

1 CITY OF CORAL GABLES  
 2 PLANNING AND ZONING BOARD MEETING  
 3 LOCAL PLANNING AGENCY MEETING  
 4 VERBATIM TRANSCRIPT  
 5 CORAL GABLES CITY HALL  
 6 405 BILTMORE WAY, COMMISSION CHAMBERS  
 7 CORAL GABLES, FLORIDA  
 8 WEDNESDAY, AUGUST 13, 2008, 6:00 P.M.

9 Board Members Present:

10 Tom Korge, Chairman  
 11 Eibi Aizenstat, Vice-Chairman  
 12 Robert Behar  
 13 Jack Coe  
 14 Pat Keon  
 15 Cristina Moreno  
 16 Javier Salman

17 City Staff:

18 Eric Riel, Jr., Planning Director  
 19 Walter Carlson, Assistant Planning Director  
 20 Lourdes Alfonsin Ruiz, Assistant City Attorney  
 21 Scot Bolyard, Planner  
 22 Jill Menendez, Administrative Assistant  
 23 Fred Couceyro, Parks & Recreation Director

24 Also Participating: Page

25 Laura L. Russo, Esq., 76  
 Russo & Baker, P.A.,  
 On behalf of the Applicant.  
 Patrick Valent 77  
 Talbot W. Trammell 102  
 Stanley Davidson 112  
 Henry Pino 118  
 Nita Yeung 119  
 Henry Paper 120  
 George Prendes 123

1           THEREUPON:

2                   The following proceedings were had:

3                   CHAIRMAN KORGE: We have a quorum.

4                   MR. COE: It's six o'clock.

5                   MR. AIZENSTAT: Eric, is that clock  
6                   right?

7                   MR. COE: His clock is five minutes  
8                   slow.

9                   MR. CARLSON: It's five minutes of.

10                  MR. COE: It is six o'clock.

11                  CHAIRMAN KORGE: Well, we have a  
12                  quorum. We need to get going because --  
13                  Jack, you have to be out of here at  
14                  7:30; is that correct?

15                  MR. AIZENSTAT: I thought you said  
16                  6:30.

17                  MR. COE: 7:30.

18                  MR. AIZENSTAT: Oh.

19                  MR. COE: It's bad enough.

20                  CHAIRMAN KORGE: I see we have a  
21                  quorum, so let's call the roll, please.

22                  MS. MENENDEZ: Eibi Aizenstat?

23                  MR. AIZENSTAT: Here.

24                  MS. MENENDEZ: Robert Behar?

25                  MR. BEHAR: Here.

1 MS. MENENDEZ: Jack Coe?

2 MR. COE: Here.

3 MS. MENENDEZ: Pat Keon?

4 Cristina Moreno?

5 Javier Salman?

6 MR. SALMAN: Here.

7 MS. MENENDEZ: Tom Korge?

8 CHAIRMAN KORGE: Here.

9 The first item on our agenda is  
10 election; is that right?

11 MR. RIEL: Yes.

12 MR. COE: What?

13 MS. ALFONSO RUIZ: Election.

14 (Thereupon, Ms. Moreno arrived.)

15 CHAIRMAN KORGE: Oh, Cristina has  
16 just arrived. Please note that for the  
17 record.

18 MR. COE: Can we defer this till  
19 next month, Mr. Chairman?

20 CHAIRMAN KORGE: There's a motion  
21 to defer. Can we -- are we allowed --

22 MR. BEHAR: I second the motion.

23 MR. RIEL: I mean, if you have a  
24 full Board tonight, later on this  
25 evening, I mean, before 7:30, I suggest

1                   you vote on it, because it might not --  
2                   next month, we might not have a quorum.

3                   CHAIRMAN KORGE: Okay. All right,  
4                   well --

5                   MR. RIEL: The Board --

6                   MR. COE: Then defer it to the end.

7                   CHAIRMAN KORGE: We'll defer that  
8                   till later.

9                   The next item on the agenda is  
10                  approval of the minutes for the  
11                  meeting of --

12                  MR. COE: So moved, Mr. Chairman.

13                  CHAIRMAN KORGE: -- May 28th. It's  
14                  moved.

15                  MR. BEHAR: Second.

16                  CHAIRMAN KORGE: Seconded. Is  
17                  there any discussion?

18                  No discussion. Let's call the  
19                  roll, please.

20                  MS. MENENDEZ: Robert Behar?

21                  MR. BEHAR: Yes.

22                  MS. MENENDEZ: Jack Coe?

23                  MR. COE: Yes.

24                  MS. MENENDEZ: Cristina Moreno?

25                  MS. MORENO: Yes.

1 MS. MENENDEZ: Javier Salman?

2 MR. SALMAN: Abstain. I wasn't  
3 here.

4 MS. MENENDEZ: Eibi Aizenstat?

5 MR. AIZENSTAT: Yes.

6 MS. MENENDEZ: Tom Korge?

7 CHAIRMAN KORGE: Yes.

8 We're going to change the order of  
9 the agenda a little bit, at the request  
10 of Mr. Behar, and take --

11 MR. AIZENSTAT: Wait. Can I just  
12 interject a second?

13 CHAIRMAN KORGE: Yes.

14 MR. AIZENSTAT: Javier, you said  
15 you were not here for the May meeting?

16 MR. SALMAN: Was there a meeting in  
17 between?

18 MR. AIZENSTAT: It has you here, as  
19 in present.

20 MR. SALMAN: I thought there was a  
21 meeting in between that I may have  
22 missed.

23 MR. AIZENSTAT: So I just want to  
24 correct that, if that's the case.

25 MR. SALMAN: It was my

1                   understanding that there was a meeting  
2                   held between the 28th and today.

3                   MR. COE:    It shows you present.

4                   MR. AIZENSTAT:  Yeah, that's why I  
5                   brought it up.

6                   MR. BEHAR:  He might have been here  
7                   but --

8                   MR. SALMAN:  I rarely miss.  Maybe  
9                   they just, out of habit, put a P.

10                  MR. COE:  Oh, I see.  It doesn't  
11                  show May 28th.  Oh, I got it.

12                  MS. MORENO:  You were here, because  
13                  you're quoted in the minutes.

14                  MR. SALMAN:  Am I?

15                  MS. MORENO:  Yes.

16                  MR. SALMAN:  Okay.  Well, then, I  
17                  guess I was here.  I thought -- I'm  
18                  sorry, I didn't look at the date.  I  
19                  thought it was a meeting between --

20                  CHAIRMAN KORGE:  Would you like to  
21                  change your vote?

22                  MR. SALMAN:  I'll change my vote to  
23                  here, yes.

24                  CHAIRMAN KORGE:  Thank you.  Thank  
25                  you very much.

1                   So we're going to move to -- The  
2                   items to the front will be the zoning  
3                   text amendment for parking lifts, and  
4                   there was a change of Land Use Plan map  
5                   for certain parks or recreational  
6                   facilities.

7                   MR. RIEL: Mr. Chair, the only  
8                   thing I would say on the zoning text  
9                   amendment, the Parking Director is not  
10                  here, and he's the one that's going to  
11                  be presenting that one.

12                 CHAIRMAN KORGE: Okay. So let's  
13                  start with the other.

14                 MR. COE: We're going to 073-P?

15                 CHAIRMAN KORGE: This is Item  
16                  Number -- Is this Item Number 7?

17                 MR. RIEL: Seven.

18                 MR. COE: Yeah, 073-P.

19                 CHAIRMAN KORGE: Application Number  
20                  07-08-073-P.

21                 MR. BOLYARD: Could you please  
22                  start the PowerPoint?

23                 Good evening, Mr. Chair, Members of  
24                  the Board. Before you tonight, we have  
25                  some map amendments for City public

1 parks. The request includes a change to  
2 the Comprehensive Land Use Plan map  
3 designations and a change in zoning  
4 district map classifications, to correct  
5 existing inconsistent map designations  
6 for the following parks: Rotary  
7 Centennial Park, San Sebastian Park and  
8 Maggiore Park.

9 These include a change of land use  
10 from Residential Use, Single-Family, Low  
11 Density, to Parks and Recreational Use,  
12 and a change of zoning district from  
13 Single-Family Residential to the  
14 Special -- to S, Special Use, which is  
15 appropriate for our park use.

16 Here's the location of the Rotary  
17 Centennial Park. You can see, it's off  
18 of Ponce de Leon Boulevard, between  
19 Southwest 8th Street and Flagler, and  
20 there's a picture of the aerial.

21 MR. RIEL: Scot, you're going to  
22 need to speak up a little bit more --

23 MR. BOLYARD: Okay.

24 MR. RIEL: -- because it's very  
25 difficult to hear you.

1 MR. BOLYARD: All right.

2 This involves a change of land use,  
3 again, from Single-Family to Parks and  
4 Recreational Use. Actually, the change  
5 of land use only occurs on the southern  
6 half of the property, as the northern  
7 half already has the Parks and  
8 Recreational Use designation.

9 For the zoning change, it involves  
10 the entire property. All of it must be  
11 changed to S, Special Use.

12 Here is San Sebastian Park. It is  
13 located just south of Ponce Circle Park,  
14 off of San Sebastian and Ponce. There's  
15 an aerial there of the property. And  
16 this change is two lots, and again, it's  
17 the entire property that has to be  
18 changed from Single-Family, Low Density,  
19 to Parks and Recreational Use, for land  
20 use, and for zoning, again, from SFR to  
21 S, Special Use.

22 Next is Maggiore Park. This is  
23 just south of U.S. 1, off of Riviera  
24 Drive. It's just north of the Chinese  
25 Village. This requires -- again, it's a

1 change of land use, Single-Family to  
2 Parks and Recreational Use. This is the  
3 entire block. It's three lots. And  
4 there's the zoning change, Single-Family  
5 to S, Special Use.

6 The findings of fact include that  
7 the proposal is consistent with specific  
8 Comprehensive Plan Goals, Objectives and  
9 Policies. The proposals would correct  
10 existing nonconforming land use and  
11 zoning designations. It furthers  
12 objectives of the Coral Gables  
13 Partnership Committee, and as a  
14 condition of approval, we're  
15 recommending requiring review and  
16 comments by surrounding property owners  
17 on any improvements proposed on these  
18 public City parks.

19 Staff's recommendation: Staff  
20 recommends approval of the proposed  
21 changes which will bring the land use  
22 and zoning designations of these  
23 properties into conformance with their  
24 current and future intended uses as City  
25 parks.

1                   And the future public hearing  
2                   schedule: It will go to the City  
3                   Commission for first reading on  
4                   September 9th, and then again is  
5                   scheduled tentatively for the second  
6                   reading on October 14th.

7                   I'd be happy to answer any  
8                   questions, and the Director of Parks &  
9                   Recreation, Mr. Couceyro, is here, as  
10                  well.

11                  CHAIRMAN KORGE: Are there any  
12                  questions from the Board?

13                  MR. AIZENSTAT: Yeah, there's a  
14                  couple questions I have, if you don't  
15                  mind.

16                  I know that, for example, the  
17                  Maggiore Park was recently acquired.  
18                  Are the other parks recently acquired,  
19                  also? Is that why we're going through  
20                  the land use change right now or --

21                  MR. COUCEYRO: No. From what I  
22                  understand, the Rotary --

23                  MR. RIEL: Fred, give us your name.

24                  MR. COUCEYRO: Sorry. For the  
25                  record, Fred Couceyro, Parks &

1                   Recreation Director for the City of  
2                   Coral Gables.

3                   MR. AIZENSTAT: Thank you.

4                   MR. COUCEYRO: Just as I know the  
5                   facts, the first property of Rotary  
6                   Centennial, which is the northern half  
7                   of the property, was purchased some time  
8                   ago, before I was with the City. The  
9                   second half was purchased approximately  
10                  six or seven years ago, to make that one  
11                  whole park.

12                  San Sebastian was also about five  
13                  or six years ago.

14                  Now, with Maggiore, it was a new  
15                  purchase, so we had to go about this  
16                  zoning plan.

17                  Rotary Centennial, we had started  
18                  on talks for improvements to the  
19                  northern half, to develop a small  
20                  playground, and this is where we were  
21                  aware of the inconsistency in the  
22                  zoning.

23                  MR. AIZENSTAT: What are the -- Can  
24                  you describe each of the parks, what use  
25                  they're going to have within the Parks &

1 Recreation Department?

2 MR. COUCEYRO: Sure. Absolutely.

3 The Rotary Centennial Park, it's a  
4 slightly bigger piece of land, because  
5 it was two residential lots. We are  
6 going to have a small playground. It  
7 will be a two to five type of small  
8 jungle gym, with a walkway and some  
9 benches. It's been discussed with the  
10 neighbors. That's what they want in  
11 that area.

12 San Sebastian is a very small lot.  
13 It will still operate as a passive park  
14 only.

15 Maggiore, when we purchased it, one  
16 of the requirements that the City  
17 Commission placed on us is to make sure  
18 that we talked with the neighborhood, to  
19 make sure we had a development plan all  
20 ready for that park. We presented that  
21 to the neighbors. That was part of  
22 getting the Commission to approve it.  
23 So that will have a playground with a  
24 walkway around the perimeter of the  
25 triangle and a gated-in area and an open

1 field for play.

2 MR. AIZENSTAT: On the park which  
3 would be the Rotary Centennial Park, are  
4 you also going to have a gated area,  
5 since it's abutting Ponce de Leon, for  
6 the children?

7 MR. COUCEYRO: Yes. Yes, we're  
8 going to gate the play area. The  
9 actual -- it will be a circular area  
10 with the playground in the middle.  
11 There will be a fencing around that  
12 circular area, not around the entire  
13 park.

14 MR. AIZENSTAT: Eric, when we went  
15 ahead and did the land use for the  
16 properties that were non-consistent,  
17 when we were doing the Zoning Code, is  
18 there a reason we didn't look at these  
19 properties at that time?

20 MR. RIEL: I don't -- I don't  
21 recall. I --

22 MR. BOLYARD: Well, some of them,  
23 like -- except for San Sebastian, the  
24 other two, you know, they actually are  
25 consistent with the land use and zoning.

1 We just did not realize that they were  
2 actually being used as parks.

3 MR. AIZENSTAT: Okay, because I  
4 remember we went through a whole list of  
5 parks.

6 MR. BOLYARD: Yeah.

7 MR. AIZENSTAT: Okay. I have no  
8 problem with it. Thank you.

9 CHAIRMAN KORGE: Any other  
10 questions?

11 MR. SALMAN: Through the Chair --  
12 Have you presented to the  
13 communities of each, around these  
14 proposed parks, as to your intended  
15 development plan, then?

16 MR. COUCEYRO: Yes, we -- All three  
17 of the parks, when they became -- when  
18 the City purchased them, there was  
19 meetings with the community. The  
20 development with Rotary, we've had, I  
21 think, three meetings in the past year  
22 about this development.

23 Maggiore, we've had three meetings,  
24 as well, and on the last meeting, I  
25 presented the developed concept, and it

1           was a drawing. It was a conceptual  
2           plan. It wasn't set plans, because we  
3           don't have funding for that at this  
4           moment, and I'm not sure when that's  
5           going to come.

6                     (Thereupon, Ms. Keon arrived.)

7           MR. SALMAN: Okay, and was that  
8           made clear to the residents?

9           MR. COUCEYRO: Yes. They  
10          understood, and it was also made clear  
11          to the Commission that that park, in  
12          order for it to be purchased by the  
13          City, it was going to be a developed  
14          park. That's Maggiore.

15          MR. SALMAN: That answers all my  
16          questions. Thank you.

17          MR. COUCEYRO: Okay.

18          CHAIRMAN KORGE: Just note for the  
19          record that Pat Keon has arrived.

20                     Are there any more questions?

21          MR. RIEL: Mr. Chair, I just want  
22          to enter in the record, we did receive  
23          updated comments since the packet went  
24          out. There's 10 comments received; all  
25          of those, no objection.

1 CHAIRMAN KORGE: Thank you.

2 Any further questions from the  
3 Board?

4 MR. SALMAN: Do you want to  
5 entertain a motion?

6 CHAIRMAN KORGE: Pardon me?

7 MR. SALMAN: Do you want to  
8 entertain a motion?

9 MR. COE: The public.

10 CHAIRMAN KORGE: Well, I'd like to  
11 hear the public.

12 If there's anybody from the public  
13 who wishes to speak on this, please come  
14 forward.

15 Has anybody signed in to speak?

16 No?

17 MS. MENENDEZ: On a different  
18 matter, on a different item.

19 MR. RIEL: Not on this matter.

20 CHAIRMAN KORGE: No, okay.

21 MR. COE: Move Staff's  
22 recommendation, Mr. Chairman.

23 MR. SALMAN: Second.

24 MR. BEHAR: Second.

25 CHAIRMAN KORGE: There's a motion

1 and a second. Is there any discussion?

2 No discussion? Then we'll call the  
3 roll, please.

4 MS. MENENDEZ: Jack Coe?

5 MR. COE: Yes.

6 MS. MENENDEZ: Pat Keon?  
7 Cristina Moreno?

8 MS. MORENO: Yes.

9 MS. MENENDEZ: Javier Salman?

10 MR. SALMAN: Yes.

11 MS. MENENDEZ: Eibi Aizenstat?

12 MR. AIZENSTAT: Yes.

13 MS. MENENDEZ: Robert Behar?

14 MR. BEHAR: Yes.

15 MS. MENENDEZ: Tom Korge?

16 CHAIRMAN KORGE: Yes.

17 The next item is the Zoning text,  
18 Zoning Code text amendment, Article 5,  
19 Development Standards for parking lifts.

20 MR. RIEL: The Parking Director is  
21 still not here.

22 CHAIRMAN KORGE: Still not here?

23 MR. RIEL: No.

24 MR. AIZENSTAT: Is he going to be  
25 coming?

1 MR. COE: Oh, one second,  
2 Mr. Chairman. It just occurred to me --

3 MS. ALFONSO RUIZ: Make two  
4 motions.

5 MR. COE: -- that we need to make  
6 two motions for the 073-P item, since  
7 it's also an LPA, besides the P & Z  
8 Board review.

9 So I will move approval for both  
10 the LPA and for the Planning and Zoning  
11 Board. I think we need two separate  
12 votes.

13 CHAIRMAN KORGE: Well, the first  
14 vote, then, would have been for the  
15 Local Planning Agency; is that correct?

16 MR. COE: Right.

17 CHAIRMAN KORGE: And so are you  
18 moving now --

19 MR. COE: So we need one now for  
20 the P & Z.

21 CHAIRMAN KORGE: So now you're  
22 moving for the Planning and Zoning  
23 Board.

24 Is there a second for the other  
25 motion?

1 MR. SALMAN: I so move.

2 CHAIRMAN KORGE: Any discussion?

3 No discussion? Let's call the roll  
4 on the second motion.

5 Thank you, Jack, for picking that  
6 up.

7 MS. MENENDEZ: Eibi Aizenstat?

8 MR. AIZENSTAT: Yes.

9 MS. MENENDEZ: Robert Behar?

10 MR. BEHAR: Yes.

11 MS. MENENDEZ: Jack Coe?

12 MR. COE: Yes.

13 MS. MENENDEZ: Pat Keon?

14 Cristina Moreno?

15 MS. MORENO: Yes.

16 MS. MENENDEZ: Javier Salman?

17 MR. SALMAN: Yes.

18 MS. MENENDEZ: Tom Korge?

19 CHAIRMAN KORGE: Yes.

20 So we're not ready for the parking?

21 MR. AIZENSTAT: Do we have a way to  
22 get in touch with the Parking Director,  
23 just to make sure everything's okay?

