

City of Coral Gables
Local Planning Agency (LPA)/Planning and Zoning Board Meeting
Wednesday, June 8, 2011, 6:05 p.m.
Coral Gables Memorial Youth Center Auditorium
405 University Drive, Coral Gables, Florida

MEMBERS	N3	N30	D9	J12	F9	M9	A27	M11	J8	APPOINTMENT
	'10	'10	'10	'11	'11	'11	'11	'11	'11	
Eibi Aizenstat - Chair	P	P	C	C	P	C	P	C	P	City Manager Patrick Salerno
Robert Behar	P	P	C	C	P	C	P	C	P	Commissioner Rafael Cabrera, Jr.
Jeffrey Flanagan - Vice Chair	P	P	C	C	P	C	P	C	P	Commissioner Maria Anderson
Julio Grabiell	-	-	-	-	-	-	-	C	P	Mayor Jim Cason
Pat Keon	P	P	C	C	P	C	P	C	P	Planning and Zoning Board
Javier Salman	P	P	C	C	P	C	P	C	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
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. 06.08.11 Attendance Sign-In List
- B. 06.08.11 Speaker Cards
- C. Public Comments: 04.27.11 thru 05.31.11

1 CITY OF CORAL GABLES
 2 LOCAL PLANNING AGENCY (LPA)/
 3 PLANNING AND ZONING BOARD MEETING
 4 VERBATIM TRANSCRIPT
 5 CORAL GABLES MEMORIAL YOUTH CENTER AUDITORIUM
 6 405 UNIVERSITY DRIVE
 7 CORAL GABLES, FLORIDA
 8 WEDNESDAY, JUNE 8, 2011, COMMENCING AT 6:05 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 Jennifer Glasser, Esq., Akerman Senterfitt
 24 Jeff V. Easley, Reynolds, Smith and Hills, Inc.

25 Others Participating in Proceedings:
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26 Laura Russo, Esq. 134

27 Russo & Baker
 28 On behalf of the Applicant,
 29 Somerset Academy Gables

30 Tucker Gibbs, Esq. 11
 31 On behalf of the Biltmore Neighborhood
 32 Association and Carlos Carta.

33 Speakers:
 34 Anna Louise Fulks 35
 35 Sonia Viertel 37
 36 Michelle Estlund 39
 37 Anis Saleh 42
 38 Louan Zagarino 45
 39 Catherine Salabarría 47
 40 Mara Rodriguez-Mena 48
 41 Vivian Sanchez 51
 42 Richard Londono 54
 43 Joe Scott 57
 44 Bella Smith 60
 45 Janet Nostro 63
 46 Anthony Paul 63
 47 Carlos Avino 67
 48 Jennifer Berger 69
 49 Alfredo Oliva, Jr. 71
 50 Laura Lastra 73
 51 Javier Avino 73
 52 Lourdes Avino 76
 53 Carlos Carta 77
 54 Mariana Carta 80
 55 Felix Pardo 81
 56 Raul Martinez, Jr. 84
 57 Burton Rosenberg 86
 58 Alexis Montecón 89
 59 Thor Bruce 93
 60 Gina de la Rosa 96
 61 Sandra Pollack 99
 62 Carol Brock 100
 63 Pedro Erigoyen 103
 64 Cristina Herrero 104
 65 Rafael Penalver 106
 66 Victor de Diego 108
 67 Calese Thompson Enriquez 110
 68 Paul Zamek 111
 69 Melissa Medina-Schnur 114
 70 Sharon Watson 117
 71 Laura Smith 121
 72 David Doheny 122
 73 Kathleen Bowker 124
 74 David Pike 130
 75 Andrea Moscetti 127
 76 Patricia Maragliano 133

1 THEREUPON:

2 The following proceedings were had:
 3 CHAIRMAN AIZENSTAT: Well, let's get
 4 started, please.

5 I'd like to welcome everybody back. This
 6 meeting is a continuation of our meeting from
 7 April 27th, 2011.

8 First, we have a new Board member with us
 9 today. His name is Julio Grabiell. I hope I
 10 pronounced that correctly. He is Mayor
 11 appointment, and on behalf of the Board, we'd
 12 like to welcome you. Maybe tell us a little
 13 bit about yourself.

14 MR. GRABIEL: I'm an architect, lived in
 15 the City of Coral Gables since 1972, in a
 16 historic house built by Merrick. I've also
 17 worked in the City of Coral Gables since 1970,
 18 and continue to work within the City of Coral
 19 Gables since then. I've been on the Board of
 20 Architects three sessions, and I'm now very
 21 happy to be here.

22 CHAIRMAN AIZENSTAT: Okay, thank you.

23 What I'd like to do is ask everybody if
 24 they could please silence your phones or turn
 25 them off at this time. I'd appreciate that.

1 Thank you.

2 The next item, normally, we would approve
 3 the minutes, but we're going to go ahead and
 4 hold off on the minutes till we complete all of
 5 the meetings and then we'll go ahead and
 6 approve the minutes at one time.

7 Would you go ahead and do a roll call,
 8 please?

9 MS. MENENDEZ: Robert Behar?

10 MR. BEHAR: Here.

11 MS. MENENDEZ: Jeff Flanagan?
 12 Julio Grabiell?

13 MR. GRABIEL: Here.

14 Pat Keon?

15 Javier Salman?

16 MR. SALMAN: Here.

17 MS. MENENDEZ: Eibi Aizenstat?

18 CHAIRMAN AIZENSTAT: Here.

19 Mr. Leen, are there any comments that you'd
 20 like to make?

21 MR. LEEN: Yes, two things. First,
 22 Mr. Grabiell, have you had a chance to review
 23 what occurred at the last meeting?

24 MR. GRABIEL: Yes, I got the DVD and have
 25 seen it twice.

1 MR. LEEN: Okay.
 2 MR. GRABIEL: And read the documents that
 3 were provided to me.
 4 MR. LEEN: Okay, and the second is, we're
 5 going to do disclosures of ex-parte
 6 communications now. First -- if any. The
 7 Chairman, Chairman Aizenstat?
 8 CHAIRMAN AIZENSTAT: Yes.
 9 MR. LEEN: Have you received any ex-parte
 10 communications?
 11 CHAIRMAN AIZENSTAT: No, I've received no
 12 e-mails or any ex-parte.
 13 MR. LEEN: And what about before the prior
 14 meeting?
 15 CHAIRMAN AIZENSTAT: In the prior meeting,
 16 I did receive e-mails from quite a few people.
 17 I did not go ahead and read those e-mails, and
 18 they did not affect me in any way in my ability
 19 to make a decision.
 20 MR. LEEN: Okay. Mr. Behar?
 21 MR. BEHAR: I've also received numerous
 22 e-mails. I have not read them. Fortunately, I
 23 don't have the time to go through all the
 24 e-mails. I had no conversations with anybody
 25 pertaining to this, nothing that I have looked

1 at or anything that will influence my ability
 2 to view this case.
 3 MR. LEEN: And Mr. Grabiell?
 4 MR. GRABIEL: No, I have not received any
 5 e-mails or any communications, nor have I
 6 talked to anybody about this project.
 7 MR. LEEN: Mr. Salman?
 8 MR. SALMAN: I have not received any
 9 e-mails since our last meeting. As I mentioned
 10 in our previous meeting, I did receive some
 11 e-mails, some of which I did open, glanced at
 12 them. Their content was not affecting me with
 13 regards to my ability to be impartial on this
 14 issue.
 15 MR. LEEN: Okay.
 16 CHAIRMAN AIZENSTAT: Yes?
 17 MS. MURADO: My name is Sandra Murado.
 18 Your question was if he had any
 19 communications. He answered it in e-mail. I'd
 20 like to know if he's had any verbal or written
 21 communication with anybody, including any
 22 registered lobbyists.
 23 MR. LEEN: Okay, please sit down. Thank
 24 you.
 25 CHAIRMAN AIZENSTAT: Yes, please.

1 MR. LEEN: Any of the information you
 2 received, would it affect you, your fairness?
 3 MR. SALMAN: No.
 4 MR. LEEN: Okay.
 5 CHAIRMAN AIZENSTAT: Okay. Mr. Riel, are
 6 there any changes to the agenda?
 7 MR. RIEL: No, but I'd like to make a
 8 couple comments, and just go over a couple
 9 things, logistically, for this evening.
 10 As the Chair indicated, this is a
 11 continuance of the April 27th meeting. At that
 12 meeting, Planning Staff concluded its
 13 presentation, as well as the applicant.
 14 The next order of business this evening is
 15 public comments. We received approximately 69
 16 speakers that want to sign up. What we're
 17 going to do is take those in the order that we
 18 received those. As we agreed to last meeting,
 19 we're going to allow three minutes for each
 20 person. We do have a timer. It will indicate
 21 yellow, indicating at the two-minute interval,
 22 and red at the three-minute interval.
 23 Anyone desiring to speak, in all
 24 likelihood, we need to go through the 69 this
 25 evening, so if you sign up, hopefully we'll get

1 to you this evening. If not, if we can't
 2 finish the proceedings this evening, this
 3 meeting is going to be continued to June 15th,
 4 and I want to note for the record that the
 5 continued meeting will not be here. It will be
 6 back at City Hall, in the Commission Chambers.
 7 So I just wanted to make sure everybody knows
 8 that up front.
 9 We did send out a new notice to everybody
 10 within 2,000 feet. We also did readvertise the
 11 legal ad, and I'd like to enter those into the
 12 record. And as always, all the information
 13 that is available, the application, all items
 14 entered in the record, are on the City's
 15 website.
 16 And I would suggest, Mr. Chair, that we
 17 swear in the members again, those who'd like to
 18 speak, just to make sure that we cover
 19 everybody.
 20 CHAIRMAN AIZENSTAT: Okay. Please note
 21 that Pat Keon has just walked in to attend the
 22 meeting.
 23 If everybody that's going to go ahead and
 24 speak -- if you would please stand up to be
 25 sworn in, and I want to make sure, has

1 everybody that is standing up to speak -- has
 2 everybody signed in on the cards, to be able to
 3 speak, with the secretary? If you have not,
 4 please do so, because that's the only way we'll
 5 know to call you.
 6 UNIDENTIFIED PERSON: Are the cards from
 7 last time?
 8 CHAIRMAN AIZENSTAT: The cards are from
 9 last time.
 10 MR. RIEL: Yes.
 11 CHAIRMAN AIZENSTAT: We're continuing that
 12 order. If you did not sign up last time and
 13 you'd like to speak, please do so now.
 14 Thank you.
 15 (Thereupon, all who were to speak were duly
 16 sworn by the court reporter.)
 17 MR. RIEL: And Ms. Menendez, to my left,
 18 will be calling the names. She's going to call
 19 two names, the first person to come up, and
 20 she'll be calling the second person so they can
 21 actually proceed forward, you know, and get
 22 ready.
 23 CHAIRMAN AIZENSTAT: Mr. Riel, before you
 24 do that, Mr. Leen would like to ask Pat Keon
 25 some questions.

1 their clapping or their gestures, to give it
 2 fair for everybody else that's in this room.
 3 At this time, I think where we left off
 4 was, Mr. Gibbs, you were going to go ahead and
 5 do your presentation for the homeowners?
 6 MR. GIBBS: Yes.
 7 CHAIRMAN AIZENSTAT: How much time do you
 8 think you're going to need?
 9 MR. GIBBS: I'll come up here --
 10 CHAIRMAN AIZENSTAT: Sure.
 11 MR. GIBBS: -- and put it on the record.
 12 My name is Tucker Gibbs, and my mailing
 13 address is Post Office Box 1050, Coconut Grove,
 14 Florida. I'm an attorney, representing the
 15 Biltmore Neighborhood Association and Carlos
 16 Carta, who is a neighbor. I expect to go
 17 probably about 25 to 35 minutes.
 18 CHAIRMAN AIZENSTAT: Okay, thank you.
 19 MR. GIBBS: Is there a way we can deal with
 20 the reverberation on this? Okay, so I'm stuck.
 21 Okay.
 22 MS. RUSSO: It's the same reverberation --
 23 MR. GIBBS: That you got.
 24 MS. RUSSO: -- we got at the last meeting.
 25 MR. GIBBS: Okay, well, at least we're all

1 MR. LEEN: Ms. Keon, we've done disclosures
 2 of ex-parte communications, if any. Have you
 3 received any?
 4 MS. KEON: I've received some e-mails that
 5 I haven't opened.
 6 MR. LEEN: Okay. Has anything you've
 7 received affected your fairness in any way?
 8 MS. KEON: No.
 9 MR. LEEN: And Mr. Salman, so is there
 10 anything specific that you received in any
 11 communication that you remember or that
 12 affected you in any way?
 13 MR. SALMAN: Neither positive nor negative,
 14 and there's nothing, really, I can recall.
 15 MR. LEEN: Other than what?
 16 MR. SALMAN: Nothing that I can recall.
 17 MR. LEEN: Okay, thank you.
 18 CHAIRMAN AIZENSTAT: Okay, thank you.
 19 As Mr. Riel said, what we're going to do
 20 is, we're going to limit the speaking to three
 21 minutes. What I'd like to ask is that the
 22 people that are coming up to speak to please
 23 not repeat what somebody else has already said,
 24 in an effort to get this speeded up, and I
 25 would also ask everybody to withhold either

1 sharing.
 2 CHAIRMAN AIZENSTAT: Before you start, if
 3 you don't mind, I'd like to note that Jeffrey
 4 Flanagan has just joined us.
 5 Mr. Leen, would you like to ask the same
 6 questions?
 7 MR. LEEN: Yes. Mr. Flanagan?
 8 MR. FLANAGAN: Yes.
 9 MR. LEEN: Hi. Did you receive any
 10 ex-parte communications?
 11 MR. FLANAGAN: I did not.
 12 MR. LEEN: Thank you.
 13 CHAIRMAN AIZENSTAT: Thank you.
 14 MR. GIBBS: Thank you.
 15 CHAIRMAN AIZENSTAT: Please continue.
 16 MR. GIBBS: Okay. As I said, my name is
 17 Tucker Gibbs. I'm representing the Biltmore
 18 Neighborhood Association and Carlos Carta,
 19 who's a neighbor of the church and the
 20 applicant.
 21 I'm speaking tonight in opposition to the
 22 application for the amendment to the future
 23 land use map from Religious Institutional to
 24 Community Services and Facilities, and the
 25 conditional use application and site plan

1 approval to permit an increase in students, and
2 to allow this charter school. These
3 applications are inconsistent with the
4 Comprehensive Plan and the provisions of the
5 Zoning Code.

6 First, I'd like to draw your attention to
7 the property and its history and the basic
8 question, how did we get here? I know that the
9 school has already talked to you about this,
10 but I wanted to talk to you about it from our
11 perspective. The property was used for a
12 church for many years. I believe you saw
13 pictures at the last meeting showing this site
14 from at least the 1930s.

15 It was zoned, however, in July of 1959 to,
16 quote, allow a new chapel and education unit
17 addition, and in 1968, the church -- the church
18 recorded a declaration of restricted covenants,
19 and that was addressed at the last meeting, as
20 well, and that specifically said, none of Block
21 116, which is the church property that we're
22 dealing with today, shall be leased separate
23 and apart from each other, and that said
24 property shall not be leased or rented or used
25 in violation of any of the ordinances of the

1 wanted to draw your attention to that, because
2 that is an important issue.

3 On February 8th, 1983, the City Commission
4 rezoned to S, to allow for general school
5 purposes, the property the church owned across
6 Anastasia. Those are the -- I think the pink
7 buildings that you see on Anastasia, across the
8 street from the church. The City Commission
9 required the church, when they granted this
10 rezoning, to file a unity of title to
11 incorporate that property, as well as the
12 property on Block 116, as one, so it would all
13 be considered church property.

14 As you know, in last May, the charter
15 school applied for a certificate of use for a
16 school of up to 675 students on the property,
17 and on June 22nd, the charter school applied
18 for and received a certificate of use for 110
19 students, age three through 13, and 18 staff.

20 The charter school opened for business in
21 that August. It operates today with 110
22 students.

23 On July 30th of last year, the charter
24 school applied for this land use map change
25 from Religious Institutional to Community

1 City of Coral Gables.

2 I will provide a copy of those at the
3 conclusion of my presentation, to the
4 secretary, to be included in the record, if
5 that's all right.

