

City of Coral Gables
Local Planning Agency (LPA)/Planning and Zoning Board Meeting
Wednesday, June 22, 2011, 6:02 p.m.
Coral Gables Memorial Youth Center Auditorium
405 University Drive, Coral Gables, Florida

MEMBERS	N3	N30	D9	J12	F9	M9	A27	M11	J8	J22	APPOINTMENT
	'10	'10	'10	'11	'11	'11	'11	'11	'11	'11	
Eibi Aizenstat - Chair	P	P	C	C	P	C	P	C	P	P	City Manager Patrick Salerno
Robert Behar	P	P	C	C	P	C	P	C	P	P	Commissioner Rafael Cabrera, Jr.
Jeffrey Flanagan - Vice Chair	P	P	C	C	P	C	P	C	P	P	Commissioner Maria Anderson
Julio Grabiell	-	-	-	-	-	-	-	C	P	P	Mayor Jim Cason
Pat Keon	P	P	C	C	P	C	P	C	P	P	Planning and Zoning Board
Javier Salman	P	P	C	C	P	C	P	C	P	P	Vice Mayor William H. Kerdyk, Jr.

P = Present
E = Excused
U = Unexcused
C = Meeting Cancelled

City Staff and Consultants:

Eric Riel, Jr., Planning Director
Walter Carlson, Asst. Planning Director
Scot Bolyard, Principal Planner
Jill Menendez, Administrative Assistant
Craig E. Leen, City Attorney
Glenn Kephart, Public Works Director
Major Scott Masington, Police Department
Chief Robert Lowman, Fire Department
Martha Salazar-Blanco, Zoning Official
Jeff Easley, P.E. Consultant
Reynolds, Smith & Hill, Inc.
Jennifer Cohen Glasser, Esq.
Akerman Senterfitt

Court Reporter:

Joan Bailey

Attachments entered into the record:

- A. 06.22.11 Attendance Sign-In List
- B. Public Comments: 06.09.11 thru 06.21.11
- C. Courtesy Public Hearing Notice – Somerset

D. Published legal notice

E. Tucker Gibbs Documents: Restrictive Covenant, Ordinance # 2252 and Ordinance # 2455

F. Bella Smith Document: Heart of the Soul

G. Thor Bruce Documents: Pictures

DRAFT

1 CITY OF CORAL GABLES
 2 LOCAL PLANNING AGENCY (LPA)/
 3 PLANNING AND ZONING BOARD MEETING
 4 VERBATIM TRANSCRIPT
 5 CORAL GABLES CITY HALL
 6 405 BILTMORE WAY, COMMISSION CHAMBERS
 7 CORAL GABLES, FLORIDA
 8 WEDNESDAY, JUNE 22, 2011, COMMENCING AT 6:02 P.M.

9 Board Members Present:
 10 Eibi Aizenstat, Chairman
 11 Robert Behar
 12 Jeffrey Flanagan, Vice-Chairman
 13 Julio Grabiell
 14 Pat Keon
 15 Javier Salman

16 City Staff and Consultants:
 17 Eric Riel, Jr., Planning Director
 18 Walter Carlson, Assistant Planning Director
 19 Craig E. Leen, City Attorney
 20 Scot Bolyard, Planner
 21 Jill Menendez, Administrative Assistant
 22 Martha Salazar-Blanco, Zoning Official
 23 Glenn Kephart, Public Works Director
 24 Robert Lowman, Fire Department
 25 Scott Masington, Police Department
 Jennifer Glasser, Esq., Akerman Senterfitt
 Jeff V. Easley, P.E., Reynolds, Smith and Hills, Inc.

Others Participating in Proceedings:
 Laura Russo, Esq.
 Russo & Baker
 On behalf of the Applicant,
 Somerset Academy Gables
 Rolando Llanes, Architect, Civica LLC
 Richard Garcia, Traffic Engineer
 W. Tucker Gibbs, Esq.
 On behalf of the Biltmore Neighborhood
 Association and Carlos Carta

1 THEREUPON:
 2 The following proceedings were had:
 3 CHAIRMAN AIZENSTAT: We're going to go
 4 ahead and get started, because we do have a
 5 quorum.
 6 I'd like to welcome everybody back here.
 7 First I'd like to ask everybody, if you could
 8 please turn off your cell phones or put it on
 9 silence, that would be greatly appreciated.
 10 Thank you.
 11 MR. SALMAN: That includes us, right?
 12 CHAIRMAN AIZENSTAT: That includes us, yes.
 13 Let's go ahead and call the roll call,
 14 please.
 15 MS. MENENDEZ: Robert Behar?
 16 MR. BEHAR: Here.
 17 MS. MENENDEZ: Jeff Flanagan?
 18 Julio Grabiell?
 19 MR. GRABIEL: Here.
 20 MS. MENENDEZ: Pat Keon?
 21 MS. KEON: Here.
 22 MS. MENENDEZ: Javier Salman?
 23 MR. SALMAN: Here.
 24 MS. MENENDEZ: Eibi Aizenstat?
 25 CHAIRMAN AIZENSTAT: Here.

1 Normally, the second order of business, we
 2 go ahead and approve the minutes, but what
 3 we're going to be doing is, we're going to hold
 4 until we complete this application, and at the
 5 following meeting, the minutes will be given to
 6 us for approval.

7 Please note that Jeffrey Flanagan has just
 8 come in.

9 Okay, the next order, I'd like to -- Please
 10 be advised that this Board is a quasi-judicial
 11 board and the items on the agenda are
 12 quasi-judicial in nature, which requires Board
 13 members to disclose all ex-parte
 14 communications. An ex-parte communication is
 15 defined as any contact, communication,
 16 conversation, correspondence, memorandum or
 17 other written or verbal communication that
 18 takes place outside a public hearing between a
 19 member of the public and a member of a
 20 quasi-judicial board, regarding matters to be
 21 heard by the quasi-judicial board. If anyone
 22 has made any contact with a Board member, when
 23 the issue comes before the Board, the member
 24 must state on record the existence of the
 25 ex-parte communication, the party who

1 originated the communication, and whether the
 2 communication will affect the Board member's
 3 ability to impartially consider the evidence to
 4 be presented regarding the matter.

5 At this time, I'd like to ask, if any of
 6 the Board members have had any such
 7 communication, to disclose it at this time.

8 MR. SALMAN: No.

9 MR. BEHAR: No, none.

10 CHAIRMAN AIZENSTAT: Okay, thank you.

11 We're here -- Let me give you a brief
 12 background as to how we arrived to today. We
 13 had our first meeting over at the Coral Gables
 14 Youth Center. That meeting was held on April
 15 27th. At that meeting, we had the applicant
 16 and City Staff both give their presentations.

17 After that, we had a second meeting that
 18 was held on June 8th, at the Coral Gables Youth
 19 Center, where Mr. Gibbs gave his presentation,
 20 and we also had public comments. At that
 21 meeting, the public comments were closed, and
 22 today we're continuing that application.

23 The application that we're continuing is
 24 Application Number 07-10-113-P, which is Change
 25 of Land Use, Conditional Use and Site Plan

1 Review for Somerset Grace Academy Charter
2 School.

3 The first one is an Ordinance of the City
4 Commission of Coral Gables, Florida, requesting
5 an amendment to the Future Land Use Map of the
6 City of Coral Gables Comprehensive Plan
7 pursuant to Small Scale amendment procedures,
8 Florida Statutes 163, dot one -- I'm sorry, dot
9 3187, from a "Religious/Institution" to
10 "Community Services and Facilities," for the
11 2.6 acres of land commonly known as University
12 Baptist Church, which are legally described as
13 Block 116, Coral Gables Country Club Section
14 Part 6, whose address is 624 Andalusia
15 Avenue -- I'm sorry, Anastasia Avenue, Coral
16 Gables, Florida, and providing for
17 severability, repealer, codification and an
18 effective date.

19 The second is an Ordinance of the City
20 Commission of Coral Gables, Florida, requesting
21 conditional use review pursuant to Zoning Code
22 Article 3, Development Review, Division 4,
23 Conditional Uses, to permit a student increase
24 of an existing Charter School from 110 students
25 to a maximum of 735 students on property

1 CHAIRMAN AIZENSTAT: Please.
2 MS. KEON: I have some questions for Eric.
3 Eric, in the -- The attorney that spoke
4 before us made a comment that the City made a
5 mistake when they were allowed -- allowed this
6 land use with the current zoning, and I think
7 they were referring to the senior citizens. Is
8 that -- Is there any merit to that? Does the
9 current zoning for -- Does the Special Use for
10 Religious and Institutional allow for use --
11 allow for a senior citizen center to operate
12 there?

13 MR. RIEL: The actual use of the facility
14 UBC by seniors -- and I'm not sure of the total
15 number of folks that are at the facility -- I
16 wouldn't categorize it as a senior center.

17 MS. KEON: Okay.
18 MR. RIEL: I would categorize it as a
19 meeting place where seniors gather. That was
20 actually approved by the City Commission in a
21 separate resolution.

22 MS. KEON: So it is an appropriate -- It is
23 an appropriate use?
24 MR. RIEL: Yes.
25 MS. KEON: Okay. The use that is being

1 designated "Special Use S" Zoning District,
2 which is legally described as Block 116, Coral
3 Gables Country Club Section Part 6, whose
4 address is 624 Anastasia Avenue, Coral Gables,
5 Florida, providing for severability, repealer,
6 codification and an effective date.

7 And the third is an Ordinance of the City
8 Commission of Coral Gables, Florida, requesting
9 Site Plan Review to permit miscellaneous site
10 improvements and a student increase of an
11 existing Charter School from 110 students to a
12 maximum of 735 students on property designated
13 "Special Use S" Zoning District, legally
14 described as all of Block 116, Coral Gables
15 Country Club Section Part 6, whose address is
16 624 Anastasia Avenue, Coral Gables, Florida,
17 and including required conditions and providing
18 for severability, repealer, codification and an
19 effective date.

20 Now, at the last meeting, we went ahead and
21 closed the public comments. So we're all here,
22 and we're now going to go ahead and open it up
23 to the Board for any discussion that the Board
24 may have. Would anybody like to start?

25 MS. KEON: I --

1 proposed, as a community use --

2 MR. SALMAN: Community Services and
3 Facilities.

4 MS. KEON: Now, does that -- That use
5 doesn't exist in the City of Coral Gables now;
6 is that right?

7 MR. RIEL: No, that's incorrect. The
8 category exists. The category was included in
9 the Comprehensive Plan as part of the
10 evaluation appraisal report in 2006. It was
11 included in the recent adoption of the Comp
12 Plan which was done in 2010. So it's been in
13 the works for about four years. No property in
14 the City has that --

15 MS. KEON: Designated.

16 MR. RIEL: -- designation assigned to it,
17 correct.

18 MS. KEON: Assigned to it. Can you -- What
19 was the purpose of -- What is the purpose of
20 that designation, when it was being developed,
21 and where was it anticipated that it would be
22 applied?

23 MR. RIEL: Well, if you look at the --

24 MS. KEON: Within the City --

25 MR. RIEL: If you look at --

1 MS. KEON: -- from a planning perspective,
2 where would that be?

3 MR. RIEL: If you look at the definition of
4 Community Services and Facilities, buildings
5 and adjacent land areas that serve a public and
6 a community function, including local, state
7 and federal government facilities, public and
8 private schools, excluding university,
9 medical/health facilities, and religious
10 institutional -- it's almost identical to the
11 current Religious/Institutional category.

12 The purpose of putting it in the Code was
13 to allow for uses -- churches and schools,
14 community facilities, to be in neighborhoods,
15 where, as you note in my presentation at the
16 first meeting, I feel it's appropriate for
17 churches and schools to be in close proximity
18 to where you live, obviously, reducing trips
19 and that sort, so I feel the category is
20 appropriate, and it's for that reason that we
21 created a new category, to kind of encompass,
22 because we have very specific categories,
23 Religious/Institutional, Commercial,
24 Conservation, Open Space, Parks & Recreation.
25 So it was put in the Code to allow for similar

1 type uses.

2 MS. KEON: Okay, and is there anything --
3 What by right would someone have to develop in
4 an area with that designation?

5 MR. RIEL: The future land use is just a
6 designation for the future use of the property.

7 MS. KEON: Right.

8 MR. RIEL: It does not specify in terms of
9 very specific uses. The Comprehensive Plan is
10 kind of the road map to the future of the City.
11 What actually assigns uses is the underlying
12 "S" zoning, and the "S" zoning, as I noted in
13 my presentation, any new use or expansion in an
14 "S" zone needs to go through public hearing
15 review, quasi-judicial proceedings like this.

16 In fact, the only thing you can pretty much
17 put in an "S" use is like an outside fountain
18 and the sort, and "S" uses are assigned to all
19 religious/institutional, municipal government
20 uses, parks, playgrounds. It's meant to be,
21 again, a community-serving zoning designation.

22 MS. KEON: So the underlying zoning, the
23 "S" zoning, or the "S" use, remains on the land
24 use?

25 MR. RIEL: Correct. They're not asking for

1 a change in zoning. That is what currently is
2 on the property.

3 MS. KEON: So the zoning would remain the
4 same, and regardless of how we change the
5 designation, it would still have to go through
6 all of the review that any "S" zoning has to go
7 through.

8 MR. RIEL: Correct.

9 MS. KEON: Okay. That's all. Thank you.

10 MR. BEHAR: Can you address something
11 there? And first of all, let me take this
12 opportunity to commend Staff for the excellent
13 presentation you put together a couple months
14 ago.

15 To the effect that Pat Keon was
16 questioning, Mr. Gibb (sic) mentioned -- stated
17 that the proposed land use, Community
18 Facilities, will allow a jail to be built under
19 that condition. It is my understanding -- and
20 we were involved in the rewrite of the Code
21 several years ago -- that that's incorrect,
22 that is not a true statement.

23 Does the present Code allow for such a
24 facility to be built there?

25 MR. RIEL: Again, the property is zoned "S"

1 right now. That's not being changed.

2 Government uses are allowed at that specific
3 location right now, under that zoning. So
4 there's no change. If you look at the
5 government use category, the definition, it
6 specifically prohibits jails, among a number of
7 other things. So that statement made by the
8 attorney is absolutely incorrect.

9 MR. BEHAR: Okay. You know, I -- and this
10 is a very difficult matter, I think, that we're
11 facing today. Back 33 years ago, the UBC got
12 approved for 110 kids. I am a believer that
13 over the years, things changes, and I think
14 that, you know, yes, there is a -- my personal
15 belief, that there is an opportunity for an
16 increase.

