR. SALMAN: I do have a question with  
8 regards to the alleyway.

9 I remember when we looked at the -- I was  
10 here when we looked at the other project  
11 adjacent to the south.

12 And there was some rework and reallocation  
13 of the alleyway.

14 Does the new alleyway that you are  
15 proposing align with the reworked alleyway  
16 already approved?

17 MR. GARCIA: There is a small offset.

18 MR. SALMAN: How small is the offset?

19 MR. GARCIA: I would have to see the plan.

20 I don't know if it's 20 feet or --

21 I mean, it's --

22 MS. RUSSO: It is about ten feet.

23 MR. SALMAN: How wide is the alleyway?

24 MR. GARCIA: Well, it is a driveway now, I  
25 believe.



1 I would have to see the plan. 24 feet?

2 MR. SALMAN: It basically offsets the width  
3 of the alleyway.

4 MS. RUSSO: 24 feet.

5 MR. GARCIA: 24 feet.

6 MR. AIZENSTAT: Thank you.

7 CHAIRMAN KORGE: Any more questions?

8 Mr. Damian?

9 MR. DAMIAN: I would like to comment.

10 MR. FLANAGAN: Actually, may I just ask one  
11 question?

12 CHAIRMAN KORGE: Sure.

13 MR. FLANAGAN: I believe I heard you say  
14 that the mixed-use was not as of right, and that  
15 we are actually here to approve the mixed-use  
16 zoning tonight.

17 MR. DAMIAN: That is correct.

18 MR. FLANAGAN: Can we get clarification on  
19 that?

20 I thought we were here to approve on purely  
21 a site plan approval, not a zoning approval.

22 MR. RIEL: Basically, a mixed-use approval  
23 is a conditional use approval.

24 It is an overlay, mixed-use overlay,  
25 district and as a part of that approval, there



1 is criteria that needs to be satisfied and it  
2 has to go through the Planning Board and the  
3 City Commission.

4 By right applications only need to go to  
5 the Board of Architects for review.

6 MS. RUSSO: So, we are not asking for a  
7 change in zoning.

8 MR. RIEL: It is not for a change in  
9 zoning, not for a change in land use.

10 MR. DAMIAN: It's not a change in zoning,  
11 but as Mr. Riel has pointed out, it's not of  
12 right and you're not doing just site plan  
13 approval here, you're doing -- saying this is a  
14 mixed-use development.

15 MS. RUSSO: But commercial development  
16 would be allowed as of right up to the  
17 eight-story limit on industrial property, you  
18 could build office buildings.

19 So the comment that was made that we could  
20 not build eight stories on the industrial parcel  
21 is incorrect.

22 We could go eight stories on the industrial  
23 parcel, six stories on the LeJeune commercial as  
24 of right under the existing Zoning Code, going  
25 solely to the Board of Architects for approval.



1           You can ask staff to verify that.

2           MR. DAMIAN: I respectfully disagree with  
3 that. I think this is industrial zoned  
4 property, and I would contest that, if that  
5 happened.

6           But we are not here for that, at this  
7 moment.

8           Going to the traffic comments that were  
9 just made, when we say that there is only going  
10 to be an increase of 50 percent of what would  
11 otherwise be expected, and that is good, and it  
12 is good, if this, again, were a freestanding  
13 building and they were coming here for site plan  
14 approval, but they are not.

15           And when I speak of mixed development, and  
16 I made the comment that this is not a mixed  
17 development project as contemplated by the  
18 Zoning Code.

19           I read to you, the provisions of the Zoning  
20 Code, what was expected and anticipated in a  
21 mixed-use development project.

22           This does not do it. It is supposed to  
23 reduce traffic. It is supposed to increase  
24 public transportation use, and you are here as  
25 citizens with a practical knowledge.



1           Does anybody here really think that 42  
2           luxury condominium unit owners are going to be  
3           using public transportation?

4           CHAIRMAN KORGE: Well, the testimony we  
5           received was that there would be 24 percent less  
6           traffic than if this were developed as of right  
7           without the mixed-use approval.

8           MR. DAMIAN: Correct.

9           CHAIRMAN KORGE: So, the way I understand  
10          that, that means that, yes, if we do mixed-use  
11          in lieu of as of right, there would be less  
12          traffic.

13          MR. DAMIAN: I would agree with that as of  
14          right. This is industrial zoned property with a  
15          mixed-use overlay, and unless you give it your  
16          approval, it is industrial property. That is  
17          what the zoning on this property is at the  
18          present time.

19          Am I correct, Mr. Riel?

20          MR. RIEL: The property is zoned  
21          industrial, which permits industrial as well as  
22          commercial uses.

23          And as an overlay --

24          CHAIRMAN KORGE: Right, so it would permit  
25          commercial, as well as industrial.



1           So, if it were commercial --

2           I guess the question here really relates to  
3           the issue of whether as of right development  
4           would produce 24 percent more traffic than this  
5           mixed-use proposal.

6           And that is the testimony we received,  
7           right?

8           MR. RIEL: That is correct.

9           MR. DAMIAN: That is the testimony from  
10          whom?

11          CHAIRMAN KORGE: From the traffic engineer.  
12          I wrote it down.

13          He said that it would be totally --

14          MR. DAMIAN: But not the staff. That is  
15          definitely not something the staff has said.

16          MR. RIEL: Well, as part of their review,  
17          Public Works Department reviews the traffic  
18          study, and they obviously agree with those  
19          findings.

20          CHAIRMAN KORGE: The City agrees with the  
21          findings?

22          MR. DAMIAN: For the record, Mr. Riel, let  
23          me just make this -- so, your comment is that  
24          staff's recommendation and statement to this  
25          Board, and approval or disapproval of this Board



1 is based upon the statement by Planning, that,  
2 as of right, they have a right to go, what is  
3 it? Eight stories? Commercial?

4 MS. RUSSO: Correct, eight stories.

5 MR. DAMIAN: Is that your recommendation to  
6 the Board?

7 MR. RIEL: Mr. Carlson's presentation, I  
8 believe it was Slide 6. We provided a  
9 comparative analysis for the Comp Plan, the  
10 overlay, as well as what this project is, and we  
11 went over the heights of each of those as  
12 industrial, as well as an overlay, so --

13 MR. DAMIAN: That is not my question. My  
14 question is, is staff saying that, as a matter  
15 of right, they have the right to go eight  
16 stories high density in this property, as of  
17 right?

18 MR. RIEL: They can, yes, they can. They  
19 can go eight stories.

20 MR. DAMIAN: As of right?

21 MR. RIEL: As of right, yes.

22 MR. DAMIAN: Okay. I respectfully  
23 disagree.

24 CHAIRMAN KORGE: The traffic conclusion,  
25 that we would have 24 percent less traffic if



1 developed as of right is based on that  
2 understanding of what the as of right  
3 development is.

4 MS. RUSSO: That is correct.

5 CHAIRMAN KORGE: Okay.

6 MR. DAMIAN: Getting back to the Code, the  
7 Coral Gables Zoning Code definitions of the  
8 mixed-use development, this doesn't do it.

9 I went through that. I am not going to go  
10 through it all over again.

11 But, this does not accomplish the goals  
12 that I outlined in the mixed-use development.

13 Yes, this project, as it stands, is better  
14 than a single standing project.

15 But, that is not what you are called upon  
16 here to do.

17 You are here to approve a mixed-use  
18 development and this does not comply with the  
19 Coral Gables Code for a mixed-use development.

20 CHAIRMAN KORGE: Any more questions for Mr.  
21 Damian?

22 No?

23 We will hear from the public now.

24 We would like to keep the public comments  
25 to under three minutes, per person.



1           MR. DAMIAN: I would like to make one  
2 request. It is a very delicate one.

3           I call upon the City Attorney. You have  
4 more knowledge of the relationships, et cetera,  
5 but I certainly would request, if anybody has or  
6 thinks they have a conflict of interest, that  
7 they would exclude themselves from participation  
8 in discussion and voting.

9           MS. HERNANDEZ: And the standard practice  
10 of the Board is, if there is a Board member with  
11 a conflict, they will consult with my office and  
12 then it would be put on the record and they  
13 would excuse themselves from the meeting and  
14 that has not occurred in this particular  
15 application.

16          MR. DAMIAN: Well, I would request that the  
17 Board be asked again, because I think that there  
18 is a potential conflict of interest.

19          MR. FLANAGAN: Madam Attorney, I have no  
20 idea who he's speaking of. I have consulted  
21 with your office, and I will put it on now, just  
22 to clear the air. I was going to say it before  
23 we voted.

24                 I live at 417 Cadima Avenue, which is the  
25 west side of LeJeune from the Gables Gateway



1 project.

2 I have no idea if he is referring to me or  
3 not.

4 I sat on the City's Property Advisory  
5 Board, when this application came before them  
6 regarding the land swap.

7 I'm trying to think what else we  
8 discussed.

9 But basically -- I think those are the two  
10 issues I discussed with the City Attorney's  
11 office, and based merely on the fact of where I  
12 live or the fact that I sat on the Property  
13 Advisory Board, that there was no conflict.

14 MS. HERNANDEZ: Correct.

15 MR. FLANAGAN: I've come into the meeting  
16 with an open mind, notwithstanding some flyers  
17 that I received in my mailbox or attached to my  
18 door, which as soon as I see who has signed  
19 them, sorry to tell the citizens, but because I  
20 knew I would be here tonight, they went right in  
21 the circular file.

22 So, I don't believe I have a conflict.

23 MS. HERNANDEZ: That is correct, and that  
24 is consistent with the opinions of the Ethics  
25 Commission and the advice that I have provided



1 to you in this matter and that is why you are  
2 here and you are participating.