6 CHAIRMAN AIZENSTAT: Yes.

7 MR. GIBBS: On June 28th, 1977, the
8 Planning and Zoning Board -- the City
9 Commission adopted Ordinance 2252, which
10 amended the Zoning Code and created the S
11 District that we're talking about tonight, and
12 that specific S District, the placement of the
13 S designation on that property, was to allow
14 specifically a preschool and day care center as
15 an accessory use to the church, with specific
16 conditions and restrictions, and the
17 restrictions were four: Hours of operation to
18 be limited between 8:30 a.m. to 2:10 p.m.; the
19 enrollment of this child care center to be
20 limited to 110 students; the staff of the child
21 care center to be limited to 18; ingress and
22 egress will be from Segovia and no other
23 street. That was adopted June 28th, 1977. It
24 is the S District. It was part of the
25 application presented by the applicant, and I

1 Services and Facilities, and a conditional use
2 to permit a school of up to 735 students.

3 This application gives rise to several
4 issues. Number one, why change the land use
5 from Religious Institutional to Community
6 Services Facilities, when the City has already
7 approved the charter school and its operation
8 pursuant to a certificate of use, where they
9 said, "You're operating within the law." If
10 the certificate of use is valid and the City
11 correctly determined that this school is
12 allowed here, this land use map amendment is
13 absolutely and utterly unnecessary.

14 However, if this land use map is necessary,
15 as argued by Somerset, then the school right
16 now is operating -- is the school right now
17 operating legally under the Zoning Code?
18 You've got a problem here. The problem is,
19 either the property doesn't allow a school and
20 that school is operating illegally, and the
21 City made a mistake when it approved the
22 certificate of use, or you've got a property --
23 the certificate of use is valid and a school is
24 allowed in a Religious Institutional land use.

25 Is this application merely an effort to

1 legalize an incorrect decision made by the
 2 City? If so, then approving this land use
 3 amendment creates a terrible precedent for the
 4 City of Coral Gables, by allowing an
 5 institution to get its foot in the door through
 6 an incorrect application of law and then to
 7 correct it by approving the use a year later
 8 through this land use amendment.

9 The other question I have, does this land
 10 use map amendment even allow a charter school
 11 here? All this land use map change does is to
 12 allow a Community Services and Facilities
 13 designation that permits -- and I'm going to
 14 read you what this land use designation
 15 permits: Buildings and adjacent land areas
 16 that serve a public and/or community function,
 17 including local, state and federal government
 18 facilities, public and private schools and
 19 educational facilities, excluding university,
 20 medical and health facilities and religious
 21 institutions. That's what this allows.

22 So the short answer, does this allow a
 23 school, is no. Why no? Number one, because
 24 the Zoning Code applicable to this property
 25 specifically allows a school, but only one that

1 meets the conditions and restrictions of
 2 Ordinance 2252, which are the restrictions I
 3 just talked to you about, limiting the hours,
 4 the access, the number of students and the
 5 number of faculty. And if you look at the
 6 application in front of you on that conditional
 7 use, the hours of operation aren't from 8:30 to
 8 2:10 p.m.; they're from 7:30 to 6:00 p.m. The
 9 number of children aren't 110; the application,
 10 under their traffic study, at least, says 735.
 11 Under their charter with the School Board, it's
 12 675. The number of staff isn't 18; it's 50.
 13 The access isn't only from Segovia; it is from
 14 Cardena, which is the residential street
 15 behind.

16 So the answer is, yes, you may be allowed
 17 to put -- to ask for this under your
 18 Comprehensive Plan, even if they get what they
 19 asked for, but you're not entitled to it, and
 20 that's the issue.

21 Also, because of the declaration of
 22 restrictive covenants placed on the property by
 23 the church in consideration of the issuance of
 24 a building permit back in the 1960s, the
 25 property can't be leased or rented or used in

1 violation of the City ordinances. That's
 2 Ordinance 2252, this would be violating. None
 3 of Blocks 116 of the church property shall be
 4 leased separate and apart from each other. If
 5 you look at the lease, the lease specifically
 6 says it is not for the whole property; it's for
 7 portions of that property. The school is
 8 leasing only a portion of 116, and that's in
 9 violation of the declaration of restrictive
 10 covenants.

11 Somebody got up here from the church and
 12 said that declaration has been released. I
 13 defy anyone to look at that declaration and
 14 show me where there is a release in that
 15 declaration. There's no provision in that
 16 declaration that allows for its release.
 17 There's no provision that allows for its
 18 amendment. And again, I'll provide you with
 19 those at the conclusion of my presentation, to
 20 the clerk.

21 This proposal is a Pandora's box. This is
 22 the first time this land use is being proposed
 23 to be implemented as a land use map amendment.
 24 What do I mean by that? This land use category
 25 exists nowhere, nowhere in the City of Coral

1 Gables. You will be putting it on the map for
 2 the first time. When you put this designation
 3 on the map for the very first time, we urge
 4 you, don't put it here. Put it somewhere where
 5 it belongs, not somewhere that is a result of a
 6 business deal between the church and the
 7 charter school operator, with no input from the
 8 City.

9 Please remember, when they entered into
 10 this lease, they did not come and talk to
 11 the -- they did not come and talk to the City
 12 and say, "Is this a good location for a school
 13 of 675 students?" They entered into their
 14 lease and then came to the City. Is this the
 15 right way to plan in the City of Coral Gables?
 16 Coral Gables is known for its comprehensive
 17 planning, it's known for their strict
 18 enforcement of zoning, and here somebody comes
 19 in, rents a piece of property and says, "I need
 20 a change in land use."

21 This land use category allows much more
 22 than this charter school. I want you to
 23 remember what else can be applied for under
 24 this charter -- under this land use amendment.
 25 Buildings and adjacent land areas that serve a

1 public or community function; local, state and
 2 federal government facilities. What is a
 3 local, state or federal government facility?
 4 It's any facility owned by local, state or
 5 federal government. That can be an office
 6 building; it can be a park; it can be a jail.
 7 It can be anything that the federal or state or
 8 local government wants to put there. That's
 9 what they're allowed to ask for.

10 Public and private schools are allowed
 11 there, medical and health facilities, hospital,
 12 clinic -- another sleep clinic, I'm sure you
 13 all appreciate that. I'm sure that Ms. Russo
 14 appreciates that. There are a lot of people
 15 who didn't want a sleep clinic on Ponce. Guess
 16 what? You're going to be able to put one on
 17 Segovia. You'll be able to ask for one on
 18 Segovia. So that's the issue. A hospital on
 19 Segovia? Sure, why not? It's got the land --
 20 It will have -- If you all grant this land use,
 21 it will have the land use for that. There are
 22 no guarantees that once you place this
 23 designation on the property, that the owner,
 24 whether it's the church or a subsequent
 25 purchaser, will not seek to use this property

1 for one of these other, more intense uses.
 2 If this is about a charter school, which is
 3 a public school, why not change the land use
 4 designation to Education? Because the church
 5 wants to get its cake and eat it, too. They
 6 want the church and a public school there. And
 7 that's why your City, in their Comprehensive --
 8 in your Comprehensive Plan, says you put --
 9 they have a Religious Institutional land use
 10 and it has an Education land use. That's where
 11 you want your churches, and because churches
 12 sometimes want to have schools affiliated with
 13 them, you're allowed to have an affiliated
 14 school, and this is not an affiliated school
 15 with a church. It can't be, because it's a
 16 public school.
 17 As long as the alternative land use is
 18 Community -- is the Community Service and
 19 Facilities, that allow these other more intense
 20 uses, that's a problem. So we urge you to
 21 reject its placement on this property. If you
 22 want to let a charter school here, then change
 23 it to Education.
 24 This land use map change should be rejected
 25 because it's also inconsistent with the

1 Comprehensive Plan. The change has to be
 2 looked at independent of the school, because if
 3 the school goes away, the owner can request
 4 City approval for these other uses that I
 5 already talked about, these very negative
 6 intensive uses that will impact the
 7 neighborhood.
 8 The land use map change and any such
 9 rezoning effort disrupts the community by
 10 forcing it to expend time, money and energy to
 11 defend its residential quality of life. Once
 12 you change the land use, then the burden
 13 becomes placed on the neighborhood to hire
 14 lawyers, to hire planners, to go spend the
 15 money, to fight for the residential quality of
 16 their neighborhood. That's what granting this
 17 land use will do.
 18 This change is inconsistent with the Comp
 19 Plan as it exists today. State law requires
 20 that land use decisions be consistent with the
 21 Comprehensive Plan, the goals, objectives and
 22 policies of your Comprehensive Plan. So I'm
 23 going to talk to you a little bit about the
 24 goals, objectives and policies, because they
 25 really are important here.

1 Objective, your future land use plan
 2 objective 1.1, it talks about achieving a high
 3 quality living environment by encouraging
 4 compatible land uses. High quality living
 5 environment, compatible land uses. This map
 6 amendment does not do that. The mix and type
 7 of uses allowed within this land use category
 8 are not compatible with single-family
 9 residential use of the surrounding
 10 neighborhood. And even if it is appropriate to
 11 evaluate this land use change only as it
 12 applies to the educational uses, which is what
 13 the City does -- Mr. Riel spoke at the last
 14 meeting, when he made his presentation on the
 15 land use map amendment, and in your papers, in
 16 his report, he specifically talks about
 17 education, education, education, when he's
 18 dealing with the consistency of this land use
 19 map amendment to the Comprehensive Plan. But
 20 as you know, and as I've shown you, this is a
 21 lot more than education. This land use
 22 designation is about offices. It's about
 23 community service uses that are by government,
 24 parks, offices, a jail, and a -- I don't know
 25 if you want to say a Public Works facility,

1 such as the one that the City has outside the
2 City limits of Coral Gables. You can put those
3 in there. You can ask for those. And that's
4 the question, is that achieving a high quality
5 living environment by encouraging compatible
6 land uses?

7 The City's findings regarding the school's
8 noncompliance with the Comprehensive Plan
9 because of the non-neighborhood school
10 character, its scale and its related negative
11 impacts on the neighborhood show that this map
12 change is inconsistent with the plan, as it is
13 focused on permitting the school.

14 Remember, if you look at the conditional
15 use recommendations made by your Professional
16 Staff, which are spot on, they talk about how
17 inconsistent this school is with the
18 Comprehensive Plan, as it is proposed. Why is
19 it inconsistent for the purposes of a
20 conditional use, and yet not inconsistent for
21 the purposes of this plan amendment? Those
22 same issues are the issues that are critical
23 here. Policy, future land use policy 1.1.1:
24 The land use amendment does not further a land
25 use that is found to be in the public interest,

1 Plan amendment.

2 Objective -- future land use objective
3 1.14: The land use map is counter to the
4 Zoning Code provisions which continue to
5 promote and improve the character of
6 neighborhoods. Your Code, especially this --
7 especially Ordinance 2252, specifically seeks
8 to protect this neighborhood. Your Zoning Code
9 implements your Comprehensive Plan. This
10 objective says, how is this implementing the
11 protections for single-family neighborhoods and
12 improving the character of neighborhoods?
13 Again, it will allow the same types of uses, it
14 will intensify the scope and scale of the
15 permitted uses, and it's contrary to the
16 specific Zoning Code provisions regarding this
17 property, the S zoning district, which limits
18 the use of the property.

19 It is -- The land use change, let's face
20 it, is specifically proposed to enable a school
21 that does not meet the S zoning conditions and
22 restrictions applicable to this site, to expand
23 and further deviate from these conditions and
24 restrictions in violation of that S District.

25 Policy -- future land use policy 1.14.1:

1 because, again, the mix and type of uses, these
2 uses that we talked about, government offices,
3 medical uses, clinics, hospitals, jails,
4 whatever, and even large-scale schools that are
5 allowed here do not further a land use that is
6 in the public interest. Nobody can tell me
7 that putting Coral Gables High next to this
8 church or on this church property is consistent
9 with the surrounding single-family residential
10 neighborhood and that it's in the public
11 interest. There's no way anybody can say
12 putting a school there of that size. Nobody
13 can say putting a school of 675 students on
14 that street, with its access off of the one
15 street that is on single-family residential
16 property, is in the public interest.

17 This school is out of scale with
18 surrounding residential community, numerous
19 negative impacts that will degrade the
20 neighborhood. When you approve this
21 Comprehensive Plan amendment, you are not
22 approving it for this school. You are
23 approving it. It stands alone. You are saying
24 that educational institutions of whatever size
25 are appropriate here, when you make this Comp

1 The land use amendment directly conflicts with
2 the S zoning conditions and restrictions in the
3 ordinance, as I said, which are the provisions
4 that serve to protect the adjacent residential
5 neighborhood.

6 The City's findings regarding the land use
7 map amendment are also flawed, because, number
8 one, the City says the map change is consistent
9 with the plan since, quote, both schools and
10 churches are identified as permitted use for
11 joint use within a facility.

12 That's one of the reasons why your Staff
13 has said this map amendment is a good idea.
14 But the map change also allows these government
15 facilities, hospitals and medical uses, as well
16 as schools and churches. Just because those
17 uses are subject to conditional use approval
18 does not mean they cannot be approved. They
19 are permitted uses with conditions, so a jail
20 could be theoretically permitted with
21 conditions, if the City Commission said so, and
22 the burden is on my clients, if something like
23 that happens, to come down here, to hire
24 lawyers, to spend money, to fight for the
25 residential character of their neighborhood,

1 unnecessarily. Why unnecessarily? Because
 2 this land use designation, the first place
 3 you're using it in the City of Coral Gables, is
 4 in the midst of a residential neighborhood.
 5 That's amazing, with all the other properties
 6 in this City, to put it on this piece of
 7 property.

8 The educational objectives and policies
 9 that were referenced by your City Staff address
 10 the role of Miami-Dade County Public Schools,
 11 which has no bearing on a map amendment that
 12 allows for government facilities, medical
 13 facilities, religious uses and churches and
 14 schools. These objectives and policies cited
 15 by your Professional Staff address only
 16 schools. They do not even address these other
 17 uses. Not once has your Professional Staff
 18 talked about, what about a hospital? What
 19 about a medical clinic? What about a
 20 government office? Not once have they
 21 addressed that. Once you approve this
 22 amendment, you are also allowing people to come
 23 in and say your Comprehensive Plan, your
 24 blueprint for the future of your City, says,
 25 "You know what? We think this is a good idea.

1 These uses are a good idea here." And that's
 2 the problem, because they're not a good idea.
 3 They're a good idea in a lot of places.

4 When the school made its presentation, I
 5 was touched. This school wants to do good.
 6 They want to educate children, and nobody
 7 objects to that. This is not about people not
 8 liking schools. This is about the location of
 9 an educational institution that is rather
 10 large, that is, under their charter with the
 11 School Board, 675. What they're asking for is
 12 over 700 students, and that's what they want
 13 you to put here. That's the concern. That's
 14 the problem with the Comprehensive Plan
 15 amendment -- Comprehensive Plan map amendment.

16 My clients, however, have the same concerns
 17 concerning the conditional use site plan --
 18 site plan application as does the City. I'm
 19 not going to go over the City's presentation.
 20 You all heard it. I'm going to adopt it. I'm
 21 going to tell you that we incorporate it into
 22 our argument. We believe in it. We believe
 23 the problems that have been addressed by the
 24 City's traffic planner, the City's planner, are
 25 problems that illustrate the problem with this

1 school.

2 In another municipality, dealing with
 3 another charter school, a City Commissioner
 4 made a comment, and it's so apropos. He said,
 5 "I have a real problem and I look at this like
 6 I look at shoes, and this is fitting a size 11
 7 foot in a size 7 shoe." That's the problem
 8 here. This is not the right place for a
 9 Comprehensive Plan amendment. When you're
 10 wearing your hat, evaluating whether a
 11 Comprehensive Plan amendment is appropriate in
 12 this location, remember, this is the first time
 13 you're going to put this Comprehensive Plan
 14 designation anywhere in the City. If you do it
 15 here and you do it in a residential
 16 neighborhood, don't kid yourselves, people will
 17 come back and ask for it in other residential
 18 neighborhoods, and you'll be sending a message
 19 that Coral Gables indeed has changed, and it
 20 hasn't changed for the better. People come
 21 here because of the very, very strong zoning
 22 and land use. You've got a Comprehensive Plan
 23 that is unique. The uniqueness of your
 24 Comprehensive Plan -- the uniqueness of it is,
 25 you're the only municipality that I know of

1 that has a separate land use category for
 2 educational institutions.