17 I'm having a very difficult time justifying
18 the increase to 735 kids. I had a question to
19 the traffic engineer -- I don't know if he's
20 still here now, Richard, or if he's here
21 tonight. How do you really going to (sic) --
22 and you say that you went through the analysis.
23 I don't know, is Richard here tonight?

24 MR. LLANES: I think he may be outside. I
25 can help with the answer, if you want.

1 MR. BEHAR: Okay, Rolando, maybe you can.
 2 CHAIRMAN AIZENSTAT: Could you come up,
 3 please? Thank you.
 4 MR. BEHAR: Because I'm -- We know the
 5 site's constrained. Increasing to 735 kids,
 6 how do you really going to be able to control
 7 all the cars to stay within your property,
 8 because, you know, based on the picture that
 9 Mr. Riel showed us in the first presentation,
 10 we saw cars all over the adjacent properties.
 11 How do we going to be able to maintain those
 12 cars within the properties?
 13 MR. LLANES: Okay, remember -- Rolando
 14 Llanes, Civica, with offices at 8323 Northwest
 15 12th Street, and thank you for hosting this
 16 tonight.
 17 The question, Mr. Behar, has to do with the
 18 fact that early on, what we do with any design
 19 of any school or any facility, whether it be
 20 new, existing, or a conversion facility, you
 21 look at the capacity of the site to absorb
 22 traffic, to absorb --
 23 MR. BEHAR: Excuse me.
 24 Mr. Gibbs, can you please sit down? I
 25 mean, I --

1 MR. GIBBS: Understood.
 2 MR. BEHAR: Go ahead. I'm sorry.
 3 MR. LLANES: You look at the physical
 4 capacity of the site, and there are many
 5 methods which the traffic engineer applies to
 6 look at that, the surrogate school, the
 7 accumulation data that they collect, et cetera.
 8 In this particular site, if you --
 9 obviously, you're familiar with it -- there is
 10 a significant amount of queuing. I believe
 11 that we have about -- space for about 31
 12 vehicles that queue.
 13 The other thing that you look at when you
 14 come up with that number, based on all of
 15 the sort of methodologies and data that you
 16 use, is that one very important factor here is
 17 -- and that is one of the nuances about looking
 18 at other places and taking pictures and going
 19 and seeing, is that you have to look at how
 20 many you're dismissing in one block of time.
 21 Schools that have a certain number usually
 22 arrive and dismiss over a period of time.
 23 In this case, we're proposing two arrivals,
 24 three dismissals, I believe. I think it's two
 25 arrivals and three dismissals. Particularly

1 the dismissals, which -- you know, arrivals is
 2 much more fluid operations, you know, in any
 3 school, because the child is already in the car
 4 that you drive through, you drop them off, et
 5 cetera.
 6 MR. BEHAR: Let me interrupt a second.
 7 Thirty-one cars in the queue, and how many kids
 8 does that equate to?
 9 MR. LLANES: I don't have the specific
 10 number, in terms of that, but it isn't one to
 11 one. It isn't that you're driving 735 vehicles
 12 into the site.
 13 I think Richard is here. He can continue
 14 the answer on that, but one last moment and
 15 then I can sort of hand it off to him, to
 16 finish the answer, but remember, very
 17 specifically, what we're proposing here are
 18 three dismissal shifts, a half hour apart.
 19 That's 245 children being dismissed in one
 20 half-hour block. That usually happens in a
 21 much more concentrated time, over that half
 22 hour. That is how you can guarantee the
 23 continuous flow of traffic, the fact that
 24 you're not going to back up and affect adjacent
 25 streets, because you are not dismissing 735,

1 for example, at one time.
 2 MR. BEHAR: I understand, but it seems to
 3 me that if you're saying queuing for 31
 4 vehicles --
 5 MR. LLANES: Right.
 6 MR. BEHAR: -- and you have 245 kids --
 7 MR. LLANES: Right.
 8 MR. BEHAR: -- per every 30 minutes, I
 9 mean, maybe Richard knows -- can enlighten us a
 10 little more, but I don't see how that can be
 11 contained within your site. I mean, that's
 12 my --
 13 MR. LLANES: Right.
 14 MS. RUSSO: I just want to say, Richard has
 15 arrived. So the traffic engineer is here, so
 16 he can --
 17 MR. BEHAR: Richard, come on up, please.
 18 The questions are being heard, and I think
 19 the question was, how do you -- Can you explain
 20 to us, how do you propose that the vehicles are
 21 going to be staged within your property?
 22 MR. GARCIA: Right.
 23 MR. BEHAR: 245 kids, three shifts,
 24 whatever it is, during the course of arrival
 25 and dismissal.

1 MR. GARCIA: Correct. As Rolando, I'm
 2 sure, stated, because I heard it on my way
 3 up -- and I apologize for being late -- Richard
 4 Garcia, for the record, 13117 Northwest 107th
 5 Avenue -- it's based on a surrogate school, and
 6 the surrogate school that we selected was one
 7 that I personally selected, and selected it on
 8 purpose because it's very conservative. It's
 9 in an industrial area where there's almost no
 10 children walking, and this was part of my
 11 presentation. Almost all the children are
 12 driven to school. It has a smaller class size.
 13 So, this being a larger -- more grades, there's
 14 a greater probability that this school is going
 15 to have more siblings, so there's some safety
 16 margins, if you will, built into that surrogate
 17 school. At the end of the day, it's based on
 18 that surrogate school and the queuing of that
 19 surrogate school.

20 Now, when we say that there's a dismissal
 21 of 245 kids, you may be thinking that exactly
 22 245 kids leaving all get on the cars. That's
 23 not the case, because there's always going to
 24 be some after school care, there's going to be
 25 some siblings, there's -- but that's how the

1 it's not a fair comparison, it's actually a bad
 2 comparison, but it actually hurts us, because
 3 we're picking one that is going to generate a
 4 greater queue, and that really was my -- my
 5 choosing. Rolando came to me and we worked
 6 together on a lot of schools, and he said to
 7 me, "Look, this is the layout, this is how many
 8 cars we can stack. You tell me how many -- you
 9 know, what student population," and I'm the
 10 one, and have to take full responsibility, I'm
 11 the one who came up with the number 735, based
 12 on the science, based on the math, and I
 13 selected a very conservative school so that I
 14 feel confident that there's enough safety
 15 margins built into that, into that data set,
 16 you know, being in Doral, and I've done about
 17 50 school studies and probably collected data
 18 in about 20 to 25 schools, so I have a lot of
 19 experience, not only doing the studies, but
 20 actually going to the field, the schools, and
 21 collecting the data and watching these queues
 22 develop, and watching how they develop and how
 23 they dissipate, and that's a very important
 24 point to make, is how they dissipate.

25 When we're talking about what this maximum

1 computations work, if you will. We take the
 2 entire proposed school number, and if we're
 3 doing three dismissals, then obviously one
 4 third for each dismissal, and so it becomes
 5 just a straight proportion of what the
 6 surrogate school had, as far as queue, and the
 7 number of students and what our number of
 8 students would be.

9 MR. BEHAR: Is that surrogate school that
 10 you mentioned the same that, Mr. Riel, you
 11 showed us the photographs?

12 MR. RIEL: No.

13 MR. BEHAR: Okay.

14 MR. RIEL: No, that was Mater Gardens I
 15 showed you.

16 MR. BEHAR: Okay.

17 You just mentioned that the surrogate
 18 school was in an industrial area. Is it a fair
 19 comparison between an industrial area and a
 20 residential area? Because, I mean, there's no
 21 neighbors adjacent to the school that would be
 22 affected by the traffic generated from the
 23 arrival and dismissals, would it?

24 MR. GARCIA: That's correct. You're right,
 25 and maybe the best thing to say is that, no,

1 queue is, once that bell rings, if you will,
 2 the queue starts dissipating very quickly. So
 3 that maximum queue lasts -- and from my data,
 4 it shows it lasts one, two, three minutes. I
 5 mean, it starts dropping rapidly, because
 6 obviously, well, the parents want to go home.
 7 No one is standing around. The thing becomes
 8 very dynamic. And so that maximum queue lasts
 9 minutes. So it's a very, you know, important
 10 distinction, you know, to make.

11 CHAIRMAN AIZENSTAT: While you're up here,
 12 do you take into account any parents that don't
 13 want to stand in the queue but want to park
 14 their car somewhere around the school, to go
 15 get their child individually?

16 MR. GARCIA: In the data set, yes, any
 17 parents that we saw parking, they're part of
 18 that queue, that we --

19 CHAIRMAN AIZENSTAT: What percent of the
 20 parents would you say did not stand in that
 21 queue, out of your study?

22 MR. GARCIA: Oh, I couldn't tell you. I
 23 mean, we --

24 CHAIRMAN AIZENSTAT: What would you say?
 25 Just guess.

1 MR. GARCIA: Maybe 10 to 20 percent, in a
 2 range.
 3 CHAIRMAN AIZENSTAT: Only 10 to 20 percent
 4 of the parents would park their cars and just
 5 walk?
 6 MR. GARCIA: Yes.
 7 MR. SALMAN: A quick question --
 8 MR. GARCIA: Some schools, depending how
 9 they operate and depending their layout,
 10 depending the number of parking spaces they
 11 have, some schools -- and I'll get to your
 12 question in a second -- some schools choose to
 13 operate it where they have, you know, a greater
 14 percentage of parents pulling in and parking,
 15 really like by design, because of the geometry
 16 of the site.
 17 CHAIRMAN AIZENSTAT: But your school, the
 18 industrial school that you looked at, did it
 19 have --
 20 MR. GARCIA: No, they were queuing, and a
 21 lot of it was on the street.
 22 CHAIRMAN AIZENSTAT: So there was no
 23 parking and --
 24 MR. GARCIA: The swale. There's a little,
 25 tiny dropoff. It's the Doral Academy. There's

1 a small little dropoff. A lot of it is on the
 2 street, over here. I mean, it was really all
 3 over the place. When you think about 97
 4 vehicles, it was a lot of cars, and, you know,
 5 it's like -- you know, I've been hounded with
 6 this analysis and this study, and, you know, I
 7 picked the one that I thought would be the
 8 worst case scenario so that there's enough
 9 margin built into it.
 10 MR. LLANES: And by the way, excuse me, on
 11 that, the Miami-Dade County Public Works
 12 accepted, in that analysis, when this study was
 13 submitted to them, in fact, one that has been
 14 used in other schools and accepted the way that
 15 methodology was evaluated in this case. So it
 16 was a very conservative school to use, and for
 17 that purpose, that's why we felt it was a very
 18 strong -- makes a very strong argument for the
 19 numbers that we're generating.
 20 MR. GARCIA: Yes, this surrogate school in
 21 particular was used as a surrogate for another
 22 school study I did, and that school was
 23 approved by the City -- it's also in the City
 24 of Doral -- was approved by the City of Doral
 25 and by Miami-Dade Public Works, using the same

1 data set.
 2 MR. SALMAN: Through the Chair --
 3 CHAIRMAN AIZENSTAT: Yes.
 4 MR. SALMAN: My question has to do with the
 5 actual stacking. You have 31 spaces on site
 6 that you're going to be able to stack. But my
 7 experience is that we have early arrivals for
 8 pickup before the time frame. Does your
 9 analysis -- Could you describe a little bit
 10 your analysis with regards to the time and the
 11 stacking as it develops?
 12 MR. GARCIA: Sure. If you're --
 13 MR. SALMAN: Just to make sure that -- What
 14 are the impact that we're looking at? How many
 15 more than 31, if there are any, will stack
 16 prior to the actual dismissal time?
 17 MR. GARCIA: Yeah, if -- I don't know if
 18 you remember, we had some graphical issues or
 19 projector issues last time, when I made a
 20 presentation, but whenever we start running
 21 these queuing analyses, we always have to get
 22 there where the queue is zero, and so our
 23 graph, it was probably hard to see, but it
 24 starts, really, like the baseline at zero, and
 25 then it starts building, and then when we

1 get --
 2 MR. SALMAN: But the time differential
 3 between the peak and the zero, on the front end
 4 of the curve, how long is that?
 5 MR. GARCIA: Well, that's where that
 6 half-hour split has -- you know, empirically,
 7 has proven to be the best, you know, between
 8 one arrival and dismissal and the next,
 9 because, you know, we found --
 10 MR. SALMAN: Do you think it would be fair
 11 to say that a half an hour before, we have one,
 12 two cars, and then 15 minutes before, we have
 13 closer to 30, and then perhaps, you know, 10
 14 minutes or five minutes, just before the bell
 15 rings, it might pop beyond the 31?
 16 MR. GARCIA: The 31, the peak, usually
 17 occurs within the last five minutes before that
 18 bell rings.
 19 MR. SALMAN: I know. That's what --
 20 MR. GARCIA: Yeah, that's why --
 21 MR. SALMAN: -- I'm saying, is that a fair
 22 description?
 23 MR. GARCIA: You said that five minutes
 24 before the bell rings, you get -- start
 25 approaching that peak?