3 MR. BEHAR: Madam Attorney, in case they  
4 are referring to me, I --

5 MS. HERNANDEZ: Oh, well, just say who you  
6 are referring to.

7 MR. BEHAR: My client, my -- a present  
8 client of mine who used to own this property,  
9 that sold this property to this developer over a  
10 year, year and a half ago, I have no affiliation  
11 whatsoever, no, in any extreme, with DYL Group.

12 In case they are referring to me, I want to  
13 make clear, for the record, I have no  
14 association with DYL, whatsoever.

15 MS. HERNANDEZ: Correct, and when you  
16 presented that hypothetical to my office, I  
17 advised you that you had no conflict and you are  
18 compelled to participate and vote on the  
19 matter.

20 Anybody else?

21 MR. SALMAN: Not with regards to this  
22 project.

23 CHAIRMAN KORGE: Public comments?

24 Let's hear from the public now, please.

25 Will you call the names that have signed



1 up?

2 MS. MENENDEZ: Roxcy Bolton.

3 CHAIRMAN KORGE: Again, we need to keep the  
4 comments to about three minutes per person, so  
5 we can hear everybody within the time allotted.

6 MS. BOLTON: Good evening, gentle persons.

7 My name is Roxcy Bolton. I live at 124  
8 Cadima Avenue.

9 There are three issues that I would like to  
10 address, if I may.

11 Number 1, I am categorically opposed to  
12 messing with the alley. The alley belongs to  
13 the people.

14 It is dedicated. A 1300 -- is it 1300  
15 feet, Mr. Riel? Is it 1300 feet?

16 MR. RIEL: No.

17 MS. BOLTON: In other words, 1300 feet.

18 MR. RIEL: About.

19 The alley must not be closed.

20 I spoke to Mr. Delgado, the Public Works  
21 Director.

22 And I said, Mr. Delgado, what effect would  
23 closing this alley have on the residents in the  
24 neighborhood there?

25 And he said, It will not serve them well.



1           When you close an alley, when you mess with  
2           an alley, what they attempt to do, make some  
3           little curves --

4           Well, if you say it is still going to be  
5           serving the public, why mess with it?

6           We need that alley for Rescue, for police,  
7           and we are closing too many alleys in Coral  
8           Gables.

9           It is big time money for lawyers, big time  
10          money.

11          When you close an alley for your client,  
12          you have really -- you have really done the job,  
13          and you will be rewarded accordingly.

14          Does everyone here of you six, do you live  
15          in Coral Gables?

16          Does everybody here, except Mr. Riel?

17          Well, that means that -- that is part of  
18          your property, the alley.

19          You would be voting to dispose of your  
20          property, and that is not right.

21          I have talked to many citizens in that  
22          area. They cannot understand why the City of  
23          Coral Gables would vote, and I hope and trust  
24          that you vote against closing the alley.

25          It is dedicated. It belongs to the



1 people.

2 The other thing that I would like to  
3 mention is this park.

4 I am no park expert, but I am a modest  
5 person, so I must tell you that I founded the  
6 first Women's park in America, at 103rd Street  
7 and Flagler, fifteen and a half acres.

8 So, I learned a lot about parks and what  
9 you have to do.

10 And, what is puzzling to me, I haven't seen  
11 a poster of this project, and the alley, I mean  
12 the park, is very important, because you just  
13 don't put up a little sign and say it is a  
14 park.

15 You have to meet all sorts of regulations,  
16 and, you certainly know a lot about that.

17 You have to have bathrooms. You have to  
18 have lights.

19 Sir?

20 MR. AIZENSTAT: I beg to differ with you,  
21 but you might not need to have bathrooms or  
22 lights in the park, depending upon the type of  
23 park that the City designates that park to be.

24 MS. BOLTON: The County, and I certainly  
25 would go to the National Parks Board in



1 Washington to the limit because when you have  
2 children at a park, you need to have a  
3 bathroom. You need to have lights.

4 Sir?

5 MR. BEHAR: This may be an urban park. We  
6 don't know exactly what type of park this would  
7 be at this point in time.

8 But, what I would imagine, personally, this  
9 would be a playground. This would be more of an  
10 urban park that is within a development, and it  
11 is accessible to everybody, and not necessarily  
12 a bathroom will be required in a type of park  
13 such as this.

14 MS. BOLTON: But -- yes, sir?

15 CHAIRMAN KORGE: Whatever will be required,  
16 is going to be subject to the City's approval.

17 MR. AIZENSTAT: Some residents may not want  
18 lights in a park because they may not want  
19 activities at night.

20 That was, you know --

21 MS. BOLTON: Yes, but none of this has been  
22 resolved. None of this has been talked about  
23 and discussed.

24 I discussed with Mrs. Russo, I said, will  
25 you give me all the information?



1           You know, there is a lot of questions. I  
2 would like to talk to the Dade County Parks  
3 Department.

4           But, you haven't given any of us a  
5 bulletin, whatever those things that architects  
6 and lawyers and everybody put up on the wall --

7           We don't know what that park is going to  
8 be.

9           CHAIRMAN KORGE: Yes, ma'am. Your time is  
10 about up. You had a third point you wanted to  
11 make, so --

12          MS. BOLTON: Sir?

13          CHAIRMAN KORGE: You had a third point you  
14 wanted to make?

15          You said there were three things that you  
16 wanted to --

17          MS. BOLTON: Yes.

18          What time did they do the traffic study? I  
19 remember when they did the Merrick Park traffic  
20 study, it was 7:00 a.m. on Saturday morning.

21          You don't get a lot of traffic at 7:00 a.m.  
22 in Coral Gables, on Saturday morning.

23          So, I think we need to put all of this on  
24 the back burner, and look at all these things  
25 before we move it to the City Commission on



1 Tuesday, because these are a lot of questions  
2 that need to be answered, and I thank you for  
3 your kind attention.

4 CHAIRMAN KORGE: Thank you, ma'am.

5 MR. AIZENSTAT: Thank you, ma'am.

6 MS. MENENDEZ: Elizabeth Stone.

7 MS. STONE: Hello. My name is Libby Stone.

8 I live at 425 Cadima Avenue.

9 I am one of the 300 residents that were not  
10 compelled by rumor but concern with the height  
11 and scale of this development.

12 We feel like the mixed-use zoning really  
13 bypassed a lot of us neighbors.

14 We were probably too late in waking up to  
15 this.

16 We just feel that this design is too  
17 ambitious. The facts we saw on the screen, it  
18 is 99 feet high.

19 It may not be on LeJeune, 99 feet high, but  
20 that will obstruct the light and the sun, and,  
21 you know, we just feel like it doesn't belong  
22 there, approximately a primarily residential  
23 neighborhood.

24 The traffic study, I too agree, I don't  
25 think people who will buy luxury apartments are



1 going to walk two and a half blocks down to  
2 Douglas Road station and get on that train.

3 I don't believe that.

4 And I don't believe it doesn't have any  
5 impact.

6 The park that we have heard so much about  
7 this evening, I don't think it needs lights  
8 because I don't think it is big enough for this  
9 room.

10 It is a very tiny narrow triangle that the  
11 restaurant there is going to love, but I don't  
12 think it is going to benefit the neighborhood  
13 and the residents and that is what you are here  
14 to represent, us, and our interest.

15 I think if you want mixed-use or something,  
16 scale this thing down.

17 I don't think we would object if it was  
18 more in keeping with Merrick.

19 This thing is too high. It is too big.

20 And, I think that you have really gone too  
21 fast or bought into everything all at one time.

22 The arcade design is right up on the street  
23 and this doesn't have a setback.

24 And people say, oh, it does, in the arcade.

25 Well, look at Red Road. Look at what is



1           happening to South Miami.

2                    That is not right.

3                    It is too dense right up on the road and  
4           traffic.

5                    I don't think we want that. We don't want  
6           that right next to our homes.

7                    I am a little concerned about the land  
8           giveaway not being part of the public consent,  
9           you know, that it was part of another deal and  
10          allocation with the City Planners.

11                    Anyway, I think that some of those pictures  
12          that we saw on the presentation show a big green  
13          space. That is not real.

14                    There is no big setback of green space,  
15          okay?

16                    And, as far as the projecting neighborhood,  
17          well, that's all it is, projection. It is not  
18          real.

19                    You are deciding on one project tonight,  
20          so, I object to this and I just want to go on  
21          the record for that.

22                    MR. AIZENSTAT: Thank you, ma'am.

23                    CHAIRMAN KORGE: Thank you.

24                    MS. MENENDEZ: Lisa maroon.

25                    MS. MAROON: Hi. Good evening.



1           My name is Lisa Maroon. I live at 608  
2           Cadima Avenue, and I object, as a citizen of  
3           Coral Gables, to this DYL mixed-use development  
4           of this six to eight story rental apartment  
5           complex and retail stores located at 4601  
6           LeJeune Road in Coral Gables for the following  
7           reasons:

8           The public land giveaway, the vacating of  
9           the right-of-way alley, the massive height  
10          structure, the infrastructure, the water and  
11          sewer, traffic encroachment in on our  
12          neighborhood, crowding of our schools, raising  
13          property taxes and insurance, and adversely  
14          diminishing and affecting the quality of life in  
15          our neighborhood.

16          Thank you.

17          CHAIRMAN KORGE: Thank you.

18          MS. MENENDEZ: Linda Chaplin.

19          Zeke Guilford.

20          MR. COE: Whose side are you on?

21          (Laughter.)

22          MR. GUILFORD: You'll find out here  
23          shortly.

24          Good evening.

25          Mr. Chairman and Members of the Board, my



1 name is Zeke Guilford, with offices at 2222  
2 Ponce de Leon Boulevard.

3 I am here today representing Havana  
4 Harry's, which is directly across the street  
5 from this project.

6 Needless to say, Havana Harry's does not  
7 comply with the parking requirements, because  
8 it's a nonconforming use, so that parking lot  
9 was critical to the success of Havana Harry's in  
10 business.