3 So, when the person got up here and spoke
 4 about the Lehrer case and said there's a case
 5 here you can't treat private and public schools
 6 differently, that case goes out the window in
 7 Coral Gables. Why? Because in Coral Gables,
 8 you do treat them the same. You require every
 9 school, public, private and in between, charter
 10 schools too, they must go in educational land
 11 use. You do not make a difference -- you do
 12 not differentiate. And that's why you're known
 13 for your strengths.

14 So, in conclusion, I would -- The
 15 application asks for too much, too many
 16 students, too intensive use. It's an
 17 unprecedented increase in intensity and scale
 18 that has an obvious negative impact on the
 19 surrounding neighborhood, as presented by your
 20 own Planning Department Staff. It's based on a
 21 flawed premise. There are strict premises.
 22 There are restrictions on the property that
 23 preclude its use as a charter school,
 24 unaffiliated with a church. You've got the S
 25 zoning, you have the declaration. The

1 Community Services and Facilities designation
2 opens the door for applications for other uses,
3 these government uses, these hospitals, medical
4 center and so forth.

5 How do you protect the single-family area
6 from the these uses? How do you? What
7 conditions can you put on this property when
8 somebody comes in, a government buys this
9 property and says, "Too bad," the Dade County
10 Public School System comes in here and says,
11 "You know what? We've bought the property.
12 You have to give us Coral Gables High, The
13 Second." What can you do then? Once you
14 approve this land use, your power, your ability
15 to put conditions on, are going to be limited.

16 And finally, this designation -- not
17 finally, but almost finally, this designation's
18 location is inappropriate because it fails to
19 comport with the Comp Plan, specifically, the
20 objectives and policies I noted before, and the
21 City's findings, considering the consistency,
22 are fatally flawed, because your Planning
23 Department has only addressed one of the many
24 permitted uses within the designation, and that
25 is education.

1 Remember, this will be the first piece of
2 property with this designation. Just say no.
3 That's all we're asking. Say no to the land
4 use application, and the conditional use goes
5 away. This is critical. This is a fight, you
6 know that, and this is, I know, one of the
7 first battles of this fight, but the fact is,
8 if you approve this, you are giving them a
9 beachhead. You're giving them a beachhead on
10 the beach, and from that, they can move inland,
11 and that's what we don't want. Please say no.

12 Thank you.

13 CHAIRMAN AIZENSTAT: Before we go any
14 further, the Fire Marshall has asked that
15 everybody that is in the room must have a seat.
16 If you're by the doorways, in the aisles,
17 you're not able to be there. You must be
18 outside if you do not have a seat.

19 Thank you.

20 Jill, do you want to go ahead and call
21 speakers now?

22 Jill is going to go ahead and call two
23 speakers at a time, the first speaker, who's
24 going to speak at the podium, and the second
25 speaker, who's going to be in the wings, per

1 se, or the next speaker to talk.

2 MS. MENENDEZ: Anna Louise Fulks and Sonia
3 Viertl.

4 CHAIRMAN AIZENSTAT: Please state your name
5 and address when you come up to the podium.
6 Thank you.

7 MS. FULKS: Thank you.

8 Good evening, ladies and gentlemen. My
9 name is Anna Louise Fulks, and I have lived at
10 717 Santander Avenue for 40 plus years, and I'm
11 a genuine neighbor of University Baptist
12 Church, which is basically in my front yard.

13 With this said, I would like to call to
14 your attention that Somerset Gables had a
15 full-page ad in the Neighbors section of the
16 Miami Herald, of names of, quote, neighbors,
17 end quote, who said that they supported the
18 Somerset Gables Charter School. Of this 165
19 names listed as neighbors, and upon checking
20 Dade County tax rolls and property records,
21 there were only 53 Coral Gables residents, or
22 ~32 percent, who actually lived and paid taxes
23 in Coral Gables, and of the 53 Coral Gables
24 residents, basically seven lived within the
25 surrounding area of University Baptist Church.

1 The supposed neighbors whose names were
2 listed came from as far away as 260th Street,
3 Southwest 88th Street, Northwest 14th Street,
4 Southwest 102nd Avenue, The Roads, Southwest
5 40th Terrace, and many others that were quite
6 far from this area.

7 You will hear many arguments today about
8 the for-profit Academica Corporation, who
9 manages Somerset Gables Charter School, as well
10 as other charter schools in Dade County.
11 Saying this, I see a moral issue as regards our
12 long-time and honored neighbor, University
13 Baptist Church, whose land was deeded by George
14 Merrick as a church, to teach from the Good
15 Book, and I don't say the following lightly.
16 My husband, a decorated United States Marine,
17 who lies buried at Arlington, taught our
18 children the following philosophy: If you say
19 it, you own it. If you do it, you own it. You
20 take responsibility for your actions. I liken
21 these words in philosophy with our University
22 Baptist Church Trustees and their past
23 successors, with that of our past Coral Gables
24 City officials, when they discussed and signed
25 covenants and ordinances many years ago, and

1 we, as Coral Gables residents, have put our
2 trust in them.

3 The University Baptist Church and the City
4 of Coral Gables officials own what they and
5 their past successors have said and done.
6 Their honor and integrity should not be for
7 sale, for the definition of integrity is making
8 sure one's ideals, beliefs and morals are
9 reflected in one's behavior.

10 CHAIRMAN AIZENSTAT: Thank you.

11 MS. VIERTL: Sonia Viertl, 730 Anastasia
12 Avenue. I was very well prepared for the first
13 meeting, and since then it's been postponed a
14 couple of times, and I don't know where I put
15 my speech. I just -- I want to tell you, I'm
16 not going to bore you with, I live so close,
17 for 20 years, and so on and so forth. I would
18 like to tell you, as a business owner, yes, I
19 have lived for many years in the Gables, and I
20 have -- and I work in the Gables, I play in the
21 Gables.

22 So, basically, coming from the business end
23 of it, at the end of the day, the school is a
24 business and it has multiple requirements,
25 between the deliveries -- Let's start with the

1 you all work in the Gables or somehow travel
2 through the Gables; you know that, and that is
3 the truth. So, if you keep that in mind -- My
4 time is up? No, not yet?

5 CHAIRMAN AIZENSTAT: One more minute.

6 MS. VIERTL: Okay. Just if you keep that
7 in mind from the business end of it, we, the
8 neighbors, have to live with the delivery
9 trucks, day in and day out, because to deliver
10 for 700 children a day, that's a lot. That's
11 quite a bit.

12 So please, gentlemen, and again, madam,
13 keep it in mind, that it is, at the end of the
14 day, a large business. Thank you.

15 CHAIRMAN AIZENSTAT: Thank you.

16 MS. MENENDEZ: Michelle Estlund, Anis
17 Saleh.

18 MS. ESTLUND: Good evening. My name is
19 Michelle Estlund, and I live at 733 Camilo
20 Avenue. I am opposed to the requested zoning
21 change.

22 Many of the decisions that you will make
23 regarding Somerset's request will necessarily
24 take into consideration representations that
25 have been made by Somerset. In my experience,

1 children in the morning. As some parents have
2 put it, a neighborhood school, and since I live
3 just a block away, I've been watching. The
4 parents who do claim that it's a neighborhood
5 school have been dropping off their children by
6 car, which I'm very surprised. Why aren't they
7 walking? Because this is what they want to do.
8 For the simple reason that lives are not the
9 same as they were when I was growing up.
10 People walked to school. Children don't walk
11 to school anymore. That's a myth.

12 On the other hand, let me come back to the
13 business end of it. It's a business, like I
14 just mentioned, and it has requirements. It
15 has deliveries all day, and it has a cafeteria.
16 No later than last week, there was a 40-footer
17 Sysco truck in the middle of Anastasia Avenue,
18 in the middle, gentlemen, madam, delivering,
19 because the cafeteria happens to be on the side
20 of Anastasia, and it's more comfortable to
21 deliver there. I get Sysco deliveries and they
22 park wherever. You go along Galiano, you go
23 along Salzedo, you go along everywhere; between
24 the Sysco trucks, the GFS trucks, the UPS and
25 the Fed Ex, they park where they can. I think

1 the representations made by Somerset -- and I'm
2 being clear, I'm not including the parents, I'm
3 not including the teachers. I know some of the
4 parents and I know some of the teachers, and
5 they're dear people. I am specifically
6 referring to the Somerset leadership. The
7 representations, in my experience, by Somerset
8 have not been reliable or truthful.

9 When I first heard about the fact that
10 there was going to be a neighborhood school, I
11 was really excited. I'm a mom. I have two
12 young kids. I had kids at UBC -- well, a kid,
13 at that time, at UBC, and I was so happy to
14 hear maybe I could actually walk to school with
15 my kids. So I went to the meeting that UBC
16 held, just for the UBC parents at that time --
17 it wasn't taken to a neighborhood level -- and
18 I found out that we may have this opportunity.
19 I was told repeatedly by UBC and by Somerset
20 officials that I would have priority for my
21 children to attend the school.

22 Remember, at that time, we didn't know how
23 large the proposal was going to be. We didn't
24 understand that they were asking for such a
25 large number of students. That certainly did

1 change my feelings about the school. At the
 2 time, I wanted the school and I wanted the
 3 children, my children, to go there. I applied.
 4 I was told that I would have priority, because
 5 I was a current UBC parent, and those who live
 6 nearby would also have priority. We do. We
 7 live a block away. You don't get a lot closer
 8 than that. We applied. I applied for both my
 9 children. I did everything that I was supposed
 10 to do. Neither of my children was admitted,
 11 never contacted, despite completing their early
 12 applications and signing up on two separate
 13 supposed priority lists.. That, in my opinion,
 14 is not a school that includes or respects the
 15 neighbors, and its representations are not
 16 reliable to me.

17 At the last meeting, there was a
 18 representation, and I'm sorry, but I forget by
 19 whom, that the facility "holds more than we'll
 20 ever need." That was a quote that I wrote
 21 down. And this was based on the surrogate
 22 information, not real information but surrogate
 23 information that was presented. There is a
 24 sign that is put out on a daily basis, outside
 25 of UBC, not just on church days, on Sundays.

1 There's a sign that says, "Additional parking
 2 is available at the Youth Center and the
 3 Library." That's put out on school days, a
 4 little red sign. That's with 110 students.
 5 Can you imagine with two, three, four, five,
 6 six or seven hundred students? If they need
 7 that sign now, I really am afraid of what it
 8 would look like later.

9 So I'm opposed to this, and I thank you
 10 very much for your time.

11 CHAIRMAN AIZENSTAT: Thank you.

12 MS. MENENDEZ: Louan Zagarino? Catherine
 13 Salabarria?

14 MR. SALEH: Good evening. My name is Anis
 15 Saleh. I live at 733 Camilo Avenue. I've been
 16 living in the Gables for 16 years.

17 This is about arrogance and greed. That's
 18 what this is about. The school doesn't tell
 19 anybody they're moving in. The church exposes
 20 it unknowingly at a meeting for UBC students,
 21 okay? That's when the proverbial -- hits the
 22 fan, all right? Now, the school wants to be a
 23 good neighbor, after they find out they've been
 24 exposed. How do they become a good neighbor?
 25 "Oh, let's sue. Let's impose ourselves in the

1 neighborhood." That's a really good,
 2 neighborly thing to do. With neighbors like
 3 that, who needs enemies? This is like imposing
 4 democracy in Iraq, whether they like it or not.

5 As far as the traffic studies, a complete
 6 joke. Let's take a look at the traffic study
 7 they submitted for their other schools, along
 8 with the pictures that we're about to submit,
 9 and the pictures that the City submitted in
 10 their studies, and let's see what gets. You
 11 can get a traffic study showing anything you
 12 want.

13 Common sense, this is what we need, common
 14 sense. Seven hundred students coming off
 15 Segovia, which is now going to be a two-lane
 16 road, versus a four-lane road, with all the
 17 side roads there that are that are minuscule --
 18 some of these can't even fit two cars going
 19 either way -- how do you expect 700 students to
 20 come into that? I mean, this is common sense.
 21 But why 700 students? Because less doesn't fit
 22 their financial model, and since when did the
 23 City of Coral Gables and since when did this
 24 neighborhood have to succumb to Somerset's
 25 financial model so that they're profitable?

1 This is about money and this is about arrogance
 2 and this is about greed. This is all it's
 3 about, okay?

4 In terms of the school, they should have
 5 thought about 735 students before signing the
 6 lease. You don't jump in the swimming pool and
 7 then decide, can I swim? This is exactly what
 8 they want. They want everybody to bend over
 9 backwards, change the zoning, so that they can
 10 be a profitable school. That's wonderful, but
 11 as Tucker said, very eloquently, much more
 12 eloquently than I'm saying it, this is a red
 13 herring. The red herring is the 735 students.
 14 The reality is, they want a zoning change,
 15 because once the zoning change happens, the
 16 school is going to -- the church is going to
 17 sell their property, down the road, to the
 18 school, and guess what we're going to have,
 19 anything you want.

20 It's your responsibility to ensure that
 21 doesn't happen, because you're opening up a
 22 Pandora's box, as Tucker said, and all hell is
 23 going to break loose. You watch it. Maybe not
 24 now, not five years from now, but 10 or 20
 25 years from now, this will no longer be the City

1 Beautiful.
 2 Thank you.
 3 CHAIRMAN AIZENSTAT: Thank you.
 4 MS. MENENDEZ: Louan Zagarino?
 5 MS. SALABARRIA: Hi, I'm Cathy Salabarría,
 6 832 -- You had called my name.
 7 MS. MENENDEZ: She's the following speaker.
 8 MS. SALABARRIA: Well, you had said Cathy
 9 Salabarría before.
 10 MS. MENENDEZ: Yes. She is Number 7, and
 11 you're Number 8.
 12 MS. SALABARRIA: Oh.
 13 MR. ZAGARINO: Sorry. I'm Louan Zagarino,
 14 and I live at 731 Anastasia.
 15 Sixty-two years ago, my mother and father
 16 built a house in this neighborhood and raised
 17 my brother and me there. Presently, my son and
 18 his wife live in this house with their
 19 children. So, for four generations, we have
 20 lived happily near this church. When I was
 21 widowed, I moved back to this lovely
 22 neighborhood.
 23 However, Somerset Academy and Academica
 24 have decided that they should have a school of
 25 over 735 children there. They would like to

1 open a Pandora's box. If this could happen
 2 here, it could be just the beginning and could
 3 spread all over our Beautiful City. This is
 4 not what we want in our neighborhood, and I am
 5 sure that no other neighborhood wants it in
 6 theirs. Therefore, I'm asking you, please,
 7 vote against a zoning change.
 8 Thank you.
 9 CHAIRMAN AIZENSTAT: Thank you.
 10 MS. SALABARRIA: My name is Cathy
 11 Salabarría, from 832 Malaga Avenue. I am a
 12 neighbor and I am a parent, and I'm very happy
 13 that Somerset Gables is in my backyard. The
 14 fact that I walk to school with my kids, with
 15 my two boys, is priceless to me.
 16 When my husband and I were searching for a
 17 home, 10 years ago, we chose to pay a premium
 18 for our home because of its location. We
 19 always wanted kids, and the proximity to the
 20 Youth Center and the Library was all factored
 21 into the purchase of our home. Now that
 22 there's a school, that is a bonus for us.
 23 I know many of the people here are
 24 concerned about Somerset causing problems to
 25 the neighborhood, but it is also my

1 change the Comprehensive Plan of Coral Gables.
 2 Merrick himself deeded this land for a church.
 3 They want to change it to Community Facility.
 4 This designation, as Tucker brought out, is so
 5 broad that even a jail or a utility plant could
 6 be put there. Probably for this reason, this
 7 designation has never been used in Coral
 8 Gables. I feel that this neighborhood is not
 9 the place to try it out for the first time.
 10 To put this on the books with restrictions
 11 would be a very bad idea. This obviously does
 12 not work, for the example of the restrictive
 13 covenant signed by the church and the City in
 14 1968, and the ordinance signed in 1977, stating
 15 a pre-kindergarten "Mother's day out" for 110
 16 children and no leasing any part of this
 17 property. They have not followed this.
 18 The fact is that Coral Gables does not need
 19 another school. I went to Coral Gables
 20 Elementary. My grandchildren went to Coral
 21 Gables Elementary. There are enough excellent
 22 schools in Coral Gables for those who live
 23 here. We should not be responsible for those
 24 who do not live in Coral Gables.
 25 This zoning change is unwarranted and would

1 neighborhood. As a board member of the
 2 Somerset Gables Parent Association, I intend to
 3 work with other members and the principal to
 4 make sure that Somerset parents follow the
 5 rules and preserve my neighborhood. Many of us
 6 there are neighbors. I walk to school with my
 7 boys, and I can tell you, it is priceless. I
 8 am so thrilled, when Somerset was going to come
 9 to the neighborhood, the fact that I could walk
 10 and not have to get into a car and the hustle
 11 and bustle that all of us have to go through
 12 nowadays is just amazing to me.
 13 I have three other neighbors who live on
 14 Anastasia and also attend Somerset, and the
 15 fact that they could just pass by my house and
 16 say, "Oh, I'll just take your kids," is
 17 priceless. So please consider that when you're
 18 making your decision.
 19 CHAIRMAN AIZENSTAT: Thank you.
 20 MS. MENENDEZ: Mara Rodriguez-Mena, Albert
 21 Sanchez.
 22 MS. RODRIGUEZ-MENA: Good evening. My name
 23 is Mara Rodriguez-Mena, and I live at 2505
 24 Granada Boulevard. I'm just taking this all
 25 in, and I'm thinking, I've got other children

1 and I'd like to know where those who do have
 2 children here, where your children attend,
 3 because the last time I checked, many schools
 4 are in neighborhoods. You've got St. Theresa,
 5 you've got St. Philip's, you've got Pinecrest,
 6 you've got Sunset Elementary. So either we
 7 stop having children or we home school all of
 8 our children, because if we pull all the
 9 schools from the neighborhoods, well, then,
 10 where do we educate our children, basically?