1 MR. SALMAN: Uh-huh.
 2 MR. GARCIA: Yes. Usually the peak is one
 3 or two minutes before the bell rings.
 4 MR. SALMAN: What I'm trying to establish
 5 is the time frame where we actually have
 6 maximum stacking and the possibility of
 7 overflow back on the street.
 8 MR. GARCIA: Yeah. I would --
 9 MR. SALMAN: That's what I'm trying to
 10 establish.
 11 MR. GARCIA: If I had to give a range to
 12 that, I would say from five minutes before the
 13 bell rings to -- the most, five minutes after,
 14 a ten-minute window.
 15 MR. BEHAR: But how many cars the 245 kids
 16 will generate, really create? How many
 17 vehicles? You've got staging for 31 --
 18 MR. GARCIA: At that peak period.
 19 MR. BEHAR: At that peak, but how many cars
 20 are you really generating?
 21 MR. GARCIA: That's what the analysis
 22 showed.
 23 MR. BEHAR: No, no, no. The analysis
 24 showed that you have 31 -- capacity to
 25 accommodate 31 cars. My question or the

1 because the thing that's in play in all this,
 2 that really makes everything difficult to
 3 understand how this works, is time, because
 4 some parents will --
 5 MR. SALMAN: That's what I was asking.
 6 MR. GARCIA: Time, you know?
 7 MR. SALMAN: That's exactly what I was
 8 asking.
 9 MR. GARCIA: Exactly. Time is the element.
 10 And so that's why, when we collect our data, we
 11 do it on one-minute intervals, to try to really
 12 know, minute by minute, how that queue is
 13 reaching its peak.
 14 MR. BEHAR: I understand, but at some point
 15 in time, in those 30 minutes, your peak time,
 16 what's the most vehicles that you're going to
 17 really have? Have you done that analysis?
 18 MR. GARCIA: I can look at the trip
 19 generation. The problem is that we have two
 20 issues here. We do the trip generation in the
 21 morning, because that's the critical analysis
 22 for that, and then the queuing, we do it in the
 23 afternoon, because that's the critical --
 24 MR. SALMAN: Richard, answer the question.
 25 The question is very clear. During that peak

1 question is, how many cars 245 kids generate.
 2 And don't tell me 31, because, you know --
 3 MR. GARCIA: Well, what happens is, 31 is
 4 the maximum queue. The way queue theory works
 5 is, it's like water flowing into a bottle --
 6 MR. BEHAR: Which I understand. A question
 7 for you, very simple. 245 kids, how many -- in
 8 the 30 minutes, how many cars will that 245
 9 kids generate?
 10 MR. GARCIA: I can't tell you what that --
 11 because what we focus on is the queue, and the
 12 queue --
 13 MR. BEHAR: Are we talking, maybe, in that
 14 30 minutes, 100 cars, 150 cars?
 15 MR. GARCIA: I don't know. I'd have to
 16 check the data. That's part of trip
 17 generation.
 18 MR. BEHAR: Yeah, but --
 19 MR. GARCIA: It's not part of queuing. The
 20 queuing is the critical element.
 21 MR. BEHAR: Well, no, no, no, no. It goes
 22 hand in hand, because if you've only got
 23 capacity for 31, and I've got 150 cars waiting
 24 to come in, to fit in those 31 spaces --
 25 MR. GARCIA: It doesn't work that way,

1 time, how many cars -- that five minutes before
 2 to five minutes after, what is your maximum
 3 queue?
 4 MR. GARCIA: Well, the maximum queue is 31.
 5 That's the maximum queue, 31 vehicles.
 6 MR. LLANES: Well, I think, physically,
 7 what we did was, we said, "How much can you
 8 queue," and work our way to a number. There's
 9 one very important aspect to this site, which
 10 is actually present in some of your schools in
 11 the City right now, and that is that we're
 12 talking about one linear queue. The site has
 13 the capacity to double queue, for example, as
 14 St. Thomas Episcopal is the same thing. Once
 15 you start reaching that moment, and staff
 16 begins to see that the cars may be backing up
 17 because you've reached the full limit of 31 and
 18 it's not moving, you open that bypass lane.
 19 That's what the bypass lane does. You now
 20 basically increase, twofold, whatever the
 21 distance may be, the amount of cars that you
 22 can begin to stack on site, double-loaded, and
 23 then you merge into the lane.
 24 So there's always -- That's what was great
 25 about this site, that we thought. This is a

1 site that was essentially almost kind of
2 designed for that kind of movement, because you
3 had the parking lot in the U shape. It was
4 counterclockwise, which is what you want, so
5 that you can load on the -- you know, unload on
6 the right.

7 MR. SALMAN: Unload and load on the
8 passenger's side, yes.

9 MR. LLANES: Exactly. It was that way. If
10 it was the other way, we would have kind of an
11 issue there. And it has that capacity. And by
12 the way, we were -- because our parking
13 requirements are only 50 cars at the 735, for
14 staff, and then UBC at six spaces, et cetera,
15 the site has 93 spaces. We weren't even
16 borrowing -- In that queue of 31, sometimes
17 what they let you do is, if you can't meet your
18 queue requirements, in other words, if you
19 can't get to a hundred percent, and 31 is a
20 hundred percent, let's say you've got 25, what
21 happens in school design, in site plan design,
22 is that they say, well, five cars now have to
23 be able to park unencumbered by the queue, for
24 example. In this case, we didn't need to do
25 that, because we were meeting 100 percent.

1 room to have cars park there and to have two
2 lanes?

3 MR. LLANES: Yes.

4 MS. KEON: And to allow those cars to come
5 or go?

6 MR. FLANAGAN: No.

7 MR. LLANES: No, those cars, if you have
8 that -- at that moment --

9 MS. KEON: Those cars have to remain
10 permanently --

11 MR. LLANES: Exactly.

12 MS. KEON: -- at the site.

13 MR. LLANES: Right.

14 MS. KEON: Can you help me understand why
15 queuing theory doesn't work at like St.

16 Theresa's, that's a K through 8 school, that
17 has approximately -- I think there's about 800
18 kids in St. Theresa's?

19 MR. SALMAN: Uh-huh, more or less.

20 MS. KEON: And any of us that have lived in
21 that area know the traffic that is created from
22 that, both in the morning and the afternoon.
23 Why doesn't it work?

24 MR. LLANES: I don't know the specifics. I
25 don't know how many shifts they're dismissing

1 There's an extreme amount of overflow parking
2 in this case when you add the school to the
3 mix, but in addition to that -- just the last
4 point I'll make is the first point I made, is
5 that you have this amazing capacity on the
6 site. When you start seeing this thing
7 happening and you may have to be -- you know,
8 impacting the adjacent streets, you open up
9 that second lane and you now increase your
10 capacity by that much more.

11 MR. GRABIEL: Rolando --

12 MR. GARCIA: Mr. Behar, if I could --

13 MR. GRABIEL: -- I may have missed it, but
14 the bypass lane, where is that? How do you get
15 to the --

16 MR. LLANES: The parking --

17 MR. GRABIEL: Internal to the U.

18 MR. LLANES: The internal parking lot has
19 the width for you to be able to have two
20 cars --

21 MR. GRABIEL: Eliminating parking?

22 MR. LLANES: No, no. No, no. You still
23 have the two diagonal parkings and you have the
24 appropriate amount of width to have two lanes.

25 CHAIRMAN AIZENSTAT: And you have enough

1 in there. I don't know --

2 MS. KEON: It doesn't work.

3 MR. LLANES: Okay.

4 MS. KEON: And Coral Gables Elementary has
5 600 students. It's only a K through 5, and
6 queuing doesn't seem to work, according to your
7 theory, there either.

8 MR. LLANES: Yeah, I don't think there,
9 they have any outside queue, and I think
10 they're queuing on public right-of-ways.

11 MR. SALMAN: They don't have any outside
12 queue, that's the problem.

13 MS. KEON: No, but they have --

14 MR. LLANES: They're queuing on the streets.

15 MR. KEON: Well, no, they have that street
16 that's blocked off that they queue on.

17 MR. LLANES: Right, well, I mean --

18 MS. KEON: They just queue on that. They
19 queue on that street that's closed.

20 MR. SALMAN: But it's on the street.

21 MR. LLANES: Right, it's the street.

22 MS. KEON: No, it's inside. It's a street
23 that goes inside the school. I think it's
24 where -- what is it, Navarre and --

25 MR. SALMAN: Oh, okay.

1 MS. KEON: -- they connected it and it went
2 across. They do have a street where they have
3 inside queuing. And I know from going up and
4 down Sunset, they have created some queuing for
5 Sunset Elementary, but it doesn't seem to work
6 there, either, and that's also only a K through
7 5 school.

8 MR. LLANES: Right. Well, again, Richard
9 made a --

10 MS. KEON: So it seems to me -- you know
11 what, I've never seen -- and I'm sure that
12 someplace, your applied theory works. I've
13 never seen it work.

14 MR. SALMAN: I have.

15 MS. KEON: I've never seen it work.

16 MR. GARCIA: I think, if you go to a lot of
17 the new schools, especially the Dade County
18 Public Schools, you see it working. You see
19 how they've developed -- in some of the
20 schools, it almost looks silly, how they've
21 designed the queue lanes, because they're like
22 a snake.

23 MS. KEON: Right.

24 MR. GARCIA: They snake them all the way --

25 MS. KEON: Right, and they've designed --

1 MR. GARCIA: -- you know, to get them all
2 to queue on site.

3 MS. KEON: And they've designed them.
4 They've designed them on -- in new schools, in
5 open spaces, where they -- that are not
6 surrounded by neighborhoods, so that they have
7 the land and they have the ability and they
8 have to -- to deal with what traditionally is a
9 terrible problem for neighborhoods, which is
10 the traffic that is generated by schools.

11 MR. GARCIA: Understood, but most of them
12 that I've worked in are in --

13 MS. KEON: I'm glad that they've addressed
14 that.

15 MR. GARCIA: -- are in residential
16 neighborhoods, and in some schools, they even
17 stack them two and three deep, you know,
18 because they need to, but all the public
19 schools are primarily using one dismissal, and
20 so, yeah, the impact that you get with one
21 dismissal, of course, it's going to be a lot
22 greater, and so, you know, the technique of
23 using three dismissals is really like a
24 management technique, to try to minimize the
25 impact, to be able to utilize the space that --

1 you know, in these urban areas, we're running
2 out of land, you know, and so -- and there's
3 actually schools that I've worked on -- only
4 one, actually, that has four dismissals.
5 They're staying away from that, because then it
6 just becomes -- the impact becomes stretched
7 out too long, but they've even tried four
8 dismissals.

9 MR. SALMAN: Question: How long is your
10 covered dropoff area?

11 MR. LLANES: Well, the building on the
12 south side has a very long loggia that runs
13 almost the full length of that side.

14 MR. SALMAN: Is it parallel to the --

15 MR. LLANES: Yes, it's parallel with the --
16 In order to make full use of the queue, we're
17 actually staging the dropoff area at the very
18 end of that, which is not adjacent to that
19 part, but if you walk a little bit further
20 east, you eventually get to that covered area.
21 You do --

22 MR. SALMAN: How much covered area do you
23 have adjacent to the driveway?

24 MR. LLANES: To the driveway?

25 MR. SALMAN: Yeah, how many linear feet --

1 MR. LLANES: Not in this area. There's not
2 adjacent --

3 MR. SALMAN: -- that's covered, adjacent to
4 the driveway?

5 MR. LLANES: There's the moment where you
6 actually drive under the porte-cochere, which
7 is about halfway --

8 MR. SALMAN: You know what I'm talking
9 about, right?

10 MR. LLANES: Yeah, yeah, yeah. You're
11 saying adjacent to the queue, do you have a
12 loggia of sorts --

13 MR. SALMAN: That's covered.

14 MR. LLANES: -- where you walk -- That's
15 covered. No, that adjacent loggia happens --
16 there's parking spaces in front of it, so you
17 don't have that.

18 CHAIRMAN AIZENSTAT: Well, but those
19 parking spaces, which I'm looking at the map,
20 at the diagram here, and these covered spaces
21 which are in front of it, there's some trees,
22 also, so it defines your path.

23 MR. LLANES: Right.

24 CHAIRMAN AIZENSTAT: And that's the area
25 where the kids would get in and out?

1 MR. LLANES: No, it's actually more towards
 2 the end of the queue, more towards the --
 3 CHAIRMAN AIZENSTAT: Towards Cardena?
 4 MR. LLANES: To the west, right. Correct.
 5 CHAIRMAN AIZENSTAT: Okay.
 6 MR. LLANES: Right, and once again,
 7 remember, you know, being very conservative in
 8 our application of this, when you look at
 9 parking, you can, in fact, if you choose to do
 10 that as an operational tool -- you can, in
 11 fact, leave those spaces open, because again,
 12 your parking requirements for the school are
 13 50; the parking requirements for UBC is 6; you
 14 have 93 spaces. So, if you take -- if you do
 15 the math -- and I'm not really good at that,
 16 whatever is left over, 34 spaces, is that
 17 right? 44? You actually can create more
 18 adjacency if you choose to do that.
 19 MR. SALMAN: What I'm trying to do is
 20 mitigate --
 21 MR. LLANES: Right.
 22 MR. SALMAN: -- and allow for the maximum
 23 transfer during that peak time.
 24 MR. LLANES: I completely --
 25 MR. SALMAN: And what I saw in your

1 MR. SALMAN: I think that's an operational
 2 issue --
 3 MR. LLANES: Absolutely.
 4 MR. SALMAN: -- that you need to look at
 5 very carefully, because it impacts the
 6 viability of the project, as far as I can see.
 7 MR. LLANES: Right, and it's a very
 8 simple -- I guess it's a very simple --
 9 MR. SALMAN: It's simple.
 10 MR. LLANES: To implement, because it's a
 11 matter of making those spaces available during
 12 arrival and dismissal, and again, because you
 13 don't have the need during the day, while
 14 school is in session, to use those spaces for
 15 anything; they're not required. So there is a
 16 possibility, certainly, to do that, no
 17 question.
 18 MR. SALMAN: Okay, let's talk about loading
 19 and unloading, because that's the other issue.
 20 The loading and unloading of material, food, et
 21 cetera, size of trucks and whatnot, is there
 22 any possible way we can limit the size of
 23 delivery vans? I don't want to see semis
 24 crossing into the residential area --
 25 MR. LLANES: That could be --

1 design --
 2 MR. LLANES: Right.
 3 MR. SALMAN: -- and you'll forgive me, as a
 4 respected colleague, is a bottleneck at that
 5 end, where you're forcing people to queue and
 6 then you're dropping, so you're creating a
 7 bottleneck. By increasing the length of
 8 dropoff, you actually increase the flow and
 9 allow greater use of that bypass lane, because
 10 people drop, and you don't get into a situation
 11 which is, for me, terrible, is where you have
 12 the kids crossing from one lane to another in
 13 front of another car.
 14 MR. LLANES: Right, no, that would give --
 15 MR. SALMAN: Because nobody runs over their
 16 own kids. They always run over somebody else's
 17 kids. So you want to be sure that you avoid
 18 that as much as possible, and what I'm trying
 19 to suggest, and it's just a suggestion, is that
 20 you remove those parking spaces adjacent to the
 21 loggia and allow for a greater dropoff lane,
 22 and maybe you do collect them at the end, when
 23 they get dropped off, but it's to avoid and
 24 speed up and reduce, in time, that peak load.
 25 MR. LLANES: Right.