24 MR. RIEL: Yes, we'll do that.

25 MR. COE: Is he coming?

1 MR. RIEL: Yes, he's coming.

2 MR. AIZENSTAT: Jack, do you want  
3 to go ahead and move into the elections,  
4 or do you want to still leave that to  
5 the end, since we don't have the Parking  
6 Director?

7 MR. COE: Well, we can have it  
8 right here. We can do the elections.

9 CHAIRMAN KORGE: Let's do elections.

10 MR. AIZENSTAT: We have a full  
11 quorum, so it's not a bad idea.

12 MR. COE: Yeah.

13 CHAIRMAN KORGE: So we need to  
14 elect Chairman and Vice-Chairman.

15 MR. COE: I nominate Tom Korge as  
16 Chairman.

17 MR. AIZENSTAT: I second.

18 CHAIRMAN KORGE: A motion and  
19 second. Any other motions?

20 MR. COE: Move to close the  
21 nominations and call the roll,  
22 Mr. Chairman.

23 CHAIRMAN KORGE: Any discussion?

24 No discussion. Call the roll,  
25 please.

1 MS. MENENDEZ: Robert Behar?  
2 MR. BEHAR: Yes.  
3 MS. MENENDEZ: Tom Korge?  
4 CHAIRMAN KORGE: Yes.  
5 MS. MENENDEZ: Jack Coe?  
6 MR. COE: Yes.  
7 MS. MENENDEZ: Pat Keon?  
8 MS. KEON: Yes.  
9 MS. MENENDEZ: Cristina Moreno?  
10 MS. MORENO: Yes.  
11 MS. MENENDEZ: Javier Salman?  
12 MR. SALMAN: Yes, but only because  
13 he has a nice tie.  
14 MS. MENENDEZ: Eibi Aizenstat?  
15 MR. AIZENSTAT: Yes.  
16 CHAIRMAN KORGE: And a motion for  
17 Vice-Chairman. Shall I move that one,  
18 Eibi Aizenstat?  
19 MR. BEHAR: Yes.  
20 MR. COE: I would nominate him if  
21 he wants to be Vice-Chairman.  
22 MR. AIZENSTAT: Yes.  
23 MR. BEHAR: And I'll second that.  
24 CHAIRMAN KORGE: Any further  
25 nominations? Any discussion? None?

1                   Let's call the roll, please.

2                   MS. MENENDEZ: Robert Behar?

3                   MR. BEHAR: Yes.

4                   MS. MENENDEZ: Jack Coe?

5                   MR. COE: Yes.

6                   MS. MENENDEZ: Pat Keon?

7                   MS. KEON: Yes.

8                   MS. MENENDEZ: Cristina Moreno?

9                   MS. MORENO: Yes.

10                  MS. MENENDEZ: Javier Salman?

11                  MR. SALMAN: Yes.

12                  MS. MENENDEZ: Tom Korge?

13                  CHAIRMAN KORGE: Yes.

14                  Appointment of the Planning and

15                  Zoning Board member. That's Pat's

16                  position, right, Pat? Are you --

17                  MS. KEON: Yes. How often do you

18                  do that, though?

19                  MR. AIZENSTAT: Once a year.

20                  MR. RIEL: Yes.

21                  MS. KEON: Oh, really? No, I think

22                  it's a two-year thing.

23                  MR. AIZENSTAT: You know, I think I

24                  nominated Pat last year, and I think

25                  she's been great for the Board, and if

1 she would like to remain with us, I'd  
2 love to do it again.

3 MS. KEON: Thank you.

4 CHAIRMAN KORGE: Is there a second  
5 for that?

6 MS. MORENO: I'll second.

7 CHAIRMAN KORGE: Second. Is there  
8 any other name for nomination?

9 MR. COE: Call the question,  
10 Mr. Chairman.

11 CHAIRMAN KORGE: Any discussion?

12 No discussion. Let's call the vote  
13 on that, please.

14 MS. MENENDEZ: Cristina Moreno?

15 MS. MORENO: Yes.

16 MS. MENENDEZ: Javier Salman?

17 MR. SALMAN: Yes.

18 MS. MENENDEZ: Eibi Aizenstat?

19 MR. AIZENSTAT: Yes.

20 MS. MENENDEZ: Robert Behar?

21 MR. BEHAR: Yes.

22 MS. MENENDEZ: Jack Coe?

23 MR. COE: Yes.

24 MS. MENENDEZ: Tom Korge?

25 CHAIRMAN KORGE: Yes.

1 MR. AIZENSTAT: Is the Parking  
2 Director --

3 MR. RIEL: We're calling him right  
4 now.

5 MR. AIZENSTAT: Okay. Should we  
6 then leave that for the end?

7 MR. COE: Well, I think we need to  
8 move on.

9 MR. BEHAR: Move on. At this time,  
10 Mr. Chairman, I will recuse myself --

11 CHAIRMAN KORGE: Okay.

12 MR. BEHAR: -- because I have a  
13 conflict with the next item.

14 CHAIRMAN KORGE: All right.

15 MR. BEHAR: Thank you.

16 (Thereupon, Mr. Behar left.)

17 CHAIRMAN KORGE: Our next item on  
18 the agenda is Application Number  
19 02-07-455-P, Change of Land Use,  
20 Rezoning and Site Plan and Review, for  
21 the project known as 2600 LeJeune Office  
22 Building.

23 MR. COE: So we're clear,  
24 Mr. Chairman, we're sitting both as an  
25 LPA, as well as a P & Z Board; is that

1 correct?

2 CHAIRMAN KORGE: Yes, thank you.

3 MR. CARLSON: That's correct.

4 MR. RIEL: Mr. Chair, we just  
5 talked to the Parking Director.  
6 Unfortunately, he's not going to make  
7 it, so if you'd like, I can give you a  
8 brief presentation.

9 CHAIRMAN KORGE: That would be  
10 fine.

11 MR. AIZENSTAT: If that's -- Should  
12 we get Robert back in here, then, or if  
13 he hasn't left the building yet or --

14 MR. COE: He's left the building.

15 MR. RIEL: Sorry for the confusion.

16 MR. AIZENSTAT: No, that's okay.

17 MR. COE: He probably went home.  
18 He probably went to have dinner.

19 MR. AIZENSTAT: I don't think  
20 Robert's going to like that, though.

21 (Thereupon, Mr. Behar returned.)

22 MR. AIZENSTAT: Eric is going to  
23 do the presentation.

24 MR. RIEL: So this is Agenda Item  
25 Number 8 on the agenda. It's a Zoning

1 Code text amendment regarding parking  
2 lifts.

3 Basically, what this is, is the  
4 City Commission asked the Planning and  
5 the Parking Department to look at  
6 further restrictions and requirements  
7 for parking lifts within developments.  
8 I don't know if you recall, a couple  
9 months ago, a development came through  
10 and had -- I would say probably a  
11 substantial number of parking lifts as a  
12 part of the required parking.

13 That identified an issue for City  
14 Commission, so what they asked is that  
15 Staff go back and look at creating  
16 maximum percentages for parking lifts.

17 The Parking Director went to the  
18 Parking Advisory Board, and the  
19 recommendation that you see there from  
20 Staff is the recommendation that the  
21 Parking Advisory Board recommended.  
22 Staff does recommend approval of it.  
23 Basically, it limits a maximum of 20  
24 percent to the first 50 parking spaces  
25 and 10 percent thereafter, and they're

1           limited to the two-level parking lifts,  
2           and each lift has to be exclusively  
3           controlled by one unit, and that can be  
4           a tenant unit or a residential unit.

5           That's basically the changes. The  
6           other changes on here are just kind of  
7           cleaning up the language, but the  
8           Commission asked us to come forward, and  
9           this is scheduled for August 26th at the  
10          City Commission.

11          MR. AIZENSTAT: Did they mention  
12          anything with sight of the lifts, as far  
13          as -- or do we already have that in the  
14          Code so it's --

15          MR. RIEL: The Code requires that  
16          it be inside the building, if you look  
17          at five, entirely in the confines of the  
18          building and is not visible from the  
19          outside of any portion of the structure.

20          CHAIRMAN KORGE: I noticed that  
21          there's a deletion of Subparagraph 6.

22          MR. RIEL: Six. We deleted that  
23          because that is included in the  
24          Mediterranean Ordinance, regarding  
25          fenestration of parking garages.

1                   CHAIRMAN KORGE:  But would that --  
2                   would this be usable outside of the  
3                   Mediterranean Ordinance, this  
4                   development standard?

5                   MR. RIEL:  It's actually not -- I  
6                   misspoke.  It's not the Mediterranean  
7                   Ordinance.  It's the architectural  
8                   requirements for the City, not the  
9                   Mediterranean.

10                  CHAIRMAN KORGE:  Got you.

11                  MR. RIEL:  That's why we removed  
12                  it.

13                  CHAIRMAN KORGE:  Okay.

14                  MR. RIEL:  It was repetitive.

15                  CHAIRMAN KORGE:  Thank you.

16                  MR. AIZENSTAT:  Eric, if I may, if  
17                  you take these numbers, 20 percent of  
18                  the first 50 and 10 percent after, if  
19                  you go through -- I don't know if you've  
20                  done the exercise, but if you go through  
21                  the projects that have come before us,  
22                  where does it stand?

23                  MR. RIEL:  I didn't run the  
24                  numbers.  It's the Parking Director who  
25                  ran the numbers, unfortunately.

1           I can tell you, when this was  
2           discussed at the Commission, they did  
3           get into some detail in terms of  
4           percentages, 20 and 10, and that's kind  
5           of where we landed with this, and I know  
6           the Parking Director did work out the  
7           numbers.

8           In terms of the projects that have  
9           come through, I couldn't tell you,  
10          because those don't come through my  
11          department for review. They typically  
12          only go through the Zoning Department  
13          and go to the Board of Architects, but  
14          there was just a concern on the  
15          Commission's part that we could  
16          potentially have a development that  
17          could have a hundred percent parking  
18          lifts, although it might not be  
19          feasible, but that could potentially  
20          happen.

21          MS. MORENO: Is your concern that  
22          we're rendering something nonconforming  
23          by this change?

24          MR. AIZENSTAT: Correct.

25          MS. MORENO: And what would be the

1 effect, Eric?

2 MR. RIEL: I'm sorry, I didn't hear  
3 your question.

4 CHAIRMAN KORGE: The question is  
5 whether this might inadvertently be  
6 rendering -- or intentionally, rendering  
7 certain structures nonconforming.

8 MR. BEHAR: Well, this would apply  
9 to any projects after this --

10 MR. RIEL: This is new projects.

11 MR. BEHAR: -- if approved.

12 MS. MORENO: Right.

13 MR. RIEL: Once it's approved, it  
14 only applies to projects that are  
15 then --

16 MS. MORENO: That's correct, but it  
17 renders old projects nonconforming.

18 MR. RIEL: Yes. Yes.

19 MR. AIZENSTAT: How do you -- What  
20 do you do with that?

21 MR. RIEL: Well, I don't know how  
22 many there are, but my guess is, there's  
23 probably not more than 10. That's just  
24 my guess.

25 MR. AIZENSTAT: Didn't we, at one

1           time, have a discussion when we were  
2           going through the Zoning Code on sizes,  
3           that, God forbid, if there was ever a  
4           problem, some natural disaster, and we  
5           had to redo some kind of buildings or  
6           apartment buildings, that they might or  
7           they may not be able to put those  
8           structures back as is?

9           MR. RIEL: That's in the  
10          nonconforming section, and I don't  
11          recall what --

12          MS. MORENO: I believe we addressed  
13          that.

14          MR. RIEL: But that language is in  
15          there. That language is in there  
16          regarding nonconformities.

17          MR. AIZENSTAT: Okay.

18          CHAIRMAN KORGE: Yeah, I would  
19          suggest that before it goes the  
20          Commission that somebody double-check  
21          that, so that --

22          MR. RIEL: Okay.

23          CHAIRMAN KORGE: -- they know.

24          MR. RIEL: We'll do that.

25          CHAIRMAN KORGE: But I guess what

1           you're telling us is, this has been  
2           already reviewed by the departments that  
3           are, you know, responsible for it, and  
4           that's what they're recommending.

5           MR. RIEL: Yes.

6           MR. BEHAR: If you do some numbers,  
7           on a project that would require 300  
8           spaces, it would total approximately 35  
9           spaces, about 11 and a half, 12 percent,  
10          which is, in my opinion, you know,  
11          adequate, not too much either. That  
12          project that came about, you know, a  
13          couple months ago, I think, had like 40  
14          percent lifts.

15          MR. SALMAN: My concern is not one  
16          for large projects. It's actually one  
17          for small projects. I'm thinking of the  
18          small office buildings, at one or two  
19          stories, towards the north end of the  
20          Business District, that will have 10 or  
21          12 parking spaces, and a lot of times  
22          they want to put in these -- these  
23          lifts, to be able to accommodate easier  
24          the amount of people they have inside  
25          the building, and I would allow them to

1           have more if they want, but they can't  
2           count more.

3           MR. BEHAR: Well --

4           MR. SALMAN: I'm thinking of like  
5           an attorney's office, up in the -- north  
6           of Alhambra, where they have 12 parking  
7           spaces and it's about, I don't know,  
8           1,200 square feet of office above a  
9           parking area on a single, you know,  
10          50-foot lot by a hundred, and they're  
11          contemplating putting in extra lifts to  
12          be able to accommodate their staff  
13          there.

14          MR. BEHAR: But as long as they  
15          don't add square footage, you can have  
16          additional parking spaces.

17          MR. SALMAN: I understand that,  
18          but --

19          MR. BEHAR: And that's why you have  
20          to go back, to make sure -- you cannot  
21          add square footage to an existing  
22          building, and if you're looking at it  
23          from a new development and you're going  
24          to do, you know, 5,000 square feet,  
25          you're going to be required, you know,

1           15 spaces, whatever that is. You're  
2           going to do 20 percent of that, three  
3           parking spaces equivalent. If you  
4           provide an additional lift that is  
5           concealed, I don't have a problem,  
6           within the structure, if you have over  
7           and above the required, okay?

8           MR. SALMAN: My concern is that it  
9           makes certain projects unfeasible  
10          because of the size of the lots, because  
11          the number of lift spaces that you would  
12          need to make the building work from a  
13          square footage point of view -- let's  
14          say you wanted to do 3,500 square feet  
15          and build the whole lot, front to back,  
16          with offices. The number of parking  
17          spaces would then be so high that it  
18          would be difficult to accommodate on  
19          that lot, and you would need probably  
20          more than 20 percent.

21          MR. BEHAR: I think the problem  
22          probably came about on that project on  
23          Ponce de Leon that, you know, the small  
24          site being incorporated -- I don't  
25          remember how many, you know, lifts -- to

1 get --

2 MR. RIEL: Seventy-four.

3 MR. BEHAR: Seventy-four. In order  
4 to get more square footage, okay?  
5 That's where the problem will happen,  
6 because then you're going to have an  
7 excess of lifts, which is -- you know,  
8 40 percent would be, in my estimation, a  
9 lot.

10 MR. SALMAN: I'm just trying to  
11 allow people who own single lots the  
12 ability to develop them to their maximum  
13 potential, and right now, currently,  
14 they are really severely limited by the  
15 number of parking, and so they may need  
16 to have more than the 20 percent for  
17 these small lots. I mean, on a 50-foot  
18 lot, you can get a driveway and a  
19 parking row, in a dead-end parking  
20 situation.

21 MS. MORENO: Don't we have an  
22 exception for small lots, or is it just  
23 that in the CBD?

24 MR. SALMAN: Just in the CBD.

25 MS. MORENO: Okay. As I understand

1           it, there are two possibilities. One is  
2           whether or not you count those lifts for  
3           required parking, and what Robert is  
4           suggesting is that if you don't count  
5           them for required parking, you can still  
6           allow them, so that people can do what  
7           Javier is saying and park their staff  
8           without increasing the square footage.

9           MR. RIEL: So you're saying  
10          anything above their required parking  
11          can be put in lifts? Is that what  
12          you're saying?

13          MS. MORENO: Well, I think that's  
14          the way that it reads now.

15          MR. RIEL: No, the way this is  
16          written is all parking.

17          CHAIRMAN KORGE: Right.

18          MS. MORENO: No --

19          MR. RIEL: We -- it says --

20          MS. MORENO: No, it says --

21          MR. RIEL: -- 20 percent parking.

22          MS. MORENO: -- parking spaces in  
23          automated parking systems can be counted  
24          as required parking spaces provided that  
25          all of the following are satisfied, and

1 I think you want some of these to apply  
2 to all lifts and some of it to apply  
3 only with respect to those that are to  
4 be counted --

5 MR. SALMAN: That are counted.

6 MS. MORENO: -- so I think your  
7 drafting in that introductory section  
8 needs to be revised, because Number 2  
9 again talks about required parking.

10 MR. RIEL: The intention was that  
11 no matter the amount of parking above  
12 and beyond the Code, there was a  
13 limitation of 20 percent for the first  
14 50 and 10 percent thereafter. That was  
15 the intent.

16 MS. MORENO: I don't think that --

17 MR. RIEL: If that's not what it  
18 says --

19 MS. MORENO: That's not what it  
20 says.

21 MR. RIEL: -- we can clarify that,  
22 and however the Board --

23 CHAIRMAN KORGE: Sorry, say that --  
24 Repeat that one more time, please.

25 MR. RIEL: If you have a

1 development that is required 35  
2 spaces -- okay, let's take 20 percent of  
3 that amount, so that's --

4 CHAIRMAN KORGE: Seven.

5 MR. RIEL: -- seven spaces -- the  
6 next 15, up to 50, I guess, if they  
7 decide to put 15 more in, could be in  
8 lifts. That's what you're talking  
9 about. That's not what this would  
10 allow. It's 10 percent of the parking  
11 provided.

12 MR. BEHAR: But I'm not sure that  
13 was the intent.

14 MR. RIEL: That was the intent. It  
15 was clearly the intent, absolutely.

16 MS. MORENO: That's not what it  
17 says.

18 MR. RIEL: If that's not what it  
19 says -- but that was the intent of it.

20 MS. MORENO: Okay, so you're saying  
21 that if 35 parking spaces are required,  
22 I cannot put in 50 with additional  
23 lifts?