11 Also, I know a lot of my friends that have
 12 moved to Pinecrest, the area from Pinecrest,
 13 because Pinecrest Elementary is a school that,
 14 within the boundaries of Pinecrest, those that
 15 live in the boundaries will attend Pinecrest
 16 Elementary.

17 The same goes for Sunset. Even though
 18 Sunset is not a total neighborhood school, I do
 19 know a lot of families, and even from the
 20 Consulates from Spain, from France and from
 21 Germany, that do recommend to those that are
 22 coming into the United States and into Florida,
 23 into Miami, to move in that area so they have a
 24 better chance with their passports to get into
 25 Sunset Elementary.

1 the way that I would do it is, my child would
 2 go to school, and if she wanted to do ballet
 3 or she wanted to do gymnastics at the Coral
 4 Gables Youth Center, well, why not? That's
 5 why, for me, it's a bonus to have the school
 6 there and also the Coral Gables Youth Center
 7 right across the street.

8 Thank you.

9 CHAIRMAN AIZENSTAT: Thank you.

10 MS. SANCHEZ: Good evening, Mr. Chairman
 11 and Members of the Board. My name is Vivian
 12 Sanchez, and I live at 2515 Indian Mound Trail.
 13 I stand here representing my brother, Albert
 14 Sanchez, who unfortunately is out town on
 15 business.

16 He and I are both extremely fortunate
 17 members of this community, and along with his
 18 wife, my nephew, niece, aunt, uncle and
 19 cousins, who are also residents of Coral
 20 Gables, we are clearly entrenched in this
 21 community. We try to exercise on Granada, fill
 22 Easter baskets at the Youth Center, receive
 23 spiritual enrichment at Saints Theresa, Philip
 24 and Augustine, and expand our intellectual
 25 capacity at the University of Miami.

1 So I really do not get the point where
 2 people say, "Well, my property value is going
 3 to go down." Well, I contemplated moving from
 4 Coral Gables, and because actually the school
 5 came into my neighborhood, I started
 6 construction in my house to expand my home to
 7 stay in this area, because for me, being two
 8 minutes away from Somerset is very valuable to
 9 me. Every time that I need to go back and
 10 forth to the school for any reason, well, then
 11 I do that. I'm two minutes away from the
 12 school. Do I drive to the school? Yes, I do.
 13 Because from there, I have other places to go,
 14 and I'm not going to be walking back and forth
 15 when I do have to go to other places and to
 16 work.

17 So take that into consideration, that I
 18 could have been leaving Coral Gables and I
 19 decided to stay, and to have that school there,
 20 with the Library and the Coral Gables Youth
 21 Center across the street, for me is a big plus,
 22 because my son played here for the Coral Gables
 23 Toros here in the Youth Center, and now I
 24 expect my daughter to also do different, you
 25 know, activities here in the Youth Center. So

1 Being deeply entrenched in this community,
 2 we understand the severe detrimental impact
 3 that changing the land use will have on our
 4 neighborhoods. We have watched the charter
 5 school develop a very interesting strategy in
 6 its quest to expand its school. They expect
 7 you, the Board, to ignore three critical
 8 points. One, ignore the work behind the Coral
 9 Gables Comprehensive Plan. Two, ignore the
 10 longstanding covenants and ordinances for the
 11 UBC property. And three, ignore the Pandora's
 12 box that such a land use will cause on the
 13 entire City.

14 Instead, the charter school wants you to
 15 focus on the need for an additional school, an
 16 additional option, but is an additional option
 17 really necessary? Let's answer the question
 18 with facts. On January 21st of this year,
 19 Miami-Dade Schools published a document that
 20 delineates enrollment and capacity of every
 21 school in this County. On Page 5, there is
 22 information on the six elementary schools that
 23 surround the UBC property, within 3.2 miles:
 24 Coral Gables Elementary, David Fairchild,
 25 Frances Tucker, Henry West Labs, G.W. Carver,

1 and Sunset Elementary.
 2 First, is the need for an additional option
 3 based on the lack of quality at these existing
 4 schools? No. Five of these schools are
 5 A-rated, and one is B-rated. Second, then, is
 6 the need for the additional school based on
 7 capacity limitations? No. Based on the School
 8 Board's report, the total enrollment at these
 9 six schools is 3,499. The capacity, 4,110.
 10 That is solely a utilization of 85 percent. In
 11 other words, there's over 600 seats available
 12 for our students. If we include the two middle
 13 schools, Ponce de Leon and G.W. Carver, both
 14 also A-rated, we find 750 available seats at
 15 the current public schools within 3.2 miles of
 16 UBC.

17 Given these facts, the argument that Coral
 18 Gables needs an additional school option cannot
 19 be validated.

20 Members of the Board, there is no
 21 compelling argument to change the existing land
 22 use. The Comprehensive Plan should be
 23 respected in the absence of any justifiable
 24 urgent need. Our community should not be
 25 subjected to this precedent, that would change

1 our entire City. Therefore, I urge you to
 2 reject the zoning change and maintain Coral
 3 Gables a city of neighborhoods, the reason so
 4 many families like mine chose to live here.

5 Thank you.

6 CHAIRMAN AIZENSTAT: Thank you.

7 MS. MENENDEZ: Richard Londono, Tina Scott.

8 MR. LONDONO: Good evening, Members of the
 9 Board. My name is Richard Londono. I live at
 10 628 Aledo Avenue. First and foremost, I want
 11 to point out that due to some previous
 12 consulting work that I've done for the City,
 13 I'm not conflicted out in the Department of
 14 Justice versus City of Coral Gables case, where
 15 my firm provided pro bono services under
 16 Elizabeth Hernandez, back when she was on board
 17 with them for the legal side.

18 I am a parent. I literally live a stone
 19 throw away from Somerset. I'm here
 20 representing myself and three other neighbors,
 21 and I basically want to tell you two stories
 22 and a big dilemma and question I haven't been
 23 able to answer for my daughter, which she's
 24 been hitting me quite often with, and I really
 25 would ask and help to see if I could give her

1 an explanation why things are happening like
 2 they're happening.

3 First of all, I want to point out that both
 4 my kids, I brought them from Gulliver, a great
 5 school. Most of my kids' friends still attend
 6 to Gulliver. In Gulliver, my kids basically
 7 went to reading lab, because apparently they
 8 needed reading lab. I got them into Somerset.
 9 Again, at the beginning, I was a little
 10 hesitant with the change. I wasn't sure what
 11 was going to happen with my children, changing
 12 them from Gulliver to Somerset.

13 To this day, I am grateful and honored to
 14 have met such high quality personnel. The
 15 teachers there, the staff, it's amazing.
 16 Literally, my daughter just finished with honor
 17 roll. My daughter wakes up in the morning
 18 wanting to go to school, and my son needed a
 19 little tweaking in the reading. His teacher,
 20 Ms. Castillo, basically said, "Listen, why
 21 don't you bring him a half an hour earlier and
 22 let's see what we can do," he just needs them
 23 to tweak him and break that decoding for his
 24 reading. Well, guess what? She volunteered
 25 her time, half an hour of her time in the

1 morning, I would bring my kids, and my son is
 2 happy to be in school and is really doing
 3 great.

4 Now, the story that I'm telling you now is,
 5 my kids in the morning go and come back. They
 6 walk. It's a stone throw away. The question
 7 that I have, that I haven't been able to answer
 8 my daughter is, I've been teaching her to be
 9 very civic and grateful to her community and
 10 self-serving, and at the same time, we're faced
 11 with the fact that she says, "Well, Carolina
 12 and Nathan can't go and walk to school with me.
 13 They've been on the waiting list. What's going
 14 on? I see empty rooms with boxes in school.
 15 Daddy, can we just move the boxes out? Because
 16 the teacher, I asked my teacher, yeah, she said
 17 yeah, bring them over, I'll be able to teach
 18 them."

19 I don't know if, at the end of the day,
 20 it's going to be one class more, 20 classes
 21 more, a hundred classes, 700, 600, 300
 22 students. I don't know, but I'm sure that we
 23 can come to an agreement, as civic people,
 24 community people, and understand the benefit
 25 that this represents to our community. Again,

1 I'm a stone throw away. I cannot talk to
 2 people that live 10 blocks from here.
 3 So I really hope you take in consideration
 4 this, and hope you vote for this. Thank you.
 5 CHAIRMAN AIZENSTAT: Thank you.
 6 MS. MENENDEZ: Tina Scott.
 7 MR. SCOTT: I'm her husband. She's not
 8 here right now, if I could take her position.
 9 Good evening. For the record, I'm Joe
 10 Scott, Tina's husband. I live at 3272 Riviera
 11 Drive, in Coral Gables, which is about a half
 12 block from UBC, and I'd like to thank the Board
 13 for this opportunity to speak. I'd like to
 14 thank Mr. Riel for a detailed Staff Report
 15 regarding the issues before us. And that
 16 report really details what those of us who live
 17 within 10 minutes' walking distance of this
 18 venue or the church already know: Traffic
 19 congestion, swale destruction, the list goes
 20 on. It's going to be a problem.
 21 I agree with the comments, those people
 22 that drive back and forth, but okay, if you
 23 live two minutes away, you're driving back and
 24 forth in front of my house. How many more
 25 trips is that going to take? How many more

1 trips are we going to bring into my
 2 neighborhood?
 3 And I take issue with the report's
 4 recommendation to permit the zoning change.
 5 The Staff Report, as we heard last meeting,
 6 speaks heavily to the mitigation efforts
 7 required if this school is to expand and not
 8 impact the surrounding neighborhoods. Why
 9 change the zoning if the school has not
 10 demonstrated they can or are willing to
 11 implement these mitigation efforts?
 12 Academica has previously mentioned that the
 13 school must have at least 500 students to be
 14 financially viable. From the Staff Report
 15 recommendation, 500 plus students will require
 16 a lot of mitigation efforts, further impacting
 17 the school's financial bottom line. Why change
 18 the zoning and possibly have Academica or
 19 Somerset pull out and now open the door to a
 20 federal government facility, as we have already
 21 mentioned, okay, or some newly permitted use
 22 requiring the neighbors in the City to defend
 23 their neighborhood once again?
 24 Remember, Academica's initial tack, one
 25 year ago, was to attempt to open the school

1 without notifying the neighbors, and we found
 2 out. They then stated that the City's rules
 3 did not apply to them, and they lost that
 4 argument in court. Now they're requesting a
 5 zoning change that will facilitate expansion in
 6 the future, without even offering a workable
 7 plan to protect the neighborhood they are
 8 invading.
 9 Former Miami-Dade County Commissioner Katy
 10 Sorenson previously said that the history of
 11 Academica in other neighborhoods has been one
 12 of not to ask permission, but to act first and
 13 request forgiveness later. Why grant a
 14 precedent-setting zoning change request to a
 15 company that has demonstrated itself to be less
 16 than trustworthy?
 17 Frankly, three of my kids -- one went to
 18 Coral Gables Elementary, the other one's there
 19 now, the other one enters next year. My oldest
 20 will be getting car keys pretty soon. Well,
 21 she'll be asking for car keys, okay? Frankly,
 22 if she doesn't know how to plan and take care
 23 of my car, if she hasn't earned my trust, she's
 24 not getting the keys, okay? So why are we
 25 going to open that door to an organization that

1 has been less than trustworthy so far, and not
 2 willing to work with us?
 3 Thank you.
 4 CHAIRMAN AIZENSTAT: Thank you.
 5 MS. MENENDEZ: Ron Adams? Janet Nostro?
 6 Bella Smith?
 7 MS. SMITH: Since Mr. Gibbs -- It's Bella
 8 Smith, 700 Santander Avenue, Coral Gables.
 9 I've been living here for 45 years. Since
 10 Mr. Gibbs has covered all the legal aspects of
 11 this problem that we're having, I'm going to
 12 read something, and it's relative to what I'm
 13 asking here, for fairness, maybe some
 14 compassion thrown in.
 15 There's no experience that tests human
 16 endurance as does war. It evokes the worst and
 17 the best of the range of men's emotions. At
 18 any given moment, a battlefield can offer up
 19 demonstrations of hatred, fear, hope, anger,
 20 remorse, guilt, esprit, and yes, even love.
 21 Some of the participants never returned to
 22 home and family. For those, we erect
 23 monuments, as in the Youth Center, engrave
 24 their names on walls, and from time to time,
 25 gather in honor of their immortal souls. Some

1 return with no physical scars that bear
 2 testimony to what they have endured, while yet
 3 others return maimed or crippled. All who
 4 return, wounded or not, carry with them for
 5 life emotional scars that only those that have
 6 been there can ever comprehend.

7 I lived through two wars in China as a
 8 child, from the age of four to 12. I have
 9 total recall. It's a problem and sometimes an
 10 asset.

11 With schools, I've said this before, how
 12 important it is to certain people here. I went
 13 through schools, with bombing, with one pair of
 14 shoes, the soles out of which was made, a
 15 rubber tire, discarded. My hands were covered
 16 with sores from lack of food, et cetera. I
 17 wanted to go to school, I wanted to study, and
 18 this led to what I do with students since 1975.
 19 I volunteered at Ace Academy, a dropout school,
 20 and I heard the stories that went on in that
 21 community. It was very sad for me to hear, but
 22 I got the kids to do what was to their
 23 betterment. They were very nice to me, and
 24 gave me a memorial after that.

25 I also am on the board of the U.S. Army,

1 MS. NOSTRO: Hi. My name is Janet Nostro,
 2 and I live at 728 Catalonia Avenue, and I also
 3 am against the school. I understand a lot of
 4 people do feel that there is a need for more
 5 public school options here, and with that, I
 6 don't disagree. I think that this proposed
 7 mega-school of 735 kids is going to make it
 8 larger than any other public school in Coral
 9 Gables. Coral Gables Elementary, which is a
 10 traffic nightmare, only has 600 students.

11 It really doesn't belong in our quiet
 12 neighborhood. Certainly there are other
 13 properties, other areas within the urban core,
 14 where a school of this magnitude can be
 15 located. I think that the Planning Board would
 16 be wise to adhere to the 1977 measure which
 17 capped enrollment at 110 students.