1 MR. SALMAN: -- to drop off, you know,
 2 stuff.
 3 MR. LLANES: Right. I think there was a
 4 neighbor who expressed concern about that.
 5 MR. SALMAN: No, it's been an issue at this
 6 Board --
 7 MR. LLANES: Right.
 8 MR. SALMAN: -- for other schools --
 9 MR. LLANES: Other schools.
 10 MR. SALMAN: -- in the area, and that's why
 11 I'm bringing it up.
 12 MR. LLANES: Okay.
 13 MR. SALMAN: Because it was a major issue
 14 for Gables-By-The-Sea when -- help me.
 15 Pinecrest?
 16 MS. KEON: When Gulliver --
 17 MR. SALMAN: When Gulliver wanted to do
 18 their expansion, and the neighbors were up in
 19 arms and they all had pictures and you know
 20 what? They had a very good point. They are
 21 entitled to peaceful enjoyment of their
 22 property, and peaceful enjoyment includes not
 23 having to come out to see a semi --
 24 MR. LLANES: Parked in front of their house.
 25 MR. SALMAN: -- trucking food into the school.

1 MR. LLANES: I'm pretty certain that
2 Somerset Academy would entertain the notion of
3 any language that may limit the size or the
4 type of vehicles that would come to deliver to
5 the site.

6 We also -- a very important point, too, is
7 that we have created on the north side of the
8 building an area for vans to pick up and
9 dismiss in the swale, not in the public
10 right-of-way, or in the right-of-way, but not
11 on the street, okay? So smaller --

12 MR. SALMAN: That goes to another issue
13 here, which is going to be the swale, but go
14 ahead.

15 MR. LLANES: Right. Some of those vehicles
16 can certainly park there, but there's also --
17 and if you look at our plans, there is an area
18 on-site, at the end of that, and that doesn't
19 happen during arrival and dismissal, where
20 delivery trucks can stage on the property,
21 rather than off the property. So, if there's
22 language, I guess, about limiting deliveries to
23 occur on-site rather than off-site, I don't see
24 an issue with that. It seems to me like it
25 would work.

1 CHAIRMAN AIZENSTAT: You're saying that two
2 cars are going to come into your property or
3 are going to form two lanes coming in. I'm
4 noticing that you have two turns or two
5 radiuses within the property. For me, if I'm
6 driving, it would be kind of difficult to take
7 that radius with two cars at the point where --

8 MR. LLANES: But you would merge at that
9 point. You'd have someone --

10 CHAIRMAN AIZENSTAT: Aren't you going to
11 create a bottleneck when you try to do that,
12 for the cars to start picking up the kids?
13 You're going to have parents that are going to
14 try to go in front of other parents, which
15 could create a problem on the streets outside.

16 MR. LLANES: No, again -- and that's a
17 stopgap measure in case you begin to see the 31
18 vehicles stacking and begin to have an effect
19 on Cardena, so once do you that, you allow that
20 to happen, there will be personnel there, as
21 there are in other schools, and I've seen it
22 operate in other schools, and do the very --
23 the exact same action of this sort of
24 counterclockwise move to a point of dropoff,
25 where at some point cars are double-stacked,

1 and staff allows cars to -- you know, you sort
2 of --

3 CHAIRMAN AIZENSTAT: To single file.

4 MR. LLANES: Yeah, you merge them into
5 single file. You don't want them taking that
6 turn together.

7 CHAIRMAN AIZENSTAT: You can't. From what
8 I see in the aerial picture, I don't think you
9 could take that turn.

10 MR. LLANES: No, nor do you want to. You
11 don't want to have that action happening. So
12 what we're doing is picking up the length of
13 that first leg of the queue and doubling that
14 leg of the queue when necessary, and I think
15 that that, as he mentioned, in terms of the
16 amount of time that's going to last, it's
17 actually, in the course of that half-hour
18 period, a very small amount of time where you
19 would need to do that. And again, having
20 observed it in other schools and doing research
21 on that, it doesn't happen for a very long
22 time.

23 CHAIRMAN AIZENSTAT: Jeff?

24 MR. FLANAGAN: Let me ask, how many
25 vehicles can stack from Cardena Street

1 eastbound on Riviera to what would be the
2 southern exit?

3 MR. LLANES: Outside?

4 MR. FLANAGAN: You have the traffic
5 internal -- Traffic on the south half has the
6 ability to exit the property by turning
7 southward onto Riviera, and then they're forced
8 west. You then have traffic that exits forced
9 north on Cardena, and I think I've got
10 issues -- we've got issues with queuing; I've
11 got issues as to where does everybody go and
12 how does all that play out, but what I'm
13 looking at, at least on Riviera, is that, of
14 course, we've got, I think, two very competing
15 traffic analyses here, but if you believe the
16 City's, we're going to have significant traffic
17 backup on Riviera, and yet you've got people
18 trying to exit the property being forced to go
19 westbound on Riviera, which I think is going to
20 create a conflict. So I'm curious about how
21 many cars can fit on Riviera from the exit to
22 Cardena?

23 MR. LLANES: Well, before -- before
24 answering that particular part of the question,
25 we're not allowing anyone out onto Riviera.

1 There are cones that are placed there, and
2 that's been clear from the very beginning. We
3 do not want the queue to be fragmented at that
4 point. So it needs to continue, so you cannot
5 allow cars, during arrival and dismissal, to
6 exit, to make that right turn and then go west
7 onto Riviera.

8 MR. FLANAGAN: All right, because I'm
9 looking at your parking plan and site plan,
10 which has directional arrows and
11 right-turn-onlys off the property onto Riviera.

12 MR. LLANES: Yeah, but there's -- there's
13 another plan that shows the actual traffic
14 operation mechanisms at play, which shows cones
15 in that area, if that's the driveway that we're
16 referring to. I can --

17 MR. SALMAN: So, basically, you're forcing
18 people to -- if, for any reason, you have more
19 than 31, to back up on the intersection of the
20 entrance of the parking lot and Cardena and
21 then go north? So that would be stacking to
22 the north, to then come onto the property?

23 MR. LLANES: No, they would be -- Explain
24 that again?

25 MR. SALMAN: You have a one way in off

1 Cardena.

2 MR. LLANES: Yes, going eastbound.

3 MR. SALMAN: Going eastbound.

4 MR. LLANES: Right.

5 MR. SALMAN: The cars would be forced to
6 come through and stage and then stack here on
7 the north? You're not allowing any Riviera
8 traffic into the parking lot?

9 MR. LLANES: No, there were two options
10 that the City wanted us to analyze, and one
11 option was that cars would come from all
12 directions. There was another option where
13 cars would only come from the intersection of
14 Segovia and Anastasia, and the option that the
15 traffic engineer told, I believe, Staff at the
16 City and others -- and that others at the
17 County, for example, suggested would be the
18 best option at any school, is to maximize the
19 opportunities for people to come from multiple
20 directions, to not create bottlenecks,
21 approaching one section.

22 MR. SALMAN: Here's my -- Here's my
23 concern: People coming eastbound on Riviera,
24 turning north onto Cardena and to try to get
25 into that queue.

1 MR. LLANES: Right.

2 MR. SALMAN: And one, two, three cars and
3 we're into backing traffic up on Riviera.
4 That's my concern.

5 MR. LLANES: Correct. Right, and I
6 think --

7 MR. SALMAN: And then you have 32 cars
8 stacking. Then car number 33, 34, 35 happen to
9 be coming eastbound on Riviera; that's where
10 they're naturally going to be inclined to turn.

11 MR. LLANES: No, I understand, and again,
12 that's why we have that additional opportunity
13 to be able to -- if that were to begin to
14 happen, you have the opportunity to absorb
15 those cars into the queue, and once -- and of
16 course, at that point, let's say your dismissal
17 is already going; that flow begins to become
18 more dynamic, and, you know, that's pretty
19 standard in any kind of operation like that.

20 MR. FLANAGAN: Can I get back to these
21 cones?

22 MR. LLANES: Yes.

23 MR. FLANAGAN: Are they reflected as kind
24 of square or triangular --

25 MR. LLANES: Yes.

1 MR. FLANAGAN: -- little things on the site
2 plan? Okay, so there's cones there, but the
3 cones, all they're doing is prohibiting traffic
4 from entering the property from Riviera.
5 There's nothing prohibiting traffic from
6 exiting. So I go back, how many cars will
7 stack from Cardena to that exit point?

8 MR. LLANES: You mean, in the property,
9 once you enter on Cardena, going east?

10 MR. FLANAGAN: No, no. No, no, on Riviera.

11 MR. LLANES: On Riviera proper?

12 MR. FLANAGAN: Correct, because if I
13 understand the City's traffic report correct,
14 we're going to have an issue of several cars --
15 You're going to overflow. Some cars are going
16 to be stacked on Cardena, and the rest are
17 going to be stacked on Riviera, and as I'm
18 looking at your site plan, your internal
19 traffic can exit onto -- the only -- one of the
20 two places they can exit is Riviera going
21 westbound, which, I imagine, is going to be the
22 same place that, according to the City's
23 traffic study, the cars are going to be
24 stacking.

25 MR. LLANES: Yeah, that's --

1 MR. FLANAGAN: So I'm trying to get a
 2 clearer picture of, A, how many cars are there,
 3 or can stack, what's the max, so I can analyze
 4 where we're going to have conflicts, because
 5 according to your site plan, you've got arrows
 6 in both -- you know, in, right turn only, and
 7 you've got your black directional arrows
 8 showing to exit the property?

9 MR. LLANES: I would say there's about 10
 10 cars that might fit from the point of that
 11 driveway all the way to the intersection of
 12 Cardena and Riviera --

13 MR. FLANAGAN: Okay.

14 MR. LLANES: -- approximately, but again, I
 15 go back to -- at least the drawing I'm looking
 16 at; I remember producing this. The cones don't
 17 allow you to enter or exit in that
 18 intersection. I'm not sure what that
 19 drawing --

20 MR. FLANAGAN: Can I see yours?

21 MR. LLANES: Yes.

22 MR. FLANAGAN: I mean, I don't know if I --
 23 I'm trying to find all my plans and diagrams.

24 See that?

25 MR. LLANES: That's (indicating) what

1 have -- I don't know, it looks like total
 2 trips, I think we have 198 between 7:30 and
 3 7:45 in the morning.

4 Then it looks like the highest we'll have
 5 is about 106, at any period in the afternoon,
 6 within about a 15-minute period, so I'm trying
 7 to figure out, where does all that traffic then
 8 go? How does that intersection at Segovia and
 9 Anastasia work? How many times does that
 10 switch over? How many cars can dump out of
 11 that intersection? What do we have about
 12 people using the parking spaces on Anastasia
 13 and what conflicts are created up there?

14 MR. GARCIA: I need to make --

15 MR. FLANAGAN: But I still have a lot of
 16 questions.

17 MR. GARCIA: Mr. Flanagan, if I can make a
 18 correction, the 106 number you referred to is
 19 correct; those are total trips. One vehicle
 20 creates two trips. It makes a trip in and a
 21 trip out. If you look just to the left, it's
 22 49 trips in and 57 trips out. There's almost
 23 always more trips out in the p.m., because the
 24 assumption is some faculty, staff, are leaving.

25 But that's not 106 vehicles. It's

1 you're saying?

2 MR. FLANAGAN: The only thing we have are
 3 these.

4 MR. LLANES: These are in the -- They've
 5 been submitted to you.

6 MR. BEHAR: Yeah, they are.

7 MR. FLANAGAN: Are they down further?

8 MR. LEEN: Please keep it loud in the -- so
 9 we can get it on the --

10 MR. FLANAGAN: Okay.

11 Well, still, I mean, cones are cones.

12 Cones are easily movable and easy to drive
 13 over.

14 CHAIRMAN AIZENSTAT: Jeff, let me ask you a
 15 question. If they would put up some kind of an
 16 arm, would that alleviate your concern, a
 17 mechanical arm --

18 MR. FLANAGAN: I mean, it may --

19 CHAIRMAN AIZENSTAT: -- as opposed to a
 20 cone?

21 MR. FLANAGAN: For that intersection, it
 22 may. I still have a problem, overall, with how
 23 traffic is going to flow out of the property,
 24 because -- and I think I agree with Mr. Behar;
 25 it's one thing for the stacking, but we also

1 actually, vehicles in is 49, in that 15-minute
 2 interval you were referring to.

3 CHAIRMAN AIZENSTAT: Eric, is the City's
 4 traffic engineer here?

5 MR. RIEL: Yes. Glenn Kephart and Jeff
 6 Easley are here.

7 CHAIRMAN AIZENSTAT: Can we ask the same
 8 question to -- to him?

9 MR. KEPHART: Good evening. Glenn Kephart,
 10 Public Works Director, and for specific
 11 questions on the traffic, we've had Reynolds,
 12 Smith and Hills, and Jeff Easley has done a
 13 review of the traffic study, so -- and of
 14 course, he presented to you a couple meetings
 15 ago and is prepared to answer any technical
 16 questions that you may have.

17 MR. EASLEY: Again, my name is Jeff Easley,
 18 with Reynolds, Smith and Hills, and my address
 19 is 6161 Blue Lagoon Drive in Miami, and I will
 20 answer anything that you may have.

21 CHAIRMAN AIZENSTAT: Jeff, will you present
 22 the same question?

23 MR. FLANAGAN: Yeah, I guess it would be
 24 generally the same questions about -- maybe
 25 I'll phrase it this way: Is there a conflict

1 that would occur on Riviera, between Cardena
2 and the entrance or exit of the property?

3 MR. EASLEY: I have a, actually, mounted
4 board that shows the site. I can explain --

5 CHAIRMAN AIZENSTAT: That would be great.
6 Thank you.

7 Can you see from there? Are you okay?

8 MR. GRABIEL: No.

9 MR. KEPHART: Is this visible to you?

10 MR. GRABIEL: Yeah.

11 CHAIRMAN AIZENSTAT: Yeah, you might -- Is
12 the portable microphone here?

13 MS. RUSSO: Yes, right there.

14 CHAIRMAN AIZENSTAT: If you could take
15 that. Thank you.

16 MR. EASLEY: Okay, this -- Segovia,
17 Anastasia, Riviera, Cardena. The two options
18 they had was traffic through Anastasia, through
19 Riviera. The problem with that is the site
20 entrance. The distance between the site
21 entrance on Anastasia is 210 feet, that's nine
22 meters, but the distance between the entrance
23 and Rivera is 45 feet, about two vehicles.
24 Plus they're going to have stacking on Cardena,
25 regardless of how many students they have,

1 because if you look at the traffic study, they
2 allow parents to arrive up to 30 minutes before
3 dismissal, and those parents are either going
4 to stack on Cardena or they're going to stack
5 on-site, and if you look at their traffic
6 study, they have 49 vehicles that arrive from
7 2:00 to 2:30. Where do they stack? They can
8 only hold 31 on-site, so they have to stack
9 off-site, and that's before the bell rings, and
10 that's when it starts.