11 However, since that time we have had  
12 opportunities to meet with the representatives  
13 of the development team, Mario, Laura, et  
14 cetera.

15 And they have made assurances to Havana  
16 Harry's that they will provide adequate parking  
17 during construction, as well as after the  
18 development is complete, and based upon those  
19 assurances from the developer, we are in support  
20 of these two applications that are before you  
21 this evening.

22 Thank you.

23 MS. MENENDEZ: Kimball Woodbury.

24 MS. BOLTON: Was Harry compensated in any  
25 way for the change in plans? There were a lot



1 of (inaudible) at City Hall.

2 Havana Harry was rewarded.

3 CHAIRMAN KORGE: I am sorry, sir, go  
4 ahead. State your name and address for the  
5 record, please.

6 MR. WOODBURY: Kimball Woodbury. I live at  
7 501 Vilabella, which is the corner of Vilabella  
8 and Riviera Drive.

9 I have lived in the Gables since the early  
10 '60s. I went to Gables High in the '60s. Both  
11 of my children graduated from Gables High.

12 My business is in Coral Gables, even though  
13 I don't do any business in South Florida  
14 whatsoever.

15 The point is I live here and I have been  
16 here for over 45 years, because I like being in  
17 the Gables.

18 Nobody said getting a project done in Coral  
19 Gables was easy. It is one of the toughest to  
20 deal with.

21 The fact that they are going through this  
22 process, you know, you ought to just grab them  
23 and lock them in until they sign and agree to  
24 this project and doing it.

25 What they can do by right exceeds what they



1 are asking for.

2 That is not a matter of conjecture. That  
3 is a matter of what is actually in the Code.

4 To try to obfuscate and say that that is  
5 not the case, is just absolutely wrong.

6 Saying it is not mixed-use is crazy. It is  
7 mixed use.

8 The scale is a whole other matter. The  
9 exact mix of uses is something -- this is a  
10 whole mixed-use overlay.

11 This goes from Bird Road all the way down  
12 to Ponce, and Ponce back up to LeJeune.

13 Critical mass, I would think that the  
14 Village of Merrick Park creates critical mass.

15 Havana Harry's, they are going to need  
16 those people in those office buildings to add to  
17 their business. This adds to the overall area.

18 I was there when it was the city yard.

19 This area has been sort of underutilized  
20 for years, probably back to the '60's.

21 So, to see somebody who is willing to go  
22 forward, particularly in this environment, to do  
23 this kind of development, to go the extra step,  
24 when it is a heck of a lot easier to just do  
25 what is allowed by right --



1           The FAR is not being asked to change.

2           There are no variances being asked for in  
3 this request. It is consistent with the Comp  
4 Plan and with current zoning.

5           Rarely do you get requests that comply so  
6 fully with what is there, and then beyond, with  
7 the kind of style that they are putting into the  
8 architecture.

9           As to the alley, alleys are there to serve  
10 adjacent businesses.

11           They provide access to businesses. They  
12 provide loading. They provide for deliveries.  
13 They provide for garbage.

14           So when you redo a block, it makes sense  
15 that the -- it makes a lot more sense that you  
16 move the alley, rather than try and fit it to  
17 it.

18           To say that it is a giveaway of public  
19 property is ridiculous.

20           For one thing, what replaces it has more  
21 square footage. If there is a concept that you  
22 are giving away, what is given back is more.

23           The public parking spaces are being  
24 replaced, so there is no loss of parking.

25           The park, you know, such as it is on the



1 site plan, I think it should be approved as part  
2 of the overall project, as well, but that is  
3 something that is not there today.

4 Almost no park in Coral Gables that is of a  
5 neighborhood scale has -- most of them don't  
6 have lights for the reasons that were  
7 mentioned.

8 They don't have bathrooms, either.

9 Merry Christmas Park, take LeJeune going  
10 down south, been there since I was a kid,  
11 doesn't have them.

12 So, there really is nothing that is a  
13 problem with this.

14 This area has been designated for this use  
15 for years. Everything is consistent. It is  
16 much better to have a mix, particularly the  
17 office, to bring that in.

18 To bring in additional residential, I think  
19 is just a bonus on top of that.

20 But in any case, obviously, I am a  
21 resident, but I am very much in support of the  
22 project.

23 Thank you.

24 CHAIRMAN KORGE: Thank you, sir.

25 MS. MENENDEZ: Ira Berlinel.



1 MR. BERLINEL: No.

2 MS. MENENDEZ: Linda Ornstein?

3 MS. ORASTEIN: My name is Linda Ornstein.

4 I live at 609 Cadima.

5 I am very hesitant to think about a project  
6 where all parts of it are not in place.

7 There is going to be a park? Sure.

8 Where?

9 We are going to give up the alley.

10 Excuse me?

11 It may be a mixed-use. How many businesses  
12 have gone out of business on Miracle Mile?

13 You are talking about high upscale  
14 boutiques, but this is not an area that was for  
15 that.

16 And, as far as living in beautiful Downtown  
17 Baghdad, this is a real shame that you all are  
18 considering something like this.

19 Thank you.

20 CHAIRMAN KORGE: Thank you.

21 MS. MENENDEZ: Adis Riveron?

22 MS. RIVERON: Decline.

23 MS. MENENDEZ: Jane Reynolds?

24 MS. REYNOLDS: No.

25 MS. MENENDEZ: Eunice Smith?



1 MS. SMITH: No.

2 MS. MENENDEZ: Elizabeth Rebecca?

3 MS. CORRER: No.

4 MS. MENENDEZ: Shirley Maroon?

5 MS. MAROON: Good evening, Board Members  
6 and Mr. Chairman.

7 I, along with my neighbors, back in April,  
8 found out about this project.

9 We have been working on it for six months.  
10 It has been a labor of love, but it has been  
11 hard.

12 I have 300 signatures here that are  
13 certified copies.

14 MR. COE: It is 302.

15 It is 302.

16 MS. MAROON: Oh, 302, thank you.

17 Do you all have this in your packet? Yes,  
18 okay.?

19 Well, for the record, I would like to  
20 present this to the secretary, a certified  
21 copy.

22 The original copies -- the original  
23 signatures are at Mr. Ed Weller's office.

24 That is where the original ones are.

25 In the summer, we, our neighbors, and some



1 are here, some are not here, we went around  
2 knocking on doors, talking to people.

3 People were very outraged to think that  
4 this was going to be going on in their  
5 neighborhood.

6 You might say, well, where are those 300  
7 people? Why aren't they here today?

8 Well, in case you didn't know, we are in a  
9 recession.

10 And when I talk to these people, and they  
11 tell me that their husbands have to work two  
12 jobs, in order to make their mortgage payments  
13 and they can't come because they can't afford a  
14 babysitter, and, this is reality, folks, it is  
15 very sad.

16 But, their signatures are there and those  
17 are the people that live in that neighborhood  
18 and pay taxes, and they are very upset and they  
19 are against it.

20 I am here today against it, to speak  
21 against the project, because of many reasons.

22 First of all, it is the density, the high  
23 density, the overmassing, the giving away of the  
24 alley, the giving away of the parking lot, the  
25 land use change, and it is a land use change,



1           because, I don't know how many people understand  
2           it, it took me a while, but this is an  
3           industrial area.

4           In 1968, this neighborhood was declared, by  
5           the Commission here in this city, to be  
6           low-rise.

7           And the reason they did that was to protect  
8           the neighborhood. And that is the way it stands  
9           now.

10          It is industrial, and each particular site  
11          plan has to come before this Board, the  
12          Commission, to be approved, because it is  
13          actually, right now, commercially zoned and it  
14          is low-rise, and it is industrial.

15          And, in order to put a project like this,  
16          they have to put this mixed-use overlay into  
17          place.

18          And, that is what you are voting on  
19          tonight, the mixed-use overlay.

20          There was a lot of questions, a lot of  
21          things going on.

22          Mr. Damian did a wonderful job. I know you  
23          people.

24          I want to ask Mr. Riel, though, about the  
25          Gables Gateway. I wanted to go back to that,



1           because I have been on this project and talking  
2           to many City officials, and I was told, about  
3           six weeks ago, that the Gables Gateway project  
4           was absolutely gone from this picture and the  
5           developers picked up their plans and they are  
6           not building.

7                     This is what I was told.

8                     Is that correct or not, Mr. Riel?

9                     MR. RIEL: That is through another  
10           department, Building and Zoning, but it is my  
11           understanding that they actually are in the  
12           permitting process right now.

13                    MS. MAROON: No, they picked up their  
14           plans. That is what I was told.

15                    And they are not -- well, why is it that  
16           the pictures aren't up there?

17                    Remember the big posters that were around  
18           the project? They are gone.

19                    MR. RIEL: I really don't know why those  
20           are not there.

21                    MR. BEHAR: Let me just answer that, for  
22           the record.

23                    Again, the pictures are not there because,  
24           unfortunately, the Code does not allow us to put  
25           the pictures on the perimeter of the project.



1           We picked up the -- in fact, we picked up  
2           the plans, because we had to address the  
3           comments that the Building Department, the  
4           different departments within the Building  
5           Department made.

6           Those plans, you are correct, we picked  
7           them up. We addressed the comments.

8           Those plans are going back into the  
9           Building Department for further review.

10          MS. MAROON: But, we don't really know for  
11          sure, right, if that --

12          MR. BEHAR: No, for sure. Let me -- I'm  
13          the architect of the project.

14          MS. MAROON: It is questionable, right?

15          MR. COE: He knows for sure. He knows for  
16          sure.

17          MR. BEHAR: No, it is not questionable.  
18          Please understand, it is not questionable.

19          MS. MAROON: Okay. But, until the plans  
20          are actually back at City Hall, it is still a  
21          question in my mind.

22          So, that being said, yes, that being said,  
23          because, let me explain. We are in a recession  
24          here.