18 Thank you.

19 MS. MENENDEZ: Barbara Overton? Sandra
 20 Pollack? Guy Junger? Anthony Paul?

21 CHAIRMAN AIZENSTAT: Please come up to the
 22 podium if your name has been called.

23 MS. MENENDEZ: Anthony Paul? You're the
 24 next speaker, yes.

25 MR. PAUL: Good evening. My name is

1 the Gulfstream Chapter, where I help to raise
 2 funds for returning veterans, for obvious
 3 reasons. Nobody knows what these men are going
 4 through over there. I know. I was on a ship,
 5 several -- two hospital ships that returned
 6 from China, and I saw the wounded on board that
 7 ship. You've never seen someone with shell
 8 shock, or men who have lost all their limbs.
 9 I'm asking, Academica, Somerset, I know it's
 10 about profit. It's obvious. It's been said by
 11 other people before. Think before you do
 12 something. And to the Board, don't destroy
 13 Coral Gables. This is the first time we've
 14 been able to live in one house. I was bombed
 15 out of the first house, and we were given one
 16 hour to get out of the second one by the
 17 Kempeitai. Only an historian knows what that
 18 means. My mother was taken to the bridge house
 19 and beaten. You have to read it, okay?

20 So I'm trying to tell you, have some
 21 compassion and fairness and listen to what
 22 Tucker had to say. I'd like you to see what I
 23 worked with, with Mary Jean Eisenhower.

24 CHAIRMAN AIZENSTAT: Thank you very much
 25 for your time. Thank you.

1 Anthony Paul. I live at 437 Santander Avenue.

2 I'd like to make several points. The Staff
 3 Report notes, on Page 29, that the peripheral
 4 streets in this area will have a definitely
 5 negative impact from the traffic attendant to
 6 this increase in the size of the school. For
 7 my street, Santander, it will be an especially
 8 difficult impact, I think, because Santander is
 9 the main conduit between the school and LeJeune
 10 Road and anywhere east of LeJeune. Anastasia
 11 is -- you can't get from Anastasia onto LeJeune
 12 at all, and you can get from LeJeune into
 13 Anastasia only northbound. All the other
 14 traffic is going to go through Santander,
 15 because the only alternative is Bird Road,
 16 which is pretty far south, and Santander is a
 17 densely populated street, no bigger than the
 18 other streets around here, but densely
 19 populated, and so the traffic and pollution
 20 problems will be especially aggravated there.

21 Second, I'd like to comment on the
 22 application. It seems to me that the applicant
 23 hasn't taken the City's approval process very
 24 seriously. For example, the traffic study.
 25 The applicant's traffic study concludes that

1 the subject project will not pose a negative
2 traffic impact on the adjacent roadways. A
3 quote, absolute quote, and this is from the
4 September 21st, 2010 technical memorandum from
5 Richard Garcia and Associates, who was the
6 contractor for the applicant.

7 Now, it's perfectly obvious to anybody that
8 when you take a school like this, in the middle
9 of a residential area, surrounded by one-way
10 streets, and you increase its enrollment from
11 110 to 735, there's going to be a substantial
12 impact, despite their saying there will -- that
13 it does not pose a negative traffic impact.

14 The school premises don't even have a
15 playground. The kids from that school are
16 going to be all over the place, and they're
17 going to come into contact, both literally and
18 physically, I would fear, with the local
19 traffic, and the kids won't be brought right to
20 the school, it will be too crowded right around
21 the school. They'll be dropped off a couple of
22 blocks away. They're not going to go to the
23 corner and cross. They're going to be crossing
24 everywhere. It's going to be dangerous.

25 It seems to me there's no doubt whatsoever

1 that the -- that the traffic and the streets
2 are going to be degraded in the area. The only
3 question is how bad the degradation will be.

4 Now, the applicant says that this is not --
5 that this is -- that there's no degradation
6 because it's not going to be any worse than
7 Level of Service Level C. Well, I don't know
8 what that is. I don't know how many people in
9 this room know what that level is. It must be
10 pretty bad, and there's certainly no argument
11 that Level C is appropriate to our
12 neighborhood.

13 And finally, I'd just like to say, this is
14 a real step-out they're looking for. The only
15 previous expansions that have been permitted,
16 that I'm aware of --

17 CHAIRMAN AIZENSTAT: Mr. Paul, if you could
18 wrap it up, please, because we're trying to
19 give everybody --

20 MR. PAUL: Oh, sure, sorry. That's -- oh,
21 I didn't have a warning thing.

22 CHAIRMAN AIZENSTAT: Yes, you did. It was
23 right in front of you.

24 MR. PAUL: Oh, sorry, I missed it.

25 Okay, my only other point at this -- The

1 only other two expansions have been very small
2 that have been granted, and this is a 600
3 percent expansion, way beyond anything that's
4 ever been done.

5 Thank you.

6 CHAIRMAN AIZENSTAT: Thank you for your
7 time.

8 MS. MENENDEZ: Raul Vastra? Jennifer
9 Johnson? Blanca Mesa? David Doheny? Jaime
10 Saldarriaga? Alexander Corzo-Raton? Albert
11 Milo, Junior? Alfredo -- resident of 2600
12 Cardena Street, Alfredo Oliva? Ben Vides?
13 Carlos Avino?

14 CHAIRMAN AIZENSTAT: Who's after Carlos
15 Avino?

16 MS. MENENDEZ: Silvia McCabe.

17 Jennifer Berger.

18 MR. AVINO: I thought I won a prize here a
19 second. My name is Carlos Avino. I am a
20 resident at 1410 Urbino Avenue. I am a
21 concerned parent, and I'm concerned because I
22 think if the expansion of Somerset is not
23 approved, I do have a severe limit of choices,
24 where I live. I live right by University of
25 Miami, which is less -- I live about five

1 minutes away from West Lab Elementary, which is
2 not a true community school.

3 What I'm -- The message that I'm getting
4 from the City of Coral Gables is that if you
5 want a community school, move to Pinecrest,
6 because everybody that I'm -- many of my
7 associates, college and my age, are moving to
8 that area because of the Pinecrest Elementary
9 and the fact that if they move there, they can
10 get into the school, and I think the reality
11 is, we need more options within Coral Gables
12 for elementary schools.

13 I empathize with the neighbors. I do live
14 across from the law school. I've had to deal
15 with changing traffic patterns, and I know that
16 there are certain events that do put a strain
17 on the community, but -- you know, that would
18 be the equivalent of a parent-teacher night.
19 We know that's not every night. That's a few
20 times out of the year.

21 Traffic, I don't know how -- the exact
22 impact of the traffic, but the reality is, it's
23 probably not more than a couple of minutes
24 going to work, and that's, I think, what
25 everybody needs to keep in mind. You're not

1 going to be stuck 15 minutes getting out of
2 your house to go to work. It's really a couple
3 of minutes.

4 Thanks. That's all I have to say.

5 CHAIRMAN AIZENSTAT: Thank you.

6 MS. BERGER: Hello. My name is Jennifer
7 Berger, and my family and I live at 3413
8 Monegro Street, which is a half mile from
9 Somerset Gables. My husband is also a Coral
10 Gables business owner, and we are very proud
11 and fortunate parents at Somerset.

12 My five-year-old son is in pre-K4, and it
13 is our hope that if the school expands, our
14 three-year-old son will also get to attend the
15 school next year.

16 Before Somerset officially opened, my
17 husband and I dealt with a daily concern
18 regarding our children's future school
19 situation. We knew from the experience of our
20 neighbors that we had a very slim chance of
21 getting into our first and second choice of
22 Coral Gables schools. That was very
23 disheartening, being that our choice schools
24 were closest in proximity to our home, and more
25 importantly, the ones we felt were the best fit

1 for our family.

2 When we got into Somerset, all of our
3 concerns were gone. We are so thankful that
4 our son attends this school. He's experiencing
5 an amazing and well-rounded education, with
6 innovative technology, fabulous teachers, and a
7 real sense of community, and right here in our
8 own beautiful neighborhood.

9 I would also like to say that I have never
10 met a finer and more concerned and respectful
11 group of families. The families that this
12 school has attracted are made up of people that
13 care deeply about their children, their
14 education, and the community around them. The
15 level of involvement that the Somerset parents
16 have is amazing, and it shows in the darling
17 and incredible children that attend this
18 school. Respect for our City and the areas
19 surrounding Somerset is a top priority, and
20 every single parent at our school is mindful
21 daily of their driving behavior. You should
22 also know that the school is continually
23 reminding parents of our responsibility in
24 keeping the surrounding streets clear of any
25 unnecessary congestion, and we take that very

1 seriously.

2 It is my belief and the belief of many
3 other residents that Somerset has created a
4 huge opportunity for the children of Coral
5 Gables, and I hope that you will support the
6 expansion of this school, as the benefits to
7 the community and to our children far outweigh
8 the negatives.

9 CHAIRMAN AIZENSTAT: Thank you.

10 MR. OLIVA: Hello. My name is Alfredo
11 Oliva, Junior, 2600 Cardena Street. I live
12 right by the school, and I'm here to tell you
13 that I support the school.

14 There's a very big misconception amongst a
15 lot of people that there's quality schools just
16 as good all around, and that couldn't be
17 further from the truth. My cousin works for
18 Academica as a principal in Homestead, and the
19 curriculum and the things that I see, as a
20 father, is mind-boggling, and it blows anything
21 you could possibly see away. I consider it to
22 be a necessary thing for us to have a school of
23 that caliber in our neighborhood, and I also
24 see a lot of vitriol and a lot of resentment
25 towards people. I understand both sides of the

1 equation. I understand the neighbors, and I'm
2 a neighbor. We all empathize with everything.
3 But I also see a lot of vitriol, a lot of hate,
4 anger being spewed about deals or not deals or
5 people making money or not making money. At
6 the end of the day, if we bring a school to the
7 neighborhood, we're making an investment in our
8 future. Let's not get so caught up in people
9 saying, "Oh, this is a side deal this and a
10 side deal that." Let's grow up, okay? This is
11 about the good of our community, investing in
12 our children, and having adequate educational
13 opportunities.

14 The lady previously mentioned that with all
15 the other schools around, that there's plenty
16 of space. Well, that, I find to be very -- I
17 don't know where you're getting that
18 information from, ma'am, because I've seen a
19 lot of kids that are on waiting lists at other
20 schools, so you might say that they're at full
21 capacity, but I know a lot of people that can't
22 get into West Lab, that can't get into other
23 schools, so the fact that we do need more
24 schools, more space, yes, and one of that
25 caliber, I can't even -- I cannot stress

1 enough.
 2 Thank you for your time.
 3 CHAIRMAN AIZENSTAT: Thank you.
 4 MS. LASTRA: Hi, my name is Laura Lastra.
 5 I live at 2209 Segovia Circle, which is a
 6 little more than half a mile away, and I have
 7 two preschool kids who I'm hoping will be lucky
 8 enough to be accepted into Somerset. I think
 9 it's a fabulous school. I think this is a
 10 great opportunity for the City, to have a
 11 charter school within its boundaries. It's a
 12 very unique opportunity, and I feel that the
 13 proximity to the Library and to the Recreation
 14 Center is unique and definitely something
 15 that it couldn't be planned better, and I had
 16 spoken to the other schools' principals and
 17 done the tours and done the research, and I've
 18 also spoken with Ms. Ruiz, and I feel that
 19 Somerset Gables is the best school for my kids
 20 and my family, and I hope that you approve it.
 21 Thank you.
 22 CHAIRMAN AIZENSTAT: Thank you.
 23 MS. MENENDEZ: Boo Zamek? Dustin Nason?
 24 Javier Avino? Lourdes Avino?
 25 MR. AVINO: Hello. Javier Avino, 740

1 Navarre Avenue. First and foremost, I want to
 2 thank all of you. I don't envy the seats that
 3 you're sitting in. I know there's a lot of
 4 passionate people on both sides of this
 5 equation, and this has gone on for several
 6 hearings, and so I just want to thank you for
 7 your time.
 8 I also want to thank the City Staff for
 9 their time and efforts on this. Again, a
 10 lengthy process, and something they've been
 11 dealing with for some time.
 12 I want to point to the land use portion of
 13 this matter, where the City supports the
 14 location of a school at the University Baptist
 15 site. I think what the issue here is, is about
 16 the number. I mean, clearly, we have the City
 17 Staff supporting the actual land use change,
 18 saying that it's appropriate and it's
 19 appropriate for this specific location, so what
 20 it's about is the number. The number, in the
 21 City's view, is -- and the neighbors that are
 22 immediately opposing this feel that it's too
 23 large. So I want to point you to a different
 24 way of looking at it. The traffic consultants
 25 on both sides of this have given you their

1 views on the traffic issues and where they feel
 2 the traffic can support, but I want you to look
 3 at it also just from what the school needs, as
 4 a basic need to function, and really, the
 5 number's not, you know, taken out of a hat. I
 6 mean, if you take two classes per grade, and
 7 you start from pre-K to eighth grade, you're
 8 going to get fairly close to the 500 or so
 9 number. That's -- that's basically where it's
 10 coming from. It's not, you know, that they're
 11 just -- that they're being greedy and they want
 12 six classes per grade. Remember, this facility
 13 fits a thousand people, from a fire and life
 14 safety perspective.
 15 So this is really an issue of, what does
 16 the school need, what are the basics that it
 17 needs to be able to function, and two classes
 18 per grade is a pretty small school, from most
 19 people's standards. It allows you to be able
 20 to have the basic things that most schools
 21 have, a full-time principal, a media
 22 specialist, language programs and the like.
 23 If you do not have enough students, you
 24 won't have a full-time principal. You will not
 25 have a media specialist. You will not have any

1 of these basic things that make a school
 2 operate and that make a school worthy of being
 3 in the City Beautiful.
 4 Thank you.
 5 CHAIRMAN AIZENSTAT: Thank you.
 6 MS. AVINO: Hello. My name is Lourdes
 7 Avino. I reside at 740 Navarre Avenue. I'm a
 8 Somerset parent and a neighbor.
 9 My four-year-old son currently attends
 10 Somerset Gables. I strongly support the
 11 school, for numerous reasons, and just to name
 12 a few, I cannot speak highly enough as far as
 13 the academics of the school, which is very
 14 important to my family, and not to say that
 15 it's any better than any of the other schools
 16 here, but it is definitely just as competitive.
 17 The community involvement that the school
 18 provides and gives us the opportunity to
 19 partake in has been numerous. My family has
 20 walked to Farmers Market and has attended it
 21 where the school has also participated. I have
 22 gone with my son to Miami Children's Hospital
 23 to help, you know, take gifts to children, that
 24 I haven't necessarily seen a lot of other
 25 schools necessarily provide that type of

1 opportunity. It's an environment where kids
2 can grow socially, for many reasons. My son
3 has been able to participate with some
4 elderlies that have gone to the school -- that
5 have activities at the school. It has taught
6 him empathy for his elders, respect, and it's
7 also provided a strong standard of living for
8 my family.

1 through there, they don't fit two at the same
2 time. This is not the spot for such a dense
3 school. Look at the swales around there. I
4 mean, they're getting eroded. Look at the exit
5 paths at the school. They're getting crushed.
6 I mean, there's grass missing, there's -- it's
7 exposed dirt. I mean, and this is just with
8 110 students coming every day and their parents
9 dropping them off every day.

10 Both my husband and I are attorneys, which
11 means we're pretty busy, not busier, but busy,
12 and the fact that my husband is able to drive
13 my son to school and that I could pick him up,
14 because we live close enough that I could walk
15 with my daughter and pick up my son and walk
16 home, is -- you have no words. I mean, it's
17 priceless.

10 You know, I'm just very concerned about
11 this. I urge you not to approve this land use
12 change. We know what we're dealing with here.
13 Other cities know what they've been dealing
14 with, with this organization, and it's all
15 about density. It's about having a lot of kids
16 in a small space. You can't put that many kids
17 there, on a 2.6 acre lot.

17 So I understand that there are many
18 concerns, but it really seems that the
19 positives really outweigh the negatives, and I
20 really hope that you would consider this.

18 I live in a -- I don't know -- 2,000 square
19 foot home, but I have a colleague who's an
20 architect who said that I could put bunk beds
21 and put 150 people there. It's not right,
22 right?