11 And then they're going to have the cars
12 coming and they're going to get on the end of
13 the queue. That's another -- I'll get off on
14 that in a minute, but this -- They had two
15 options. They're going to exit. They had an
16 exit to the left and to the right. They had an
17 entrance, right turn in, left turn in. Traffic
18 coming from Anastasia, you can't have traffic
19 exiting and going left, because the traffic
20 coming in would block the traffic going out.

21 Plus, getting back to the stacking
22 capacity, if you allow any cars to come in
23 here, only two can stack. So after two,
24 they're going to be blocking Riviera. Nine --
25 that's not a lot -- they will back up to

1 Anastasia.

2 That's why we recommended, you don't want a
3 driveway where you have cars right and left, a
4 safety issue. That's why we recommended to
5 make all of the exits right-hand, so you have
6 right-in exit, you have left-in entrance. You
7 keep a counterclockwise flow. That's really
8 the only one, from a traffic safety operations,
9 that makes sense. Therefore, everybody has to
10 come through Anastasia. The traffic at this
11 intersection, the eastbound traffic in the
12 morning, the eastbound approach goes from B to
13 L. That would have to be something done there.

14 Also, the left turns from Anastasia go from
15 1 to 300. Now, that intersection is stop
16 controlled, but that's a lot of traffic, and
17 that's why the recommendation was made to make
18 rights out and lefts in only. It gives them
19 the maximum stacking capacity and also prevents
20 traffic entering the site from Anastasia, from
21 blocking any of the traffic wanting to exit the
22 site. We have seen that. Mater Gardens, a
23 prime example. We went there. We looked at
24 that. They have traffic coming out that's
25 blocked from traffic coming in. It backs up

1 on-site. It doesn't work. That's why it was
2 recommended.

3 CHAIRMAN AIZENSTAT: Jeff?

4 MR. FLANAGAN: I'm good.

5 CHAIRMAN AIZENSTAT: Is there any other
6 questions to the traffic engineers, since we
7 have them up here, anybody from the Board?

8 MR. SALMAN: Are you familiar with the
9 houses around there and the two on Cardena,
10 where they enter and they exit those
11 properties?

12 MR. EASLEY: Is this it?

13 MR. SALMAN: Uh-huh. The two adjacent
14 houses along Cardena, where do they enter and
15 exit those properties; do you know? You can
16 say no. That's fine. Don't guess.

17 MR. EASLEY: I don't know.

18 MR. SALMAN: Okay, fine. Fair enough.
19 Don't make it up.

20 MR. BEHAR: Let me ask a question.

21 CHAIRMAN AIZENSTAT: Javier --

22 MR. BEHAR: During the peak of those 30
23 minutes, the dismissal and arrival, what is
24 your estimate, how many cars will be, in the
25 peak, entering the site? Any idea?

1 MR. EASLEY: Again, I'm using their
 2 traffic -- their traffic study. They're
 3 showing a total entering the site from 2:00 to
 4 2:45, which would be the first -- that would be
 5 the traffic coming in.
 6 MR. BEHAR: The peak at that first --
 7 MR. EASLEY: About 88, 88 vehicles coming
 8 in.
 9 CHAIRMAN AIZENSTAT: How many?
 10 MR. EASLEY: 88.
 11 CHAIRMAN AIZENSTAT: 88?
 12 MR. EASLEY: That's vehicles in, and they
 13 start arriving at two o'clock.
 14 MR. BEHAR: Is that trips or actual
 15 vehicles?
 16 MR. EASLEY: That's vehicles. Vehicle in,
 17 I'm reading their table for the traffic study.
 18 From 2:00 to 2:15, 15 in. 2:15 to 2:30, 24.
 19 From 2:30 to 2:45, 49.
 20 Now, they don't start dismissing until
 21 2:30. So anything entering the site -- and I
 22 heard them say they would let teachers leave
 23 during this period. It was always my
 24 understanding that the inside parking would not
 25 be active, because if that's active, that's --

1 was used and projected to this school was done
 2 incorrectly. I stated that at the very first
 3 meeting. They used 768 students, applied the
 4 data as if they only had one dismissal, that
 5 generated a 97-car queue. They took that data,
 6 and they applied it to Somerset, divided it by
 7 three, and that's how they got the split of
 8 their students.
 9 That's not how you do it. That's not how
 10 you can do it, because they have three
 11 dismissals at Doral Academy, 2:00, 2:30 and
 12 3:00, just like proposed at Somerset. The
 13 queues accumulated for each dismissal should
 14 have been recorded, compared to the number of
 15 students that were dismissed for each dismissal
 16 and then that applied to the proposed school.
 17 That was not done. So they did 780 students
 18 producing a 97-foot queue and used that same
 19 methodology to say, well, we can have 735
 20 students and dismiss them, three dismissals,
 21 and we have 31 -- we can accommodate 31, so
 22 that's how we can accommodate our queue.
 23 So the question -- or to answer your
 24 question, no, I do not think it was the proper
 25 way, and I do not think the accumulation study

1 that is impeding traffic stacking. You can't
 2 have the diagonal parking people pulling out
 3 and pulling in during your loading and
 4 unloading times, because that creates friction
 5 and safety conditions.
 6 So they have 39 vehicles that enter the
 7 site up to 2:30. 2:30 is when the bell rings.
 8 Again, the site can only stack 31. So that's
 9 nine that have to stack on Cardena and
 10 Anastasia. That's -- and then they're already
 11 stacked, and then they start coming again for
 12 the second dismissal. So you're going to have
 13 a constant spillover on Cardena, and that's
 14 based on the numbers that they're projecting in
 15 their traffic study.
 16 MR. BEHAR: Let me -- What's your opinion
 17 on the proposed queuing? Do you agree with
 18 that or, I mean, do you -- Is that a valid
 19 presentation that the applicant made to us?
 20 MR. EASLEY: As Mr. Garcia said, their
 21 whole basis of the number of students that this
 22 site can handle was based on their accumulation
 23 assessment at their surrogate school, the Doral
 24 Academy. That study has not been accepted by
 25 Dade County. The data that was used and how it

1 was done correctly as it was applied to this
 2 project.
 3 MR. BEHAR: Thank you.
 4 MR. SALMAN: Can I ask you, in your
 5 professional opinion, what do you think the
 6 maximum queue is going to be, based on the
 7 count of students that they have and the one
 8 third of that being dismissed?
 9 MR. EASLEY: I have that here -- Let me
 10 have the --
 11 MR. SALMAN: That they have proposed,
 12 excuse me.
 13 MR. EASLEY I have it calculated. 49
 14 vehicles.
 15 MR. SALMAN: 49 vehicles?
 16 MR. EASLEY: Based on, if you use the data
 17 for the surrogate school correctly, and you
 18 apply it to this school, the 735 students, I
 19 predict that the maximum queue for each
 20 dismissal will be 49 vehicles.
 21 MR. SALMAN: And if we were to take the
 22 equation the other way and we say 32 vehicles,
 23 how many would be the maximum students? What
 24 would the maximum student count be, to work, in
 25 your professional opinion, with the 32 cars in

1 the queue?
 2 MR. EASLEY: Let me make sure I understand
 3 your question.
 4 CHAIRMAN AIZENSTAT: Did you ever work it
 5 backwards?
 6 MR. EASLEY: I can, but not in my head.
 7 MR. SALMAN: Take a minute. I'm not in a
 8 hurry.
 9 MR. BEHAR: Come on. That's why we pay you
 10 the big bucks.
 11 CHAIRMAN AIZENSTAT: Did you ever do that?
 12 MR. EASLEY: So your question is, if they
 13 had -- if there were space for 32 cars, then --
 14 Well, the queue is 49, so if you have 32 or 33
 15 or 34, the queue is still 49. It won't change.
 16 I don't know if I understand your question.
 17 CHAIRMAN AIZENSTAT: Are you saying --
 18 MR. SALMAN: What's the maximum student
 19 count that you can carry in that facility with
 20 a queuing length of 32 cars, without spilling
 21 out into the street?
 22 MR. KEPHART: Mr. Chair and Board Member
 23 Salman, if I could -- which I know Jeff is
 24 trying real hard here, but we asked him to
 25 evaluate the application that was before us.

1 It was 735 students. So he has to perform
 2 further analysis, but we have not asked him to
 3 do that at this point and --
 4 MR. SALMAN: I understand.
 5 MR. KEPHART: He responded to that, and
 6 rightfully so, what do we expect with the 735,
 7 and I think he provided that information.
 8 We're not prepared tonight to say,
 9 conversely --
 10 MR. SALMAN: I withdraw the question. I
 11 have a question for Staff, through the Chair.
 12 CHAIRMAN AIZENSTAT: Please.
 13 MR. SALMAN: This is an all or nothing,
 14 correct? What's before us is all or nothing?
 15 MR. RIEL: What you have before you is a
 16 request, an application, for -- three
 17 applications, change of land use, conditional
 18 use site plan --
 19 MR. SALMAN: But it's all or nothing? This
 20 isn't a -- We'd have to restudy it --
 21 MR. RIEL: Correct.
 22 MR. SALMAN: -- and come back through
 23 Staff --
 24 CHAIRMAN AIZENSTAT: We don't have enough
 25 data before us.

1 MR. RIEL: The findings of fact you have
 2 before you in the study and the Staff
 3 recommendations based upon the application at
 4 735, correct. Any change or reduction in
 5 number would have to go back and Staff would
 6 re-evaluate it.
 7 MR. SALMAN: Re-evaluate.
 8 MR. RIEL: Correct.
 9 MR. SALMAN: Okay.
 10 MR. LEEN: Wait, I would --
 11 CHAIRMAN AIZENSTAT: Were you going to make
 12 a comment?
 13 MS. KEON: Yeah, I think that the issue
 14 here is that everyone on this Board has grave
 15 concern for the traffic and how it will affect
 16 that neighborhood, based on the application.
 17 It isn't -- I don't see it as our
 18 responsibility at this moment to determine what
 19 is the appropriate population consensus of that
 20 school.
 21 MR. SALMAN: I agree.
 22 MS. KEON: We're here to look at what has
 23 been applied for, does it work --
 24 CHAIRMAN AIZENSTAT: Right.
 25 MS. KEON: -- for that neighborhood, and I

1 wouldn't support this, not for one minute.
 2 MR. LEEN: Mr. Chair -- Mr. Chair --
 3 MS. KEON: So --
 4 MR. LEEN: I just want to make it clear,
 5 though, you do -- You have the authority to
 6 accept or deny; you could accept something
 7 less, something in between. But I think what
 8 Staff is saying is that they have not made a
 9 presentation on that yet, and they would like
 10 to.
 11 MS. KEON: But we don't have any
 12 information --
 13 MR. LEEN: But you have that authority, so
 14 I just want you to understand.
 15 MS. KEON: Right, but we have no
 16 information and we have no data on which to
 17 make that decision. So, therefore,
 18 technically, we shouldn't make that decision --
 19 MR. LEEN: Well, you can --
 20 MR. SALMAN: That was my point with regards
 21 to all or nothing.
 22 MS. KEON: -- because at that point, it
 23 would be a guess.
 24 MR. LEEN: Well, Mr. Chair, you have a
 25 record in front of you, and that record could

1 support a variety of things. It's up to
 2 the Board --
 3 CHAIRMAN AIZENSTAT: It's up to the Board.
 4 MR. LEEN: -- to determine whether you
 5 think you have enough information.
 6 CHAIRMAN AIZENSTAT: Which I agree with
 7 you.
 8 Eric, let me ask you a question. We're
 9 dealing on this site with 2.6 acres. Has Staff
 10 made any analysis on a comparative basis with
 11 other schools and sizes of other properties?
 12 MR. RIEL: Yes. Basically, the analysis we
 13 completed is based on Miami-Dade School Board.
 14 They have minimum standards --
 15 CHAIRMAN AIZENSTAT: In comparison -- I'm
 16 sorry, in comparison to student enrollment.
 17 MR. RIEL: Correct.
 18 CHAIRMAN AIZENSTAT: Okay.
 19 MR. RIEL: They have a minimum size site
 20 and enrollment numbers, and basically, it's in
 21 their capital plan, their five-year plan, and
 22 just -- 400 seats is a minimum of three acre.
 23 CHAIRMAN AIZENSTAT: Wait, say that again,
 24 please.
 25 MR. RIEL: 400 -- they describe it as

1 City, but I can tell you --
 2 CHAIRMAN AIZENSTAT: The charter schools
 3 that have -- In the City, we have charter
 4 schools?
 5 MR. BEHAR: Not in the Gables.
 6 MR. RIEL: We don't have any charter
 7 schools in the City.
 8 MR. FLANAGAN: Well, not yet. Don't we
 9 have one going in on Madruga?
 10 MR. RIEL: No. No. That's International
 11 High School.
 12 MR. FLANAGAN: Oh, that's public.
 13 CHAIRMAN AIZENSTAT: Yes.
 14 MR. RIEL: Right.
 15 MR. SALMAN: Again, those prototypes are
 16 guidelines, and when I've designed schools, and
 17 we don't meet prototype, we just get a waiver,
 18 and it's automatic. As long as we can account
 19 for the uses on the site, it's fine. This
 20 school, I wouldn't go there, because it has the
 21 Youth Center fields next to it. I mean, you
 22 have a whole series of other amenities. It's a
 23 logical space for it, I'm not denying that, and
 24 I'm also not denying that it's probably a
 25 little bit denser than it needs to be, as per

1 seats, 400 seats.
 2 MR. SALMAN: Student stations.
 3 CHAIRMAN AIZENSTAT: 400 students is three
 4 acres?
 5 MR. RIEL: Three acres. 800 student
 6 stations, a six-acre site; 1,200, a 10-acre
 7 site; and then basically, it goes up
 8 exponentially.
 9 MR. BEHAR: But is that really a fair
 10 comparison? Because Miami Dade Public Schools
 11 requires that you provide fields, you know, and
 12 this is not a school that's really providing
 13 that great -- you know, that amount of fields,
 14 the open areas.
 15 MR. RIEL: I mean, that's what we looked at
 16 in terms of a standard. Obviously, that's a
 17 standard the School Board uses, and what we did
 18 is, we compared it to what the current private
 19 schools in the City, as well as the public
 20 schools, and we found that of all the private
 21 schools and public schools, they do meet those
 22 parameters.
 23 MR. BEHAR: Even the charter schools that
 24 have come up throughout Miami-Dade County?
 25 MR. RIEL: I can't guess for outside of the

1 prototype, and only in that point of view. But
 2 Miami-Dade County Public Schools constantly
 3 submit and get waivers for their schools when
 4 they don't meet that requirement, and it
 5 happens often enough.
 6 I know my personal experience on Ludlam
 7 Elementary, off of Sunset and -- No, they got
 8 that land with YMCA -- I'm thinking of David
 9 Fairchild. Those are three that I know, that
 10 if they didn't have the adjacent properties,
 11 they would probably not meet prototype.
 12 CHAIRMAN AIZENSTAT: Pat?
 13 MS. KEON: But the public school system
 14 is -- operates outside of local zoning and
 15 local opinion.
 16 MR. SALMAN: They are autonomous.
 17 MS. KEON: They are an entity unto
 18 themselves.
 19 MR. SALMAN: Right.
 20 MS. KEON: They can site where they believe
 21 there's a need to site. They can site on a
 22 property where they believe there is a need to
 23 site a school. They are charged with the
 24 provision of free public education to the
 25 children within the communities in

1 Miami-Dade -- throughout the State of Florida.
2 We are not dealing with -- although this,
3 as a charter school --

4 MR. SALMAN: It's a public school.

5 MS. KEON: -- comes under the auspices of a
6 public school, it does not enjoy the same
7 rights or privileges that a public school has.
8 Therefore, it really comes under the purview of
9 the local planning departments, just exactly
10 for the reasons that we are here tonight. It
11 is to be sure that schools that are not deemed
12 absolutely necessary for the provision of
13 education to children are placed -- are given
14 charters and are placed in neighborhoods, do
15 not affect the peaceful enjoyment of those
16 people within those neighborhoods.