24 MR. RIEL: Correct. Correct.

25 MS. MORENO: Okay. If that's what

1                   you want, then that's not what it says.

2                   CHAIRMAN KORGE:  It definitely  
3                   doesn't say that, that's right.

4                   MR. COE:  It needs to be redrafted.

5                   MR. RIEL:  We'll clarify that.  
6                   We'll think about it.

7                   MS. MORENO:  Well, let's decide  
8                   whether -- because Robert and Javier  
9                   seem to think that you should be able to  
10                  allow additional parking on a lift  
11                  basis --

12                  MR. RIEL:  So basically,  
13                  anything --

14                  MS. MORENO:  -- as long as it  
15                  doesn't --

16                  MR. RIEL:  -- above the required  
17                  parking of the Zoning Code, you should  
18                  be able to put in lifts?

19                  MS. MORENO:  As long as the other  
20                  requirements of, you know, three, four  
21                  and five are met.

22                  CHAIRMAN KORGE:  Well, we can  
23                  include that in the motion, so --

24                  MR. RIEL:  So, if you have a  
25                  development, just as a scenario, that

1 has a hundred required parking spaces  
2 and they decide to put in a hundred  
3 additional spaces, they could put those  
4 additional hundred spaces in lifts?

5 MR. AIZENSTAT: They could put  
6 200 -- they could add 200 spaces? I  
7 don't know if I like that.

8 MR. RIEL: They could put -- a  
9 hundred of those could be in lifts.

10 MR. AIZENSTAT: A hundred --

11 MR. RIEL: Of above the required.

12 MR. AIZENSTAT: Right, but that  
13 would mean that that hundred spaces --  
14 if a place has 200 spaces and a hundred  
15 are required, so they've got an  
16 additional hundred, that hundred can be  
17 doubled up so they'll have 200 more, if  
18 they want to do the whole thing past  
19 that?

20 CHAIRMAN KORGE: He's saying -- he  
21 was saying that if, for example, the  
22 requirement is a hundred spaces to meet  
23 the requirements, and for whatever  
24 reason, the developer wants to put in a  
25 total of 200 spaces --

1 MR. AIZENSTAT: Right.

2 CHAIRMAN KORGE: -- the additional  
3 one hundred can be put in, in the form  
4 of parking lifts --

5 MR. AIZENSTAT: Okay.

6 MS. MORENO: Uh-huh. Yes.

7 CHAIRMAN KORGE: -- which would  
8 mean less square footage to achieve that  
9 hundred additional --

10 MR. BEHAR: As long as you don't  
11 increase the square footage --

12 MR. AIZENSTAT: Right.

13 MR. BEHAR: -- you can provide  
14 additional spaces.

15 CHAIRMAN KORGE: But it would be  
16 less square footage that's taken away  
17 from the other uses of the building, for  
18 the additional hundred spaces.

19 MR. BEHAR: But you're not  
20 taking -- you're not taking square  
21 footage away.

22 MR. AIZENSTAT: No, no, I  
23 understand that, but let's back up on  
24 that. What if he decides to still do  
25 the hundred extra, but instead of

1           reducing the parking square footage, he  
2           decides to double up on those whole  
3           hundred? The way you guys are talking  
4           about it, it's kind of telling me that  
5           he could do that, and I don't know if I  
6           would like that. Am I understanding  
7           you?

8           CHAIRMAN KORGE: What would  
9           be the --

10          MR. AIZENSTAT: Am I  
11          understanding you?

12          CHAIRMAN KORGE: What would be  
13          the --

14          MS. KEON: Yeah, why would it make  
15          a difference?

16          CHAIRMAN KORGE: Why would that be  
17          a problem?

18          MR. AIZENSTAT: Because I think you  
19          would end up -- I think you would end up  
20          having tons of these type of lifts, and  
21          create a lot of situations and problems.

22          MS. KEON: Like what?

23          MR. AIZENSTAT: I just -- I  
24          always -- I feel that -- I feel that  
25          parking should be the old standard

1 parking and you should allow certain  
2 percentages, and the way it would look  
3 and the aesthetics and so forth, even  
4 though within its building. But it  
5 makes sense to me when you talk about  
6 reducing your square footage of parking,  
7 as long as it doesn't increase your  
8 square footage of -- square footage of  
9 space, but I would be kind of concerned  
10 if somebody has those hundred spaces and  
11 now creates all hundred spaces into  
12 double parkings.

13 CHAIRMAN KORGE: Okay, well, let me  
14 ask you a question. If you have a  
15 property that requires a hundred parking  
16 spaces --

17 MR. AIZENSTAT: Uh-huh.

18 CHAIRMAN KORGE: -- and then the  
19 developer's options are one of two, put  
20 in 150 spaces with no lifts or 200  
21 spaces with a lift for a hundred of the  
22 200. Would you have --

23 MR. BEHAR: Without increasing the  
24 square footage.

25 CHAIRMAN KORGE: Without changing

1 the square footage of the building  
2 itself.

3 MR. AIZENSTAT: That would make  
4 sense, but what about if he takes his  
5 entire extra parking and doubles it up?

6 CHAIRMAN KORGE: Well, that's not  
7 what is contemplated here.

8 MR. AIZENSTAT: That's what I kind  
9 of understood from what you were saying,  
10 that he could take --

11 MS. MORENO: Yes, he could take --

12 MR. AIZENSTAT: -- his extra --

13 MS. MORENO: He could take a  
14 hundred --

15 CHAIRMAN KORGE: Yes.

16 MR. AIZENSTAT: He could take his  
17 extra parking spaces --

18 MS. MORENO: Your example is  
19 exactly right.

20 MR. AIZENSTAT: -- no matter how  
21 many it is --

22 MS. MORENO: If you have a  
23 hundred --

24 MR. AIZENSTAT: -- and double all  
25 of it, if he doesn't want to reduce the

1 square footage for parking.

2 MS. MORENO: And why would we care?

3 I mean, the more parking we have, the

4 better off we are --

5 CHAIRMAN KORGE: Well, but he's

6 not --

7 MR. AIZENSTAT: Yes and no,

8 because --

9 MS. MORENO: -- because it's

10 enclosed.

11 MR. BEHAR: It's enclosed in the

12 structure. You don't see it.

13 CHAIRMAN KORGE: The only negative

14 of that is that the more spaces that are

15 in this lift system, the slower it is to

16 deliver --

17 MR. RIEL: It's an operational

18 issue in terms of delivery.

19 MR. BEHAR: Well, maybe if you've

20 got a hundred percent.

21 MR. AIZENSTAT: I mean, you'd have

22 to have operational issues, you'd have

23 the amount of traffic that it might

24 create, because more people will try to

25 back up within the lines from the street

1 to get in, by the time you lower a lift,  
2 raise a lift. You know, I think it will  
3 create other problems.

4 MS. KEON: Well, I have a question  
5 on operational, too, because in here,  
6 you state, too, that the lifts -- that  
7 each lift shall be controlled  
8 exclusively by one unit, so you -- I  
9 don't know, if you have a hundred extra,  
10 I'm not sure whose unit that is that  
11 you're going to apply those to. I mean,  
12 how do you --

13 MS. MORENO: It could be like a law  
14 firm office with 60 employees, and  
15 that's one unit.

16 MS. KEON: Is that right? So it  
17 could be if you -- as opposed to one  
18 residential unit, it could be --

19 MR. RIEL: It could be a  
20 residential or a commercial tenant.

21 MS. KEON: It can be a commercial  
22 tenant. So if you had a whole floor, if  
23 somebody took a floor and they had 50  
24 spaces, then that's what you're saying.

25 Did you -- I have some concerns

1           about them being -- not being -- their  
2           not being attended. I've only seen  
3           these attended. Are there --

4           MR. RIEL: That's why we limit it  
5           to the two-level lifts --

6           MS. KEON: Well, I don't --

7           MR. RIEL: -- and that's why we  
8           limit it to 20 percent. To be honest  
9           with you, the initial recommendation was  
10          10 percent of the first 50, and the  
11          Parking Department bumped it up to 20  
12          percent, because we were trying to  
13          encourage smaller developments with the  
14          ability --

15          MS. KEON: Right. You know what,  
16          unless you can provide me with an  
17          example of an automated -- you know,  
18          this non-attended at any -- you know,  
19          with multiple lifts, I would be hard  
20          pressed to support that. I -- I mean,  
21          if it's automated -- I mean, if it's  
22          attended, I would see where it would  
23          function and it could function  
24          with numbers and --

25          MR. BEHAR: And these -- Pat, these

1 function very well, if it's the double,  
2 you know, stack. They function very  
3 well. But let me ask you --

4 MS. KEON: They're not attended?

5 MR. BEHAR: They're not attended.

6 MR. RIEL: Yeah, they're not  
7 attended.

8 MR. BEHAR: They're not attended.

9 MS. KEON: I've only seen them  
10 attended.

11 MR. BEHAR: Right.

12 MS. KEON: Have you seen them not  
13 attended?

14 MR. BEHAR: Yes, yes, and they work  
15 very well.

16 MS. KEON: In large -- a lot of  
17 them?

18 MR. BEHAR: Not a lot of them. I'm  
19 not --

20 MS. KEON: But that's why I just --  
21 Yeah, I tried to look for places where  
22 there were more than 10 and I couldn't  
23 find them.

24 MR. BEHAR: We just installed -- we  
25 have just installed in a project -- not

1           very many. I mean, I forget the  
2           number --

3           MS. KEON: Right.

4           MR. BEHAR: -- the precise number,  
5           but it went very well, because it  
6           worked -- one user and two people are  
7           using that, and it happened to be where  
8           the secretary is going to use one space,  
9           she comes first, and then the other  
10          person --

11          MS. KEON: Right.

12          MR. BEHAR: -- and it works very  
13          well. But I believe that what -- the  
14          way it was written here, what was  
15          intended to be is that this is almost  
16          like a reduction of surface area  
17          necessary for parking, okay? What I'm  
18          trying to say is that without affecting  
19          that, you keep your percentage, however  
20          you want. If, in addition to these, if  
21          you want to provide additional lifts  
22          without increasing your square footage,  
23          then you should be allowed to do it, up  
24          to a point. Maybe it's, you know, an  
25          additional 50 percent or whatever,

1                   because what Cristina is saying is  
2                   correct.  If we are getting more parking  
3                   spaces, the less problems we're going to  
4                   have on the off-street parking.

5                   MS. MORENO:  Yeah, but Pat raised a  
6                   point that does concern me.  Are we  
7                   slowing down traffic inside the  
8                   building?

9                   MR. AIZENSTAT:  Well, that's why,  
10                  people going in and --

11                  MS. KEON:  I think it depends on  
12                  the number of --

13                  MR. BEHAR:  And it depends on the  
14                  use, where it's located --

15                  MS. KEON:  That's right.  I think  
16                  there's lots of issues, particularly  
17                  with it being not attended.  That  
18                  concerns me.

19                  MR. BEHAR:  I believe we did it --  
20                  we located it -- in our project, it was  
21                  at basement level, and we located it in  
22                  the basement so it's segregated from the  
23                  rest of the garage, and that worked out  
24                  very well.  It really did.

25                  MS. KEON:  And I would see where

1           that would work, but I would see -- you  
2           know, if, in the example that Cristina  
3           cited, that you had, you know, a  
4           hundred, and you met your requirement by  
5           your hundred spaces, and so what she's  
6           saying is that if you wanted to double  
7           that up --

8           MR. AIZENSTAT: The balance.

9           MS. KEON: -- and you put in an  
10          additional -- you could put in another  
11          hundred, over and above that, and you  
12          made them all this way, and get that 200  
13          spaces or whatever, and they were in the  
14          mechanical lifts, even if they were just  
15          double, and they're not attended, and  
16          you have all these people using them, I  
17          think what's going to happen is, it  
18          won't get used and you overflow -- I  
19          mean, I suppose if you've already met  
20          your requirement, maybe that isn't our  
21          issue, but I have a tendency -- I  
22          believe that it will back up and it  
23          won't be used and it will just spill --  
24          you know, you'll say you have additional  
25          parking that will end up spilling to the

1 street or it will spill elsewhere. I  
2 don't know.

3 MR. BEHAR: But you already --  
4 Remember, the way it works, you come in  
5 with the first car, you get out, you  
6 press the button, the car goes up, the  
7 space is available for the second car to  
8 come in.

9 MS. KEON: Right.

10 MR. BEHAR: If you only use one,  
11 you're still going to be meeting your  
12 requirements, no matter what. It's not  
13 like you're not going to be able to  
14 utilize those spaces.

15 MS. KEON: No, I see what you're --  
16 I understand what you're saying, if you  
17 have met your required parking.

18 MR. BEHAR: And let's not  
19 contemplate a hundred percent, because,  
20 you know, that may be an excessive  
21 amount.

22 MS. KEON: Well, whatever it is.  
23 You know, my concern would be with the  
24 issue of valet and the lease of these  
25 spaces to valet and all those sorts of

1 things. I think they should never be  
2 leased to valet. I think there's more  
3 that needs to be looked at because of  
4 the operational issues involved in  
5 having these lifts, and there should be  
6 things that should not be allowed.

7 MS. MORENO: Let me make a  
8 suggestion.

9 MR. RIEL: From Staff's  
10 viewpoint --

11 MS. MORENO: Why don't we adopt  
12 this and say for all parking lifts this  
13 is the standard, and we come back and  
14 look at it for additional spaces?

15 MR. RIEL: You took the words right  
16 out of my mouth.

17 MR. AIZENSTAT: I agree with  
18 that --

19 MR. RIEL: So we'll do a study  
20 of --

21 MR. AIZENSTAT: -- as long as we  
22 clarify the language --

23 MS. MORENO: Right.

24 MR. AIZENSTAT: -- that's here now.

25 MR. RIEL: And we need to -- and

1 obviously, I need to -- the Parking  
2 Department are the experts in this, and  
3 the Parking Advisory Board, so I think  
4 it's appropriate to have their input on  
5 it, so if I understand correctly,  
6 anything above the required parking  
7 requirements, this Board is looking to  
8 allow the ability of lifts at some  
9 percentage.

10 MS. KEON: But it needs to be  
11 studied.

12 MS. MORENO: It needs to be  
13 studied.

14 MR. RIEL: Subject to a study.

15 MS. MORENO: To me -- to me, as I  
16 said before, the more parking you  
17 provide within your building, the less  
18 parking there is on the street.  
19 However, I think Pat's comment is  
20 correct. I mean, are we creating a  
21 parking nightmare for the tenants of  
22 these buildings? And I'm not as  
23 concerned with residential as I am with  
24 commercial. If, on a commercial  
25 building, where already you have backup

1           when people are backing in and out and  
2           trying to park in their spaces, if now  
3           they have to wait for people to go and  
4           press the button and then the next  
5           person to go in, you may have some  
6           issues.

7           MR. SALMAN: You said a key word,  
8           "into their spaces." I'm contemplating  
9           these are secure parking lots, with  
10          limited access, where they're assigned  
11          spaces and everybody knows where they  
12          have to park. The idea is to help get  
13          them off the street and make it more  
14          convenient for them to use the building.

15          MS. MORENO: I'd like to find a way  
16          to do it. I'd like to get more input on  
17          it. So, for now, let's just adopt it  
18          for -- this way, with the understanding  
19          that we are going to come back and  
20          review the additional parking spaces,  
21          with more input from the people who are  
22          experts.

23          MR. SALMAN: I would agree with  
24          that.

25          MS. MORENO: Because I think the

1 two members of the Board who have some  
2 expertise are both in favor of it, so  
3 that makes me think that that's  
4 something I really want to look at.

5 CHAIRMAN KORGE: That's a good  
6 suggestion, but before we move any  
7 further, is there anybody from the  
8 public who signed up to speak on this?

9 MS. MENENDEZ: No.

10 CHAIRMAN KORGE: No. Okay.

11 MR. RIEL: So, just so we're clear,  
12 the intention, the way we intended to  
13 write this, was that all parking spaces,  
14 the maximum percentage was based upon  
15 here -- above, required, and additional.  
16 I just want to make sure that -- that's  
17 what the intent was of these  
18 regulations.

19 CHAIRMAN KORGE: Say that again?

20 MR. SALMAN: Read it to me in  
21 English.

22 MR. RIEL: All parking spaces, no  
23 matter what an applicant or developer  
24 provides on the property, shall be  
25 subject to these percentages.

1                   CHAIRMAN KORGE:  Whether it's  
2                   required or excess.

3                   MR. RIEL:  Exactly.

4                   MS. MORENO:  Yeah.  I think all you  
5                   need to say is, "can be installed," and  
6                   take out the words, "counted as required  
7                   parking spaces."

8                   MR. RIEL:  Okay.

9                   MS. MORENO:  In B, "provided that  
10                  all of the following are satisfied."

11                  MR. RIEL:  And it's subject to  
12                  coming back with additional information  
13                  regarding those spaces above and beyond  
14                  the Code, in terms of percentages.

15                  CHAIRMAN KORGE:  Okay.

16                  MR. RIEL:  We're clear.

17                  CHAIRMAN KORGE:  Okay.  Is there a  
18                  motion, then?

19                  MR. SALMAN:  So moved.

20                  CHAIRMAN KORGE:  So moved.  Is  
21                  there a second?

22                  MS. MORENO:  Seconded.

23                  CHAIRMAN KORGE:  There's a second.  
24                  Is there any more discussion on this?  
25                  We've been moved and seconded.

1                   No discussion. Let's call the  
2 roll, please.

3                   MS. MENENDEZ: Javier Salman?  
4                   Javier Salman?

5                   MR. SALMAN: Yes.

6                   MS. MENENDEZ: Eibi Aizenstat?

7                   MR. AIZENSTAT: Yes.

8                   MS. MENENDEZ: Robert Behar?

9                   MR. BEHAR: Yes.

10                  MS. MENENDEZ: Jack Coe?

11                  MR. COE: Yes.

12                  MS. MENENDEZ: Pat Keon?

13                  MS. KEON: Yes.

14                  MS. MENENDEZ: Tom Korge?

15                  CHAIRMAN KORGE: Yes.

16                  MS. MENENDEZ: Cristina Moreno?

17                  MS. MORENO: Yes.

18                  (Thereupon, Mr. Behar left.)

19                  CHAIRMAN KORGE: Okay. The last  
20 item is Application Number 02-07-455-P,  
21 Change of Land Use, Rezoning and Site  
22 Plan Review for the project known as  
23 2600 LeJeune Office Building.

24                  MR. CARLSON: Good evening. Yes,  
25 the last item before you this evening is

1 the 2600 LeJeune Office Building.

2 Before I begin my brief PowerPoint  
3 presentation, I'd like to point out that  
4 you do have updated written comments  
5 before you. They are the blue sheets  
6 which are at your stations. They  
7 include the most current, up-to-date  
8 written comments which have been  
9 submitted to the City.

10 I do have a --

11 CHAIRMAN KORGE: Before we begin,  
12 let me just reflect, in the record,  
13 again, that Mr. Behar has recused  
14 himself and has left the meeting.