21 Thank you.

22 CHAIRMAN AIZENSTAT: Thank you.

23 MS. MENENDEZ: Carlos Carta? Isabel
24 Scharn?

23 So what I'm telling you is, please do not
24 allow this expansion, do not allow this land
25 change, because long after all these parents

25 MR. CARTA: Good evening, Board.

1 Appreciate your time today. I know it's a
2 really difficult topic that we're dealing with.
3 There's a lot of parents here with small
4 children. I have --

1 are done educating their children on that piece
2 of land, I'm still living there. So I urge you
3 to vote against this.

5 MS. MENENDEZ: State your name.

4 Thank you.

6 MR. CARTA: Oh, I'm sorry. I got too
7 excited. Carlos Carta, 715 Anastasia Avenue.
8 I'm a pitch shot away from the school.

5 CHAIRMAN AIZENSTAT: Thank you.

9 You know, we've been at this for well over
10 a year now, and it's been quite disappointing
11 that we're at this point today, but at the end
12 of the day, what we're talking about is
13 density.

6 MS. MENENDEZ: Mariana Carta?

14 I moved to this City 18 years ago, and I
15 moved to Anastasia about nine years ago, and I
16 moved to Coral Gables because of the low
17 density. You know, allowing 735 kids in a 2.6
18 acre lot is irresponsible. It doesn't exist in
19 Coral Gables. So please don't allow this
20 today. I mean, we just can't have that kind of
21 density. Even if you go down to 400, it still
22 is too dense. I mean, you're talking of a 2.6
23 acre lot. It's not a lot.

7 MS. CARTA: Hello. My name is Mariana
8 Espino Carta. I live at 715 Anastasia Avenue,
9 with Carlos and our two children. I grew up at
10 720 Anastasia Avenue. I grew up there with my
11 parents and brother and my sister. We bought
12 the home that I chose from Elena, who watched
13 me grow up and turned away many offers, because
14 she was so glad to sell the home to somebody
15 that she knew really wanted to live in the
16 neighborhood.

24 The street that comes off Cardena, you take
25 two SUVs, which I've seen a lot of them driving

17 I've lived in Coral Gables all my life. I
18 love Coral Gables. We made the biggest
19 investment we will ever make, confident in the
20 ordinances and zoning laws and things that are
21 in place in the City to protect us. Yes, there
22 are schools all over Coral Gables. I'm an
23 elementary school teacher. I've taught in many
24 of those schools. I've been in the classroom
25 for 15 years. Those schools were there and the

1 neighborhoods came around and grew around them,
 2 and people chose to purchase homes near
 3 schools, and that's fine. We did not. We
 4 chose to make an investment, confident in our
 5 laws, and we urge you, please, to consider what
 6 will happen to our neighborhood, to consider
 7 what will happen to our investment, where I
 8 plan and hope to babysit my grandchildren.
 9 This is the home that we chose to live in,
 10 slowly but surely saving every penny that we
 11 have. We've fixed it up, and this will come
 12 and ruin not only our quality of life, but our
 13 future and our retirement and our largest
 14 investment.

15 This zoning change that they are asking for
 16 is unprecedented, unprecedented and out of
 17 proportion for a residential neighborhood, and
 18 it is a residential neighborhood.

19 Thank you.

20 CHAIRMAN AIZENSTAT: Thank you.

21 MS. MENENDEZ: Lourdes Salas-Avino? Felix
 22 Pardo? Raul Martinez?

23 MR. PARDO: Good evening. For the record,
 24 my name is Felix Pardo. I live at 421 Cadima
 25 Avenue. My offices are at 255 University

1 spot zoning years ago, and then it was changed
 2 magically overnight into an office building
 3 which hasn't been filled up yet.

4 Every action, every vote that you take, has
 5 an incredible impact on not just your decision
 6 today on this application, but all the
 7 applications in the future. With my fellow
 8 Board members, I warned them about concurrency.
 9 I warned them about highrises. I did not vote
 10 for one of those highrises in areas that were
 11 going to impact residential areas.

12 Keep in mind, Mr. Tucker Gibbs hit the nail
 13 on the head. Staff did a good job, as far as
 14 telling you all the reasons why this is an
 15 incompatible application as far as the size of
 16 this school, with all the traffic consultants,
 17 et cetera. The problem is that the future land
 18 use from Religious Institutional to Community
 19 Services and Facilities, what does that mean?
 20 I have neighbors here that live on the golf
 21 course. What's the difference between a golf
 22 course and a horse track? What's the
 23 difference between a single-family home and a
 24 20-story condominium association? What's the
 25 difference between an office building and a

1 Drive. I've sat on boards in the City for over
 2 20 years. I was the Chairman of this Board. I
 3 was involved in the change of the Comprehensive
 4 Plan, many years ago, and I had serious
 5 reservations about some of the items, in fact,
 6 some of the items that are here right now
 7 today.

8 One of the things that you have to consider
 9 is compatibility. All of you do not live in
 10 this neighborhood. I do. Many of my neighbors
 11 do. And the problem is that this is not about
 12 paying for Gulliver or going to this school for
 13 free. This is all about compatibility with
 14 this neighborhood.

15 When I bought my home from the
 16 granddaughter of the founding president of the
 17 University of Miami, I bought a home that had a
 18 church there with an auxiliary use of a school,
 19 not the other way around. I didn't buy it near
 20 an airport. I bought it next to the Coral
 21 Gables Youth Center, which was expanded years
 22 ago and within a tightness that it had to
 23 expand and refurbish.

24 I bought a home next to a JCI, a
 25 not-for-profit organization, which was really

1 grocery store? They all have differences.

2 This thing, at this point, is a problem,
 3 because this belongs in the Spanish Village,
 4 that has sat empty there for years. This
 5 belongs in a commercial area, not here. This
 6 is a huge mistake. I hope you don't make that.

7 CHAIRMAN AIZENSTAT: Thank you.

8 MR. MARTINEZ: Good evening. Raul
 9 Martinez, Junior. I live at 422 Cadima Avenue.
 10 I'm also a neighbor. I am in support of the
 11 school. My wife and I purchased our home about
 12 five years ago, because she wanted to be close
 13 to where she grew up, on Velarde, with her
 14 parents. It wasn't my first choice, being
 15 close to her parents, but it all worked out.
 16 You know, for babysitting, it helps.

17 But my point is, we have two boys, four and
 18 five years old. We use the Youth Center. We
 19 use the library in the summer. Our kids
 20 participate in the programs in the summer. We
 21 applied for the school. We did not get into
 22 the first 110. I hope the school gets to
 23 expand. We're in support of it. We want to be
 24 a part of it.

25 I drive these streets, and I know you hear

1 some of the people who live across the street
 2 going, "If the school expands, the kids from
 3 the school are going to be able to drive by."
 4 I drive through that street anyway. You know,
 5 I can stop there or keep going, but I'm going
 6 to -- I live there. So the school not being
 7 there is not going to stop me from driving
 8 through there. So the kids that live in the
 9 neighborhood are going to keep driving on those
 10 streets. They don't go away, okay?

11 So there has to be a way we can all work
 12 together, find some way, find a number,
 13 whatever it is, but we need to co-exist. It
 14 doesn't have to be black and white, and I hope
 15 that everyone can somehow find it -- not in
 16 their hearts, in their minds, to be smart
 17 enough to say, this is not going to just go
 18 away. We all live here. We were neighbors.
 19 When this is over, however it ends up, we're
 20 still going to have to be neighbors, so we
 21 should respect each other and find a way to
 22 work this out and be able to co-exist.

23 Thank you.

24 CHAIRMAN AIZENSTAT: Thank you.

25 MS. MENENDEZ: Juliana Maggio?

1 reasonable. The school Academica proposes is
 2 very much too large.

3 The school they propose would be unsafe,
 4 from concerns of traffic, from concerns of
 5 physical premises, and for the emotional
 6 comfort of the students.

7 The traffic study Academica provided was
 8 flawed, and over-represented traffic capacity
 9 by a factor of two. A factor of two is not an
 10 error. It is a fantasy.

11 The reality of Academica schools is the
 12 situation in South Miami. Recently, the South
 13 Miami Commission unanimously passed an
 14 ordinance for traffic at future charter schools
 15 because, according to Mayor Stoddard, traffic
 16 at the Somerset South Miami school got so bad
 17 that Somerset parents were backing into kids
 18 with their cars as they went to drop off
 19 children.

20 But it's not just the traffic; it's also
 21 the building. I invite the Commission to visit
 22 the upper hallway of the UBC site. In that
 23 narrow corridor, they have painted a dotted
 24 yellow line down the center. The hall is so
 25 narrow that students need to pass single file

1 And Burton Rosenberg.
 2 MR. ROSENBERG: Is the other person here?

3 MS. MENENDEZ: No.

4 MR. ROSENBERG: Okay. Hi, I'm Burton
 5 Rosenberg. I live at 904 Anastasia Avenue.

6 This is not about school or no school; this
 7 is about a right-sized school.

8 Last year, the Coral Gables Commission
 9 offered Somerset a right-sized school, a school
 10 similar to West Lab, to be run under the
 11 existing zoning. If Somerset takes that offer,
 12 Somerset children would now be enrolled in one
 13 of the most exceptional schools in Miami-Dade,
 14 a right-sized charter embedded in a Coral
 15 Gables neighborhood.

16 Academica rejected the offer, for a false
 17 reason. They said it would not be financially
 18 viable. That the school now operates at half
 19 that size and is financially viable is a
 20 publicly acknowledged fact. The president of
 21 Somerset, Andreina Figueroa, even acknowledged
 22 that fact in court proceedings.

23 Whether or not we can have a school here
 24 depends upon Academica, that it stop making
 25 excuses and start agreeing to that which is

1 to the right of that yellow line. In an
 2 emergency situation, it will be difficult to
 3 bring students out quickly from the rooms
 4 around that corridor.

5 That is why such hallways and corridors are
 6 against Code for public schools in every state
 7 and every county in this nation, including Dade
 8 County, which is still in this nation. Nowhere
 9 else are such narrow halls and low ceilings
 10 permitted in a public school.

11 The Florida legislation that relaxes safety
 12 standards for charters -- that's 1002.33(19)a,
 13 also implores charters to voluntarily adopt
 14 those standards.

15 It is Academica's choice. They can pack
 16 this school full of kids, using the same
 17 reasoning as they thrust upon their traffic
 18 engineer, filling it until some sad thing
 19 happens, as it did in the parking lot of SoMi,
 20 where a car backed into a child, or they can
 21 hold themselves to the safety standards of all
 22 other schools in this nation, so that parents
 23 can drop their kids off in the morning, knowing
 24 that Academica has given as much respect for
 25 their child's safety as has the public school

1 system.
 2 The strong zoning that is now in place, a
 3 zoning that allows the school to run under the
 4 existing zoning clause of 1002.33(18)c, is the
 5 appropriate zoning in order to accomplish the
 6 task of agreeing upon a small and safe school.

7 For this reason, I implore the Board to
 8 maintain the current zoning. Thank you very
 9 much.

10 CHAIRMAN AIZENSTAT: Thank you.

11 MS. MENENDEZ: Alexis Montecon?

12 And Alex Moreira, after.

13 MR. MONTECON: Good evening. My name is
 14 Alexis Montecon. I live at 3267 Riviera Drive.
 15 I'm three homes away from the UBC. I'm a
 16 father of three school-age children, and I
 17 stand here today as an extremely concerned
 18 resident of Coral Gables.

19 About six years ago, my wife and I
 20 purchased our home, where we live today. As
 21 any family would do, we inspected the home,
 22 researched the area, the surroundings, and the
 23 amenities surrounding our home. We fell in
 24 love with the peace and tranquility that
 25 Riviera Drive offered to our family.

1 Today I find myself in front of you, trying
 2 to defend what would be a gross intrusion to
 3 our way of life and an outright assault on our
 4 neighborhood. Now UBC/Somerset is demanding
 5 both a change to the comprehensive land use and
 6 a sixfold increase in their enrollment.

7 I'm a real estate investor, and I am very
 8 familiar with the strategies used by developers
 9 to accomplish their goals. I am in complete
 10 opposition to the land use change to Community
 11 Services and Facilities and the increased
 12 enrollment, for various reasons.

13 The intensity of use offered by Community
 14 Services and Facilities is significantly higher
 15 than the current use of Religious
 16 Institutional. Under Community Services and
 17 Facilities, the following are allowed:
 18 Buildings and adjacent land areas that serve a
 19 public and/or community function, including
 20 local, state and federal government facilities,
 21 public and private schools and educational
 22 facilities, excluding university, and medical
 23 and health facilities and religious
 24 institutions.

25 Which one of you will guarantee that this

1 school and church will be here, one, two or ten
 2 years from now? Because once it goes, the
 3 highest and best value for this property is not
 4 a school. You guys have already approved it
 5 for a multiple of other better uses.

6 The school will no longer need to be an
 7 accessory to the church, so it could be a
 8 stand-alone giant, operating side by side with
 9 a very active church.

10 Furthermore, by changing the comprehensive
 11 land use designation, you are not just allowing
 12 what is desired by the applicant in the near
 13 term; you're opening up the opportunities for
 14 developers in the long term. There are no
 15 guarantees that either the school or church
 16 will be here in the future, and at the end of
 17 the day, the immediate neighbors will be left
 18 with a property with a very broad designation.
 19 Had this property had the Community Services
 20 and Facilities designation when I was looking
 21 for a home, I most certainly would have chosen
 22 to live elsewhere.

23 Both the church and school are currently
 24 operating at the present location under the
 25 Religious Institutional designation, and I do

1 not see a need to have it changed. Otherwise,
 2 if it is required, it is a simple admission
 3 that they are currently operating illegally, as
 4 Laura Russo hinted that they currently are in
 5 her opening statement.

6 In reviewing the traffic study, you analyze
 7 the impact of pickup and dropoff of students in
 8 a vacuum. A school is not simply about
 9 dropping off and picking up students. Schools
 10 have plays, parent-teacher conferences, open
 11 houses, after-school activities, presentations,
 12 et cetera, in which all the parents or a large
 13 portion of the parents will attend at once.

14 Can someone please point out to me where
 15 these cars would park? As per the traffic
 16 study, there are 90 parking spaces. There are
 17 teachers, staff, principals, that will take a
 18 significant number of those spaces. Where do
 19 you intend for the parents to park during all
 20 these activities?

21 As it currently stands -- As it currently
 22 stands, with 110 students, the parents are
 23 parking all along the swale on Riviera Drive,
 24 and even parking in the Library and crossing
 25 the street, when they have their late

1 afternoon/early evening events. If you
2 increase the school by just one student, that
3 is one more car that will need to park
4 somewhere. As the sign on the property that is
5 currently displayed reads, "Additional parking
6 at the Youth Center, Library and grass lot."

7 Thank you.

8 CHAIRMAN AIZENSTAT: Thank you.

9 MS. MENENDEZ: Alex Moreira? Thor Bruce?

10 MR. BRUCE: Mr. Chairman, would you pass
11 these out?

12 CHAIRMAN AIZENSTAT: Go ahead.

13 MR. BRUCE: Good evening. My name is Thor
14 Bruce. I live 3252 Riviera Drive. I bought
15 that house because it's a quiet, peaceful
16 neighborhood. I bought it in reliance on the
17 strong zoning of Coral Gables, and am appalled
18 by the request for this municipal zoning that's
19 being requested for the church.

20 Rather than repeat a lot of arguments that
21 have been made previously, I would like to
22 present something that I did in research for
23 this zoning meeting. The City Staff did an
24 excellent job in analyzing the traffic and
25 taking photographs of the other schools. What

1 for which there's an additional line, which
2 I'll show you in a moment. If you look very
3 carefully, there's a post right here. What
4 happens is, when the bus comes along, the bus
5 cannot get through there, and all of Sevilla
6 and, at this point, Anastasia is backed up by a
7 complete blockage of parents in cars and by a
8 bus.

9 This queue, in turn, feeds into an
10 extension of that queue, which then feeds into
11 a traffic cop that mediates all the different
12 queues and feeds them into that Indian Mound
13 holding area.

14 Skip a picture.

15 The last picture is important. This is one
16 of two parking lots that's used for unloading
17 students. Notice, there are very few cars in
18 this parking lot. That's for safety reasons.
19 The proposal at University Baptist Church is to
20 put all these cars in the parking lot. That
21 would cause serious problems for kids.