25          You have heard people talk about protecting



1           their neighborhoods, but I want to know how  
2           people in this day and age can actually continue  
3           to put projects like this when we are in a  
4           recession.

5                     This is serious, and I just wanted to go  
6           through a couple of points, just for a little  
7           wake-up call here.

8                     And this is what has been in the paper. We  
9           are in a recession. Job loss is confirmed at  
10          6.5 percent of the jobless rate. That is what  
11          is happening here.

12                    We have things going on with the car sales,  
13          the GM is down 45 percent. They are letting off  
14          3,000 people.

15                    The consumer confidence has hit an all time  
16          low.

17                    10.1 million people now are unemployed, and  
18          it is going to get worse.

19                    Employment has fallen by 1.2 million.

20                    CHAIRMAN KORGE: Ms. Maroon --

21                    MS. MAROON: No, I just want to finish,  
22          please, because this is critical here.

23                    In ten months over 2008, and most of all  
24          for the last three months, we have had nothing  
25          but a decline and that is why we are in a



1 recession.

2 Job losses continue in manufacturing, in  
3 construction, and service-providing industries.

4 Our own Miracle Mile has suffered a  
5 terrible setback.

6 Just in case people didn't see this, two  
7 weeks ago, we have now on Miracle Mile a very  
8 bad situation, because as of a year ago, we had  
9 more than now, today, over half of vacancies  
10 than it was a year ago.

11 We have 26 vacancies alone on Miracle  
12 Mile.

13 We are down 20 percent of the sales of the  
14 retail market.

15 When I took a ride today over to 4100  
16 Salzedo Street, which is called Village Place --  
17 I know you all have seen it. It is that huge  
18 brown and pink building.

19 The retail on the bottom is totally empty.  
20 It is a mixed-use project, right behind the  
21 Village of Merrick Park. It is all empty. We  
22 have nothing but empty retail stores.

23 And I don't understand how we can go on  
24 with this.

25 The banks are down. There is no mortgages



1           being given.

2                   The Dow Jones is down 13 percent. It went  
3 down in five days.

4                   We have bankruptcies far exceeding -- the  
5 increase is 75 percent of bankruptcies since  
6 2007.

7                   CHAIRMAN KORGE: So I guess your concern,  
8 in this respect, is that we are going to have a  
9 vacant building when it is completed?

10                  MS. MAROON: That's right.

11                   The condominium market is saturated for  
12 four years to the highest level. It is going to  
13 take over four years to bring it back.

14                   And the consumer borrowing fell on an  
15 annual rate of 4 percent in August.

16                  CHAIRMAN KORGE: Ms. Maroon, I think we got  
17 that point.

18                  MS. MAROON: Okay.

19                  CHAIRMAN KORGE: It's pretty clear.

20                  MS. BOLTON: It is very important.

21                  MS. MAROON: It is very important.

22                   It is very important because this is an  
23 economy where people are not loaning money. The  
24 banks are not loaning money.

25                   I am concerned how these people are going



1 to have enough money to finish their project.

2 MR. BEHAR: That's not our concern.

3 MS. BOLTON: And just in case you didn't  
4 see it, it is called a picture is worth a  
5 thousand words here, and this was in October  
6 8th, bankruptcy filings soar. We know this.

7 Job losses confirm recession. This was  
8 November the 8th headlines. It just goes on and  
9 on.

10 AIG rescue grows by billions. Everybody  
11 knows this, because people are businessmen.

12 CHAIRMAN KORGE: Ms. Maroon, I am not sure  
13 that that is the basis on which we could deny an  
14 application.

15 MS. MAROON: Well, it is something I wanted  
16 to bring to your attention, sir.

17 CHAIRMAN KORGE: Thank you.

18 MS. MAROON: Circuit City, Chapter 11 in  
19 the paper today.

20 Why is this -- my point is -- oh, and  
21 absolutely, this is the last one. DHL, they're  
22 letting 8000 employees go.

23 This has to do with the economy because my  
24 concern -- and I will tell you a personal  
25 story.



1           I own property on Southwest 8th Street.  
2           They put up a very large fifteen-story building  
3           right next to -- adjacent to my property.

4           And I want to tell you, those developers  
5           ran out of money and that building is abandoned  
6           and there are homeless people living there.

7           I also own property on Ponce de Leon  
8           Boulevard. I have two tenants that already went  
9           out and two or three or four more on the way  
10          out.

11          So, I don't understand how we, we the  
12          people, the powers that be, can continue to  
13          allow condominiums, when the market is  
14          saturated, how they can allow more retail when  
15          there's people that are hanging on by a thread,  
16          going out of business every single day.

17          I am in the real estate business. I own  
18          property.

19          Every day we get calls from people, "We  
20          can't afford to pay our rent."

21          So, let's be realistic. How can this City  
22          continue to go on and put up, put up more  
23          condominiums that no one is going to buy, more  
24          offices that nobody is going to rent or purchase  
25          and no more rental space that no one is going to



1 put their businesses.

2 So, this is serious.

3 We don't want an abandoned project in our  
4 neighborhood, and it is a possibility because of  
5 this recession.

6 And going back to the park, it is supposed  
7 to be something that is going to be utilized.

8 I was told by one of the people here, in  
9 this building, a City official, that that park  
10 was only going to be for this project, because  
11 it was going to be behind the building.

12 It is not going to be really accessible to  
13 the public.

14 And, let's face it, we know it is not going  
15 to be.

16 How are you going to make a park?

17 This land that they are going to give away  
18 is 6,000 square feet, so, how are you going to  
19 make a part out of that?

20 You talk about Merrie Christmas Park. My  
21 kids used to go there too, when they were  
22 little.

23 That is a beautiful park. It is acres and  
24 acres. When you think of a park, you think of  
25 acres and acres.



1           And that's what we are concerned with  
2           because that is supposed to be the trade-off for  
3           this mixed-use overlay, and we don't see it that  
4           way.

5           So we have many concerns, and like I said,  
6           we are here tonight to make an appeal to you  
7           people.

8           Ten stories, would you like to live across  
9           the street from ten stories, because let me tell  
10          you, at the top of that ten-story building, they  
11          are going to be looking down into our  
12          neighborhood.

13          And I don't think any of you people would  
14          like to have that in your home, in your swimming  
15          pool or your patio with people looking up.

16          Who knows what's going to be going on?

17          CHAIRMAN KORGE: Okay. Thank you very  
18          much.

19          MS. MAROON: Thank you very much for your  
20          time, sir.

21          MS. MENENDEZ: Concepcion?

22          CHAIRMAN KORGE: Call the next witness,  
23          please.

24          MS. MENENDEZ: Concepcion?

25          Robert Roark.



1           MR. ROARK: Hi. My name is Robert Roark.

2 I live at 604 Cadima.

3           I just have one question.

4           And that is I have heard a lot about the  
5 fact that this new and improved alleyway is  
6 going to be 50 percent bigger, but my question  
7 is, who is going to own that alleyway?

8           Is it going to be the City or the people of  
9 Coral Gables, or is it going to be the  
10 developer?

11          MS. BOLTON: The developer.

12          CHAIRMAN KORGE: Ms. Russo, do you want to  
13 explain the ownership of the land and the use of  
14 the alleyway?

15          MS. RUSSO: The ownership of the land will  
16 be part of DYL.

17          But the point we were trying to --

18          CHAIRMAN KORGE: Excuse me for  
19 interrupting. Who owns the land on which the  
20 current alleyway exists?

21          MS. RUSSO: The current alleyway is owned  
22 by the City.

23          MS. BOLTON: The people.

24          CHAIRMAN KORGE: Okay. I am sorry, I  
25 didn't mean to interrupt you.



1 Do you have any --

2 MR. ROARK: That was it.

3 CHAIRMAN KORGE: That was it? Okay.

4 MS. MENENDEZ: Wayne Block.

5 MR. BLOCK: Members of the Board, Madam  
6 City Attorney, my name is Wayne Block.

7 I have lived at 600 Blue Road for the last  
8 twenty years, been a resident of South Florida  
9 for thirty years, and been coming down for forty  
10 years.

11 I work at the University of Miami. I have  
12 been in the real estate business for about 25  
13 years down here.

14 We have all seen a lot of changes.

15 I came here with an open mind tonight. I  
16 still have a major question, in my mind, in  
17 terms of how this property is really zoned.

18 If it is purely industrial, I will object  
19 to this project.

20 I think that it is a very creative way to  
21 put a square peg in a round hole and I applaud  
22 them for it.

23 But, I think it is misplaced. I think it  
24 is the wrong area.

25 And I think that you, as stewards of Coral



1 Gables, have the duty to preserve the integrity  
2 and the wonderful environment of Coral Gables,  
3 because it is a special city. It is something  
4 that, really, you don't find anywhere else in  
5 this -- or very few places in the United States.

6 However, that being said, I am also  
7 confused as to whether they, the developer and  
8 the owner, has an as of right ability to rebuild  
9 this property, and, thus, achieve what they  
10 otherwise are trying to achieve with the  
11 project.

12 If they can actually build up to six or  
13 eight or ten stories -- I think maybe the devil  
14 that I know is better than the devil that I  
15 don't.

16 So, in the long run, at the end of this  
17 evening, with those questions pending, because  
18 there is a dispute between both sides as to what  
19 is the actual zoning, but with that in mind, I  
20 just ask you to look at this, and I know that  
21 this is a potentially lucrative project for the  
22 City, an income with a big tax base and a lot of  
23 money coming to the City.

24 And I hope that, in the light of what is  
25 going on in our City, and in light of what is



1           going on in our County with respect to Miami  
2           Beach, Downtown, Brickell, you see what is  
3           happening. I hope we don't join that.