17 That's why our public schools -- Sunset has
18 expanded dramatically, I think David Fairchild
19 has expanded, because there is no place else to
20 put these schools.

21 Now, I don't think that that means that
22 there is no place for a charter school in the
23 City of Coral Gables. There is a place for a
24 charter school to exist in the City of Coral
25 Gables, when it exists with the number of

1 MS. KEON: 735 students. That site cannot
2 accommodate up to 735 people and allow that
3 neighborhood to not be exceedingly stressed by
4 that.

5 MR. FLANAGAN: But I think it's only
6 because of the -- But I think it's only because
7 of the traffic.

8 MS. KEON: I don't know that it's only the
9 traffic. I think the biggest issue we have
10 here before us is the traffic. I think there's
11 probably other issues that will come into play,
12 too. I think there is the issue of how they
13 use recreation. There has to be an agreement
14 with the City to use the fields. There has to
15 be, you know, different agreements put into
16 place for that facility to function as a
17 school.

18 MR. BEHAR: Well, no, they're not --

19 MS. KEON: But we don't know that.

20 MR. BEHAR: They're not proposing to use
21 the fields in the Youth Center, is my
22 understanding.

23 MS. KEON: But we don't know that. But we
24 know that they have to provide recreation.

25 MR. BEHAR: And they are accommodating, you

1 students that does not take away from the
2 ability of the people in that neighborhood to
3 maintain their neighborhood.

4 MR. SALMAN: And that's the charge of this
5 Board, Pat.

6 MS. KEON: And that's the charge of this
7 Board, and that's why I'm saying to you --

8 MR. BEHAR: So essentially, it's a number.

9 MS. KEON: I would think it's a number
10 issue, but we don't have that number.

11 CHAIRMAN AIZENSTAT: We don't have it.

12 MS. KEON: It hasn't been proposed -- or
13 the number that has been proposed to us is too
14 big.

15 MR. FLANAGAN: Well, the number that's been
16 proposed to us, I think, if I remember
17 correctly, is even larger than what the charter
18 granted. I think the charter granted --

19 MS. KEON: Well, it's larger than any of
20 the other schools in the City. I mean, that's
21 not the point. The point is that they have
22 proposed up to 700 and some odd students -- 765
23 students? Up to.

24 MR. RIEL: 735.

25 MS. RUSSO: 735.

1 know --

2 MS. KEON: Okay, and maybe they will, but
3 that's not what is before us, and maybe when
4 another plan comes before us, maybe that will.

5 MR. BEHAR: Pat --

6 MS. KEON: What we're dealing with right
7 now is this number.

8 MR. BEHAR: And for the record, I agree, I
9 think 735 is just too, too, too many, okay?

10 MS. KEON: I --

11 MR. BEHAR: But our City Attorney has
12 advised us that we have the discretion or the
13 right to be able to find something -- I
14 personally believe that it is appropriate to
15 increase from 110, that was set 33 years ago.

16 Now, the magic number is the one that maybe
17 we have to go back and give Staff the -- the
18 instructions to go back and make that analysis
19 or do something along those lines, but I think
20 that, you know, it's not so black and white.

21 MS. KEON: No, but I think the charge is to
22 go back to the applicant and say to them --

23 CHAIRMAN AIZENSTAT: Exactly.

24 MS. KEON: -- "Your application -- "

25 CHAIRMAN AIZENSTAT: I think it's up to the

1 applicant.
 2 MS. KEON: We -- or I wouldn't vote for
 3 this application, and we'll see at the end,
 4 when there's a vote, how many other people
 5 will --
 6 MR. BEHAR: There's no question --
 7 MS. KEON: But I'm just going to say to
 8 you --
 9 MR. BEHAR: There's no question --
 10 MS. KEON: -- I will not vote for this
 11 application.
 12 MR. BEHAR: I think it's pretty
 13 straightforward that --
 14 MS. KEON: So I would think that the
 15 applicant, then, needs to go back. They need
 16 to do their own analysis, because they have to
 17 decide with what number of students can they
 18 function and can they operate, and then they
 19 have to go back and meet with the neighbors.
 20 They have to sit down with the City and the
 21 City's traffic engineers, to determine what
 22 then is an appropriate number that they can
 23 accommodate in that space, what is the number
 24 of students that can be accommodated. You
 25 know, do I know it's more than 110? It could

1 be.
 2 MR. SALMAN: I just want to add to that, is
 3 that one of the things I think that the
 4 applicant needs to look at is improvements to
 5 the neighborhood in general. I would be much
 6 happier to see screening along Cardena, to
 7 protect those properties --
 8 MS. KEON: Yeah.
 9 MR. SALMAN: -- from the view of the
 10 dropoff and from the noise. There have been no
 11 improvements to the public right-of-way in any
 12 way, shape or form, to help limit the amount of
 13 parking on the swales, and that's an issue.
 14 MR. BEHAR: And I agree, that's a separate
 15 issue that, you know --
 16 MR. SALMAN: Again, that's --
 17 MR. BEHAR: -- we could go back and --
 18 MR. SALMAN: That's an issue that I think
 19 that this Board needs to recommend that they
 20 look at --
 21 MS. KEON: But if they're coming back --
 22 MR. SALMAN: -- if they come back.
 23 MR. BEHAR: You know, but I think the
 24 fundamental question here is -- and yes, again,
 25 let me state again, I'm totally opposed to 735

1 kids, okay? But the fundamental question is,
 2 is it up to them to come back and say, "Well,
 3 I'm going to propose next time 600," and we're
 4 going to tell them, "No, you know, you've got
 5 to go back."
 6 MS. KEON: Maybe.
 7 MR. BEHAR: This has to -- you know, I'm
 8 sure, at some point, we have to put some
 9 guidelines that if it's within certain
 10 parameters -- you know, maybe this Board, some
 11 of us may consider to -- to take it upon -- and
 12 analyze it and make a vote on it.
 13 MS. KEON: There are enough schools in this
 14 City, between St. Philip's, that has, what,
 15 about 240 kids, I think, maybe, in the K to 5.
 16 Maybe there's 200 some kids in there. There
 17 are enough schools with student populations in
 18 this City that we can look at and know, and we
 19 can maybe apply queuing theory or maybe not,
 20 where it works and doesn't work, but we know
 21 from experience what we can accommodate in the
 22 neighborhoods in this City. And we don't have
 23 that information before us, so, you know, my
 24 feeling is that it would stay -- for now, it
 25 would stay at 110. It would stay where it is,

1 it wouldn't go, because they really have to
 2 work on it.
 3 MR. GRABIEL: I would -- I'm the new kid on
 4 the block, so I've got to be --
 5 MS. KEON: Good.
 6 MR. GRABIEL: -- very conservative.
 7 MS. KEON: Good.
 8 MR. GRABIEL: But I agree with the Board
 9 that 735 just doesn't make any sense. Now, I
 10 don't know if it's 111 --
 11 MS. KEON: I don't, either.
 12 MR. GRABIEL: -- or 734, but if we're going
 13 to ask the applicant to take a look at the
 14 number again, I would feel a lot more
 15 comfortable if our Staff also takes a look at
 16 it, so we have a comparison analysis. I don't
 17 know if that would work, if that's something we
 18 can do --
 19 MR. RIEL: Let me just clarify, for the
 20 record. I mean, I absolutely agree, the
 21 responsibility is on the applicant to present
 22 an application to us. It's not our charge to
 23 come back and say that a number, you know,
 24 works. So whatever they file, refile, or amend
 25 or whatever, we will provide a recommendation

1 that provides a snapshot of what potential
2 impacts will be or could be.

3 CHAIRMAN AIZENSTAT: Right, and I also
4 feel, you know, the City does work with the
5 applicants in trying to resolve issues and move
6 things forward, and I do also feel that it is
7 up to the applicant. It's not up to City
8 Staff, and I do not feel it's really up to
9 us -- this is my own opinion -- to say, "Well,
10 for me, I can live with 400," or, "I can live
11 with 300," or, "I can live with 700, if you can
12 show me how to do it." I think it would be up
13 to the applicant to come up with a number that
14 they can show, whether it's through buffering
15 neighborhoods, also, whatever needs to be
16 implemented, and with their traffic study that
17 they work with the City.

18 The applicant has been here already at
19 three meetings. The applicant has gone ahead
20 and heard the concerns of the residents;
21 they've heard the concerns of the City; and
22 they've heard what the Board has to say. I
23 think it's up to the applicant to see which
24 direction they want to move.

25 MS. KEON: And I don't think, in any way,

1 everything you expressed here about your desire
2 for a neighborhood school to your locally
3 elected State officials, and they should
4 respond to you the same.

5 But any decision we make here tonight, it's
6 truly in no way indicative of our feelings
7 toward this school in particular or the
8 concerns that you have over educating your
9 children.

10 CHAIRMAN AIZENSTAT: Robert?

11 MR. BEHAR: Mr. Gibb (sic), have you had a
12 chance to -- to meet further with the applicant
13 and try to come to any -- any sort of a
14 mediation agreement that the neighborhood and
15 the neighbors and the applicant would feel
16 comfortable?

17 MR. GIBBS: Yes, we've met twice, correct,
18 Laura? We've met twice, and we will continue
19 to meet, but we haven't come to any resolution.

20 CHAIRMAN AIZENSTAT: Do you feel you can?

21 MR. GIBBS: I don't know.

22 CHAIRMAN AIZENSTAT: That's a pretty hard
23 statement.

24 MR. GIBBS: I'm sorry. I have to tell you,
25 that's where we're at. I don't know.

1 that our feeling with regard to the student
2 population is a reflection on that school or
3 the desire to not have that school, or that
4 there isn't tremendous sympathy for parents who
5 want their children to go to that school.

6 I have three sons that were born here,
7 raised here, and all went to the public
8 schools, elementary schools, in the City of
9 Coral Gables. At the time, they were able to
10 go to Coral Gables Elementary. It was our
11 neighborhood school. One went to Sunset, as a
12 magnet school, because it wasn't -- the
13 population didn't exist at Sunset. It was much
14 easier for me to send my children to a local
15 public school, that I think they got an
16 excellent education in, so I have great
17 sympathy for your concerns over educating your
18 children in a neighborhood school, and I hope
19 that you would take the same work and sincerity
20 that you have come here with this, and take it
21 back to Representative Fresen and all of your
22 legislators and ask them to look at the issues
23 of neighborhood schools, because that's not --
24 They are an entity unto themselves and through
25 the State Government. You should express

1 CHAIRMAN AIZENSTAT: Any other questions
2 from the Board, any comments?

3 MS. KEON: No.

4 CHAIRMAN AIZENSTAT: Is there a motion?

5 MS. KEON: Can we take each ordinance
6 separately?

7 CHAIRMAN AIZENSTAT: Of course. Well,
8 actually, let me ask the City Attorney.

9 Should we take the -- each motion -- each
10 motion separately, or should we do it as one?
11 What do you suggest?

12 MR. LEEN: I recommend that each be taken
13 separately, because each will be a
14 recommended --

15 MS. KEON: Can I ask one --

16 MR. LEEN: Each will be a recommendation to
17 the City Commission.

18 MS. KEON: Can I ask Eric a question?

19 CHAIRMAN AIZENSTAT: Please.

20 MS. KEON: Eric, Staff recommended the
21 first ordinance?

22 MR. RIEL: Staff recommends the approval of
23 the change in land use from Religious to --

24 MS. KEON: Does Staff feel that way
25 irrespective of its use as a school or anything

1 else, that you believe that that is the
 2 appropriate designation for that property?
 3 MR. RIEL: Yes.
 4 MS. KEON: Okay. I would like to make a
 5 motion on the first ordinance. Do they each
 6 have a number?
 7 CHAIRMAN AIZENSTAT: Let's just say
 8 Number -- Ordinance Number 1.
 9 MS. KEON: Number 1, to support Staff's
 10 recommendation.
 11 MR. FLANAGAN: I'll second it.
 12 CHAIRMAN AIZENSTAT: Any comment?
 13 Oh, Eric, let me ask you a question. If
 14 they don't -- if they don't come to an
 15 agreement, for whatever reason, for the size,
 16 number, or it doesn't become a large school or
 17 a small school, you still feel that the "S"
 18 designation should be on that property?
 19 MR. RIEL: Yes.
 20 MR. BEHAR: I -- See, I'm having a problem
 21 with that. If the application is not approved
 22 totally, I don't think we should -- I will not
 23 recommend to change the zoning -- the land use
 24 on that.
 25 CHAIRMAN AIZENSTAT: I would tend to agree