22 Thank you very much.

23 CHAIRMAN AIZENSTAT: Thank you.

24 MS. MENENDEZ: Fausto Plaza? Gina de la
25 Rosa?

1 I'm presenting to you is, in case you haven't
2 had a chance to see it, what happens at the
3 Little Flower Church, when St. Theresa's
4 parents come and unload their students.

5 The first photograph here is a photograph
6 of the Indian Mound's staging area for St.
7 Theresa's. It's four cars wide, and it holds a
8 tremendous number of automobiles. In the
9 background, you can see there's a parking lot
10 that belongs to the church and is being used to
11 help with the loading and unloading operation.

12 This photograph shows that parking lot even
13 better. That's a lot of cars, and it's staged
14 in an area that's not adjacent to single-family
15 homes. That queue of cars staged on Indian
16 Mound is fed by various feeders. Palermo, a
17 street that wraps around the church, is one of
18 those feeders. This is a photograph of the
19 Palermo feeder. It comes down Palermo, wraps
20 around in front of the church, and then feeds
21 that large queuing area on Indian Mound.

22 There's another queuing area that feeds
23 into it. It's the Anastasia queuing area. If
24 you look at this photograph, you can see a
25 bunch of cars stacked up. It's part of a line,

1 MR. SALMAN: Through the Chair -- after
2 these two, can we take a break?

3 CHAIRMAN AIZENSTAT: How many speakers do
4 we have, apart from what we have on here?

5 MR. RIEL: We have about 32 more speakers
6 for you.

7 CHAIRMAN AIZENSTAT: So, after these two,
8 we'll go ahead and take a 10-minute break.

9 MS. DE LA ROSA: Good evening. My name is
10 Gina de la Rosa. I live on 2217 Columbus
11 Boulevard. It is under two miles of Somerset
12 Gables Academy.

13 I wanted to briefly explain to you my
14 personal story of what I went through and the
15 hardships as a parent that -- when you go
16 through the application process in Coral Gables
17 and all the different schools.

18 One of the things that -- when we moved to
19 Coral Gables, one of the things that my husband
20 and I knew was that we were walking into great
21 schools, and when my son was ready to go into
22 kindergarten, I was very excited to tour all
23 the different schools, and they were all
24 fabulous. We narrowed it down to three private
25 schools, and what I consider my neighborhood

1 school, Coral Gables Elementary.
 2 When February notices came out, I learned
 3 that my son did not get into any of the three
 4 private schools that we had applied. When May
 5 came along, as far as the notices came out, I
 6 learned that my son did not get into Coral
 7 Gables Elementary. At that moment in time, I
 8 entered into a motherly panic mode, because I
 9 had no idea where my son was going to end up in
 10 kindergarten, and this is kindergarten. I
 11 would hate to know what college will be like.
 12 Having said that, Somerset Gables Academy
 13 came into our lives. We were one of the lucky
 14 few families to get in, and we are forever
 15 grateful for that opportunity. Somerset Gables
 16 Academy has not only been a rewarding
 17 experience for my son, who actually graduated
 18 kindergarten yesterday, with Ms. Castillo,
 19 sitting back there, but it's also been a
 20 rewarding experience for our family. The
 21 Gables family at Somerset, we do understand
 22 what it is to be a true citizen at Coral
 23 Gables. We also understand what it is to
 24 provide a wholesome environment for our
 25 children, and we also understand what it is to

1 until nine o'clock tonight. We can go ahead
 2 and extend it by a vote on the Board, and a
 3 unanimous decision to pass it, but it is
 4 scheduled to go on till nine o'clock.
 5 Ideally, we'd like to get the public
 6 comment out of the way, if we can. I don't
 7 know if that's possible, with the amount of
 8 people that we have. But if everybody can help
 9 us and not repeat what somebody else has said,
 10 but if they have any new material to present,
 11 that would move things along and we would
 12 greatly appreciate it. Thank you.
 13 Please call the next --
 14 MS. MENENDEZ: Sandra Pollack, Carol Brock,
 15 and Pedro Erigoyen.
 16 MS. POLLACK: My name is Sandra Pollack,
 17 and I live at 1025 Anastasia Avenue. We have
 18 been living there for almost 50 years. I
 19 cannot believe we're even talking about this.
 20 That's how shocked I am. It's been terrible.
 21 If you try to drive out of my driveway now,
 22 even in the morning, any time of day, you
 23 can't. We have the buses. We have the
 24 ambulances. We have fire trucks trying to get
 25 through. We have construction workers. It is

1 have a great education amongst the other
 2 schools.
 3 Having said that, I'm not alone here.
 4 There are many families who are in the same
 5 position that I was in last year, who are
 6 pretty much waiting in anticipation to see
 7 what's going to happen to this school or the
 8 other schools that they're trying to get into,
 9 and all I'm asking for is the opportunity, the
 10 opportunity for more families to have that
 11 option. Let's compromise, let's move forward,
 12 and -- move forward.
 13 Thank you.
 14 CHAIRMAN AIZENSTAT: Thank you.
 15 There was one more?
 16 MS. MENENDEZ: Kendell Turner?
 17 CHAIRMAN AIZENSTAT: Okay, let's go ahead
 18 and take a 10-minute break, and we'll convene
 19 back. Thank you.
 20 (Thereupon, a recess was taken.)
 21 CHAIRMAN AIZENSTAT: Please take a look at
 22 your cell phones and make sure that your cell
 23 phones are either turned off or on silent.
 24 Thank you.
 25 Now, this meeting is scheduled to go on

1 a disaster. The other day, it took me almost
 2 15 minutes to get out of my driveway.
 3 I do not understand how anyone could even
 4 think of changing what we have here now. The
 5 zoning, as it is, and you're going to make it
 6 even worse? You're not only affecting the
 7 neighborhood. You're affecting the safety of
 8 everybody, not just the kids, but everybody.
 9 You have seniors here, as well, that try to
 10 cross the street, and I cannot believe you're
 11 even talking about this this long.
 12 So I'm begging you, please, not to change
 13 the zoning and just leave it as it is, if you
 14 have to do that, because we don't know what's
 15 going to end up here. You're not only hurting
 16 the neighborhood, you're hurting also -- and I
 17 know you've heard this before -- the real
 18 estate values and everything else. So, for the
 19 safety and everything else, I'm begging you,
 20 please, not to make any changes.
 21 Thank you.
 22 CHAIRMAN AIZENSTAT: Thank you.
 23 MS. BROCK: Hi. My name is Carol Brock,
 24 and I live at 850 Anastasia Avenue, and I've
 25 been involved with a lot of City activities and

1 am currently -- some of you, I know, know that
2 I'm chairman of the Senior Citizens for Coral
3 Gables, but I'm not speaking on behalf of that
4 group. I'm speaking on behalf of myself right
5 now, but -- so I wanted to make that clear.

6 I am really against the change in the
7 zoning. I feel like this opens the City up for
8 all sorts of things that could come down the
9 road. I'm really, really aware of UBC, because
10 of course, as you know, the City had an annual
11 contract with UBC for the senior program, and I
12 know the facilities, I know the limitations on
13 it, especially as far as parking and all goes.
14 Right now, with 110 students and all, we have
15 problems, you know, with some of our classes
16 and all, if they get out at a certain time.
17 I've had complaints from seniors. However, I
18 will say that we are -- The young people have
19 just as much right, because the school is
20 paying rent. We are paying some rent to the
21 church, as well, but they've been very good to
22 us, in terms of working with us on that
23 program.

24 However, what we're concerned about with
25 our seniors is something that the parents, I

1 think, should be concerned about, as well, is
2 that people seem to not want to slow down on
3 the traffic on Anastasia, and I've lived there
4 25 years, and I've seen -- luckily, no child
5 has been run over. We've had some close calls
6 there. We've had lots of pets of people,
7 animals even on leads that, you know, have been
8 hit and run over. It's an emergency route,
9 also, and I have a little bit of a concern as
10 to what would happen in the case of an
11 emergency, because that's where the fire
12 engines and all use that, and they come down
13 quite frequently at the time, you know, that
14 school is letting out, when the traffic is
15 there, as to how that's going to work with
16 hundreds of cars there, and we have an
17 ambulance or fire rescue trying to get through
18 that.

19 I just hope that you'll take that into
20 consideration, and I thank you very much, and I
21 know that all of us are not against education,
22 but we are against the traffic problems and the
23 zoning changes and all that that's going to
24 cause in our neighborhood. It's going to make
25 a real mess.

1 CHAIRMAN AIZENSTAT: Thank you.

2 MR. ERIGOYEN: Members of the Board, good
3 evening. Everybody else here, good evening.
4 I'll make this very short for everybody. My
5 name is Pedro Erigoyen. I live at 1516 Trevino
6 Avenue. I represent two households, both
7 Biltmore homeowners. My mother-in-law lives
8 across the street at 1525 Trevino.

9 My youngest daughter is currently enrolled
10 at Somerset. One additional child does not
11 equal one additional vehicle. We have a
12 newborn child now, who we would love to have at
13 this facility. We are going to add absolutely
14 zero traffic to what is currently going on
15 there. I worked at Berenfeld, at 25th and
16 Ponce, drove these streets every day, either on
17 my way to work or back, not adding any traffic
18 whatsoever.

19 There have been comparisons to other
20 schools in the area, and most of which have
21 been off base. There's been a lot of banter,
22 a lot of passion here, and that's great, it's
23 part of what makes our country great, but we
24 need to realize that there needs to be some
25 sort of -- of -- The best way to put it is,

1 basically, let's listen to each other. We can
2 figure this out in a civilized way, a civilized
3 manner. There is a number somewhere for
4 somebody. We can look to your guidance for
5 that. We -- A lot of folks have kind of
6 villainized the school. The situation in the
7 school, the experience in the school, is
8 without comparison. There's no reason why it
9 should not be the same for the neighborhood.
10 Somerset is open to making changes, to
11 listening to and working with the neighbors.
12 As a parent, I feel the number needs to be
13 lower than the 750, absolutely. It needs to be
14 somewhere between. Let's figure that number
15 out, okay?

16 Thank you very much.

17 CHAIRMAN AIZENSTAT: Thank you.

18 MS. MENENDEZ: Debbie Floyd? Eddy Garcia?
19 Maria Naccarato? Ben Vides? Zonia del
20 Portillo?

21 And Rafael Penalver after her.

22 MS. HERRERO: Hi. Good evening. I'm here
23 speaking on behalf of my mother, Zonia del
24 Portillo, who was sick today and was not able
25 to attend. My mother wanted -- She lives on --

1 Zonia del Portillo, on 639 Velarde Avenue.
2 CHAIRMAN AIZENSTAT: Can you state your
3 name and address, also?

4 MS. HERRERO: Yes. My name is Cristina
5 Herrero, and my address is 1410 Ferdinand
6 Street.

7 CHAIRMAN AIZENSTAT: Thank you.

8 MS. HERRERO: Okay. My mother wanted to
9 speak, primarily because she was upset last
10 year when I applied to Somerset Gables and her
11 grandchildren didn't get in. She was looking
12 forward to -- since she's retired, walking to
13 pick up her grandchildren, since she lives on
14 Velarde, a few blocks away, and being able to
15 take care of them, give them their afternoon
16 snack, until I come home, you know, until I was
17 able to go get them.

18 I've lived in Coral Gables my entire life.
19 I love Coral Gables, and I think that this
20 school would be a -- increasing the number of
21 students in this school would be a great thing
22 for the City. It would make the City a more
23 desirable place to live.

24 I am lucky enough to have been accepted to
25 Somerset South Miami, where my child is doing

1 New York, they are two cities with one vision,
2 and the vision was that the residents would
3 have accessibility, that the children would
4 have access to the best schools in the area.

5 I have my children at Somerset SoMi, and I
6 cannot speak highly enough of the education
7 that my kids are getting from Somerset. The
8 programs that they offer, the ratio, 22
9 students with two teachers, full time, the
10 language programs, these are educational
11 opportunities that we should welcome to a City
12 that looks to the future and looks for ways of
13 better serving our children.

14 The location of the proposed school, in my
15 belief, is very suitable. It is at the edge of
16 a residential neighborhood. It is across the
17 street from the Youth Center, across the street
18 from the Library, something that the children
19 could after school go and enhance their
20 activities. I also believe that the proposed
21 location is one that would allow so many of our
22 citizens to walk their children to school.

23 Yes, it will have some impact on some
24 properties, and none of us, of course, would
25 like that. But I think we have to look at the

1 great, but I have to drive to South Miami. I
2 don't have the school in my City, that can go
3 to. I have to drive. I have to use my gas. I
4 have to pay for after-school, which I would not
5 have to do if my child was in Somerset Gables,
6 and I would really love it if I can have that
7 option, please.

8 Thank you.

9 CHAIRMAN AIZENSTAT: Thank you.

10 MR. PENALVER: Good evening. My name is
11 Rafael Penalver, and my address is 800 South
12 Greenway. First of all, thank you for your
13 time and all your efforts as members of the
14 Board.

15 I speak to you today as the father of Ana
16 Maria, who's nine years old, and Ralphie, who
17 is eight. And as a lifelong conservationist, I
18 served on the State's preservation board, in
19 the advisory council for many years, and I led
20 efforts to maintain some of the unique features
21 of Coral Gables during my tenure. Just like
22 everybody else in this room, I love this City.
23 I love our neighborhoods and the potential that
24 Coral Gables offers.

25 Coral Gables and Forest Hills Gardens in

1 overall, the overall good of the City, and
2 particularly of our children, and when you look
3 at the opportunities that this school would
4 offer our children and the way that that school
5 could serve the vision of our founders, of
6 schools where our children could walk to
7 easily, and quality education, I think that
8 there's so much for us to gain in the process.

9 So I would strongly urge you to approve the
10 numbers, the numbers to be decided with
11 appropriate studies, somewhere in the middle,
12 that would make this a suitable project. I
13 follow Mr. Avino's suggestion. Let's look for
14 a number that would make this feasible and that
15 would help us maintain this proposed project.

16 Thank you.

17 CHAIRMAN AIZENSTAT: Thank you.

18 MS. MENENDEZ: Robert Hatfield? Leticia
19 Callava? Fernando Vazquez? Maria Smith?
20 Victor de Diego? Raquel Sotillo?

21 MR. DE DIEGO: Hi. I'm Victor de Diego. I
22 live at 708 Anastasia Avenue. Considering the
23 close location to the proposed site, I'm
24 obviously opposing the zoning change. We are
25 within, I guess, half a block, and we did not

1 know of this proposed change when we bought our
 2 house, only eight months ago. Maybe we didn't
 3 research enough, but it was not apparent to us.
 4 We had to hear about it, actually, from our
 5 neighbors. Somerset never came to our house,
 6 asked us, you know, what we think about it. In
 7 fact, at the last hearing, this Board requested
 8 that they speak to the owners and get their
 9 feedback and see how it's possible, and to
 10 date, no one has spoken to me and no one has
 11 asked my opinion, so I thought it was important
 12 to come by.

13 The unique harm that people in my immediate
 14 vicinity would bear for this does not justify
 15 the proposed benefit of this school, and I
 16 think that's what ultimately has to guide this
 17 decision. What I've heard from the other
 18 speakers is that there are plenty of school
 19 options in the area, and this will just be one
 20 more choice, and so the benefit is very
 21 speculative and the burden on us homeowners is
 22 very real. So I ask that the Board consider
 23 that when making their determination.

24 Thank you.

25 CHAIRMAN AIZENSTAT: Thank you.

1 MS. MENENDEZ: Raquel Sotillo? Jorge
 2 Centurion? Gregory Koger? Joe Penza?
 3 Thompson Enriquez?

4 CHAIRMAN AIZENSTAT: Now, the names that
 5 you're now going to call are people who signed
 6 up today?

7 MS. MENENDEZ: I'm going to start with the
 8 list now.

9 CHAIRMAN AIZENSTAT: Okay. What I would
 10 ask is, if somebody signed up today because
 11 they didn't know that they had already signed
 12 up in the previous meeting, if your name is
 13 called, please don't come back up and speak
 14 again. We're asking for people who have not
 15 spoken. Thank you.

16 MS. MENENDEZ: Melissa Medina?

17 UNIDENTIFIED WOMAN: No double-dipping.

18 MS. ENRIQUEZ: Hi. I was outside. My name
 19 is Calese Thompson Enriquez, 739 Escobar. I
 20 have four children. This is my fourth child
 21 that started kindergarten this year at
 22 Somerset, which the experience has been double
 23 what any of my other children ever received in
 24 any other school.