4                     I hope we use -- again, as stewards of  
5           Coral Gables, judge this project and evaluate it  
6           in terms of maintaining the integrity of Coral  
7           Gables and not selling out, like I think many  
8           parts of the County have.

9                     So, again, I am on the fence on this,  
10          pending the resolution of the zoning. If it is  
11          industrial, I object.

12                    MR. AIZENSTAT: Say that again, please.

13                    MR. BLOCK: If it is a truly industrial,  
14          and they don't have an as of right --

15                    CHAIRMAN KORGE: To go up as high.

16                    MR. BLOCK: So it is not commercial, to go  
17          up, I object to it as being the wrong place, the  
18          wrong time.

19                    And, again, a creative way to take a very,  
20          very difficult property, and I understand how  
21          difficult this particular property is to  
22          develop.

23                    And they have creatively tried to do that,  
24          and maximum the use. I applaud that.

25                    But, it is the wrong time, it is the wrong



1 area and, you know, from a selfish standpoint --  
2 and maybe at the end of the day, 500 or 600  
3 residents of Coral Gables don't amount to a hill  
4 of beans, because it's really, at the end of the  
5 day, I am walking my dog, enjoying my  
6 neighborhood, and looking up at a ten-story  
7 building.

8 That's not what I moved to Coral Gables  
9 for. That is not why I wanted to be here for  
10 twenty years, and I think maybe I represent the  
11 five or 600 people in the community in terms of  
12 the -- you know, the quality of life that we  
13 came to Coral Gables for.

14 But, if they have the right to do it, I  
15 would rather that project be consistent with the  
16 integrity of Coral Gables and the Mediterranean  
17 design, and everything like that.

18 So, I leave that up to you, the stewards of  
19 our neighborhood.

20 CHAIRMAN KORGE: Thank you.

21 MS. MENENDEZ: Residents of 421 Cadima  
22 Avenue, and the last speaker would be resident  
23 of 545 San Antonio.

24 MS. MAROON: What's the address?

25 MS. MENENDEZ: 545 San Antonio.



1           MR. RIEL: We couldn't discern the name of  
2           the person that signed up, so she is just  
3           reading the address.

4           MS. MAROON: 545 San Antonio?

5           MS. MENENDEZ: Yes.

6           MR. AIZENSTAT: Yes, ma'am. Can you state  
7           your name, please?

8           CHAIRMAN KORGE: State your name and  
9           address for the record, please?

10          MS. HARRISON: 545 San Antonio.

11          MR. AIZENSTAT: No, your name.

12          MS. HARRISON: Yvonne Harrison.

13          MR. AIZENSTAT: Thank you, ma'am.

14          MS. HARRISON: I think George Merrick is  
15          doing whirlygigs in his grave if he's listening  
16          to these so-called improvements.

17          No, my only comment is, I live at 545 San  
18          Antonio, which dead-ends into Riviera,  
19          immediately west of the high school.

20          And it is pure unadulterated murder at 7:00  
21          o'clock in the morning at all from 2:00 o'clock  
22          on in the afternoon, plus a lot of other times,  
23          when the traffic is absolutely incredible.

24          You can't even see or get out. You can't  
25          get out of the area, and to have that big



1 complex and down there, going down, if you try  
2 to go downtown during the afternoon, the traffic  
3 is so horrible. As you are leaving LeJeune and  
4 getting onto US 1, it is impossible.

5 And the same way coming back, you can't get  
6 back onto Bird Road -- I mean, onto LeJeune and  
7 to get back onto where I live by the high  
8 school.

9 So, I think a huge complex would be a very,  
10 very poor idea because of the additional  
11 traffic.

12 Thank you.

13 CHAIRMAN KORGE: Thank you, ma'am.

14 Is that the end?

15 Okay, that is the end.

16 That closes the public portion of our  
17 testimony here.

18 MR. GARCIA-SERRA: Good evening, Mr.  
19 Chairman, Members of the Board, my name is Mario  
20 Garcia-Serra with offices at 1221 Brickell  
21 Avenue.

22 I am part of the applicant's project team,  
23 co-counsel along with Ms. Laura Russo, and I  
24 just wanted to see if we could take advantage of  
25 those few minutes that we reserved for rebuttal



1 to respond to some of the arguments that came up  
2 during the presentation of the neighbors and Mr.  
3 Damian.

4 It shouldn't be more than five minutes.

5 And it is pretty much five arguments that I  
6 have summarized, I think, that take up the gist  
7 of what the neighborhood is, what the neighbors  
8 and their representatives are stating.

9 And their first argument is one that  
10 basically says that this is not an improvement  
11 to the area and that this is not a mixed-use  
12 project.

13 Now, several of you were on this Board when  
14 we went through the mixed-use overlay district  
15 adoption.

16 And you realize that since the early  
17 1990's, the Comprehensive Plan of the City of  
18 Coral Gables has called for the industrial  
19 district to be converted into a mixed-use  
20 village.

21 That has been around since '90, '92, around  
22 there.

23 In 2005, is when the actual amendments were  
24 made, actually 2004, I believe, the actual  
25 amendments were made to the Code to create this



1 mixed-use district and what you have right now,  
2 the underlying zoning still exists, because they  
3 didn't want to deprive -- the City did not want  
4 to deprive the property owners of their  
5 development rights.

6 So, what you have is the underlying zoning,  
7 which, depending on the property, is either  
8 industrial, commercial or mixed, and a mixed-use  
9 overlay.

10 A mixed-use overlay permits you to develop  
11 a mixed-use project which includes a residential  
12 use.

13 And, what is before you tonight is  
14 mixed-use site plan approval.

15 That ordinance required that any mixed-use  
16 project that included a residential component  
17 had to have a site plan approval by this Board  
18 and by the City Commission.

19 So, what you have before you tonight is,  
20 essentially, an as of right project, pursuant to  
21 the mixed-use district regulations which  
22 requires site plan approval.

23 We are not looking at a rezoning here. We  
24 are not looking at a variance.

25 The same project could be built without the



1 approval of this Board or the City Commission as  
2 an industrial or commercial project requiring  
3 only Board of Architects' approval.

4 We've wanted to do a sincere mixed-use  
5 project which has a residential component  
6 fulfilling the vision of the Comprehensive Plan,  
7 and that is why we are going through this  
8 process tonight.

9 But it is very important to note that we  
10 are not asking for any sort of variances,  
11 rezonings. This is a site plan approval.

12 The next argument, essentially, is that  
13 this project is larger than permitted as of  
14 right and out of context with the neighboring  
15 development.

16 I think everybody would recognize that this  
17 is not the most aesthetically pleasing part of  
18 the City of Coral Gables. It is an area that  
19 needs improvement, has been improving, and that  
20 this project will help to continue that  
21 improvement.

22 As I said it before, when I was addressing  
23 the previous argument, the same size project  
24 could be done without a need to have to go  
25 through the Planning and Zoning Board and the



1 City Commission approval.

2 What we are looking to do is a sincere  
3 mixed-use project here. The other argument, of  
4 course, is with the alley vacations.

5 And for the attorneys that are on our  
6 Board, you will remember from real estate law,  
7 that when an alleyway is dedicated, it is  
8 dedicated by the abutting property owners for a  
9 right-of-way purpose.

10 And, essentially, that is how this alley  
11 was created. The alley is there to service a  
12 right-of-way, but primarily to service the  
13 building.

14 And what we are asking for tonight, this  
15 alley vacation, is governed by a process, a  
16 process that is established in the Code and has  
17 certain criteria.

18 And what that criteria requires that you  
19 satisfy the need for a public right-of-way in  
20 another manner, and that is exactly what we are  
21 doing, by essentially relocating the service  
22 drive of the alley of this property from where  
23 it is now, and incorporating it into the  
24 project.

25 There has also been loud objections to the



1 proposed City park, and a question of why there  
2 hasn't been further design and so forth included  
3 for this park.

4 The important thing to point out is that  
5 there is not a proposed plan for this park,  
6 because it is going to be a City park.

7 This is not a park of the developer. This  
8 park will be like any other City park, and for  
9 that reason the City specifically requested that  
10 we not provide a design, because the design  
11 would later be done by the city staff.

12 And, of course, the construction and the  
13 cost of that design would be funded by us.

14 But it is not an attempt here to try to  
15 disguise green space for the development as a  
16 City park.

17 This is a park which will be open to the  
18 citizens, and designed by the citizens and  
19 created for the use of the citizens.

20 Lastly, there was argument saying that, you  
21 know, the market is not a very good real estate  
22 market right now, we are in a recession and  
23 economic times are difficult.

24 Number 1, of course, the response to that  
25 argument is a jurisdictional issue.



1           This Board is not here to be the business  
2           advisor to my client.

3           Whether it is a good decision or a bad  
4           decision, business wise, is left up to him, not  
5           necessarily this Board, which has other criteria  
6           by which to govern their decision.

7           From a policy perspective, I would say we  
8           should be grateful to have somebody in these  
9           difficult economic times, that is willing to  
10          invest in the City of Coral Gables and make it a  
11          better city.

12          Lastly, by the time this project is  
13          finished, which is probably two years down the  
14          road, we expect that the economic circumstances  
15          would have changed considerably and are more  
16          conducive to completing this project.

17          Lastly, I want to point out, too, that  
18          there was an allegation that there wasn't  
19          sufficient public benefit for all the different  
20          approvals that we are seeking today.

21          And, as you may have noticed in our  
22          presentation, there was a multiple amount of  
23          public benefits that's occurring here.

24          We are going to be financing off-site  
25          streetscape improvements to the tune of about



1           \$750,000.

2                   Those are improvements that are not  
3           occurring anywhere along our property.

4                   The utilities will be underground, will be  
5           installed underground in this area, at a  
6           considerable cost.