15 Go ahead.

16 MR. CARLSON: Okay, the -- if the  
17 people upstairs could put on my  
18 PowerPoint presentation, I'd appreciate  
19 it.

20 Thank you very much.

21 The applicant is making three  
22 requests, which are required to allow  
23 this project to proceed forward. The  
24 first request they're making is a change  
25 of land use from Commercial Use, Low-

1 Rise Intensity, to Commercial Use, High-  
2 Rise Intensity. The second is a change  
3 of zoning from MFSA, which is  
4 Multi-Family Special area to C,  
5 Commercial, and the third and final  
6 request they're making is site plan  
7 review of a proposed ten-story-high  
8 commercial office project.

9 The change of land use is required  
10 to allow the construction of the  
11 proposed project.

12 The change of zoning is necessary  
13 to correct the existing inconsistent  
14 residential zoning to be in compliance  
15 with the property's commercial land use  
16 designation.

17 And finally, the site plan must be  
18 submitted with every zoning application  
19 that's submitted to the City.

20 The recommendation. The Planning  
21 Department is recommending denial of  
22 both the change of land use and site  
23 plan for the proposed ten-story  
24 commercial office project. However, the  
25 Planning Department recommends approval

1 of the change of zoning, which would  
2 correct the existing inconsistent  
3 residential zoning to be in compliance  
4 with the commercial land use  
5 designation.

6 A little bit of background. The  
7 property is located adjacent to the  
8 Church of Christian Science complex,  
9 which has been identified as a candidate  
10 for historic designation. The property  
11 is located within the MFSA District  
12 boundaries. That district was created  
13 with the intent of lowering development  
14 within that district. Two-story  
15 apartment buildings and a surface  
16 parking lot are currently located on the  
17 property -- currently occupy the  
18 property, and as I previously mentioned,  
19 the existing residential zoning is  
20 inconsistent.

21 As described in the Staff Report  
22 which is provided in your package, there  
23 are inconsistencies and  
24 incompatibilities with specific  
25 Comprehensive Plan objectives and

1 policies, which prompts Staff not to  
2 support the requested change in land use  
3 and site plan.

4 Those concerns include:

5 An incompatible land use with the  
6 existing residential property.

7 There lacks a transition between  
8 the proposed high-rise commercial  
9 project and the existing low-rise  
10 residential uses.

11 It establishes a precedent.

12 This would introduce high-rise  
13 development within the MFSA District.

14 It is inconsistent with the City  
15 Hall setting, which is a low-rise scale  
16 and of historic character.

17 Required traffic improvements which  
18 have been identified by the Public Works  
19 Department, more specifically, at the  
20 intersection of Hernando Street and  
21 Biltmore Way, have not been addressed.

22 Insufficient landscape  
23 improvements -- there exist insufficient  
24 landscape improvements, specifically  
25 along the north side of Valencia Avenue.

1           And finally, historic preservation.  
2           This project abuts -- is directly  
3           adjacent to the church building and  
4           complex.

5           Staff found that the request for  
6           change of zoning satisfies the Zoning  
7           Code standards for review. It would  
8           correct an inconsistent -- existing  
9           inconsistent zoning designation. It  
10          would provide for the redevelopment of  
11          an underdeveloped property, and it would  
12          promote and is consistent with some  
13          Comprehensive Plan objectives and  
14          policies.

15          Staff also found that the request  
16          for change of land use does not satisfy  
17          Zoning Code standards for review. It is  
18          inconsistent, as I specifically said,  
19          with specific Comprehensive Plan  
20          objectives and policies. It is  
21          incompatible with the adjacent  
22          residential properties. Insufficient  
23          streetscape and traffic improvements are  
24          provided, and it would impact the  
25          adjoining church complex and historic

1 City Hall setting.

2 It is Staff's recommendation that  
3 the property be developed according to  
4 the existing Commercial Use, Low-Rise  
5 Intensity land use, which would allow  
6 for a maximum of 77 foot high building  
7 height, which would be more compatible  
8 with the surrounding properties and  
9 uses.

10 In summary, the findings of facts  
11 are that the proposed project is not  
12 consistent with specific goals,  
13 objectives and policies of the City's  
14 Comprehensive Plan.

15 The proposed project does not  
16 satisfy all Zoning Code standards for  
17 Comprehensive Plan map amendments.

18 Proposed height and massing of the  
19 project would have an adverse effect on  
20 adjacent residential properties and  
21 surrounding historic structures and  
22 their settings.

23 Requested development bonuses could  
24 not be awarded for this project if  
25 developed according to the property's

1 current MFSA zoning designation.

2 Required traffic improvements are  
3 identified that have not been addressed.

4 But, however, the proposed change  
5 of zoning would correct an existing  
6 inconsistent zoning designation, again  
7 to be compatible with the property's  
8 current commercial land use designation.

9 In summary, the Planning Department  
10 recommends denial of the request for a  
11 change of land use and proposed site  
12 plan. However, if the Board should  
13 choose to support it, an alternative  
14 recommendation and conditions of  
15 approval are included in the Staff's  
16 report for your consideration.

17 Thank you.

18 MS. MORENO: I have some questions.

19 MR. CARLSON: Yes.

20 MR. COE: I have a lot of questions.

21 MR. RIEL: Before you answer the  
22 questions, let me just go through the  
23 3-D model we typically do.

24 MR. AIZENSTAT: Yeah, that's good.

25 MR. RIEL: As Staff always does,

1 we've prepared a 3-D model, just to kind  
2 of orient folks.

3 This is Biltmore Way, City Hall,  
4 427, Merrick Park. This is the subject  
5 property, right here. This is where the  
6 Publix is located, and then this is  
7 Miracle Mile.

8 I'm just going to kind of reiterate  
9 some of Walter's -- some of the points  
10 that he pointed out in Staff's  
11 recommendation.

12 Staff is of the opinion that  
13 this -- the project scale as proposed  
14 right here, I believe, is 117 feet in  
15 height. In terms of massing and height,  
16 it does not provide a transition between  
17 land uses. What I mean by that is the  
18 transition of land uses, where you have  
19 the single-family, which is noted in the  
20 yellow color here, and you have the  
21 multi-family development.

22 You see there's really -- although  
23 we didn't put these -- development to  
24 the north of Biltmore Way, all of these  
25 properties are about 35 to 45 feet in

1 height. Nowhere on LeJeune Road until  
2 you get to Bird, with only one  
3 exception, in front of the Youth  
4 Center -- I can't think of the building  
5 right there -- that's five or six  
6 stories in height, but nowhere along  
7 LeJeune Road do you see that jump in  
8 height, across LeJeune Road as well as  
9 down here.

10 Let me just kind of go ahead and  
11 pan around. This is the proposed  
12 Bacardi -- previous Burger King  
13 building.

14 Staff is basically of the opinion  
15 that this sets a precedent for high-rise  
16 properties jumping across LeJeune Road,  
17 in addition to the fact that you have  
18 the adjoining church, which you'll see  
19 as I pan around here -- it has kind of a  
20 pinkish color -- that has low-rise  
21 zoning, as well, which allows four to  
22 six.

23 This is obviously the Merrick Park,  
24 which nothing will be constructed on,  
25 then you have kind of the City Hall

1 complex.

2 We're of the opinion that the  
3 low-rise commercial is the appropriate  
4 use for the property, four to six  
5 stories in height with Mediterranean  
6 bonuses, and therefore, that's why we're  
7 supporting the recommendation for the  
8 change in zoning, to make the land use  
9 and zoning consistent, and if the Board  
10 goes in that direction, obviously, and  
11 we suggest you go in that direction,  
12 they would only need to come back as a  
13 by-right review and go to the Board of  
14 Architects if they construct the  
15 building within the parameters of the  
16 Code.

17 Obviously, if they do a mixed-use  
18 building or some other type of use that  
19 requires a conditional use, it will come  
20 back to this Board.

21 CHAIRMAN KORGE: How would that  
22 affect the residential -- the current  
23 residential use and any redevelopment of  
24 this residential use?

25 MR. RIEL: Well, the MFSA District,

1           which is this district right here,  
2           allows 60 to 70 feet in height. That's  
3           what the zoning allows. 77 feet is  
4           allowed on this parcel with the  
5           commercial low-rise land use and the  
6           commercial zoning. Staff recommended  
7           the commercial zoning instead of the  
8           commercial limited, because the  
9           commercial limited has very limited in  
10          terms of the height restrictions  
11          adjoining residential.

12                 MS. MORENO: Why is that commercial  
13                 and not multi-family?

14                 MR. RIEL: I don't know the answer  
15                 to that.

16                 MS. MORENO: Is there any other  
17                 property except on Miracle Mile and  
18                 Biltmore Way -- on Coral Way and on  
19                 Biltmore Way that is commercial, west of  
20                 LeJeune?

21                 MR. RIEL: There's this building  
22                 right across the street here, this one  
23                 right here, the four-story --

24                 MS. MORENO: Right.

25                 MR. RIEL: -- curved one, that

1           one is actually -- that's commercial  
2           limited, and the reason being -- it's  
3           right here. The reason it's commercial  
4           limited is because it has single-family  
5           adjacent to it.

6           MS. MORENO: That's the 401 Miracle  
7           Mile building?

8           MR. RIEL: Yes.

9           MS. MORENO: Right, but other than  
10          on Miracle Mile, other than on Coral Way  
11          and Biltmore Way, is there any other  
12          commercial building on LeJeune?

13          MR. RIEL: No, not -- I mean, and  
14          I'm trying to get down there.

15          MS. MORENO: There's that Jaycee  
16          Building.

17          MR. RIEL: JCI building, yes.

18          MS. MORENO: Right.

19          MR. RIEL: JCI, which is right  
20          here.

21          MS. MORENO: Everything else is  
22          either the church or residential, et  
23          cetera.

24          MR. RIEL: It's duplex. The only  
25          properties that are commercial, with the

1           exception of JCI, is this parcel, as  
2           well as the church parcel, on LeJeune  
3           Road, west of LeJeune Road.

4           CHAIRMAN KORGE: All the others, I  
5           guess that would be --

6           MS. MORENO: Everything else is  
7           residential.

8           CHAIRMAN KORGE: Everything else  
9           south is zoned residential on --

10          MR RIEL: Yes.

11          CHAIRMAN KORGE: -- the west side  
12          of LeJeune?

13          MR. RIEL: Yes.

14          MS. MORENO: And everything north.

15          MR. RIEL: Well, you have Biltmore  
16          Way, which has high-rise.

17          MS. MORENO: Right. Other than  
18          Biltmore Way and Coral Way.

19          MR. RIEL: Right, and the 401  
20          Building.

21          MS. MORENO: Which is on Coral Way.

22          MR. RIEL: Yeah. Well, no, it's  
23          right here.

24          MS. MORENO: Well, it's --

25          MR. RIEL: Yeah, it's on Coral Way,

1 I'm sorry.

2 MS. MORENO: That's on Coral Way.

3 MR. RIEL: Yes.

4 MS. MORENO: I frankly am not  
5 prepared to support changing it from  
6 residential to commercial. Everything  
7 west of LeJeune is residential. Why am  
8 I putting commercial on those poor  
9 people who live just west of that  
10 building?

11 MR. RIEL: And Staff, obviously,  
12 when we do recommendations to the Board,  
13 we do a lot of analysis. You know, I  
14 can tell you, I personally went out to  
15 the property a number of times. Given  
16 the fact that you have high-rise across  
17 LeJeune, you know, and it allows 70 feet  
18 in multi-family, anyway, I felt that 77  
19 feet, you know, in terms of --

20 MS. MORENO: I'm happy for them to  
21 have the feet in multi-family, but --

22 MR. AIZENSTAT: But it's on  
23 LeJeune.

24 MS. MORENO: LeJeune has been a  
25 bright line separating the commercial

1 from the residential, and you're  
2 allowing commercial now to encroach on  
3 the residential aspects of LeJeune.  
4 That is our most sacred part of our  
5 community, making that -- keeping that  
6 residential aspect west of LeJeune.

7 And as I said, there's nothing  
8 commercial except those, you know, few  
9 buildings on Coral Way and on Biltmore  
10 Way, and then that Jaycee building,  
11 which is an anomaly, because of a  
12 specific desire to bring the Jaycees  
13 International there. Everything else  
14 has remained residential, historically.  
15 I really am concerned about changing  
16 that. It's -- that street has been like  
17 a barrier between our commercial and our  
18 residential.

19 MR. AIZENSTAT: Which street are  
20 you talking about?

21 MS. MORENO: LeJeune.

22 MR. RIEL: LeJeune. You know,  
23 Staff, when we've gone through -- we did  
24 the incompatible land use changes for  
25 the public properties. Pretty much,

1 Staff has used the Comp Plan as a  
2 guiding in terms of the appropriate land  
3 use on the property. Although I might  
4 agree that, you know, it should be  
5 multi-family and might have less impact,  
6 I just feel commercial is appropriate,  
7 given the land use in this location.

8 MR. AIZENSTAT: I would suggest --

9 MS. MORENO: Well, but we can  
10 change the Comprehensive Land Use Plan.

11 MR. RIEL: You can absolutely do  
12 that. Absolutely, you can. Absolutely.

13 MR. AIZENSTAT: See, for me, I  
14 mean, I'd rather Eric finish his  
15 presentation and --

16 MR. RIEL: I'm finished. I'm  
17 finished.

18 MR. AIZENSTAT: Oh, you're  
19 finished. Okay.

20 MR. RIEL: Yes.

21 MR. AIZENSTAT: Then let the next  
22 side also do their presentation and  
23 see --

24 CHAIRMAN KORGE: Would the  
25 applicant like to make a presentation at

1           this time?

2           MS. RUSSO: Good evening,  
3           Mr. Chairman, Members of the Board. For  
4           the record, Laura Russo, with offices at  
5           2655 LeJeune Road. I am here this  
6           evening representing Valencia Investors,  
7           LLC, the owner of the subject property,  
8           and here this evening on behalf of  
9           Valencia Investors is Otto Boudet  
10          Murias, and I am here with the  
11          architects, Javier Font and Patrick  
12          Valent, of Behar Font, and what I'd like  
13          to do before I address Staff's  
14          recommendation, you know, Staff's  
15          report -- needless to say, we  
16          respectfully disagree with some of  
17          Staff's recommendations and conditions,  
18          and what we'd like to do is, I'd like to  
19          have the architects take you through the  
20          project quickly, just to give you an  
21          idea of what we're talking about and  
22          what the project is about, and then  
23          address the six issues that Staff has  
24          placed with respect to the three  
25          applications, the change in land use,

1 the change in zoning and the site plan  
2 approval.

3 Patrick?

4 MR. VALENT: Can you all see this,  
5 the site plan?

6 MR. AIZENSTAT: Yes.

7 MR. VALENT: Can you hear me okay  
8 without a mike? Perfect. I'm going to  
9 take a few minutes. I'm Patrick Valent,  
10 with Behar, Font & Partners, and --

11 MS. RUSSO: Hold on, we need the mike.

12 MR. VALENT: I could speak loudly,  
13 if you want.

14 MR. RIEL: No, you're going to  
15 need the -- to get on the record --

16 CHAIRMAN KORGE: For the TV.

17 MR. RIEL: -- you're going to need  
18 to speak through that mike.

19 MR. VALENT: Patrick Valent, with  
20 Behar, Font & Partners.

21 I just want to take a few minutes  
22 to walk you through some of the key  
23 elements of the architecture here,  
24 starting with the site plan here.

25 As you can see from the site plan

1           here, we're basically wrapping the  
2           LeJeune and Valencia side with arcades,  
3           and we've taken the Valencia side down  
4           from two curb cuts to one curb cut, and  
5           basically, we've been focusing a lot of  
6           our efforts on the pedestrian side here.  
7           So, basically, we have the main focal  
8           point on the Valencia/LeJeune side,  
9           that's where the main entrance point is,  
10          and we have arcades.

11                 As you can see here, we have the  
12          arcade --

13                 MR. RIEL: I think you're going to  
14          have to move the stuff, because I'm not  
15          sure folks at home watching this, it's  
16          being picked up.

17                 MR. VALENT: How's that? Is that  
18          better?

19                 MR. RIEL: Here we go.

20                 MR. AIZENSTAT: Oh, they found it. They  
21          found it.

22                 MR. VALENT: Patrick Valent, with  
23          Behar, Font & Partners.

24                 MR. AIZENSTAT: Is it off?

25                 MR. COE: You need to turn the mike

1 on.

2 MS. ALFONSO RUIZ: The bottom.

3 MR. AIZENSTAT: Just tap it. It's  
4 on.

5 MR. COE: Laura's a high-priced  
6 technician.

7 MR. VALENT: Better now? Okay.

8 Let me just walk you through some  
9 of the key points here when we designed  
10 the project. We have arcades that wrap  
11 along Valencia and LeJeune, and we've  
12 taken those arcades and wrapped them all  
13 the way around towards the church site.  
14 We've had several meetings with the  
15 church group, and this was a result of  
16 those meetings, and the plans you have  
17 in front of you are the final result of  
18 those meetings.

19 Also, it is important to note that  
20 we have Board of Architects' approval,  
21 Mediterranean approval, DRC. We've gone  
22 through several rounds with the City  
23 Staff.

24 So, basically, this is the end  
25 result here, and as I mentioned, we've

1 reduced the project on Valencia from two  
2 curb cuts to one curb cut, and we've  
3 wrapped the arcade on all three sides.

4 Put the elevation up here, Javier.

5 Another key element that we want to  
6 point out here is -- as there was a lot  
7 of talk about, you know, how the  
8 transition is being made between the  
9 residential and the various sides, all  
10 four facades have a transition and have  
11 a step-back. So we didn't just do the  
12 step-back on the Valencia or LeJeune  
13 side; we also did a step-back on the  
14 church side and on the alley side. So,  
15 if you look at the various elevations,  
16 all four elevations, you'll see that  
17 step-back.

18 So we transitioned from the arcade  
19 and the pedestrian pedestal level, which  
20 is about 45 to 50 feet, and then we  
21 stepped back approximately 10 to 15  
22 feet, depending on which facade, and  
23 that creates an even better transition.  
24 So, basically, you know, that's how  
25 we're transitioning from the residential

1 to the commercial development.

2 Aside from that, there was some  
3 comments that we noticed on the  
4 streetscape plan. We have met with the  
5 Planning -- I'm sorry, with the Public  
6 Service departments. We have addressed  
7 the streetscape along Valencia, and  
8 there was a quite a bit of discussion  
9 about whether that streetscape should go  
10 along -- across the street or should it  
11 go to the west, so --

12 MR. AIZENSTAT: That was actually  
13 my -- Isn't that a public parking garage  
14 or something? What's in back of the  
15 building?