1 with you.
 2 MR. BEHAR: I'm --
 3 MR. SALMAN: What's your position on that,
 4 Robert? Why?
 5 MR. BEHAR: I don't want to allow for any
 6 other use to come in the future.
 7 MR. SALMAN: You're saying that the change
 8 in that use should be conditioned upon the
 9 school's use of it?
 10 MR. BEHAR: Correct.
 11 MS. KEON: On a site plan.
 12 CHAIRMAN AIZENSTAT: On a site plan.
 13 MR. SALMAN: Upon a site plan.
 14 CHAIRMAN AIZENSTAT: Which we're --
 15 which --
 16 MR. BEHAR: And I'm okay with the theory of
 17 changing it, but not if it's not in conjunction
 18 with an application.
 19 CHAIRMAN AIZENSTAT: I tend to agree with
 20 that comment.
 21 MS. KEON: Well, I don't have a problem,
 22 but if that's the feeling of the Board, I'll
 23 withdraw it.
 24 CHAIRMAN AIZENSTAT: Well, I mean, we can
 25 take -- You don't necessarily have to withdraw

1 it. We can take a vote --
 2 MR. GRABIEL: Eric --
 3 CHAIRMAN AIZENSTAT: -- because there is a
 4 second.
 5 MS. KEON: Okay.
 6 MR. GRABIEL: Why is it that Staff feels
 7 that it's important to change that?
 8 MR. RIEL: We feel it's an appropriate
 9 category, and that's why we actually put it in
 10 the Comprehensive Plan, in 2006, adopted it.
 11 MR. BEHAR: At some point in the future, if
 12 we -- if it goes forward and gets changed, any
 13 other application has to go through a public
 14 hearing anyways.
 15 MR. RIEL: Correct. Correct.
 16 MS. KEON: It's still "Special Use," so we
 17 still have to come to a public hearing and come
 18 through this process.
 19 MR. RIEL: Again, land use is future use of
 20 the property. The implementing tool is the
 21 Zoning Code, which is the "S, Special Use,"
 22 so --
 23 MR. BEHAR: Okay. Okay.
 24 MR. LEEN: And, Mr. Chair --
 25 MR. SALMAN: The problem is, they're both

1 linked in time right now. Those changes are
 2 now linked in time and because of this Somerset
 3 issue, but they're not necessarily linked in my
 4 mind.
 5 MR. BEHAR: I got you.
 6 MR. LEEN: Mr. Chair, you certainly could
 7 recommend as to the whole thing, if you feel
 8 that they're all interrelated. The reason why
 9 I recommend making some sort of recommendation
 10 on each is because this is a recommendation to
 11 the City Commission. They may disagree with
 12 you as a whole, but they may still want to know
 13 your individual recommendations. But
 14 ultimately, it is your decision. You could
 15 just make a recommendation as to the entire
 16 application.
 17 CHAIRMAN AIZENSTAT: Eric, what happens --
 18 Give me a scenario, if the change in land -- if
 19 we don't have a change in land use, the way it
 20 is currently, the church and the school.
 21 MR. RIEL: It would still operate at 110
 22 students, which it presently has a certificate
 23 of use, so it would continue.
 24 CHAIRMAN AIZENSTAT: To operate that way --
 25 MR. RIEL: Correct.

1 CHAIRMAN AIZENSTAT: -- and if they wanted
2 to do any changes at any time, then at that
3 time they would come before us, not only for
4 the application of a change of land use, but
5 also they would bring before us a site plan and
6 so forth?

7 MR. RIEL: Again, given the fact it's an
8 "S" use, any new additions, any change in use
9 is a conditional use, and there's very
10 stringent standards for review that they need
11 to meet for Staff to recommend approval, and
12 obviously the Board.

13 CHAIRMAN AIZENSTAT: So an "S" use is more
14 stringent than what's there now?

15 MR. RIEL: No, there is an "S" -- That's
16 the "S" zoning right now. They're not asking
17 for that change. Those provisions -- those
18 protections are in place right now.

19 CHAIRMAN AIZENSTAT: But they want to go to
20 Community Services and Facilities, as opposed
21 to a Religious/Institution.

22 MS. KEON: But it still maintains "S"
23 zoning.

24 CHAIRMAN AIZENSTAT: Right, but we're
25 voting -- but for Number 1, the way it's

1 that, it would still have to come back, even if
2 this change in land use or this amendment were
3 granted?

4 MR. SALMAN: And again, this is
5 conditional.

6 MS. KEON: Right.

7 MR. SALMAN: It's all conditional.

8 MS. KEON: Right. So it's all going to
9 be --

10 CHAIRMAN AIZENSTAT: Well, you're right.
11 It is conditional.

12 MS. KEON: This is all -- yeah.

13 CHAIRMAN AIZENSTAT: Call the roll? Any
14 other -- Well, any other questions or comments?
15 Javier?

16 MR. SALMAN: I think that these two issues
17 are linked, inextricably, in my mind.

18 CHAIRMAN AIZENSTAT: These two issues?
19 Which two issues are you talking about?

20 MR. SALMAN: The one of Somerset, and the
21 other one, the change in land use.

22 CHAIRMAN AIZENSTAT: Say it a little
23 louder.

24 MR. SALMAN: One is a change in land use,
25 and the other one is the actual increase in

1 proposed, we're voting to change it from
2 Religious/Institution to Community Services,
3 because the "S" is already there.

4 MR. SALMAN: Correct.

5 CHAIRMAN AIZENSTAT: So, for me, I'm
6 looking at it -- right now, the way it is, I'm
7 looking at it as a Religious/Institution, for
8 myself. I'm not looking at it another way
9 unless I have a site plan to change it, and
10 that's why I feel that way.

11 MR. RIEL: And just to kind of remind the
12 Board, I mean, we don't condition changes of
13 land use.

14 CHAIRMAN AIZENSTAT: Right.

15 MR. RIEL: For that reason, there's three
16 separate ordinances, so --

17 MS. KEON: And the change in the student
18 population would also, so any request would
19 be --

20 MR. RIEL: The change in the student
21 population is real --

22 MS. KEON: And right now, there's a
23 certification for 110 students per year.

24 MR. RIEL: Correct.

25 MS. KEON: So for any increase or change in

1 students, and we're talking about a conditional
2 use.

3 CHAIRMAN AIZENSTAT: Right.

4 MR. SALMAN: The underlying zoning works
5 for the 110. They've got a conditional use.
6 This is not -- I don't agree that it's a
7 correction. I think it's just an update,
8 but I'd be remiss in not seeing the absolute
9 link between the two, in both the public's mind
10 and that of the Board. I mean, we wouldn't be
11 dealing with one if we weren't here dealing
12 with the other.

13 I'm going to reverse my position. I think
14 they really need to be all tied together.

15 CHAIRMAN AIZENSTAT: You think they should
16 be tied together?

17 MR. SALMAN: I think they should be tied
18 together. I don't feel comfortable separating
19 them, because of the fact that that's the way
20 it's been presented, and a lot of the arguments
21 that we heard, and objections, were part and
22 parcel of that linkage, and I see the logic of
23 it, and it really needs, in my mind, to be
24 together, and I would not be inclined to vote
25 for it and I would rather like to do it as part

1 of a whole. You can take the --
 2 MR. BEHAR: Call the roll.
 3 MR. SALMAN: Call the roll, but I'm just
 4 afraid that it will fail and then everything
 5 else fails, automatic.
 6 CHAIRMAN AIZENSTAT: Well, we won't know if
 7 it will fail until we would call the roll and
 8 see what happens. Unless the motion is
 9 withdrawn, then I think we have a motion on the
 10 table and it's been seconded, and I think, if
 11 there's no other discussion, we should call the
 12 roll. Is there any other discussion?
 13 MS. KEON: No.
 14 CHAIRMAN AIZENSTAT: Call the roll, please.
 15 MS. MENENDEZ: Jeff Flanagan?
 16 MR. FLANAGAN: Yes.
 17 MS. MENENDEZ: Julio Grabiell?
 18 MR. GRABIEL: No.
 19 MS. MENENDEZ: Pat Keon?
 20 MS. KEON: Yes.
 21 MS. MENENDEZ: Javier Salman?
 22 MR. SALMAN: No.
 23 MS. MENENDEZ: Robert Behar?
 24 MR. BEHAR: No.
 25 MS. MENENDEZ: Eibi Aizenstat?

1 MR. RIEL: Yes, absolutely.
 2 MR. LEEN: Well, Staff wants that.
 3 MR. RIEL: Yes.
 4 MR. LEEN: I do --
 5 CHAIRMAN AIZENSTAT: Okay. Go ahead.
 6 MR. LEEN: I mean, you can grant or deny
 7 the -- you could recommend granting or denying
 8 the application, like I said before. It is in
 9 your discretion. Generally, we prefer a
 10 recommendation as to each, because that's the
 11 purpose of the Board, to give that. But right
 12 now, nothing has happened. I mean, you have --
 13 you have voted on the first motion, but it was
 14 a no vote, so you still haven't resolved the
 15 first issue. You would have to move to, I
 16 guess, deny it or something other than what you
 17 previously did.
 18 CHAIRMAN AIZENSTAT: And then we could
 19 proceed forward?
 20 MR. LEEN: Yes. Yes.
 21 CHAIRMAN AIZENSTAT: Is there another
 22 motion? Mr. Flanagan?
 23 MS. KEON: Will you make a motion to deny
 24 it? Why?
 25 MR. SALMAN: I'd rather deal with them all.

1 CHAIRMAN AIZENSTAT: No.
 2 Seeing how that motion failed, is there
 3 another motion that somebody would like to
 4 make?
 5 MS. KEON: I'll make the motion to deny
 6 Number 2.
 7 CHAIRMAN AIZENSTAT: Well, let me ask you a
 8 question. As opposed to denying it, what about
 9 if we tie all three together, the way Javier
 10 has said, and we go ahead and have a motion
 11 based on the way it's presented to us, together
 12 as one, as opposed to separating, Number 1
 13 failed -- Do we need -- Actually, I should ask,
 14 do we need to go to Number 2?
 15 MS. KEON: We already voted.
 16 MR. SALMAN: We already voted.
 17 CHAIRMAN AIZENSTAT: All right, so I guess
 18 we have to call --
 19 MS. KEON: We separated it.
 20 MR. LEEN: At this --
 21 CHAIRMAN AIZENSTAT: Do we have to call all
 22 three and get motions on all three --
 23 MR. RIEL: Yes.
 24 CHAIRMAN AIZENSTAT: -- and see where it
 25 goes?

1 I'd rather deal with them all.
 2 MR. BEHAR: I agree, a hundred percent.
 3 I'd rather deal with them all.
 4 MR. SALMAN: And you know, we have two
 5 parties here that have reached a complete
 6 impasse. They've had all the time in the world
 7 to come to an agreement, and they've come to us
 8 for a recommendation. That's the application
 9 that they have, and unless we give them a
 10 little bit of direction, I'm afraid that
 11 they're just going to keep wasting time.
 12 MR. BEHAR: Not only that --
 13 MR. SALMAN: And I see -- and I agree with
 14 you, Robert, I mean, agreements were made 33
 15 years ago. Change is dynamic. You know, I
 16 have kids that I sent to public schools. I was
 17 not able to get them into the school of my
 18 choice here in the Gables. I had to take them
 19 outside of the Gables, and, you know, I work
 20 five blocks from Gables Elementary. I would
 21 much rather have been able to drop them off,
 22 but there just is not the room in the Gables
 23 Elementary School system for Gables residents
 24 to be able to be assured of placement of their
 25 children in the schools of their choice.

1 MS. KEON: Because we don't have
2 neighborhood schools anymore. We have schools
3 of choice.

4 MR. SALMAN: Again --

5 MS. KEON: That's one of the blessings of
6 age, Javier.

7 MR. SALMAN: I understand.

8 MS. KEON: Mine went to public school.

9 MR. SALMAN: I understand. Mine went to
10 public school, but not where I wanted -- not
11 where I should have been able to send them --

12 MS. KEON: I know.

13 MR. SALMAN: -- because I was not able to
14 send them to my neighborhood school, and I know
15 from personal experience the frustration the
16 parents feel at not being able to get them into
17 a school nearby where they live, where their
18 base is.

19 It's extremely frustrating to be in a
20 position where both parties are at such odds
21 that we need to give them some direction, and
22 I'm just going to -- as part of the public
23 comment -- as part of our commentary here, you
24 know, I just did the math that I taught my
25 kid -- you know, my 13-year-old is working on

1 MR. SALMAN: But -- I understand, but we
2 have been on this Board and we have looked at
3 very controversial issues, where we've had
4 really hard decisions, and I don't want to
5 abdicate that decision tonight by kicking it
6 back and having -- forcing a problem. They've
7 got another school year coming up, and they've
8 only got room for 110, okay? I'm inclined to
9 increase that number, to allow for the next
10 class to go in there, to be able to kick it
11 down the road, if we can come up to a
12 reasonable solution that could be proffered
13 and then the next -- This is an advisory board.
14 Whether or not the Commission actually takes
15 our advice, which they often don't, okay,
16 that's their purview, okay? But we're an
17 advisory board. Our charter is to look at the
18 thing, to come up with an advice to the
19 Commission.

20 The way it stands right now, I can't, in
21 good conscience, vote for 735. There's just no
22 way. I mean, that's just an obscene number to
23 put in this school. I don't think, in all
24 deference to our brethren, they're going to be
25 able to service that number of students and not

1 her algebra, and I did a little algebra. 32 is
2 to 735 as 49 is to -- you know, 49 is to 735 as
3 32 is to X, and that number is 480.

4 MS. KEON: But you don't know that X is a
5 constant.

6 MR. SALMAN: No, well, it is a constant.
7 It's algebra, okay?

8 MS. KEON: But we don't know that you can
9 use that --

10 MR. SALMAN: Don't go there. Don't go
11 there. Don't go there.

12 MS. KEON: But you don't know.

13 MR. SALMAN: What I'm saying is that, you
14 know, if what we're worried about is the impact
15 on the neighborhood, and that's what we're
16 charged with, okay, is impact on the
17 neighborhood, and they have 32 parking
18 spaces -- 32 queuing spaces, our expert is
19 telling us that they need 49 for the 735.
20 Doing the algebra, it's 480, okay? I'm just
21 saying, it's a number. It's a number, okay,
22 like four, okay? It's four, all right?

23 MS. KEON: But -- but --

24 MR. SALMAN: It's just a number.

25 MS. KEON: But it's not our (inaudible).

1 have chaos in the neighborhood.

2 I would caveat any kind of approval to
3 whatever number -- four, whatever that
4 number is -- with inclusion of buffers along
5 Cardena to protect those neighbors, to change
6 their layout, to increase the linear length of
7 dropoff, to help ease the amount of time it
8 takes to unload that school and to load it, to
9 increase the coverage areas, because, you know,
10 this is Florida; it happens to rain here a lot,
11 and I can see problems during inclement
12 weather. And just -- and put a number that is
13 reasonable, to allow them to continue to
14 operate.