7                   There will be traffic improvements, which  
8           were discussed earlier.

9                   The provision of a public park at no net  
10          loss of public parking spaces, because the 34  
11          spaces that are being lost on the parking lot  
12          are going to be in the parking garage of the  
13          building, with several pedestrian paseos,  
14          bicycle racks, bicycle storage, those sort of  
15          things.

16                  So, I would submit to you that this project  
17          is in keeping with the City's long established  
18          goal of making this area a mixed-use area, which  
19          mixed-use doesn't necessarily mean just ground  
20          floor retail and above residential.

21                  For that you need a mix of offices, too,  
22          and other areas, and here we are providing  
23          offices which will be part of the work  
24          component, of the live, work and play,  
25          residential units which will be part of the live



1 component and retail, and the public park, which  
2 will be part of the play component, of having an  
3 area where you can live, work and play.

4 And with that, of course, we are still  
5 available for any questions which you might  
6 have, we have all the project team here.

7 Thank you very much.

8 CHAIRMAN KORGE: Thank you.

9 Any more questions from the Board?

10 No?

11 MR. DAMIAN: Mr. Korge, I know you hear  
12 this all the time.

13 Would you indulge me 60 seconds to make two  
14 comments?

15 CHAIRMAN KORGE: Sure, go ahead.

16 MR. DAMIAN: I just want 60 seconds.

17 If you would turn to staff report, Page 5  
18 of 22.

19 This is the existing zoning on the  
20 property. The applicable designations, the  
21 comprehensive land use map designation, this is  
22 commercial, low-rise intensity, industrial use.

23 That is point one.

24 The only other point I want to make is,  
25 until such time as there has been presented the



1 integration of the park for the public use, I  
2 think, even if you felt that this was going  
3 forward, it ought to be deferred until there is  
4 a presentation of how that park is going to be  
5 used for public purposes.

6 Thank you.

7 CHAIRMAN KORGE: Thank you. I'll open for  
8 a motion or discussion from the Board.

9 MR. COE: We need to have a motion before  
10 discussion, Mr. Chairman.

11 CHAIRMAN KORGE: Yeah, well, we don't have  
12 a motion, so I will open it for discussion and  
13 maybe we will get a motion out of that.

14 MR. FLANAGAN: A couple of questions to the  
15 applicant.

16 When I look at -- I'm looking at Page 29 of  
17 136 of one of your graphics.

18 I look at 29 of 136, and at, probably more  
19 appropriately 37 of 136.

20 CHAIRMAN KORGE: Where?

21 MR. COE: 29 of 136.

22 MR. FLANAGAN: 37 is probably a better  
23 page.

24 MR. COE: You want 37?

25 37 is the schematic of the streets with the



1 project.

2 MR. FLANAGAN: I'm just -- I'm really  
3 trying to get my hand around the massing of the  
4 project. I am trying to go back, at the very  
5 beginning. I think it was Mr. Carlson's  
6 presentation that had the bit of the massing  
7 study, and it seemed to become apparent at that  
8 point that the project to the south seemed to be  
9 a little bit lower.

10 It seemed to be more open and didn't seem  
11 to be so intense, from, I will say, at least  
12 from the western perspective.

13 And when I was looking at your application  
14 packet, it also looks as though -- we heard a  
15 lot of concerns tonight about the massing being  
16 maybe right up against LeJeune, that the -- I  
17 guess it is called the Gables Gateway project to  
18 the south, and not being an architect, I think I  
19 drew a straight line -- it looks as though it's  
20 set back a bit further than this proposed  
21 project.

22 I am wondering if you can address -- I  
23 think that, when I look at this from the site  
24 plan view, and I don't know what architectural  
25 features they have, but it just -- there seems



1 to be more open space and in hearing the  
2 concerns of the neighborhood -- and I think I  
3 heard one applicant say if this was more in line  
4 with Merrick Park, then maybe there wouldn't be  
5 so many objections.

6 And I would also like to hear, what is the  
7 height of Merrick Park, both the parking garage  
8 and the actual development of the buildings  
9 itself, then what is the height of Gables  
10 Gateway versus the height of this project?

11 MS. RUSSO: While he does that, I will  
12 start. Since I was not involved in the  
13 development of Merrick Park, I don't know if  
14 staff can give you the answer.

15 I do not know the height of the Merrick  
16 Park Development. I know what their potential  
17 height is, but I don't know what their height  
18 is.

19 And I do not know the height, but we have  
20 the architect of record for Gables Gateway.

21 He can tell us what the height is for the  
22 Gables Gateway project.

23 MR. BEHAR: That project varies, but the  
24 attorney was here, also, so --

25 (Laughter.)



1           MR. GARCIA-SERRA: You have the attorney of  
2 record for the Gables Gateway project and, Mr.  
3 Flanagan, as you know, from your practice in  
4 every municipality, we have a Comprehensive Plan  
5 and a Zoning Code, and the more restrictive one  
6 governs.

7           Then, in Coral Gables, as far as height is  
8 concerned, the Comprehensive Plan is generally  
9 the more restrictive one.

10          And both properties are similar in that on  
11 the area fronting LeJeune, they have been  
12 designated commercial low-rise, which means that  
13 you can go up to 77 feet in height.

14          And then the industrial portion, which is,  
15 let's say, behind that commercially designated  
16 portion along LeJeune, the rest of the property  
17 is designated industrial, and permits a maximum  
18 height of 99 feet.

19          So, on both projects you reach a maximum  
20 height of 99 feet in the center of, let's say,  
21 the area, whereas fronting LeJeune, you have on  
22 our project, or I should say the DYL project, 77  
23 feet in height.

24          On the Gables Gateway project, there was a  
25 split. The area where the amenities are is 45



1 feet in height.

2 Then there is a slightly higher area, which  
3 goes up to the 77-foot maximum.

4 MR. BEHAR: But, let's make sure it is  
5 clear, and you have explained that, because it  
6 is more of a variation.

7 MR. GARCIA-SERRA: Right.

8 MR. BEHAR: Okay. There is a portion that  
9 went up to 77, but there is a portion that  
10 stayed at 45.

11 MR. GARCIA-SERRA: Right.

12 MR. FLANAGAN: Can I? I'm sorry.

13 The 77 feet of Gables Gateway, is that on  
14 the eastern side, what I call the eastern third,  
15 southern third or the northwestern tip?

16 MR. GARCIA-SERRA: It would be easier if I  
17 could point it out.

18 MR. RIEL: Let me get the zoning map and I  
19 will clarify.

20 MR. FLANAGAN: I understand the concept of  
21 developing, you know, within the development  
22 envelope. I completely grasp that.

23 But, I think, part of the task of a site  
24 plan approval on a conditional use is  
25 compatibility with the area and that is really



1           what I am concerned about.

2           MR. GELABERT-NAVIA:  If I can -- I was told  
3           that if someone can turn on the projector, I can  
4           show --

5           MR. COE:  There it is.  We have it right  
6           now.

7           MR. FLANAGAN:  Is that the massing study?

8           MR. GELABERT-NAVIA:  Yes.

9           MR. BEHAR:  No.  No, it's not.

10          MR. COE:  Look at that gigantic project.

11          MR. AIZENSTAT:  Can I see the City's?  
12          Because the City's looked a little bit different  
13          to me.

14          MR. COE:  This looks even bigger.

15          MR. GELABERT-NAVIA:  First, let me  
16          clarify.  The study that you see here involves  
17          -- we have located our project and we have --  
18          the masses that you see around our project is  
19          what the Zoning Code allows.

20          What the City showed was -- you know, the  
21          rendering that was done of our project, ours was  
22          done with a little more detail than what the  
23          City did, and they only included Gables  
24          Gateway.

25          In this, which is -- was important, because



1           it not only showed that the properties to the  
2           north of Greco can be developed to this height  
3           and it also explains why the park.

4           The park is a pocket park, and I want to  
5           very much reiterate, it is not this project's  
6           park. It is a park for the whole community.

7           Now, regarding your question, Mr. Flanagan,  
8           by Code, and we went through, you know, the  
9           whole process, reviewing it with Planning and  
10          with Zoning, the building, for the first hundred  
11          feet, the properties that, you know, abut  
12          LeJeune can only go to a maximum of 77 feet.

13          So, what happens is, and that is why you  
14          see that the part that faces LeJeune is lower  
15          and it only goes six stories.

16          It was said today that it is ten. It is  
17          not ten. It is not ten anywhere.

18          So, it goes to six stories for the first  
19          hundred feet, plus the alley, and then it can go  
20          up to the 99 feet, which is the eight -- 88  
21          stories.

22          99, I am sorry, 99 feet.

23          MS. RUSSO: 99 feet.

24          MR. GELABERT-NAVIA: 99 stories and -- 99  
25          feet and eight stories.



1 MS. RUSSO: 99 feet.

2 MR. COE: 99 stories?

3 Is this an admission of what the real  
4 project is going to be?

5 I think you need a variance for that.

6 (Laughter.)

7 MR. GELABERT-NAVIA: In terms -- we also,  
8 again, at the suggestion of the Board of  
9 Architects and Planning and Public Works, we  
10 were also asked to open the corners, the ones  
11 that from Greco and Granello face LeJeune, and  
12 open those corners, and introduce landscaping,  
13 which we also did.

14 We are also working with DOT, so that  
15 there's going to be a whole green buffer that  
16 goes all along LeJeune Road.

17 The DYL has also offered that the covered  
18 arcade --

19 CHAIRMAN KORGE: Excuse me, that green  
20 buffer, is that a median strip?

21 MR. GELABERT-NAVIA: No, no. It is what is  
22 now the sidewalk.

23 Besides the landscaping that is there, you  
24 know, DOT, we are working with DOT to make that  
25 landscaping, and then the arcade.



1           The arcade that goes under that same -- in  
2           the project, DYL is offering that so that there  
3           will be -- it is completely, not only available  
4           to the public, but they will insure the City in  
5           case, you know, anything happens in there.