16 MR. VALENT: Right here?

17 MR. AIZENSTAT: Yeah.

18 MR. VALENT: That's a public  
19 parking lot.

20 MS. RUSSO: It's the City's surface  
21 parking lot. It's a --

22 MR. AIZENSTAT: Why did you not  
23 extend the off-street to that?

24 MR. VALENT: It was basically -- we  
25 know that we had to have further

1 discussion on whether -- it was asked to  
2 go to the south, and we weren't sure  
3 that was the right thing to do, because  
4 right now there's quite a few curb cuts  
5 on the existing properties.

6 MS. RUSSO: We're willing to do  
7 either.

8 MR. VALENT: Right.

9 MS. RUSSO: And I think part of it  
10 was, did it make more sense to go west  
11 and continue or --

12 MR. AIZENSTAT: I mean, one thing  
13 for me would be to go -- I'm sorry to  
14 interrupt you.

15 MS. RUSSO: Uh-huh.

16 MR. VALENT: No, that's okay.

17 MR. AIZENSTAT: -- would be  
18 actually to go back into the surface  
19 parking lot.

20 MS. RUSSO: To go west, on the  
21 north side, versus just south on that  
22 side.

23 MR. VALENT: We actually suggested  
24 that to Staff, and they were agreeable.  
25 We met with Alberto Delgado, Public

1 Works, and the Public Services, and they  
2 said another meeting would be necessary  
3 to finalize that. We're willing to go  
4 either way, to the south or to the west,  
5 so either way works for us.

6 And as I mentioned, we did have  
7 quite a few meetings with the group from  
8 the church. There was quite a bit of  
9 discussion on that transitional area,  
10 the alley to the rear, so much so that  
11 one of the previous submittals actually  
12 had a courtyard that was located within  
13 this little alley place; it was improved  
14 with fountains and water features and  
15 whatnot. At the very end, it was taken  
16 out. There was discussions on whether  
17 that would be the right place for a  
18 courtyard, with loitering or whatever,  
19 so the final result of those meetings is  
20 in your package. That went back to the  
21 Board of Architects and received  
22 approval. So this site plan and floor  
23 plan you have is a result of quite a few  
24 meetings with the church group.

25 And that's basically it, to wrap

1 up. We're going to talk a little bit  
2 more about the transitional, the  
3 comments on setting precedents and on  
4 the transition, and we have some other  
5 boards we're going to present on that,  
6 as well.

7 MS. RUSSO: And what I'd like to do  
8 is take the comments in reverse order  
9 and start with the historic  
10 preservation.

11 As Patrick told you, we did meet  
12 with the church members. We met with  
13 church representatives. But we also met  
14 with the City's Historic Preservation  
15 Department, as we were in the midst of  
16 coming up with the design of this  
17 building, to see what were some of the  
18 issues that the Historic Preservation  
19 officer and Department had, because the  
20 historic or the actual -- originally,  
21 the only building on the church that is  
22 targeted for designation is the building  
23 immediately to the north, which is a  
24 rectangular building. It seems now that  
25 perhaps the other buildings that are on

1           there now, the church reading room, and  
2           what I would call the Neoclassical  
3           building on Biltmore, too, may also be  
4           eligible for historic preservation.

5           So we met with Kara Kautz and with  
6           Simone Chin, listened to some of their  
7           concerns and issues, implemented that  
8           into the design, but at no point were we  
9           ever asked to come back to the  
10          Department, nor were we asked to go back  
11          to the Historic Preservation Board, so I  
12          find that comment a little disingenuous.  
13          It's almost like saying you didn't do  
14          something, but we weren't asked to do  
15          it, and we met with the property owners  
16          to the north, but we would be more than  
17          happy to, you know, take these plans and  
18          present them.

19          With respect to Number 5, the  
20          insufficient streetscape improvements,  
21          as Patrick indicated to you before, from  
22          Day One, I advised the client and Staff  
23          advised the client that there's always  
24          additional streetscape, whether it's  
25          done across the street or whether it's

1 done to the west. When you're coming in  
2 for a change in land use, change in  
3 zoning, you're going to have to do more  
4 than just your side of the property.

5 The big issue here was not that we  
6 didn't want to do it, but what made more  
7 sense, to extend it across the City  
8 surface parking lot up to the Laroc, you  
9 know, or to do it across the street, or  
10 to do some combination -- excuse me,  
11 some combination of both.

12 On the south side, as you know, on  
13 the corner immediately south, is a  
14 condominium building, with certain curb  
15 cuts already established. It is a  
16 condominium building. It probably won't  
17 be redeveloped for decades.

18 To the west of that are a couple of  
19 older, lower rise -- two-story older  
20 apartment buildings that also have curb  
21 cuts. So we thought, if the City wanted  
22 us to do the south side, we would, but  
23 we know we're going to do the south or  
24 the west, so it's not that we don't want  
25 to do it; we just don't know which ones.

1           So, with respect to Number 5, we're more  
2           than happy to do any additional  
3           streetscape improvement.

4           With respect to Number 4, required  
5           traffic improvements, as part of the  
6           submittal to this project, we submitted  
7           a traffic report. After that report was  
8           reviewed by Public Works, there were  
9           three issues that were raised. Our  
10          traffic engineer, who is here,  
11          Mr. Richard Garcia, addressed them in a  
12          technical memo to Alberto Delgado, who  
13          was fine with all but one of the issues.  
14          We went and did even more research, and  
15          it has to do with the intersection at  
16          Biltmore and Hernando, and it turns out  
17          that the actual traffic impact of the  
18          additional square footage is minor. I  
19          think it's nine seconds and .3 seconds  
20          at your peak periods.

21          What you have currently is  
22          apparently not the best designed street,  
23          on Hernando and Biltmore, in the  
24          intersection, but the impact of our  
25          request is minimal to that intersection.

1                   With respect to Number 3,  
2                   inconsistency with the City Hall  
3                   setting, I respectfully disagree with  
4                   Staff, and I disagree because when you  
5                   look at the land use -- and I'm going to  
6                   ask Patrick to put a land use map up --  
7                   which is what we're talking about here,  
8                   the City Hall has high-rise land use  
9                   immediately to the west of it, and if  
10                  you look in your packets, you have the  
11                  land use map, and it's the map with all  
12                  the colors. What we call the brown  
13                  building and blue building, if you  
14                  recall, the City bought the blue  
15                  building. The blue sits on high-rise  
16                  and the brown building sits on high-rise  
17                  land use now. Right now, the City owns  
18                  it, but if the City found itself in a  
19                  need to sell the blue building, and the  
20                  person who owned the brown building  
21                  bought it, or somebody else in the  
22                  future came, until that land use is  
23                  changed, the City is sitting surrounded  
24                  by high-rise.

25                  What the City also didn't put in

1           their Staff Report is that on our block,  
2           the block that has the church on the  
3           northeast corner, our property is on  
4           the -- I'm sorry -- yes -- well, the  
5           intersection, the north corner -- we're  
6           on the south. We have the Laroc, which  
7           is a high-rise, 13-story condominium,  
8           residential condominium building, on the  
9           corner of Valencia and Hernando, and to  
10          the north of that, which most of you --  
11          I think it's a strip of stores, the  
12          Design Store, and there's a Roche  
13          Bobois, et cetera, that's all high-rise  
14          land use, and then if you continue to  
15          the west, you have high-rise land use.

16                 And so, you know, with all due  
17          respect to Staff, I argue that we're not  
18          setting the precedent. The precedent  
19          was set with the Laroc, in terms of the  
20          height, and at that time, when it was  
21          done, in the '80s, the entire strip,  
22          Valencia to the north, was all  
23          site-specific high-rise, 150 feet, all  
24          the way past the David William, and so  
25          on our block, that pattern of

1           development has already been set with  
2           the 13-story high-rise. So we're not  
3           adding a high-rise to our block; that  
4           high-rise already sits there.

5           So whether this building is there  
6           or not, the Laroc is a condominium, it's  
7           not a single-owned building, so it's not  
8           going to go anywhere for the longest  
9           time, and it's actually in -- further  
10          in, toward the west, where you would  
11          think you would want less development,  
12          less height and less intensity.

13          I argue that our location on  
14          LeJeune, where you have approximately  
15          42,000 cars trafficking on a daily  
16          basis -- about 22,000 go northbound,  
17          about 20,000 go southbound on a given  
18          day -- that that particular corner,  
19          which to the east has the Publix, and  
20          for those of you -- you see that Publix  
21          is a high-rise land use site, but it has  
22          as-of-right development for 16 stories.

23          The property immediately to the  
24          south of that is developed as a  
25          high-rise for 13 stories, and the

1 property to the south of us is currently  
2 nonconforming. It does not meet the  
3 MFSA, and it is a condominium, so it's  
4 not going anywhere, and it is a  
5 condominium building at four stories,  
6 which I believe serves as the buffer.  
7 You have -- Valencia is actually the  
8 true buffer, and then from Valencia  
9 south, you have your higher intensity or  
10 your higher density, and you have an  
11 alley, and then to the south of the  
12 alley you have your single-family.

13 So it's actually serving as -- the  
14 buffer is Valencia, the south side of  
15 Valencia, and then your single-family,  
16 which is south of the alley, that  
17 bifurcates on an east-west basis.

18 MR. AIZENSTAT: Is it single -- I'm  
19 sorry to interrupt you. Is it  
20 single-family or is it duplex zoned?

21 MR. COE: Multi.

22 MR. AIZENSTAT: I thought that  
23 was --

24 MS. RUSSO: On that -- Well, what  
25 becomes on the north side of -- if you

1                   were looking -- I don't know if you  
2                   have it in front of you, if you have --

3                   MR. VALENT:   We have a board here.

4                   MR. AIZENSTAT:  No, I'm talking  
5                   about --

6                   MR. VALENT:   North?

7                   MS. RUSSO:    Look at Valencia.  On  
8                   the south side of Valencia, you have  
9                   MFSA zoning and it's residential, low  
10                  density.

11                  MR. AIZENSTAT:  Right.

12                  MS. RUSSO:    Then you have an alley  
13                  that runs perpendicular to LeJeune that  
14                  bifurcates the block, and to the south  
15                  of the alley, facing -- which I believe  
16                  is what, Sevilla?  On the north side of  
17                  Sevilla are single-family.

18                  MR. AIZENSTAT:  Those yellow --  
19                  That looks like low density to me.  Am I  
20                  wrong?  I'm looking at this.

21                  MR. COE:    That's low density.

22                  MS. RUSSO:    Yes, but I'm saying to  
23                  you -- This is our property.

24                  MR. AIZENSTAT:  Right.

25                  MS. RUSSO:    I'm saying, this is the

1 actual transition.

2 MR. AIZENSTAT: Understood.

3 MS. RUSSO: These properties are  
4 low-density. They form -- and this one  
5 here on the corner is nonconforming and  
6 won't change any time soon.

7 You then have -- these properties  
8 are allowed to go 35 feet --

9 MR. AIZENSTAT: Right.

10 MS. RUSSO: -- because they're  
11 adjacent to the single-family. They're  
12 Separated by an alley.

13 MR. AIZENSTAT: Right, but --

14 MS. RUSSO: So the transition --  
15 and these are single-family, the yellow  
16 is.

17 MR. AIZENSTAT: Is it single-family  
18 or is the yellow low-density?

19 MS. RUSSO: The yellow is single-  
20 family.

21 MR. CARLSON: It's low-density,  
22 multi-family.

23 MR. AIZENSTAT: Right.

24 MS. RUSSO: The yellow?

25 MR. AIZENSTAT: Yes.



1 go with multi-family.

2 MR. AIZENSTAT: I mean, as far as  
3 the buffer, I mean, I do agree that  
4 Valencia should be it, not the alley  
5 that is between the church and --  
6 between the church and the property. In  
7 other words, there's an alley that runs  
8 between the church and the property.

9 MS. RUSSO: And that alley was  
10 vacated in the '60s.

11 MR. AIZENSTAT: Right, but --

12 MS. RUSSO: Right. There used to  
13 be an alley that ran --

14 MR. AIZENSTAT: That's not a good  
15 buffer --

16 MR. VALENT: You're talking about  
17 this alley here.

18 MR. AIZENSTAT: -- to use that.  
19 Right. That's not a good buffer.

20 MR. CARLSON: There's no alley now.

21 MS. KEON: There's no alley anymore.

22 MR. AIZENSTAT: It's been vacated.

23 MS. RUSSO: It's been vacated up  
24 to -- Show them to where.

25 Basically, the alley --

1                   MR. VALENT: To this point, right  
2 here.

3                   MS. RUSSO: And then it runs south.

4                   MR. VALENT: It turns right here  
5 and goes like that.

6                   MS. RUSSO: So that --

7                   MR. AIZENSTAT: It's still an open  
8 space.

9                   MS. RUSSO: What used to be and  
10 what visually --

11                  MR. VALENT: It is. It's not  
12 developed.

13                  MS. RUSSO: -- looks like an alley,  
14 is actually church property.

15                  MR. AIZENSTAT: Okay, because it's  
16 an open space to me, and to me, that  
17 should not be used as a buffer line  
18 between, let's say, your property and  
19 the church. If you're going to use a  
20 buffer line, it should be more Valencia,  
21 that runs -- as opposed to that alley.

22                  MR. VALENT: Well, basically, we --  
23 That was one of the reasons why, as I  
24 mentioned, we stepped back the building  
25 there. We really didn't want to have a

1 wall there, and that's what we did. It  
2 just wasn't appropriate to do a solid  
3 wall. We see some -- the Laroc, for  
4 instance. We really wanted to bring  
5 this in. You can see the buffer here.  
6 It's even greater on that side than it  
7 is on the Valencia side.

8 MR. AIZENSTAT: Right. I see that  
9 you stepped it up, too.

10 MR. VALENT: Well, you can see that  
11 it's quite -- quite extensive on the  
12 north side there, and we felt that it  
13 was appropriate to do it on the north  
14 and on the west side, because that  
15 abuts, you know, that residential side.

16 MR. AIZENSTAT: It -- I don't know,  
17 is the City-owned parking lot -- what's  
18 that zoned? Is that --

19 MR. CARLSON: That has MFSA zoning,  
20 as well, and the land use designation is  
21 multi-family, medium-density.

22 MR. AIZENSTAT: Okay. I'm sorry to  
23 interrupt.

24 MS. RUSSO: So, currently,  
25 incompatible use and land use

1 designation, because it's being used  
2 for, you know, City purposes and it's  
3 being used for commercial parking for  
4 both City Hall and for the -- you know,  
5 the areas -- for the commerces, you  
6 know, the businesses in the area.

7 MR. VALENT: If I could just finish  
8 that point one more time. I think your  
9 point was very well made, that we feel  
10 that the precedence is already set  
11 there. You have the David William, you  
12 have Laroc. You have -- as you can see  
13 from this aerial, which we didn't  
14 create; that's existing. That line of  
15 tall buildings is already created there.  
16 Then beyond that, you have multi-family  
17 to the south and then you have  
18 single-family. So we feel that we  
19 transition, and it's important to note  
20 that we're not going high-rise in the  
21 sense of 190 feet. We're not asking for  
22 190 feet. We've come down significantly  
23 from 190. 117 is mentioned. So it  
24 transitions from the high-rise, 190, to  
25 our 117, to 45.

1 MR. AIZENSTAT: Laroc is how tall?

2 MR. VALENT: We believe  
3 approximately 140 to 150 feet.

4 MS. RUSSO: It was built with 13  
5 stories prior to the days of  
6 Mediterranean, when the height of a  
7 high-rise building was 150 feet.

8 MR. VALENT: But more importantly,  
9 it goes straight up, too. I think it's  
10 important to note the shape of the  
11 Laroc. It really -- it just goes  
12 straight up. There are no vertical  
13 breaks.

14 So we have a lower height and quite  
15 a few -- actually two levels of vertical  
16 breaks in these facades.

17 MS. RUSSO: And in the concurrency  
18 review, what you have here is property  
19 with an existing land use designation of  
20 commercial, so the request to go to  
21 high-rise is to add extra square footage  
22 to the property, and in the concurrency  
23 review, which is your level of services,  
24 whether your water, your sewer, your  
25 traffic -- there are -- you know,

1            basically, all levels of services are  
2            okay with the additional building, the  
3            additional stories, you know, the  
4            ten-story request that we're making.

5                       You know, traffic, which everyone  
6            perceives, but the traffic that is being  
7            generated and the difference between the  
8            low-rise and what we're requesting as a  
9            ten-story, 117 building, is minimal.  
10          And so we -- excuse me.

11                      (Inaudible comments)

12          MS. RUSSO:    Show -- Another point  
13          is that this basically is sort of the  
14          terminus of Miracle Mile. There was a  
15          comment, you have the 401, which is at  
16          the end of Miracle Mile, across the  
17          street. You have this property.

18          MR. VALENT:    Right in here. See,  
19          coming right here. That's the  
20          commercial district, at the end there.  
21          We definitely think that it will really  
22          help Miracle Mile, help the businesses.  
23          This type of element is appropriate.

24          MS. RUSSO:    Right, and while the  
25          church property is currently being used

1 as a church, it does have also the  
2 commercial land use designation, and at  
3 some time in the -- you know, in the  
4 future, which is the whole purpose of  
5 the land use designation, is for future  
6 development, it will at some point be a  
7 commercial developed property.

8 So, based on the foregoing, we  
9 respectfully request the change in land  
10 use, which would allow the ten-story  
11 building that we're requesting, the  
12 change in zoning, which would correct  
13 the incompatibility, which would match  
14 the zoning to the land use, and site  
15 plan approval, which would keep the  
16 project at the requested 10 stories and  
17 117 feet. So, although it would be  
18 under a high-rise category, it would  
19 actually be limited to the 117 feet and  
20 ten-story building that Mr. Valent  
21 showed you.

22 MR. AIZENSTAT: Are the people from  
23 the church here?

24 MS. RUSSO: Yes, they are here.

25 MR. AIZENSTAT: Okay. I just

1 wanted to know.

2 MR. RUSSO: Their legal  
3 representative is here, in case you want  
4 to ask him questions.

5 MR. AIZENSTAT: Yeah, but I'm  
6 sorry, I've interrupted you a couple of  
7 times --

8 MS. RUSSO: That's okay. No, no,  
9 no, that's fine. That's all right.  
10 I've concluded my presentation. Our  
11 traffic engineer is here and the  
12 architects, and needless to say, we're  
13 prepared to answer any questions or  
14 concerns that you may have.

15 CHAIRMAN KORGE: Well, let's take  
16 questions from the Board.

17 MR. SALMAN: I think we should  
18 listen to the public first and then we  
19 can --

20 CHAIRMAN KORGE: You want to listen  
21 to the public first?

22 MR. SALMAN: Yeah.

23 MR. AIZENSTAT: Yeah, I would.

24 CHAIRMAN KORGE: Okay. Good  
25 enough. We'll reserve questions for

1 later.

2 MS. RUSSO: Okay.

3 CHAIRMAN KORGE: Will you --

4 MR. RIEL: They need to be sworn  
5 in.

6 CHAIRMAN KORGE: I'm sorry?

7 MR. RIEL: They need to be sworn  
8 in. We have eight people that are --  
9 seven or eight people that signed up.

10 CHAIRMAN KORGE: Whoever is here to  
11 testify, would you stand up to be sworn  
12 in, please?

13 (Thereupon all who were to speak  
14 were duly sworn by the court reporter.)