15 MR. BEHAR: See, I would go --

16 CHAIRMAN AIZENSTAT: Go ahead, Robert.

17 MR. SALMAN: Go ahead, Robert.

18 MR. BEHAR: I'll go one step further. I
19 don't think that -- I mean, my number in my
20 mind was a lot less than the 480, okay?

21 MR. SALMAN: Fine.

22 MR. BEHAR: I was --

23 MR. SALMAN: It's a number. I don't care.

24 MR. BEHAR: I mean, in my mind, I'm
25 thinking, well, we've got to give them a

1 direction, okay?
 2 MR. SALMAN: That's right.
 3 MR. BEHAR: Because if --
 4 MS. KEON: It's called small.
 5 MR. BEHAR: Well, I understand, but hear me
 6 out a second. We give them a direction. Okay,
 7 let's say that number is 300, okay? And they
 8 have to come back, and say, you know what, we
 9 are not going to take the 300 or 400 or 200,
 10 we're going to go to the Commission and let
 11 them make the final decision. But I think, for
 12 them, you know, we have to give them some
 13 guidelines, how this Board feels in where we
 14 would go. I feel that if we gave them a
 15 number, and let's go back to that 300 as a
 16 number for now -- and said, let's try that on a
 17 trial basis for one year and let's see how
 18 that --
 19 MR. SALMAN: Well, it's a conditional use,
 20 and we could put all sorts of restrictions on
 21 it.
 22 MR. BEHAR: -- how that affects the
 23 neighborhood. And a year from now, if the
 24 neighbors come back and say this is, you know,
 25 okay, we --

1 idea, and until that data is put before us and
 2 we have a traffic engineer that tells us that
 3 it isn't a matter that you divide it by three,
 4 or it's not a matter that you divide it by two,
 5 because the variables will change.
 6 MR. BEHAR: All right --
 7 MS. KEON: We don't know that.
 8 MR. BEHAR: Then you know what? I'm going
 9 to make a motion to take the whole --
 10 MS. KEON: We know it needs to be less.
 11 CHAIRMAN AIZENSTAT: Before you do that,
 12 what I've seen when applicants have come before
 13 us and they've been at odds, the applicants
 14 have gotten a sense or a feel where this Board
 15 stands, and from what I'm listening to my
 16 fellow Board members, I'm hearing more or less
 17 where this Board stands, and I think so is the
 18 applicant on both -- so is the applicant and
 19 the people against it. So I think, at this
 20 point, it's really up to them to get together,
 21 present the facts that can work, which -- and
 22 I'm not giving a number, and I don't know the
 23 number -- and let them present it with the
 24 facts to the City, to where the City can
 25 analyze it.

1 MS. KEON: You can't take away. You can
 2 give, but you can't take back.
 3 CHAIRMAN AIZENSTAT: You can't take the
 4 kids out of that school --
 5 MS. KEON: You can't take back.
 6 CHAIRMAN AIZENSTAT: -- after you put them
 7 in there.
 8 MR. BEHAR: Well --
 9 MS. KEON: No, you can't.
 10 MR. BEHAR: But okay, and the --
 11 MS. KEON: 200? Is that how that works?
 12 MR. BEHAR: But, Pat, 33 years ago, 110
 13 was, you know, different than it is today.
 14 MS. KEON: But you know what? We don't
 15 know that, and it was also only a pre-school.
 16 It was a Mom's Morning Out program. It went
 17 from nine to noon. It went to -- you know,
 18 that whole world of pre-school is an entirely
 19 different world than children going to an
 20 elementary school.
 21 MR. SALMAN: I'm looking at it from the
 22 facility point of view. They've got classrooms
 23 like crazy. 110 doesn't even begin to fill the
 24 school.
 25 MS. KEON: But you know what? We have no

1 I feel very confident in the Planning and
 2 Zoning Department that we have, I really do,
 3 and its Staff. I think they're one of the top
 4 in the country, and I feel that they want to
 5 work with the community, and because of that, I
 6 feel that if it's workable and it's feasible,
 7 then they'll make the recommendation
 8 accordingly. And at that point, when it's
 9 presented to us, then we move forward or we
 10 don't move forward with it. That's just my
 11 feeling.
 12 MS. KEON: But what do we do with the
 13 application that's currently before us?
 14 CHAIRMAN AIZENSTAT: Well, Robert, you were
 15 going to --
 16 MR. BEHAR: Well, maybe we should ask --
 17 MR. SALMAN: Can we query the applicant to
 18 see if he wants to defer?
 19 MR. BEHAR: Yeah, ask the applicant if they
 20 want to --
 21 MS. KEON: Withdraw?
 22 MR. SALMAN: Defer it.
 23 CHAIRMAN AIZENSTAT: Withdraw?
 24 MR. BEHAR: Defer, defer. Defer.
 25 CHAIRMAN AIZENSTAT: Ms. Russo?

1 MR. RIEL: I don't know if the term is
 2 continue or defer.
 3 MR. FLANAGAN: Continue.
 4 CHAIRMAN AIZENSTAT: Continue.
 5 MR. RIEL: Continue.
 6 CHAIRMAN AIZENSTAT: Continue it.
 7 MR. BEHAR: Okay, continue.
 8 MR. SALMAN: I like continue. We'll go
 9 with continue.
 10 MR. BEHAR: It sounds better for another
 11 motion.
 12 CHAIRMAN AIZENSTAT: Please.
 13 MS. RUSSO: Good evening, Mr. Chair,
 14 Members of the Board. For the record, Laura
 15 Russo, with offices at 2655 LeJeune Road.
 16 Excuse the voice; I have a very bad cold.
 17 We've obviously heard what you had to say,
 18 and I think we've heard some of the parameters.
 19 We'll accept a continuance. We'll supplement
 20 our application. We'll amend, based on what
 21 we've heard here. We'll make, needless to say,
 22 attempts to reach out again to the neighbors,
 23 as we have before, and what I specifically urge
 24 you is to please ask Staff, not just the
 25 Planning Staff, but the Public Works Staff, to

1 work with us in a timely fashion, in order to
 2 get this reviewed as quickly as possible, so we
 3 can keep it going. I'd like to be able to --
 4 We can supplement our data. We've heard
 5 everything. We're ready to put everything on
 6 paper and submit it ASAP, but we'd like it
 7 reviewed ASAP, because as I've put on the
 8 record before, this was supposed to be heard
 9 way back when. We didn't -- you know, we had
 10 all these things come up and, you know, you're
 11 looking at something that's now a year old and
 12 we're really not that much further along.
 13 MR. BEHAR: Ms. Russo, I understand, but
 14 the truth of the matter, you have not made an
 15 attempt to really meet with the neighbors, or
 16 not many --
 17 MS. RUSSO: Oh, no, that's not -- No, no,
 18 no, that's not true. We -- well, okay, you're
 19 talking about historically. We've made, since
 20 we've --
 21 MR. BEHAR: Because we asked the other day,
 22 last hearing, have you met with the neighbors,
 23 and my recollection is that no, you have not.
 24 MS. RUSSO: At the last meeting? No, we
 25 have met. We have. No, we have met with the

1 neighbors. Since the April 27th meeting, we've
 2 had numerous telephone conferences --
 3 MR. BEHAR: Okay.
 4 MS. RUSSO: -- we had two face-to-face
 5 meetings.
 6 MR. BEHAR: I apologize. I stand
 7 corrected.
 8 MS. RUSSO: No, no, no, no.
 9 MR. BEHAR: I was under the impression that
 10 you had not made --
 11 MS. RUSSO: No, no, no. We've met with
 12 different members --
 13 MR. BEHAR: Okay.
 14 MS. RUSSO: No, there has been sincere two
 15 and three-hour meetings.
 16 MR. BEHAR: I retract my comments.
 17 MS. RUSSO: Okay.
 18 CHAIRMAN AIZENSTAT: Mr. Tucker, is there a
 19 willingness on your --
 20 MS. KEON: Gibbs.
 21 CHAIRMAN AIZENSTAT: Oh, I'm sorry, Mr.
 22 Gibbs.
 23 MR. GIBBS: That's quite all right.
 24 CHAIRMAN AIZENSTAT: Is there a willingness
 25 on your part to move forward on this?

1 MR. GIBBS: Absolutely, and Laura and I
 2 have talked and we've met. We've met for long
 3 meetings. We've been very frank. We've talked
 4 numbers. It isn't like we've said -- we've
 5 gone to the meetings and said absolutely
 6 nothing. We understand their position, I think
 7 they understand our position, but we are not
 8 close.
 9 CHAIRMAN AIZENSTAT: Have you discussed
 10 numbers?
 11 MR. GIBBS: Yes, and I feel very
 12 uncomfortable, and your attorney may have some
 13 things to say, but I don't think that's an
 14 issue to get into in any detail with you all --
 15 MR. SALMAN: That's not our business.
 16 MR. GIBBS: -- but we have discussed --
 17 CHAIRMAN AIZENSTAT: Okay, that's why I
 18 wanted to know --
 19 MR. GIBBS: Our discussions have been
 20 serious.
 21 CHAIRMAN AIZENSTAT: Okay.
 22 MS. RUSSO: Yeah, they've been serious
 23 discussions. They haven't just been yes/no.
 24 CHAIRMAN AIZENSTAT: It's just, when I
 25 asked you before, and you said, "Well, I don't

1 know," I didn't know if --

2 MR. GIBBS: No, because I want to preserve
3 the record. I don't think this is an
4 appropriate issue to be talking about in a
5 quasi-judicial proceeding, about settlement,
6 because settlement is irrelevant to your
7 decision, frankly.

8 MR. BEHAR: Then, Mr. Chair, I make a
9 motion to continue and give another opportunity
10 for the applicant and the neighbors to --

11 MS. RUSSO: Supplement.

12 MR. BEHAR: To come together, and we --

13 CHAIRMAN AIZENSTAT: What we can't do --

14 MS. RUSSO: And perhaps allow us to
15 supplement and amend our application, and then
16 whether or not the opposition is comfortable
17 enough, but we'd like to supplement and make an
18 amendment to our application, based on the
19 direction we've received tonight, and we'd like
20 to do it in the most expeditious manner
21 possible. We will, from our end, and we just
22 make the request that you urge City Staff to do
23 so from their end, as well.

24 MR. SALMAN: This is a great Staff. I'm
25 sure they'll do everything they can.

1 MS. KEON: (Inaudible).

2 MS. RUSSO: All Staff, because it has to be
3 reviewed beyond the Planning Staff. It's going
4 to be reviewed by Police, by Fire, by Public
5 Works. So, you know, from the Planning Staff,
6 I --

7 MR. SALMAN: We've only got the summer
8 before schools open up, so --

9 MS. RUSSO: Excuse me?

10 MR. SALMAN: We've only got the summer to
11 do it.

12 CHAIRMAN AIZENSTAT: Now, Eric, I don't see
13 that we can put a time certain for the next
14 meeting, then, if it has to go through all the
15 these departments.

16 MR. RIEL: No, I mean, I would not suggest
17 the Board continue to a certain date, because I
18 don't know what they're going to be submitting
19 to us, and I can't commit to a time frame when
20 it will be completed, but I can commit upon
21 City Staff that we will, you know, work with
22 the applicant, as well as, you know, the
23 neighbors, to assist in moving this, the
24 application, forward.

25 MS. KEON: I have a question of Eric.

1 Eric, with a continuance, then, it doesn't
2 require renotification?

3 MR. RIEL: If you don't put a date certain,
4 yes, we would have to renotify.

5 MS. KEON: Okay, so there's no date
6 certain, so they would have to --

7 MR. RIEL: There's no date certain, so we
8 would have to mail out a notice.

9 MR. RIEL: We would mail out a notice.

10 MS. KEON: Okay.

11 MR. SALMAN: And the applicant is
12 comfortable with that? Because it's on your --

13 MS. RUSSO: Yes.

14 MR. SALMAN: Okay.

15 MS. RUSSO: Absolutely, there would be no
16 issue with the renotece.

17 MR. RIEL: So you agree, on the record, to
18 the continuance?

19 MS. RUSSO: Yes.

20 MR. BEHAR: Mr. Gibbs, also?

21 MR. GIBBS: Yes, we have no objection to a
22 continuance.

23 MR. LEEN: There needs to be a second. I
24 didn't hear --

25 MS. KEON: I'll second.

1 MR. SALMAN: I'll second.

2 CHAIRMAN AIZENSTAT: Any other discussion?

3 MR. SALMAN: Did you second? You seconded.
4 Pat seconded.

5 MR. RIEL: And just to clarify, that's a
6 continuance on all three applications?

7 MR. SALMAN: Yes.

8 CHAIRMAN AIZENSTAT: That's correct.

9 MR. BEHAR: That's correct.

10 CHAIRMAN AIZENSTAT: Could you please go
11 ahead and call the roll?

12 MS. MENENDEZ: Julio Grabiell?

13 MR. GRABIEL: Yes.

14 MS. MENENDEZ: Pat Keon?

15 MS. KEON: Yes.

16 MS. MENENDEZ: Javier Salman?

17 MR. SALMAN: Yes.

18 MS. MENENDEZ: Robert Behar?

19 MR. BEHAR: Yes.

20 MS. MENENDEZ: Jeff Flanagan?

21 MR. FLANAGAN: Yes.

22 MS. MENENDEZ: Eibi Aizenstat?

23 CHAIRMAN AIZENSTAT: Yes.

24 MS. RUSSO: Thank you very much.

25 CHAIRMAN AIZENSTAT: Thank you.

1 Is there any other item on the agenda?
 2 Okay, we're done, and thank you, everybody,
 3 for your patience and coming.
 4 (Thereupon, the meeting was adjourned at
 5 7:42 p.m.)
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1 CERTIFICATE
 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7 I, JOAN L. BAILEY, Registered Diplomate
 8 Reporter, Florida Professional Reporter, and a Notary
 9 Public for the State of Florida at Large, do hereby
 10 certify that I was authorized to and did
 11 stenographically report the foregoing proceedings and
 12 that the transcript is a true and complete record of my
 13 stenographic notes.
 14
 15 DATED this 27th day of June, 2011.
 16
 17
 18 SIGNED COPY ON FILE
 19
 20 JOAN L. BAILEY, RDR, FPR
 21
 22 Notary Commission Number DD 64037
 23 Expiration June 14, 2011.
 24
 25