6           So, we are working and we have been working  
7           very, very hard in terms of not only lowering  
8           the heights, breaking down the massing of the  
9           building to work within --

10          MR. BEHAR: And that was originally why I  
11          asked you to explain the project, and that's  
12          going to be one of my comments, and  
13          unfortunately, I think you failed at the time  
14          you did the presentation to indicate that,  
15          because you are converting the sidewalk into a  
16          green space, which is a five-foot sidewalk.

17          MR. BEHAR: You're going to convert the --

18          MS. RUSSO: Adjacent to the public  
19          right-of-way.

20          MR. BEHAR: You're going to bring the  
21          sidewalk within your arcade?

22          MR. GELABERT-NAVIA: Right.

23          MS. RUSSO: That is correct.

24          MR. GELABERT-NAVIA: We are, so that there  
25          will be a completely covered walkway throughout



1 the project.

2 MR. BEHAR: Okay.

3 MS. RUSSO: So, we have street paved roads  
4 right-of-way. Five foot green, which will  
5 normally be the sidewalk.

6 MR. RIEL: Page 36 in your packet, Page 36,  
7 is a section detail of the street.

8 MS. RUSSO: And the sidewalk replacement is  
9 inside the arcade so the sidewalk is actually a  
10 wider sidewalk, because you can walk on any  
11 portion of the sidewalk on LeJeune, it is only  
12 five feet.

13 CHAIRMAN KORGE: So, nobody will be walking  
14 adjacent to the street, they will be walking  
15 within the arcade?

16 MR. GELABERT-NAVIA: Right.

17 MS. RUSSO: That is correct. Where the  
18 sidewalk is will be a green --

19 CHAIRMAN KORGE: All green.

20 MS. RUSSO: All green.

21 MR. GELABERT-NAVIA: Mr. Flanagan, here you  
22 see in the rendering, too, it shows you how far  
23 the setback is, and actually that whole covered  
24 -- that whole area on the roof at the end of  
25 the sixth floor is going to be fully landscaped,



1           and as you can see, we are stepping the building  
2           at the arcade, then it steps back.

3                     It goes to a two-story arcade and then it  
4           steps back, then it goes to the offices, then it  
5           steps back for 110 feet, and then it goes up.

6                     MR. FLANAGAN: Does it step back along the  
7           entire facade?

8                     MR. GELABERT-NAVIA: On the entry.

9                     MR. FLANAGAN: Only on the entry.

10                    Okay.

11                    And I think Mr. Garcia-Serra told me that  
12           Gables Gateway was 45 feet on its northern side,  
13           so the side of Gables Gateway closest to this is  
14           45 feet in height?

15                    And, I understand that where the parking  
16           lot --

17                    MR. BEHAR: The difference, the biggest  
18           difference is that in the Gables Gateway, the  
19           building was set back fifteen feet from the  
20           property line.

21                    MR. COE: Completely different.

22                    MR. FLANAGAN: I have that question that  
23           still hasn't been answered.

24                    MR. BEHAR: That's what you see here.

25                    MR. FLANAGAN: Okay.



1           That is set back fifteen feet?

2           MR. BEHAR: It is a different approach  
3 altogether.

4           MR. FLANAGAN: Okay. And this is set back  
5 from the property line or no?

6           MR. GELABERT-NAVIA: It is not --

7           MS. RUSSO: The arcade is at the property  
8 line.

9           MR. FLANAGAN: The arcade.

10          MR. COE: Zero set back.

11          MR. FLANAGAN: Zero setback is the answer,  
12 thank you.

13          MR. GELABERT-NAVIA: Which is what the  
14 Mediterranean Code calls for.

15                 And as Mr. Behar said, it is a different  
16 project.

17                 And one of the things in here, this project  
18 does not have a front and a back, it has four  
19 fronts.

20          MR. AIZENSTAT: Is there -- Eric, is there  
21 a way to put the massing study that you have  
22 because they have it on a board, so we can take  
23 a look at it?

24          MR. RIEL: The massing study we have is  
25 just existing structures. What they have in



1           their massing study is a potential buildout.

2           MR. COE: It is proposed, which makes it  
3           massively different.

4           MR. AIZENSTAT: Right, but what I see from  
5           the massing study here doesn't depict the  
6           property next door.

7           It depicts what could be built next door as  
8           of right. It doesn't say what they are going to  
9           do or any of the steps, am I wrong at that?

10          MS. RUSSO: Next door to the north?

11          MR. RIEL: I mean, I can go through --

12          MR. AIZENSTAT: Gables Gateway, for  
13          example, which is right next door.

14          MS. RUSSO: To the south.

15          MR. AIZENSTAT: The Gateway has already  
16          been approved, so -- I would like to see -- your  
17          massing study doesn't show the Gateway as what  
18          has been approved or does it?

19          The Gateway is right there, but that  
20          doesn't show me what we approved.

21          MR. RIEL: Let us -- give us a minute.

22          We'll load the model back up, and I'll go  
23          through the heights.

24          MR. COE: Eric, is there anything else  
25          approved in that general area?



1           MR. RIEL: No. The only one that has been  
2 approved --

3           MR. AIZENSTAT: That's why I want to see  
4 what has been approved.

5           MR. COE: You can't, there's nothing else  
6 that's approved.

7           MR. AIZENSTAT: But, I want to see what we  
8 have already approved, the Gateway.

9           MR. COE: It is just -- the Gateway is the  
10 only one I know of.

11           Is there anything else, but the Gateway?

12           CHAIRMAN KORGE: That is what he wants to  
13 see.

14           MR. AIZENSTAT: That's what I want to see,  
15 because the City has already done their massing  
16 according to what has been approved, am I  
17 right?

18           MR. RIEL: Correct.

19           MR. AIZENSTAT: This doesn't show me what  
20 has been approved. This just shows me what  
21 could be built there?

22           MR. GELABERT-NAVIA: I mean, the purpose of  
23 this was, again, to show you what the Code  
24 permits in this area.

25           MR. AIZENSTAT: No, I understand.



1           MR. GELABERT-NAVIA: And again, like it was  
2           said before, the reason we are here is because  
3           of the MXD, not because we are asking you for  
4           additional heights or for variances or anything  
5           of that sort.

6           MR. AIZENSTAT: Can I see that? Can I ask  
7           you to leave that, that one that's up there? I  
8           appreciate it. Thank you.

9           MR. COE: Pick that up so you can see it.

10          MR. FLANAGAN: While they're loading that,  
11          can I ask another question? Regarding what we  
12          call the alley or sometimes the service  
13          entrance, in my mind, that also makes a big  
14          difference.

15          That will, obviously, be privately owned.

16          Ms. Russo, I think you also said that would  
17          be open 24 hours a day, so is that, whatever we  
18          want to call it, service entrance, service  
19          alley, alleyway, whatever it may be, is that  
20          open for the public to use 24 hours a day?

21          MR. GELABERT-NAVIA: Yes. Yes.

22          MR. FLANAGAN: So, at that point, if that  
23          is the case --

24          MR. SALMAN: Are you granting an easement  
25          through that space?



1 MS. RUSSO: There is no -- there is an  
2 easement in terms of traffic. For example, it  
3 has to have an easement for the Waste Management  
4 to utilize it.

5 All servicing of the property, whether they  
6 be deliveries, whether it be Waste Management  
7 picking up the garbage, et cetera, has to --

8 MR. COE: Here it is.

9 MR. AIZENSTAT: Right there.

10 CHAIRMAN KORGE: So, the new one is going  
11 to have an easement that anybody can use?

12 MS. RUSSO: Yeah, an easement or a license  
13 to drive through.

14 MR. FLANAGAN: It seems to make a  
15 difference for the public. I am a huge fan of  
16 alleys. I use them all the time, every time I  
17 can stay off the roadways to try and get around  
18 some of these one-ways in the Gables.

19 If I am driving down Granello then I would  
20 have an unfettered right to loop my way through  
21 to go around to Greco? Say, if LeJeune is  
22 backed up?

23 MR. GELABERT-NAVIA: The answer is yes.

24 MR. FLANAGAN: Okay.

25 MR. GELABERT-NAVIA: And the other --



1 MS. RUSSO: There will be no gates, either.

2 MR. GELABERT-NAVIA: There will be no  
3 gates, and again, we have been working with all  
4 the utility companies, working with Waste  
5 Management, because, again, not only because the  
6 City would want us to do it, but we want to do  
7 it, because we do not want the trucks right on  
8 the side.

9 So, the reason you see all these things  
10 that are here on the inside, frankly, even FPL,  
11 if FPL would have allowed us, which they didn't,  
12 we would have put it inside as well.

13 Because what we wanted, what you see here  
14 in yellow is all retail, and it is --

15 MR. BEHAR: In that sense, you have done a  
16 great job to address all the street frontage.  
17 You really have.

18 At that level you have addressed, you  
19 minimize -- what is your percentage of usable  
20 and non-usable spaces?

21 What I meant by that is usable meaning like  
22 a retail or lobbies versus non-usable.

23 You have got to be like an 85 percent  
24 usable.

25 MR. GELABERT-NAVIA: Yes.



1           And we also, you know, we met with Havana  
2           Harry's and one of the things that they wanted  
3           us to do was that they wanted that, in our  
4           parking, we would have an elevator that when  
5           they came out of the elevator, we would be  
6           facing Havana Harry's, which we have done.

7           So, and again, as was said before, we are  
8           working with Havana Harry's through the  
9           process.

10           Once this thing is completed, it certainly  
11           will, I believe, increase their clientele.

12           MS. RUSSO: It also provides for the  
13           basement, which is the public parking. The  
14           basement is the parking for the retail, and it's  
15           where the replacement surface parking from the  
16           parking lot will be located.

17           It is also set up so that whether it be  
18           Havana Harry's or whether it be somebody using  
19           the retail here or using the retail across the  
20           street, there is more than one way out of the  
21           basement.