15 CHAIRMAN KORGE: Okay, would you  
16 call the first name?

17 MS. MENENDEZ: Talbot Trammell.

18 MR. TRAMMELL: Mr. Chairman and  
19 Members of the Board, I'm Talbot  
20 Trammell. I represent the church, and  
21 you mentioned a few minutes ago about  
22 the alley.

23 MR. AIZENSTAT: Right.

24 MR. TRAMMELL: The alley is a fee  
25 simple interest owned by the church.

1           They refer to it as an alley at times,  
2           but it's not alley legally at all, and  
3           hasn't been for 48 years, not used by  
4           the public, it's blocked off, and  
5           concerning the setback, there's a zero  
6           setback from our property to theirs, as  
7           I understand it.

8           And I heard that they had the  
9           right, if it's a Mediterranean bonus  
10          situation, to have a zero setback,  
11          and -- but we've had no discussions with  
12          them concerning the setback. The only  
13          reason I mention that is, in here in the  
14          Staff Report, it appears that we had  
15          discussed -- it implies that we had  
16          discussed, perhaps, that. We've had  
17          many discussions with them and they've  
18          been very nice, and Mr. Behar and Ms.  
19          Russo and their representatives have  
20          agreed to make the plans of our 18  
21          spaces like we want them, and the  
22          entrance specifically, and we sure  
23          appreciate that, and they put that in  
24          the last plan and that's the one that's  
25          been filed and we're happy with that

1 aspect of it, so that's where we stand.

2 We filed a report that we have no  
3 objection to the application. We don't,  
4 but obviously, we hadn't gotten into the  
5 setback/buffer thing, and we'd like to  
6 have as much as we could in the way of a  
7 setback, if that's possible, but that's  
8 our position.

9 Our church hasn't discussed  
10 anything except the features of the  
11 parking garage that we would have, and  
12 we're happy with those and that was our  
13 main concern.

14 Do you have any questions?

15 MS. MORENO: I'm sorry, but you  
16 have an objection here in the blue  
17 paper. Can you explain to me what that  
18 is?

19 MR. TRAMMELL: An objection? No, I  
20 don't.

21 MS. MORENO: It says, "The Church  
22 objects to the site plan because it  
23 illegally puts the Church's entrance to  
24 its parking area on the alley and not on  
25 Valencia Avenue to be used jointly with

1 Valencia Investors' users."

2 MR. TRAMMELL: Thank you so much.  
3 That was a good question. When we sold  
4 them the property, as a condition of the  
5 sale, they agreed to give us an  
6 easement, which was recorded, giving us  
7 18 spaces, and in the easement, they  
8 were supposed to give us a joint  
9 entrance to the parking garage. We  
10 didn't know where the garage was going  
11 to be built, we didn't know where the  
12 entrance would be, but if it was a joint  
13 drive to the garage, we knew that our  
14 drive would be just as good as theirs,  
15 it would be just as pretty and just as  
16 safe and have as big a turn radius and  
17 everything, and so that was in there.

18 When the plans came out, they had  
19 two separate entrances. They had theirs  
20 on Valencia and they had ours on the  
21 alley. The plans aren't too well marked  
22 about the entrance and exit on the  
23 alley, and after thinking about it, we  
24 were willing to do that if it could be  
25 made safe and wide, because the turning

1 radius, when you're coming down the  
2 alley and you're about three -- there's  
3 a zero foot setback, or not much  
4 setback, and you have to make a turn  
5 around, the entrance is too narrow, but  
6 they've corrected that. Mr. Behar and  
7 them said they would do it, and they  
8 did, and we thank them for doing that,  
9 and they've made -- we're happy with the  
10 entrance now.

11 But then I said that if you or  
12 someone doesn't approve the site plan  
13 and we don't get what we've agreed, we  
14 want to reserve our objection to not  
15 being on Valencia, where it's just as  
16 good as theirs, and so -- yes, sir.

17 MR. AIZENSTAT: So the way the site  
18 plan is now, you'll remove your  
19 objection if that's the case?

20 MR. TRAMMELL: Yes, sir, that's  
21 correct.

22 MS. MORENO: Did I understand you  
23 to say that you sold this property to  
24 them, the church did?

25 MR. TRAMMELL: Yes, we did.

1 MS. MORENO: Thank you.

2 MR. SALMAN: And that's the only  
3 condition of sale?

4 MR. TRAMMELL: Sir?

5 MR. SALMAN: That was the only  
6 condition of the sale, was that access  
7 agreement that you have?

8 MR. TRAMMELL: No, it was -- They  
9 paid -- There were many conditions of  
10 the sale. We got paid cash --

11 MR. SALMAN: Good for you.

12 MR. TRAMMELL: And there was a  
13 regular real estate contract.

14 CHAIRMAN KORGE: I think what Mr.  
15 Salman is asking --

16 MR. TRAMMELL: The price was six  
17 million dollars or something.

18 MR. SALMAN: But what I'm saying,  
19 there's no contingent -- there's no  
20 contingent issue?

21 CHAIRMAN KORGE: It's not  
22 contingent on rezoning.

23 MR. RIEL: No, I believe that's --

24 MR. TRAMMELL: No. No, sir, it  
25 wasn't. They bought it as is. It

1           wasn't conditional.

2           MR. RIEL: That restriction, I  
3           think, is dated back 10 or 15 years, has  
4           that been, for the 18 spaces?

5           MR. TRAMMELL: No, it's --

6           MR. CARLSON: No, that -- that  
7           was agreed --

8           MR. RIEL: It was part of the sale?  
9           Okay.

10          MR. CARLSON: -- in order to buy it.

11          MR. TRAMMELL: In 2005, when we  
12          sold them the property, that's when they  
13          gave us the easement. It was part of  
14          the sale. At the closing, they gave us  
15          this grant of easement, which is in the  
16          court file.

17          MR. RIEL: Time flies.

18          MR. TRAMMELL: And, you know, said  
19          they'd give us --

20          MR. AIZENSTAT: Yeah.

21          MR. RIEL: Time flies.

22          MR. AIZENSTAT: So the way -- so,  
23          according to the site plan that you  
24          have, you're okay with your 18 parking  
25          spaces, where they sit and so forth?

1 MR. TRAMMELL: Yes, sir. Is  
2 this --

3 MS. RUSSO: Show him the site plan.

4 MR. VALENT: I'm sorry, what was  
5 the question?

6 MR. AIZENSTAT: According to the  
7 site plan, if the gentleman was  
8 satisfied --

9 MR. TRAMMELL: Yes, sir. Where is  
10 the first --

11 MR. AIZENSTAT: -- with the parking  
12 spaces and the site plan itself.

13 MS. RUSSO: He wants to see the  
14 site plan.

15 MR. VALENT: Right in here. This  
16 is the alley.

17 MR. TRAMMELL: This is the alley.

18 MR. VALENT: This is it.

19 MR. TRAMMELL: Yes, sir. We've  
20 approved this site plan, and they filed  
21 it at the last minute, but --

22 MR. AIZENSTAT: Okay. I just  
23 wanted --

24 MR. TRAMMELL: -- it's in there  
25 now, and thank you. That was our main

1 concern about the thing.

2 MR. VALENT: And we did go to  
3 Public Works with this.

4 MR. AIZENSTAT: Okay. That's what  
5 I wanted to make sure.

6 MR. TRAMMELL: And the Board of  
7 Architects, too.

8 MR. VALENT: Everyone.

9 MR. TRAMMELL: Okay. Thank you.

10 MR. AIZENSTAT: I'm just going to  
11 ask you a different question, it might  
12 not pertain to this, but how do you feel  
13 about your property having a historic  
14 designation?

15 MR. TRAMMELL: Well, I'm not  
16 authorized to speak to that, because the  
17 membership would be the one that would  
18 give that thought, and I can't tell you.  
19 I really can't answer that.

20 MR. AIZENSTAT: Because that would  
21 limit you to what you can do with your  
22 property down the road.

23 MR. TRAMMELL: Yes, sir.

24 MR. AIZENSTAT: That's why I ask  
25 that.

1 MR. TRAMMELL: Yes, sir, it would.

2 MR. AIZENSTAT: You're pretty  
3 content with the sale of the other land.

4 MR. TRAMMELL: Yes, sir. No,  
5 that's a big thing, and it's an issue in  
6 our church and some people feel strong  
7 in one way --

8 MR. AIZENSTAT: Okay.

9 MR. TRAMMELL: -- or another way,  
10 but I just can't speak to that. We  
11 haven't discussed that in --

12 MS. MORENO: No official position  
13 yet.

14 MR. TRAMMELL: If you want to ask  
15 me -- but I'm not here to tell you what  
16 I think.

17 MR. AIZENSTAT: Thank you.

18 CHAIRMAN KORGE: Thank you very  
19 much. Call the next speaker, please.

20 MR. TRAMMELL: Thank you guys.

21 MR. AIZENSTAT: Thank you for your  
22 time.

23 MR. TRAMMELL: Thank you.

24 MS. MENENDEZ: Stanley Davidson.

25 CHAIRMAN KORGE: Please state your

1 name and address for the record.

2 MR. DAVIDSON: My name is Stanley  
3 Davidson.

4 CHAIRMAN KORGE: Your address,  
5 Mr. Davidson?

6 MR. DAVIDSON: My office number is  
7 2655 LeJeune Road.

8 About two and a half years ago, I  
9 was approached by a real estate man who  
10 was trying to sell me this property,  
11 with the understanding they were going  
12 to be converted to a commercial zoning.  
13 I met with my architect, we drove  
14 through the property, looked at it, and  
15 we decided this property is ideal for it  
16 to stay the way it is, as a residential  
17 property, and we declined to consider  
18 the purchase of it, on the basis of  
19 converting it.

20 MR. RIEL: Mr. Davidson, you're  
21 going to need to speak up a little bit.

22 MR. DAVIDSON: All right. We  
23 declined to consider buying it with the  
24 idea of converting it to a commercial  
25 zoning.

1           The property -- the people that  
2           bought it paid a tremendous amount of  
3           money for it, with the idea to convert  
4           it to a high-rise, and it will change  
5           the neighborhood completely. It would  
6           be a precedent for many other requests  
7           for a zoning change for commercial, and  
8           I'm all against it. I would much rather  
9           that it remain residential, the way it  
10          is. Even a high-rise residential  
11          condominium is not as objectionable as a  
12          commercial building in this area, as  
13          residential as it is.

14          Certainly, for the owners, they  
15          couldn't possibly claim any hardship,  
16          because they knew exactly what the  
17          zoning was when they bought it. I would  
18          much rather that it remain residential,  
19          the way it is, but however, if it would  
20          be changed to commercial, it certainly  
21          shouldn't go over six stories, including  
22          the bonus for Mediterranean, and it  
23          certainly should have at least 15 feet,  
24          as the Planning Board recommended, 15  
25          feet setback from LeJeune, 10 feet

1 setback from the alley, and 10 feet  
2 setback from Valencia.

3 We certainly agree with the  
4 Planning Board to deny their request.

5 Thank you.

6 MR. AIZENSTAT: Can I ask you  
7 something? First, when you talk about  
8 the setbacks, for example, the setback  
9 from LeJeune --

10 MR. DAVIDSON: The setback on  
11 LeJeune is recommended at 15 feet.

12 MR. AIZENSTAT: It's 15 feet.  
13 Isn't it today that we would like to do  
14 a zero setback, with spaces and stores,  
15 or am I wrong?

16 MR. CARLSON: Currently, the  
17 required -- the required setbacks for  
18 the property without Mediterranean  
19 bonuses would be 10 feet on the north,  
20 which would be adjacent to the church  
21 property, and 15 feet from LeJeune,  
22 which has been designated as the front  
23 of the property.

24 MR. AIZENSTAT: Okay.

25 MR. CARLSON: And then along

1 Valencia and along the alleyway, they  
2 can go to zero, but at a certain height  
3 there's a step-back.

4 MR. AIZENSTAT: And how do they  
5 have it?

6 MR. CARLSON: Well, they have --  
7 They're requesting a zero setback on the  
8 north, adjacent to the church property.  
9 They're going from 10 feet to zero.  
10 They're requesting going from 15 to 10  
11 along LeJeune, and I believe they're  
12 meeting the setbacks on Valencia and on  
13 the alleyway.

14 MR. AIZENSTAT: The other buildings  
15 that are on LeJeune, that are recently  
16 constructed, for example, where the  
17 Burger King was going to go in or where  
18 City National -- what setbacks do those  
19 buildings have?

20 MR. CARLSON: I can't -- I would  
21 not --

22 MR. SALMAN: Zero.

23 MR. RIEL: Those are zero.

24 MR. AIZENSTAT: Those have zero  
25 setbacks.

1 MR. RIEL: Most definitely zero.

2 MR. AIZENSTAT: Right. So I don't  
3 see why this one --

4 MS. KEON: The church -- but the  
5 church is set back.

6 MR. AIZENSTAT: No, no, I'm not  
7 talking about the church setback. I'm  
8 just talking about the LeJeune setback.

9 MR. SALMAN: What is the setback of  
10 that church?

11 MR. DAVIDSON: The LeJeune setback  
12 is recommended 15 feet, but the height  
13 is also a problem.

14 MR. AIZENSTAT: And another  
15 question, if I may ask you. I was a  
16 little confused at the beginning. You  
17 currently -- your office is currently on  
18 LeJeune or you currently live there?

19 MR. DAVIDSON: Yes, on the east  
20 side of LeJeune, not on the west side.

21 MR. AIZENSTAT: On the other side  
22 of LeJeune --

23 MR. DAVIDSON: Right.

24 MR. AIZENSTAT: -- which is where  
25 the City National Bank building is?

1 MR. DAVIDSON: Right.

2 MR. AIZENSTAT: And then you were  
3 talking about something that you looked  
4 into buying this property?

5 MR. DAVIDSON: It was offered to me  
6 and I declined to buy it --

7 MR. AIZENSTAT: Okay.

8 MR. DAVIDSON: -- because I didn't  
9 want to have it converted. The idea  
10 was, it was offered to me with the idea  
11 to convert it to a commercial zoning,  
12 and my architect thought it would be  
13 incompatible with the neighborhood and I  
14 agreed with him and we declined to buy  
15 it.

16 MR. AIZENSTAT: Thank you.

17 CHAIRMAN KORGE: Let's call the  
18 next witness, please.

19 MS. MENENDEZ: Maggie Manrara.  
20 Henry Pino.

21 CHAIRMAN KORGE: Please state your  
22 name and address for the record.

23 MR. PINO: Yes. Good evening.  
24 Henry Pino, 232 Andalusia Avenue, Unit  
25 370. I own my office there, and have

1           been there for like five years.

2           I've looked at the project, and I  
3           think the project really does a lot for  
4           the area. I think that there's a  
5           precedent set there, especially since  
6           there's a commercial parking space area  
7           that's been there for years now, and I  
8           really don't have a problem with the  
9           project. I think it does -- it does  
10          revitalize the area quite a bit from  
11          what's there right now.

12          MR. AIZENSTAT: And your office is  
13          how close?

14          MR. PINO: About two blocks away.  
15          We're right next to the Chocolate  
16          Fashion Bakery that's on Andalusia  
17          Avenue. Yeah, right there.

18          MR. AIZENSTAT: Thank you.

19          MR. PINO: Thank you.

20          MS. MENENDEZ: Nita Yeung.

21          CHAIRMAN KORGE: State your name  
22          and address for the record.

23          MS. YEUNG: Nita Yeung.

24          CHAIRMAN KORGE: Address?

25          MS. YEUNG: My office address is at

1           4104 Aurora Street, in Coral Gables. My  
2           family owns duplexes on the 2900 block  
3           of LeJeune, and we support this project.

4           MR. AIZENSTAT: And you -- I'm  
5           sorry, the telephone rang. Can you say  
6           that again?

7           MS. YEUNG: My family? My family  
8           owns duplexes on the 2900 block of  
9           LeJeune.

10          MR. AIZENSTAT: Okay.

11          MS. YEUNG: And we support this  
12          project.

13          MR. AIZENSTAT: You support it?

14          MS. YEUNG: Yes.

15          MR. AIZENSTAT: Okay, thank you.

16          MS. YEUNG: Thank you.

17          MS. MENENDEZ: Henry Paper.

18          MR. PAPER: Good evening,  
19          Mr. Chairman, Members of the Board. My  
20          name is Henry Paper. I live at 600  
21          Biltmore Way. That's two blocks to the  
22          west of this property.

23                 By way of just a little background  
24                 on myself, I'm an attorney. I've  
25                 practiced for many years, appeared

1 before many boards, State and Federal  
2 agencies. Along with my partners, we  
3 own a significant amount of land in this  
4 City, including almost the whole north  
5 side of the 700 block of Valencia  
6 Avenue.

7 I'm very familiar with this  
8 property -- with this project, and for  
9 all the reasons that have been expressed  
10 earlier tonight by counsel for the  
11 applicant and architect for the  
12 applicant, we echo our support for this  
13 project. I don't want to belabor the  
14 point, take a lot of your time, but I  
15 think everyone on the Board is very  
16 familiar with this site. I know I am.  
17 I go past it multiple times every day.  
18 It's clearly not a residential site.  
19 The zoning has not kept pace with the  
20 character of the surrounding properties,  
21 pretty much all high-rise.

22 I don't have a particular dog in  
23 this fight. I just care about this City  
24 and love the City and like to see the  
25 City prosper. You know Coral Gables has

1           become a very prominent and well-known,  
2           prestigious corporate address around the  
3           country. We have a lot of multi-  
4           national corporate residents in this  
5           town, and to continue to attract them,  
6           you need new office product.

7           Our properties are not commercial.  
8           I would support it even if they were  
9           commercial. I think that the request  
10          only does good things for the City, and  
11          I think that the proposed office use is  
12          not too intense for the site. It  
13          provides a very well-reasoned and  
14          balanced transition between the very  
15          intense commercial activity in the  
16          Central Business District and the less  
17          intense activity to the south in the  
18          residential district.

19          I think the office use -- if you're  
20          looking at a commercial use for this  
21          site, office is an excellent selection.  
22          You know, it's quite benign and clean.  
23          Pretty much in the evenings after six or  
24          seven o'clock, there's no activity going  
25          on in office space. Weekends, there's

1 no activity in the office space, as  
2 opposed to what you have at a commercial  
3 use over here. Parking requirements for  
4 the office are less intense than retail.

5 So I think, for those reasons, and  
6 for the reasons previously expressed, we  
7 support the application and we hope you  
8 do, too.