22           In other words, there is an elevator out to  
23           LeJeune but there is also one to Greco, and to  
24           Greco.

25           So, it was meant to allow as many access



1 ways for people to use the parking.

2 And all the retail parking, so it won't be  
3 mixed with office parking. All the basement  
4 level is for retail.

5 CHAIRMAN KORGE: Now, the alleyway or  
6 whatever we are calling that --

7 MS. RUSSO: It's called the service way.

8 CHAIRMAN KORGE: -- is there going to be a  
9 separate easement granted?

10 Or how is that going to be reflected, such  
11 that, you know, it could be enforced if someone,  
12 you know, was blocked in the future?

13 MS. RUSSO: Well, I think that we agreed  
14 that it will not be gated, it will not be closed  
15 off.

16 I know that that is something that Mr. Riel  
17 has put in, added as a condition. We can  
18 proffer that as an additional condition that we  
19 will not gate it, so that the access way, the  
20 service way will be open 24 hours a day.

21 CHAIRMAN KORGE: I just want to understand  
22 that we are giving up an alleyway in return for  
23 a service way and that the service way will, in  
24 fact, be available to the public as proffered,  
25 and that it will be enforceable if, for some



1 reason in the future, if that access were  
2 denied.

3 So, I don't care how it is done, as long as  
4 that purpose is accomplished.

5 MR. SALMAN: It could happen very simply.

6 During the life cycle of this building, the  
7 single ownership could change.

8 You could condo the project in different  
9 pieces, in which case some sort of a dedication  
10 of the air right over your parking would be  
11 something I would be looking for.

12 And quite honestly, this also sets an  
13 interesting precedent. We are setting up an  
14 interesting precedent, because we are taking up  
15 an alleyway, we are vacating it.

16 We are creating another access way, but you  
17 are building underneath it, and I don't know  
18 where -- and the only other building that I know  
19 that exists in Coral Gables where actually they  
20 have building underneath the right-of-way is the  
21 David William.

22 So, this is the second situation that I  
23 know of where we are going to have a private  
24 building, under what will be a public  
25 right-of-way.



1 MS. RUSSO: SunTrust used to have a  
2 building under it. There was a tunnel that  
3 connected the SunTrust to its drive-through  
4 tellers. I don't know if you remember.

5 MR. SALMAN: Here in the Gables?

6 MS. RUSSO: In Coral Gables, on Miracle  
7 Mile, SunTrust and the building to the south  
8 were connected underneath the right-of-way.

9 MR. SALMAN: Okay.

10 MR. AIZENSTAT: If you are saying by  
11 right-of-way, does that mean that you -- you are  
12 not dedicating that property back to the City?

13 I just want to be clear.

14 You are going to retain ownership.

15 MS. RUSSO: Correct.

16 MR. AIZENSTAT: Now, by retaining  
17 ownership, does that mean they are going to be  
18 paying taxes on that property?

19 MS. RUSSO: That is correct.

20 MR. AIZENSTAT: So, Ms. Bolton, just in  
21 theory, from what I am listening to, the City  
22 would be giving up an alley, which is used to  
23 service the buildings that are currently there.

24 It is not so much used for cars to drive  
25 through, back and forth.



1           By -- in return for giving up that alley,  
2           they are still creating an ingress and egress  
3           from both sides, but at the same time they are  
4           creating revenue, both to the County, the City,  
5           the schools, that can, in turn, be used to  
6           better facilities or whatever --

7           CHAIRMAN KORGE: Right, but what I want to  
8           be sure of is, if the City Attorney is  
9           comfortable that the access way, however it is  
10          designated, is enforceable by the public in  
11          perpetuity.

12          If, for example, a hundred years from now,  
13          assuming this building were actually approved  
14          and built, and, you know, somebody came along  
15          and said we are going to just knock down the  
16          building and rebuild something else, that they  
17          would have to go through the process and if they  
18          are going to substitute with another access way,  
19          they would have to get our approval for that as  
20          well.

21          MS. HERNANDEZ: Right, what we would do is  
22          require a right of reverter in the documents and  
23          so --

24          MS. RUSSO: We can do an easement. We've  
25          just spoken to our client, and we're happy to do



1 an easement.

2 CHAIRMAN KORGE: I don't care -- I mean, I  
3 don't want to tell you how to do it.

4 MS. HERNANDEZ: We would -- right, we would  
5 require a right of reverter in case they changed  
6 it, but however, they haven't presented their  
7 proposal to my office, so I have not been asked  
8 by the City Commission to advise on it.

9 As soon as they do, I'm sure that we will  
10 review all the documents and make a  
11 recommendation.

12 CHAIRMAN KORGE: I just wanted to express  
13 that concern about that.

14 I don't know how it would be addressed, and  
15 I don't propose to take that role, how to do it.

16 MS. RUSSO: In terms of having the access  
17 way open, I am happy to work with the City  
18 Attorney's office, whether it be by easement  
19 conditions or a declaration of restrictive  
20 covenant.

21 CHAIRMAN KORGE: The only thing I would say  
22 is that I would to want the City Attorney to be  
23 satisfied.

24 MS. RUSSO: Absolutely. There are numerous  
25 ways it can be done.



1           MR. AIZENSTAT: Ms. Bolton, you want to  
2           make a comment?

3           MS. BOLTON: Yes.

4           MS. RUSSO: I think there are numerous ways  
5           it can be worked out legally.

6           CHAIRMAN KORGE: The public testimony is  
7           done. We will be here all night if we keep  
8           taking testimony.

9           So, let's keep going with this.

10          Was there a motion?

11          MR. COE: Mr. Chairman, before we keep  
12          going, I want to point out the City of Coral  
13          Gables rules, it is 9:00 p.m.

14          I move, therefore, pursuant to those rules,  
15          that we adjourn. Time has elapsed.

16          CHAIRMAN KORGE: Is there a motion to  
17          extend?

18          MR. COE: I move that we adjourn, Mr.  
19          Chairman. It is not open --

20          CHAIRMAN KORGE: Motion for adjournment.

21          Is there a second on that?

22          MR. SALMAN: Second.

23          CHAIRMAN KORGE: Second on the motion to  
24          adjourn.

25          Any discussion on the motion to adjourn?



1 MR. COE: Call the question, Mr. Chairman.

2 CHAIRMAN KORGE: No discussion.

3 Call the question on the motion to  
4 adjourn.

5 MS. MENENDEZ: Jeff Flanagan?

6 MR. FLANAGAN: No.

7 MS. MENENDEZ: Javier Salman?

8 MR. SALMAN: Yes.

9 MS. MENENDEZ: Eibi Aizenstat?

10 MR. AIZENSTAT: No.

11 MS. MENENDEZ: Robert Behar?

12 MR. BEHAR: Yes.

13 MS. MENENDEZ: Jack Coe?

14 MR. COE: Yes.

15 MS. MENENDEZ: Tom Korge?

16 CHAIRMAN KORGE: No.

17 MR. COE: Mr. Chairman, that is three to  
18 three, we are adjourned.

19 MR. BEHAR: No, we've got to call back --

20 MR. FLANAGAN: Are we adjourned or is there  
21 an alternative motion in order?

22 It would be the same, three to three. I  
23 can count.

24 MS. RUSSO: Doesn't the motion fail in a  
25 tie vote?



1 MS. HERNANDEZ: No, not under parliamentary  
2 procedure, so we are adjourned.

3 CHAIRMAN KORGE: We are adjourned, but  
4 Eric, will you -- are we going to bring this  
5 back at the next meeting?

6 MS. HERNANDEZ: Hold on, if we could just  
7 very quickly --

8 Could Mr. Riel please announce when this  
9 will be brought back, as well as all the  
10 remaining items of -- which we have adjourned  
11 on?.

12 MR. RIEL: The next meeting is --

13 MR. COE: December 2nd.

14 MS. HERNANDEZ: No.

15 MR. RIEL: I am sorry, let me check the  
16 date of the next meeting.

17 MR. COE: December 10th.

18 MR. RIEL: The next meeting is December  
19 10th at 6:00 p.m. in this room.

20 MS. HERNANDEZ: I can't hear you. I am  
21 sorry. There is a question.

22 (Inaudible, multiple people talking.)

23 MR. SALMAN: Madam Attorney?

24 MS. HERNANDEZ: Yes, sir.

25 MR. SALMAN: This is a question with regard



1 to the previous item to this one, which was not  
2 on the agenda.

3 MS. HERNANDEZ: I can't -- I can't hear  
4 you. I'm sorry. There's a lot of people  
5 talking.

6 MR. SALMAN: I was informed, during the  
7 presentation, that a division of my firm has  
8 actually submitted a proposal to the City,  
9 regarding a portion of this project, of the  
10 Miracle Mile project.

11 MS. HERNANDEZ: I think it was just  
12 presented. There was no action taken by the  
13 Board.

14 But I appreciate you placing it on the  
15 record, and I will meet with you --

16 MR. SALMAN: I just want to be clear and on  
17 the record.

18 MS. HERNANDEZ: And I will meet with you to  
19 discuss any potential issues that will come  
20 before the Board.

21 Thank you.

22 MR. AIZENSTAT: So, December 10th is our  
23 next meeting.

24 (Thereupon the meeting was adjourned at  
25 9:00 p.m.)



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REPORTER'S CERTIFICATE

STATE OF FLORIDA :  
COUNTY OF MIAMI-DADE :

I, JOANNE CUSTIN, Court Reporter and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did report the City of Coral Gables Planning and Zoning Board Meeting and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel, nor am I financially interested in the action.

Dated this 24th day of November, 2008.

\_\_\_\_\_  
JOANNE CUSTIN, Court Reporter  
Notary Public - State of Florida  
My Commission Number DD499187  
Expires: January 16th, 2010.