9 Questions? Thank you very much.

10 CHAIRMAN KORGE: Thank you.

11 MR. AIZENSTAT: Thank you.

12 MS. MENENDEZ: George Prendes.

13 CHAIRMAN KORGE: Please state your  
14 name and address for the record.

15 MR. PRENDES: My name is George  
16 Prendes. I hold offices at 7600 Red  
17 Road. I'm a property owner of various  
18 residential property in the Valencia  
19 block. I have familiarized myself with  
20 the project, and rather than standing  
21 here and talking about all the positive  
22 things that everyone else has spoke  
23 about, I'm all in agreeance (sic) for  
24 the project. I think it's not only good  
25 for the City but it's good for the area.

1           Being the use that it's presently  
2           having, I think that this is a very good  
3           project, and I think that you should all  
4           consider approving the application.

5           Thank you.

6           CHAIRMAN KORGE: Any more?

7           MS. MENENDEZ: No more speakers.

8           CHAIRMAN KORGE: No more? Okay.

9           We'll close the public hearing portion  
10          and go to questions for the applicant.

11          MR. AIZENSTAT: Can I ask a  
12          question?

13          CHAIRMAN KORGE: And for the City,  
14          too, but why don't we start with the  
15          applicant?

16          MR. AIZENSTAT: On the bottom  
17          floor, what do you propose to do on the  
18          first floor of the property?

19          MR. VALENT: The ground floor is --  
20          The ground floor will also be office.  
21          The offices are split on two sides, on  
22          both sides of the lobby, so it will be  
23          office use.

24          MR. AIZENSTAT: So it will all be  
25          office?

1 MS. RUSSO: And there's no retail  
2 use.

3 MR. AIZENSTAT: So there's no  
4 retail, there's not going to be any  
5 restaurants, loud noise?

6 MS. RUSSO: No restaurant, no  
7 retail use.

8 MR. VALENT: No.

9 MS. RUSSO: Strictly office.

10 MR. AIZENSTAT: For the neighbors  
11 or anything like that?

12 MR. VALENT: Not at all.

13 CHAIRMAN KORGE: Somebody needs to  
14 explain to me, because I'm still  
15 confused about the height limits  
16 surrounding the property. Looking at --  
17 I see, from your presentation, the paper  
18 presentation, I see it's on Block Number  
19 6, I guess, and I'm having trouble  
20 figuring out, what are the -- Putting  
21 aside this particular project, all  
22 around it there are height limitations.  
23 What are they?

24 MR. CARLSON: Can I walk you  
25 through them?

1                   CHAIRMAN KORGE: I would appreciate  
2                   that very much.

3                   MR. CARLSON: All right.

4                   Currently, the subject property, as  
5                   a low-rise commercial site, would be  
6                   allowed four to six stories, up to 77  
7                   feet.

8                   CHAIRMAN KORGE: Do this for me.

9                   MR. CARLSON: Okay.

10                  CHAIRMAN KORGE: Just --

11                  MR. CARLSON: I just started --

12                  CHAIRMAN KORGE: Biltmore Way, you  
13                  know -- Start from Biltmore Way and work  
14                  your way south --

15                  MR. CARLSON: Okay.

16                  CHAIRMAN KORGE: -- so I understand  
17                  what all these colors mean.

18                  MR. CARLSON: Okay. On Biltmore  
19                  Way to the north, which is the church  
20                  property, that also has a commercial  
21                  low-rise intensity land use designation.  
22                  That allows four to six stories, six  
23                  stories with Mediterranean bonuses, up  
24                  to 77 feet. As I said, the subject  
25                  property is the same. You go to the

1 west of the property, that is  
2 residential use, multi-family,  
3 medium-density. Okay, that's a medium  
4 density. It's an MFSA zoning  
5 designation, and because it's adjacent  
6 to low-rise -- or excuse me, low-  
7 density, which is across the street to  
8 the south, that's limited to 60 feet in  
9 height.

10 So the brown properties all along  
11 the north side of Valencia, from the  
12 subject property all the way to Hernando  
13 Street, that's allowed to go to 60 feet.

14 MS. RUSSO: But for the fact that  
15 it's already developed with the Laroc,  
16 and you have --

17 MR. AIZENSTAT: Yes, what's there?

18 MS. RUSSO: In other words, that's  
19 at 150, so -- and the Laroc being a  
20 condominium, not a single-owned  
21 apartment building, in order for a  
22 condominium to be terminated, you would  
23 need every single owner in there to  
24 agree, and then that building could be  
25 taken down.

1                   So the fact that the height  
2                   limitation is 60, it --

3                   CHAIRMAN KORGE: I know where the  
4                   Laroc is, but where exactly is the Laroc  
5                   in relation --

6                   MS. RUSSO: The Laroc is -- the  
7                   only thing separating our project from  
8                   the Laroc is the City's surface parking  
9                   lot.

10                  (Thereupon, Mr. Coe left.)

11                  MR. CARLSON: And so if the City's  
12                  surface parking lot were to be  
13                  developed, it would have to -- it would  
14                  be limited to 60 feet. If anything else  
15                  on the north side of Valencia Avenue was  
16                  to be developed, it could only go to 60  
17                  feet.

18                  Across the street -- again, heading  
19                  south, across the street on the south  
20                  side of Valencia, that's low-density  
21                  multi-family.

22                  MR. AIZENSTAT: That's the light  
23                  beige?

24                  MR. CARLSON: That's the light  
25                  beige, and because it's adjacent to

1           single-family, it's limited to 35 feet  
2           in height.

3           MR. AIZENSTAT: Well --

4           MR. CARLSON: So on the south side  
5           of Valencia -- In the MFSA district,  
6           when an MFSA district abuts a  
7           single-family or duplex-zoned property,  
8           it's limited in height to 35 feet, and  
9           this all along here abuts those zoning  
10          districts, so on the south side of  
11          Valencia, the highest you can go is 35  
12          feet.

13          On the north side of Valencia, the  
14          highest you can go is 60 feet, and then  
15          when you go south of -- actually, onto  
16          Almeria Street, which is south of the  
17          low-density, that's single-family and  
18          that's subject to the single-family  
19          development provisions.

20          So what you have is the existing  
21          church at 77 --

22          MS. RUSSO: But now go west,  
23          because west of the existing church you  
24          have high-rise at 150, with bonuses to  
25          190.

1 MR. CARLSON: But we're going  
2 around the southern side.

3 MS. RUSSO: Take the existing  
4 church site and go west.

5 MR. CARLSON: But as you asked,  
6 going south from Biltmore, it's 77 for  
7 the church site, it's 77 for the subject  
8 site, it's 60 for the north side of  
9 Valencia, it's 35 on the south side of  
10 Valencia, and then it's the  
11 single-family south of there --

12 MS. RUSSO: Which is 29.

13 MR. CARLSON: -- which is 29.

14 CHAIRMAN KORGE: So why is -- If  
15 everything surrounding it to the north  
16 and west is 60 feet or higher, why would  
17 we impose a 35-foot requirement right on  
18 LeJeune, across the street from the  
19 35-foot -- or what size -- what height  
20 requirement are we setting there? You  
21 want to set what height requirement --  
22 the City, the Staff, wants to set it at  
23 what height?

24 MR. AIZENSTAT: 77.

25 MR. CARLSON: We want -- our

1 recommendation is the same height as  
2 what the church is, which has the same  
3 land use designation. The church can go  
4 four to six, 77 feet. That's the same  
5 land use designation which the subject  
6 property has, and we're recommending the  
7 same height.

8 CHAIRMAN KORGE: So, Ms. Russo, why  
9 should that be higher than everything  
10 else around it?

11 MS. RUSSO: Because even though  
12 Mr. Carlson keeps telling you that to  
13 the west of the subject property is 60  
14 feet, I'm telling you, that's on a map  
15 without looking -- if you go right  
16 outside and you look --

17 CHAIRMAN KORGE: I understand.

18 MS. RUSSO: -- the reality is that  
19 that development pattern is -- is --

20 MR. AIZENSTAT: There.

21 MS. RUSSO: -- is there. The  
22 precedent has been set. When the Laroc  
23 was built in the '80s, it was determined  
24 that this whole corridor on the north  
25 side of Valencia was high-rise.

1           So whether we even discuss it going  
2           to the west of Hernando, I'm taking --  
3           my position is that our block is a  
4           unique block. If you just look at Block  
5           6, you start out with the fact that you  
6           have the church property at 77. You go  
7           west and you have high-rise, potentially  
8           up to 190, and you have the proper  
9           frontage there. You go south and you  
10          already have 130 -- I mean, a 150-foot  
11          high-rise and then you have a surface  
12          commercial parking lot, and so we're  
13          saying 10 stories is a transition, and  
14          what makes it particularly different  
15          from the south is the fact that we're on  
16          LeJeune and we're commercial, and  
17          LeJeune is not that wide. LeJeune is  
18          only a 60-foot right-of-way, and then  
19          immediately east of us we have the  
20          potential, which is already under  
21          consideration, of Publix going 16  
22          stories as-of-right on their site, and  
23          to the south, Mr. Davidson's building,  
24          which is a 13-story, 150 -- a  
25          150-foot-high building.

1 MR. RIEL: Mr. Chair --

2 MS. RUSSO: So, you know, even  
3 though our category that we're asking  
4 for is a hundred -- I mean, is  
5 high-rise, our site plan request  
6 specifically is limiting us to 10  
7 stories, which is -- you know, the  
8 problem here is, the City has a mid  
9 range that is only six to eight, so  
10 anything above eight to 16 automatically  
11 is considered high-rise. So our request  
12 is for 10 stories and 117 feet.

13 MR. AIZENSTAT: Your 10 stories  
14 includes your bonuses?

15 MS. RUSSO: 10 stories, using all  
16 bonuses. I mean, you know, it's 10  
17 stories, 117 feet.

18 MR. AIZENSTAT: Tops?

19 MS. RUSSO: Tops.

20 MR. SALMAN: Six, period, end of  
21 story.

22 MR. VALENT: Top, maximum.

23 MS. RUSSO: Maximum.

24 MR. SALMAN: Six, period, end of  
25 story. Never again, no more than 117.

1 MR. VALENT: No more.

2 MS. RUSSO: Excuse me?

3 MR. SALMAN: No more than 117?

4 MS. RUSSO: No more than 117.

5 MR. SALMAN: Except for your  
6 parapets and other stuff.

7 MR. VALENT: Yes. That is our  
8 finished roof slab height.

9 MR. RIEL: Mr. Chair, I just want  
10 to remind the Board, if you recall, we  
11 did an MFSA study, which included Bird,  
12 Biltmore Way, Segovia. That area was  
13 designated as a transitional zone. When  
14 we went back and redid the Zoning  
15 Code -- that was in advance of the  
16 Zoning Code. The intent was to  
17 transition off of Biltmore Way, as you  
18 go back off of Biltmore Way, to  
19 transition down to single-family.

20 Staff is of the opinion that  
21 LeJeune Road is the dividing line.  
22 Although, you know, the applicant  
23 indicates that Laroc is down the street,  
24 that's kind of an anomaly. That was  
25 developed under the site-specific

1 standards --

2 MR. AIZENSTAT: But it's there.

3 MR. RIEL: -- in the early '80s.

4 MS. RUSSO: And to the west.

5 MR. RIEL: I understand that, but  
6 it was developed in the early '80s,  
7 under site-specific, which allowed 13  
8 stories. But also note, the Laroc is  
9 also set back. It's not, you know, 10  
10 foot from the road, as well, so -- I  
11 mean, when we did the MFSA and the  
12 transition zone, we realized the Laroc  
13 was there. It's been there 25 years.  
14 It's not going to go anywhere. We  
15 understand that. And that was taken  
16 into consideration when we looked at the  
17 MFSA zoning district.

18 MS. RUSSO: But that whole  
19 corridor -- I mean, just to -- you know,  
20 again, respectfully, we disagree, but if  
21 I take the corridor, he says Laroc, and  
22 then I continue, my father lived in the  
23 600 Biltmore Way, and that was the whole  
24 block. I mean, 600 Biltmore Way is 13  
25 stories before Mediterranean, but it

1           also was the whole block north of  
2           Valencia. It wasn't just, you know, the  
3           south half on the Biltmore side. It was  
4           the whole block, and if you continue  
5           going west, that pattern goes on. Then  
6           you have the David William.

7                     So what I'm saying is, I think the  
8           development pattern is already  
9           established. The precedent is there,  
10          and on this block, more than anything,  
11          it's more evident. It's right there  
12          next to us. And it's on a calmer part  
13          of the block. I mean, if anything, you  
14          would think the more intense use and the  
15          intense height should be on LeJeune,  
16          where you have 40,000 cars going by  
17          daily, not on Hernando, where you have,  
18          you know, much less traffic.

19                    CHAIRMAN KORGE: Well, that implies  
20          that where the church property is  
21          located, putting aside historical  
22          considerations, that would end up at a  
23          similar height at some point.

24                    MR. AIZENSTAT: It could.

25                    MS. RUSSO: It could.

1 MR. AIZENSTAT: Yeah.

2 MS. RUSSO: I mean, the request  
3 would have to come before you. It  
4 wouldn't be an automatic thing. The  
5 request would have to come before you.

6 MR. AIZENSTAT: The way I look --

7 MS. RUSSO: And I think that  
8 depends on what, you know, are the  
9 ultimate plans -- what the ultimate  
10 plans are for the church. Whether or  
11 not there's historic designation, I  
12 mean, I think, you know, like all  
13 things, you have to take it, you know,  
14 on its own merits, when and if that  
15 comes before you. It may never come  
16 before you, because, you know, the  
17 church may embrace the historic  
18 designation. The church may not.

19 MS. MORENO: Ms. Russo, I was on  
20 this Board when this area came before  
21 us, on an emergency basis, because of  
22 the concern of the neighborhood of  
23 overdevelopment, and the MFSA was  
24 adopted as a response to the fact that  
25 the buildings that were there were

1 high-rises, the David William and the  
2 600 and the Laroc and all of those.

3 The intent at that point was to  
4 provide incentives by creating the  
5 townhouse area and all of that, to avoid  
6 further development of this area, and  
7 this project goes against all of that,  
8 in addition to which it's not  
9 residential. It's commercial.

10 MS. RUSSO: But I think --

11 MR. AIZENSTAT: But --

12 MS. MORENO: Everything west of  
13 LeJeune is residential.

14 MS. RUSSO: Yeah, but this was  
15 already -- in other words, the  
16 request -- this property already has a  
17 commercial land use designation that  
18 some Board, you know, one of your  
19 predecessors, made a determination that  
20 that was the appropriate land use for  
21 the site. We did not make that request.

22 So, already having the land use  
23 designation of commercial, which makes  
24 this an unusual block and I think very  
25 different -- I understand exactly what

1           you're saying, as you proceed further  
2           west. I think it's an entirely, you  
3           know, different situation when you're on  
4           LeJeune Road and you already have a  
5           commercial --

6           MS. MORENO: There's not a single  
7           commercial building on LeJeune Road  
8           except for the Jaycee building at the  
9           corner of University and the 401 Miracle  
10          Mile building. That's it. Everything  
11          else -- that little strip of Biltmore  
12          Way that has some stores. Everything  
13          else is residential, either duplex or  
14          small apartment buildings. There's  
15          nothing commercial west of LeJeune Road.  
16          You would be creating --

17          MS. RUSSO: Until you go south.  
18          South of Bird Road, there is.

19          MS. MORENO: South of Bird Road is  
20          different. This has been, historically,  
21          the Coral Gables residential district.  
22          I love your project. I can't support it  
23          where it is.

24          MR. AIZENSTAT: See, I feel the  
25          opposite. I feel that as a commercial,

1 as what it is, I think it would be  
2 better twofold, and one is, we wouldn't  
3 have the traffic that the residential  
4 would bring. If you look at today's  
5 environment and what's going on, I don't  
6 know if I would support another  
7 residential project there. There's so  
8 many residential projects. By one  
9 token, they're not doing -- One of my  
10 concerns would have been actually if  
11 they're doing commercial, if they're  
12 doing restaurants or bars or anything  
13 down below that might impact --

14 MR. RIEL: But understand, if the  
15 applicant gets approval of the site plan  
16 and has commercial zoning and they  
17 decide to put a restaurant in and they  
18 meet the parking requirements, they will  
19 be approved for a restaurant.

20 MR. AIZENSTAT: That might be  
21 something --

22 MR. RIEL: And there are a whole  
23 host of other commercial uses that are  
24 intense.

25 MS. RUSSO: I can proffer no

1 restaurant, no retail, and that could be  
2 a condition that we would put in the  
3 declaration of restrictive covenant.

4 MR. AIZENSTAT: And to me, with  
5 traffic, if they've done -- I don't know  
6 the traffic. If they have done their  
7 traffic and the City is satisfied with  
8 their traffic -- unfortunately, we don't  
9 have the City Staff here from Traffic to  
10 talk about it, but if they have done  
11 their traffic to where the City is  
12 satisfied, and I've got a commercial  
13 area to where I don't have traffic at  
14 night there, I don't have traffic on the  
15 weekends, meaning it brings in more  
16 traffic, I'm okay with the City's  
17 recommendation to make it commercial.  
18 It makes sense to me.

19 As far as the building itself, I  
20 think what you physically see there is  
21 totally different than what I'm looking  
22 at on paper, and if I look at it that  
23 way, it makes sense to me. It's stepped  
24 back. I see the buffers. I see the  
25 buffer zone as Valencia and not, quote,

1 unquote, what would have been that alley  
2 between the properties. I mean, that --  
3 I'm sorry, you know, that's the way I  
4 feel.

5 MR. SALMAN: The Biltmore Way  
6 corridor -- correct me if I'm wrong --  
7 was always intended to be a high-rise  
8 corridor.

9 MR. RIEL: Yes.

10 MR. SALMAN: I mean, from Day One.

11 MR. RIEL: Yes.

12 MR. SALMAN: From the day Merrick  
13 laid it out.

14 MR. RIEL: It dates back to 1929,  
15 yes.

16 MR. SALMAN: Exactly.

17 MR. RIEL: Because we did the  
18 analysis as part of the MFSA.

19 CHAIRMAN KORGE: I'm sorry, which  
20 corridor are you saying?

21 MR. RIEL: The Biltmore Way.

22 MR. SALMAN: The whole Biltmore Way  
23 corridor. It was always --

24 MR. RIEL: It was changed. It was  
25 residential, though, at one time --

1 MR. SALMAN: Yeah.

2 MR. RIEL: -- but it still had the  
3 height of 190 feet. It switched to  
4 commercial.

5 MR. SALMAN: That's correct, and I  
6 just want to state that for the record.

7 Also, the MFSA issue was a reaction  
8 to the growth of housing on the north  
9 side of Valencia --

10 MR. RIEL: Correct.

11 MR. AIZENSTAT: Right.

12 MR. SALMAN: -- where we were going  
13 to be blocking a lot of people's views,  
14 and it was -- but they were building  
15 pretty much as-of-right in many  
16 respects, and what they had -- what they  
17 suffered was pretty much a downzoning of  
18 their situation because of this new --  
19 and I wasn't necessarily in agreement  
20 with the whole process, by the way.

21 You have a very unique property. I  
22 think you're abutting a much taller  
23 building already across the street,  
24 because the way the whole zoning is set  
25 up, instead of zoning across streets,

1           we're zoning back to back, and there's a  
2           whole series of issues that we can't fix  
3           because they're all underlying, but the  
4           reality is that this becomes the last  
5           possible place you're going to be able  
6           to build a high-rise, on that end of  
7           that corridor, from -- going south. I'm  
8           looking at going south. And you have  
9           two that would bracket the whole area  
10          around the City Hall, the one on the  
11          800 -- or, excuse me, the 401 --

12                   MS. RUSSO: The 401.

13                   MR. SALMAN: -- Building, which  
14           eventually will probably be redeveloped  
15           as it reaches its life cycle, and this  
16           site, and they are far enough away from  
17           the City Hall not to be a visual  
18           nuisance to them.

19                   Likewise, I like the fact that  
20           you're not going to be putting any kind  
21           of intense retail use on the ground  
22           floor, so that it would be a quiet  
23           neighbor to the residents along  
24           Valencia.

25                   The duplexes that are there, you

1 know, ladies and gentlemen, those were  
2 all built as pretty much land banks, I  
3 mean, a way to be able to pay for the  
4 taxes and eventually be developed for  
5 their intended use. Now their intended  
6 use has changed, because of the new  
7 MFSA, so they're sort of stuck there,  
8 into their relative density, but  
9 initially that was designed to be and  
10 intended to be of a higher density than  
11 what is currently allowed, and that's  
12 why you have the alleyway separating  
13 that from the single-family residential,  
14 and that was -- that was not a mistake.  
15 If you go to the next block, they're  
16 back to back.

17 MS. RUSSO: They're back to back.

18 MR. SALMAN: Okay. Again, that's  
19 not a mistake. There's underlying logic  
20 to the plan.

21 And you're right, this is a unique  
22 site, and I think that the request to  
23 repair the zoning to the higher -- to  
24 the high-rise intensity for the  
25 commercial is logical and one that I

1           would support.

2           So I don't see any reason why -- I  
3           don't think you're asking for anything  
4           that's not illogical (sic).

5           CHAIRMAN KORGE: Pat, would you --

6           MS. KEON: I would have to agree  
7           with Cristina. I think that LeJeune  
8           Road, in this community, for -- I've  
9           lived here for 35 years. I'm going to  
10          tell you, for those 35 years and for a  
11          very long time, LeJeune Road is the  
12          bright line between the commercial  
13          development and the residential  
14          community, and despite that you may have  
15          that development along Biltmore Way and  
16          you have that -- but it's limited to  
17          Biltmore Way. It doesn't -- most of it  
18          is a half of a block. This is not  
19          Biltmore Way. This is Andalusia and  
20          Valencia. It's not Biltmore Way.

21          I think that you have some  
22          protection for this residential area by  
23          having that whole corner done as  
24          low-rise, and it does step back, so you  
25          don't have canyons, and you don't have

1           that sense going down LeJeune, you don't  
2           have that sense coming up Biltmore Way.  
3           It does gradually go up high and then it  
4           comes back down again, which is an  
5           entirely different look than if you sat  
6           at that height all along.

7                        So I would have to strongly agree  
8           with the argument that Cristina has  
9           proffered and could not support this --  
10          that height at this place, although it's  
11          a beautiful building. It's a beautiful  
12          building, and you deserve all the credit  
13          in the world for your design capability,  
14          because it's beautiful. I really think  
15          we have a very ominous obligation to  
16          ensure that we protect the residential  
17          community that exists here west of  
18          LeJeune Road.

19                       CHAIRMAN KORGE: Are you saying  
20          that you're opposed to even the Land Use  
21          Plan change proposed by the Staff?

22                       MS. MORENO: I am. I would propose  
23          changing the Comprehensive Land Use Plan  
24          to residential.

25                       MS. KEON: I mean, I would even --

1 MS. MORENO: The MFSA.

2 MS. KEON: Right. I mean, I --  
3 that would be my preference, but to  
4 leave it as low density, so then I know  
5 it's no more than four stories or  
6 whatever. I could live with that and I  
7 could support that, which is --

8 CHAIRMAN KORGE: Is it four  
9 stories?

10 MS. RUSSO: It's four stories and  
11 up to 77 feet with bonuses.

12 MS. KEON: I mean, I could live  
13 with what's there, knowing that that is  
14 also the designation of the church, so  
15 if the church ever sells, that will  
16 remain that, also, so you have that  
17 gradual tapering from that four or five  
18 stories, whatever, back into where then  
19 it does go up, it undulates and it comes  
20 back down as it goes into the  
21 residential neighborhoods, and the fact  
22 that Laroc is there, you know, one  
23 mistake does not make for another.

24 MR. SALMAN: If this project were  
25 to be casting shadows on single-family

1 residences, I would suggest that you  
2 might have a stronger point, but  
3 honestly, your concern with regards to  
4 canyons is not going to happen here.

5 MS. MORENO: You start with this  
6 one, and the next thing, we're going to  
7 get --

8 MS. KEON: The church will go next,  
9 and it will keep going.

10 MS. MORENO: And it will keep on  
11 going, all down LeJeune. "We're across  
12 the street from commercial, there's  
13 already precedents." You know, it will  
14 be commercial buildings from Coral Way  
15 to Bird Road, all along LeJeune.

16 MR. AIZENSTAT: Well, I see -- I'm  
17 sorry.

18 CHAIRMAN KORGE: I'm a little  
19 concerned. I mean, we -- I have a  
20 strong recollection of that whole  
21 moratorium area --

22 MS. MORENO: Uh-huh.

23 CHAIRMAN KORGE: -- and we went  
24 through this in excruciating detail.  
25 There were compromises --

1 MS. MORENO: Yeah, people crying  
2 and people fighting here.

3 CHAIRMAN KORGE: It was pretty  
4 contentious, but compromises were made,  
5 and I don't know, I mean, just undoing  
6 that, even if it seems logical -- I  
7 mean, it doesn't sound like it's, you  
8 know, out in left field somewhere, and  
9 the design is superb, I mean, there's no  
10 question about that. I don't know. I  
11 mean, just undoing that political  
12 compromise, I don't know that's a wise  
13 thing to do, I mean, and I don't think  
14 that the owner should be surprised. You  
15 know, this wasn't something that  
16 happened 30 years ago. It was highly  
17 contentious. It slowed down the Zoning  
18 Code rewrite, because we had to address  
19 that before we could finish up the  
20 rewrite. I mean, I -- you know, in a  
21 perfect world, maybe it should have been  
22 designated for a higher rise commercial  
23 use, but that wasn't the compromise. I  
24 don't --

25 MR. SALMAN: This is a boundary

1 property for that area, for that  
2 designated area.

3 CHAIRMAN KORGE: Well, the whole  
4 issue was that boundary area in there.

5 MS. MORENO: Yeah, right, that was  
6 the issue.

7 CHAIRMAN KORGE: I mean, those were  
8 the issues.

9 MS. MORENO: And the result was  
10 that MFSA area. That was the result of  
11 all that brouhaha that we had here.

12 MR. SALMAN: It was a brouhaha. It  
13 was silly.

14 .

15 MR. AIZENSTAT: You see, to me,  
16 everything which I read from the  
17 objections is noise and traffic. By  
18 going commercial, I think you're helping  
19 that out, with this specific property.

20 CHAIRMAN KORGE: Well, I don't  
21 think changing to conform to the  
22 Comprehensive Land Use Plan as  
23 low-intensity or low-density  
24 commercial does any violence to the --  
25 what we did in the moratorium area,

1           because that was there in the moratorium  
2           area when we made all those other  
3           changes to the MFSA. So conforming to  
4           the Comprehensive Land Use Plan doesn't  
5           concern me, but changing the  
6           Comprehensive Land Use Plan now to a  
7           higher intensity of use, I mean, I don't  
8           know that I'm prepared to do that at  
9           this time, myself.

10           MR. AIZENSTAT: Let me ask you a  
11           question, Eric. One of the Board  
12           members had to leave, and we're also  
13           missing, obviously, Robert, who had to  
14           recuse himself. How does that affect  
15           the vote or --

16           MR. RIEL: Well, it depends on how  
17           you vote.

18           MR. AIZENSTAT: No, no, no, I don't  
19           mean by that. What I'm saying is --

20           MR. SALMAN: But they would have a  
21           right to appeal, won't they?

22           MR. RIEL: Well, if you go -- if  
23           you go for -- you need to have four  
24           votes for a recommendation, whatever  
25           that motion may be. So, for instance,

1           if you have two-three or three-two, it  
2           goes forward with a no recommendation,  
3           with the indication that three  
4           parties --

5           CHAIRMAN KORGE:  However I vote,  
6           it's going to be no recommendation.  
7           That's clear already, right?  I mean --

8           MR. AIZENSTAT:  Right.  That's why  
9           I'm saying -- because from what I'm  
10          hearing, I mean, you're already  
11          missing --

12          MS. KEON:  Two.

13          CHAIRMAN KORGE:  So, I mean,  
14          getting to the point that you're driving  
15          to --

16          MS. RUSSO:  But it could be  
17          three-three.  It could be a three-three,  
18          which would still go --

19          MR. RIEL:  That option goes to the  
20          applicant.  If they want to postpone  
21          their request until the next meeting,  
22          they can certainly do that.  That's up  
23          to them.

24          CHAIRMAN KORGE:  And I'm not sure  
25          that how we vote really is going to

1 make it --

2 MS. RUSSO: We'll move forward,  
3 only because, you know, with the next --  
4 with the missing Board member, you could  
5 still end up with the three-three or  
6 four-two, but, you know, either way, we  
7 prefer to move forward.

8 CHAIRMAN KORGE: Move forward?

9 MS. RUSSO: Please.

10 CHAIRMAN KORGE: So, if there's no  
11 further discussion, what we should do, I  
12 guess, is first take the proposal of the  
13 Comprehensive Land Use Plan change, and  
14 take a motion one way or another on  
15 that, which would be, I guess, the  
16 applicant --

17 MR. SALMAN: Well, actually, we  
18 need four votes --

19 MS. KEON: Yeah.

20 MR. SALMAN: -- because there's two  
21 issues for two different bodies.

22 MR. AIZENSTAT: You need two votes.

23 MR. SALMAN: No, it's four votes.

24 MS. RUSSO: I think you need to  
25 vote on three different things.

1 MS. KEON: Three different.

2 MR. SALMAN: Correct, three.

3 MR. RIEL: You need three motions.

4 MR. SALMAN: But we are acting --

5 CHAIRMAN KORGE: Well, first, we're  
6 a Local Planning Agency --

7 MR. SALMAN: Local Planning Agency.

8 MS. RUSSO: Right.

9 MR. SALMAN: And then also Planning  
10 and Zoning.

11 CHAIRMAN KORGE: For a change of  
12 land use from Commercial Use, Low-Rise  
13 Intensity, to Commercial Use, High-Rise  
14 Intensity. That's the request of the  
15 applicant.

16 MS. MORENO: I move that we deny  
17 that request.

18 CHAIRMAN KORGE: Is there a second  
19 for that motion?

20 MS. KEON: I'll second.

21 CHAIRMAN KORGE: Any discussion on  
22 that motion?

23 Let's call the roll on that,  
24 please.

25 MS. MENENDEZ: Eibi Aizenstat?

1 MR. AIZENSTAT: Okay, just to be  
2 clear, she voted to deny?

3 MS. MORENO: Deny.

4 CHAIRMAN KORGE: A motion to deny.

5 MR. AIZENSTAT: So I like it, so I  
6 would vote --

7 CHAIRMAN KORGE: No.

8 MR. SALMAN: No.

9 MR. AIZENSTAT: Right. Okay, I  
10 just wanted to be clear. Thank you.  
11 No.

12 MS. MENENDEZ: Pat Keon?

13 MS. KEON: Yes.

14 MS. MENENDEZ: Cristina Moreno?

15 MS. MORENO: Yes.

16 MS. MENENDEZ: Javier Salman?

17 MR. SALMAN: No.

18 MS. MENENDEZ: Tom Korge?

19 CHAIRMAN KORGE: Yes.

20 Now we're convening as the Planning  
21 and Zoning Board for review of a change  
22 of zoning from MFSA to --

23 MR. RIEL: Commercial.

24 MS. RUSSO: Commercial.

25 CHAIRMAN KORGE: -- Commercial.

1 Can we even do that with a denial  
2 of a --

3 MR. RIEL: Yes.

4 MS. RUSSO: Yes.

5 MS. MORENO: Yes.

6 MR. RIEL: Yes, you can. Staff is  
7 recommending you change the zoning to be  
8 consistent with the land use.

9 MS. RUSSO: Staff is recommending  
10 approval of Number 2.

11 MS. KEON: Yes.

12 CHAIRMAN KORGE: Okay. Well,  
13 before we go down that road, how do you  
14 feel about that, changing it, now that  
15 it's just low-rise? Would you still  
16 prefer that?

17 MR. SALMAN: You'd still want the  
18 commercial.

19 MS. RUSSO: Well, yes, I would  
20 still like the inconsistency corrected.

21 CHAIRMAN KORGE: You would like it  
22 to be consistent.

23 MS. RUSSO: Absolutely.

24 CHAIRMAN KORGE: Okay.

25 MR. AIZENSTAT: I'd like to make a

1 motion that we move toward the Staff  
2 recommendation on that.

3 MR. SALMAN: I'll second it.

4 CHAIRMAN KORGE: Second. Any  
5 discussion on that?

6 MS. KEON: Let me make sure. Will  
7 you clarify for me what this commercial  
8 is? This is low-rise?

9 CHAIRMAN KORGE: It's low-rise.

10 MS. KEON: Four-story, as is shown  
11 currently on the land use map that's in  
12 this?

13 MS. MORENO: Yes.

14 MR. RIEL: The height is regulated  
15 by the Commercial Low-Rise Intensity,  
16 which allows four floors --

17 MS. KEON: Okay.

18 MR. RIEL: -- up to six with  
19 Mediterranean bonuses, and the permitted  
20 height would be 77 feet, is a Commercial  
21 zoning.

22 MS. MORENO: Eric, can't we request  
23 a change in land use to this  
24 Multi-Family Special area?

25 MR. RIEL: You could certainly do

1           that.

2           MS. MORENO: Okay. Now, should I  
3           have done that as the Local Planning  
4           Board before this?

5           CHAIRMAN KORGE: Yes.

6           MR. RIEL: Well, what's unique  
7           here, you have a change in land use.  
8           You had a motion for denial. It's  
9           three-two, so that's a no recommendation  
10          to go forward.

11          If the Board wants to go in that  
12          direction of changing the land use from  
13          Commercial Low-Rise to another, I would  
14          suggest that motion be made now --

15          MS. MORENO: Okay.

16          MR. RIEL: -- before you act upon  
17          the zoning.

18          MR. AIZENSTAT: Well, we have a  
19          motion and a second, so how do you --

20          MR. RIEL: Right. You obviously  
21          need a motion and second, if that's the  
22          intent of the Board.

23          CHAIRMAN KORGE: Well, I'm not  
24          going to change my vote on the first  
25          one, so if you still want to -- if you

1 want me to reopen the Local Planning  
2 Agency as a courtesy to you, I'll do  
3 that, if nobody objects, and we'll go  
4 vote, the way you want, but I'm not  
5 going to change my vote. I'm not going  
6 to --

7 MR. AIZENSTAT: What?

8 CHAIRMAN KORGE: Do you want to  
9 reopen the Local Planning Agency?

10 MS. MORENO: I just want it to be  
11 clear that we're not forced to change it  
12 to commercial because the Land Use Plan  
13 says it's commercial. You also have the  
14 option of changing the Land Use Plan to  
15 Multi-Family Special Area.

16 CHAIRMAN KORGE: I certainly  
17 understood that.

18 MS. MORENO: Okay.

19 CHAIRMAN KORGE: I presume  
20 everybody else did. So we have a motion  
21 for Item Number 2, the change of zoning  
22 from MFSA, Multi-Family Special Area, to  
23 C, Commercial, to correct the  
24 inconsistency, and there's a second for  
25 that motion. Is there any discussion on

1                   that motion?

2                   No discussion? We'll call the roll  
3                   on that, please.

4                   MS. MENENDEZ: Cristina Moreno?

5                   MS. MORENO: No. As I indicated, I  
6                   would prefer to change the Land Use  
7                   Plan.

8                   MS. MENENDEZ: Javier Salman?

9                   MR. SALMAN: Yes.

10                  MS. MENENDEZ: Eibi Aizenstat?

11                  MR. AIZENSTAT: Yes.

12                  MS. MENENDEZ: Pat Keon?

13                  MS. KEON: Yes.

14                  MS. MENENDEZ: Tom Korge?

15                  CHAIRMAN KORGE: Yes.

16                  MR. RIEL: That goes forward as an  
17                  approval, four-one. So we need a motion  
18                  on the site plan.

19                  CHAIRMAN KORGE: Pardon me?

20                  MR. RIEL: We need a motion on the  
21                  site plan.

22                  CHAIRMAN KORGE: Yes, on the site  
23                  plan review, which --

24                  MS. MORENO: I make a motion to  
25                  deny the site plan review, consistent

1 with our refusal to change the  
2 intensity, which I believe is a  
3 prerequisite.

4 MR. AIZENSTAT: Right.

5 MR. RIEL: Yes, it is.

6 MS. KEON: I'll second it.

7 CHAIRMAN KORGE: There's a motion  
8 and a second. Is there any discussion  
9 on that?

10 No discussion? We'll call the  
11 roll.

12 MS. MENENDEZ: Javier Salman?

13 MR. SALMAN: No.

14 MS. MENENDEZ: Eibi Aizenstat?

15 MR. AIZENSTAT: No.

16 MS. MENENDEZ: Pat Keon?

17 MS. KEON: Yes.

18 MS. MENENDEZ: Cristina Moreno?

19 MS. MORENO: Yes.

20 MS. MENENDEZ: Tom Korge?

21 CHAIRMAN KORGE: Yes.

22 MR. RIEL: That motion goes forward  
23 with no recommendation, as well.

24 CHAIRMAN KORGE: Yes.

25 MS. RUSSO: Thank you.

1 MR. AIZENSTAT: Thank you.

2 CHAIRMAN KORGE: Are we done?

3 MR. RIEL: Just one quick -- I just  
4 want to -- We prepared an attainable  
5 housing summary. The Commission asked  
6 us to try to get the word out. I just  
7 gave you a copy. It's in front of you.  
8 We have nothing else.

9 CHAIRMAN KORGE: The meeting is  
10 adjourned.

11 (Thereupon, the meeting was  
12 adjourned at 8:10 p.m.)

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C E R T I F I C A T E

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

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

I further certify that all witnesses were duly sworn by me.

DATED this 20th day of August, 2008.

\_\_\_\_\_  
JOAN L. BAILEY, RDR, FPR

Notary Commission Number DD 64037  
Expiration June 14, 2011.