25 My important part here is that I have four

1 children in different schools, and I am
 2 creating traffic that could really be
 3 eliminated for Coral Gables by allowing the
 4 school to grow and putting three of my children
 5 in one school. I hear a lot about that it
 6 would over, you know, expand the traffic in
 7 Coral Gables, but I'm actually doing that now
 8 by going so many times through the Gables, to
 9 go to Ponce, Gables and Somerset.

10 It's a wonderful school, it's been a great
 11 experience, and I hope that you can, you know,
 12 hear our needs and see how much we're willing
 13 to work as a community, to let this happen for
 14 us.

15 Thank you.

16 CHAIRMAN AIZENSTAT: Thank you.

17 MS. MENENDEZ: Paul Zamek?

18 MR. ZAMEK: Hi. My name is Paul Zamek. I
 19 live at 1505 Ferdinand Street. I want to thank
 20 the Board for being here. I understand it's a
 21 very difficult issue, and I appreciate your
 22 attention.

23 I'm the president of the Somerset Gables
 24 Parents' Association, so I've been living with
 25 this issue for over a year now. First off, I

1 want to say that I recognize the passion on
 2 both sides. It's intense, it's from the heart,
 3 because this issue impacts our daily life.

4 Having said that, I also want to thank our
 5 parents. Part of this process has exposed me
 6 to some of the finest people in our City, and
 7 they're in this room, and many of the names
 8 that you called tonight are not here because
 9 tomorrow is the last day of school, so I'm
 10 speaking on their behalf.

11 It's hard to summarize a year in three
 12 minutes, or two now, but I'll try. I've worked
 13 in architecture and urban planning for over 20
 14 years. I've looked at the City's Comp Plan,
 15 and I followed the City's analysis, line by
 16 line, and I agree with it. They're
 17 recommending the change in land use. Why?
 18 Because if you read it, it tells you verbatim
 19 that if you're going to locate a school and
 20 you're looking for new locations, you look next
 21 to community centers and you look next to
 22 libraries. And so therefore, UBC is the
 23 perfect location. So, if I were in your shoes,
 24 I would vote for approval of the change in land
 25 use and support the City Staff's

1 recommendation.

2 The rest, I think it's about the number. I

3 think you've heard it repeatedly. Like any

4 debate, like any issue, the answer is in the

5 middle, and, you know, I think your job and

6 your understanding of how to get to the middle

7 is critical here, and as you can see, the

8 parents are open to it. How do we get to the

9 middle? You know, Mr. Avino mentioned the

10 economic viability of two classes per grade,

11 pre-K3 through 8. You look at state standards

12 and, you know, you can do the math and figure

13 out that number. That's a great starting

14 point.

15 You know, I appreciated Mr. Gibbs' comment

16 in the opening about trying to fit a size 10

17 foot in a size 7 shoe. I would disagree. I

18 think it's actually a size 12 shoe, because

19 there are 30 existing classrooms in there that

20 are not currently being used, that can fit well

21 above whatever the middle that we all come up

22 with is, so -- but if you follow that logic and

23 it's a size 10 foot in a size 7 shoe, make it a

24 size 7 foot. I mean, let's figure it out.

25 Let's talk about it. We've done it. We've

1 out there.

2 But not only am I a parent and a neighbor.

3 I also work in the Gables. I'm a realtor for

4 Greater Miami Investments, located on Aragon

5 Avenue. It's been here for over 20 years. And

6 I -- in my professional opinion, I strongly

7 believe that this school is not going to

8 decrease the value of the homes directly

9 surrounding the area. On the contrary, I think

10 that a high-performance school such as Somerset

11 will be an added benefit to the community. It

12 will bring in young families that are looking

13 for a school like this.

14 Many of my friends -- I have young

15 children, I have four kids under the age of

16 four, so I will not be affecting the traffic,

17 either, but many of my friends have had issues

18 with getting into the other great schools, and

19 we're not taking away from the other schools.

20 Those schools are great schools, but

21 unfortunately, you see it over and over that

22 they do not get into these schools. So we do

23 need more options, and that being said, I also

24 want to address some of the issues that other

25 people have mentioned, that I've written down.

1 talked to the neighbors who are opposed. One

2 of the big conceptions is that this is parents

3 versus neighbors. It's not. You know, we're

4 all neighbors. There are so many neighbors who

5 are parents at our school, and you've heard

6 from some of them.

7 So, again, in closing, I appreciate your

8 consideration of this. I would respectfully

9 ask that you vote for the change in land use,

10 and let's -- you know, in your discussion and

11 debate about this, let's talk about the number.

12 CHAIRMAN AIZENSTAT: Thank you.

13 MR. ZAMEK: Thank you.

14 MS. MENENDEZ: Melissa Medina? And Sharon

15 Watson.

16 MS. MEDINA: Hello. My name is Melissa

17 Medina-Schnur, 2200 Segovia Circle. My son

18 Sebastian is finishing up his pre-K3 year

19 tomorrow. I think that my husband and I have

20 spoken a lot about the fact that this is one of

21 the best decisions we've made for our son. The

22 growth he has shown this year is amazing. The

23 teachers are phenomenal and the staff is

24 fantastic, and the educational program, I can't

25 say enough about, so I just wanted to get that

1 No, we don't have one playground in the

2 school; we have three. We had Field Day last

3 week in school. How could we have Field Day

4 without having an area for our kids?

5 I also don't know any parent, including

6 myself, that has parked in the Youth Center for

7 any event, any, and I believe that that sign

8 that you all are referring to about the parking

9 and the extra is for the UBC, maybe on Sundays,

10 but it's not from our school, from what I know.

11 And also, to the neighbor that spoke about

12 us not reaching out to them and not

13 compromising and speaking to them after the

14 last meeting, as far as I know -- and I wasn't

15 present, but as far as I know, the two sets

16 have spoken, and maybe you should talk to your

17 contacts on your side and ask them, because

18 there has been communication, so I think that's

19 very important. We just need to reach a

20 compromise, you know, and make this happen some

21 way. You guys are the professionals, we are

22 the parents, and we just need this school in

23 our neighborhood. I promise you, it will be

24 very positive for our community.

25 Thanks.

1 CHAIRMAN AIZENSTAT: Thank you.
 2 MS. WATSON: Good evening. My name is
 3 Sharon Watson. I live at 1122 Almeria Avenue,
 4 for the last 27 years. My husband John is a
 5 retired Major from the Coral Gables Police
 6 Department. I work for First United Methodist
 7 Church of Coral Gables. I'm the Region 3
 8 coordinator for Miami-Dade County Council
 9 PTA-PTSA. We have a long vested interest in
 10 the City of Coral Gables.

11 I join with those in opposition to the
 12 expansion of the charter school. My first
 13 point of reason would include the outstanding
 14 performing traditional public schools that we
 15 have in the City of Coral Gables and its
 16 immediate borders. Coral Gables Elementary, a
 17 longstanding A plus graded school, just
 18 received fourth grade writing FCAT scores that
 19 were the highest performing of all traditional,
 20 charter and magnet elementary schools in
 21 Miami-Dade County. They have this year
 22 expanded and became a K-8 center, as well.

23 Under-enrolled West Lab Elementary, an A
 24 school, Sunset Elementary, an A school, G.W.
 25 Carver Elementary, a B school, David Fairchild

1 Elementary, an A school, just across the street
 2 from Coral Gables, are all outstanding
 3 educational facilities.

4 People don't realize the educational gem
 5 that we have in Ponce de Leon Middle School, an
 6 A school for the last few years, and Coral
 7 Gables High School, that's become an A school,
 8 with an outstanding IB program. We have
 9 language and international studies, pre-IB,
 10 with Ponce, magnet language with G.W. Carver
 11 Middle, also an A school, and we have the
 12 brand-new International Studies Magnet High
 13 School that just opened last year in the City
 14 of Coral Gables.

15 We're sitting in a circle of educational
 16 Mecca, and parents have choice after choice of
 17 top-quality educational excellence, without the
 18 need of a large charter school.

19 Charter schools are not without purpose,
 20 and in some areas they can be of more need than
 21 we have in our own City Beautiful. There are
 22 reasons that Miami-Dade County Public Schools
 23 have facility requirements for their public
 24 school. Students need to experience things
 25 offered by a school library, a cafeteria, PE

1 field, appropriate sized and numbered bathrooms
 2 for large numbers on an ongoing daily basis,
 3 wide open hallways in which to flow movement,
 4 to stop and socialize.

5 Just because charter schools can operate
 6 without those requirements does not make many
 7 facilities the best choice for our children.

8 Then we have the impact on the
 9 neighborhood, the hardship that we'd put on the
 10 homeowners, taxpayers of the City of Coral
 11 Gables, that have long lived in their homes
 12 with expectation of quiet streets, strict
 13 zoning, City regulations that make the City of
 14 Coral Gables the desirable City that it is, to
 15 live, raise families, work, play and then
 16 retire in peace.

17 I can't imagine the impact of the traffic,
 18 noise, trash, parking and mess that would be
 19 thrust upon the neighborhood. As someone else
 20 already noted, those houses around Coral Gables
 21 High School, Ponce de Leon Middle School --
 22 those schools existed before the homes were
 23 there. Those homeowners had a choice in
 24 purchasing their homes around those schools,
 25 rather than a school being plopped in the

1 middle of the neighborhood.

2 I ask you to deny this request for the
 3 zoning and leave these neighbors to live in
 4 peace and support our excellent traditional
 5 public schools, available to anyone that lives
 6 in close proximity, certainly within the two
 7 miles of this charter school.

8 Please, also, do not forget that this
 9 charter school will take away student funding
 10 from our traditional public schools, already
 11 with budgets cut to the bone, and could
 12 ultimately affect the classroom performance and
 13 have an educational impact upon all those other
 14 students that attend school in the City of
 15 Coral Gables. Let's not harm our City schools
 16 any more than this already happened in the
 17 State of Florida this year.

18 Thank you.

19 CHAIRMAN AIZENSTAT: Thank you.
 20 MS. MENENDEZ: Margarita Rodriguez?
 21 Mark Smith?

22 MR. DOHENY: I'm sorry, I came in late, and
 23 I signed up to speak at the last hearing, last
 24 month, and I don't know if my name has been
 25 called or not.

1 UNIDENTIFIED WOMAN: It was.
 2 CHAIRMAN AIZENSTAT: If you will just go up
 3 to the secretary, she'll be able to --
 4 MS. MENENDEZ: Margarita Rodriguez?
 5 MS. SMITH: No, actually, my name is Laura
 6 Smith, and Mark Smith is my husband. He had to
 7 leave to take our sons home.
 8 I am speaking today -- My address is 810
 9 Milan Avenue. I am speaking today as a parent
 10 in support of Somerset Gables' expansion. My
 11 eight-year-old son is a second grader there
 12 until tomorrow. He attended Carver Elementary
 13 School because we didn't get into Gables
 14 Elementary or Sunset Elementary. He attended
 15 Carver for kindergarten and first grade.
 16 In kindergarten, he was in a wheelchair,
 17 because he had a broken leg. He was lost,
 18 wandering, they found him, from the cafeteria
 19 to his classroom, kindergarten, Carver
 20 Elementary.
 21 First grade, he was one of three gifted
 22 students in first grade. They had one computer
 23 in their classroom. It was broken. Yesterday
 24 my son was honored by receiving the accelerated
 25 reader award for second grade. He didn't take

1 Our home is almost a mile from the proposed
 2 school, and we would not be directly affected
 3 by the traffic impacts. We speak only as
 4 concerned citizens, who believe that a
 5 commercial school should not be forced into a
 6 residential neighborhood, against the
 7 overwhelming wishes of the residents of that
 8 neighborhood, and let's make no mistake,
 9 charter schools are not traditional public
 10 schools. They are for-profit businesses, which
 11 use public funds for private profit purposes.
 12 If there is any doubt about that, consider the
 13 words of Eric Fresen, the chief legislative
 14 spokesman for charter schools, and also a
 15 legislator -- that seems to me possibly a
 16 conflict of interest there, and an ethics
 17 issue, but Mr. Fresen doesn't seem to see it
 18 that way. But he was quoted in the Miami
 19 Herald on April 27th of 2011 as referring to,
 20 quote, the entire industry of charter schools.
 21 Mr. Fresen knows what he's talking about;
 22 charter schools are indeed big business, and
 23 should be treated as such by Coral Gables.
 24 But ladies and gentlemen, there's a larger
 25 issue in play here, even, than that. I came to

1 any accelerated reader courses or tests at
 2 Carver, because it didn't have it available.
 3 I am in strong support of this school.
 4 It's been a fabulous, fabulous addition to our
 5 family, and it has provided my son with an
 6 education that I only hope can be provided to
 7 my younger son. We moved to the Gables eight
 8 years ago because it was beautiful and full of
 9 warm and loving people. They fill the halls at
 10 Somerset Gables. My son is going to be a
 11 wonderful, wonderful citizen of this community,
 12 as will my younger, and I ask you to please
 13 vote in favor of the expansion.
 14 Thank you.
 15 CHAIRMAN AIZENSTAT: Thank you.
 16 MS. MENENDEZ: David Doheny?
 17 MR. DOHENY: Thank you. My name is David
 18 Doheny. My wife Tess and I live at 915 Alava
 19 Avenue. My name is spelled D-O-H-E-N-Y. We
 20 are homeowners, taxpayers and registered voters
 21 of Coral Gables, and have lived here for a
 22 dozen years. My wife went to high school here,
 23 more years ago than that.
 24 We're firmly opposed to these proposals.
 25 We have no personal axe to grind in the matter.

1 Miami in 1965. I have a minute to go? Yeah,
 2 thank you. I came to Miami in 1965, and
 3 practiced corporate law and was a state and
 4 federal prosecutor here until 1986, when we
 5 moved to Washington for a dozen years. The two
 6 decades we lived in Coconut Grove, we were
 7 eyewitnesses to and frequent opponents of the
 8 relentless commercial development that changed
 9 much of that leafy village into the concrete
 10 jungle of highrises we see today.
 11 When we came back here in 1999, we
 12 deliberately chose Coral Gables because of the
 13 strengths of its land use and zoning laws. Do
 14 not let the citizens down. Simply say no, and
 15 let the appeals go to the City of Coral Gables
 16 or wherever they may go from there.
 17 Thank you very much.
 18 CHAIRMAN AIZENSTAT: Thank you.
 19 MS. MENENDEZ: Kathleen Bowker?
 20 And Andrea Moscetti --
 21 MR. MOSCETTI: Moscetti.
 22 MS. MENENDEZ: Moscetti.
 23 MS. BOWKER: Good evening. My name is
 24 Kathleen Bowker. Good evening, Chairman and
 25 Members of the Board. Thank you. As others

1 have said, we appreciate having an opportunity
 2 to express our feelings on this issue.
 3 I approach this very differently than
 4 others, having heard you say that you'd rather
 5 we not repeat about the swales and other
 6 things. I am a retired teacher of 37 years. I
 7 am a native Miamian and a product of Dade
 8 County Schools and the State University System,
 9 of FSU. And to give you full disclosure, my
 10 husband was principal of Coral Gables
 11 Elementary for 20 years, and I am a supporter
 12 of public education.
 13 I want to thank all of the speakers here
 14 tonight, on both sides of the issues. I'm so,
 15 so impressed with the intelligence -- I guess
 16 it's the teacher in me -- with the intelligence
 17 in which all of you on both sides have
 18 expressed your opinions, and especially the two
 19 previous speakers to myself. I really
 20 appreciate the fact that you brought back the
 21 idea of, let's go back to school, and in my
 22 eyes, having had a visit today -- I visited
 23 Somerset Academy today, because I was on the
 24 fence, literally on the fence. I see the
 25 numbers that are produced by Somerset, as far

1 disheartening. Education should be in social
 2 areas, as well. Children should not meet
 3 people other than themselves when they are in
 4 middle or high school. They've got enough
 5 they're carrying then. They should learn at a
 6 young age how to get along with children unlike
 7 themselves, and I think this is a major part of
 8 education, and public schools have always been
 9 a basis of our country's democracy, and I hope
 10 that we will consider this beyond just the
 11 numbers and the possible sale of the property.
 12 There's more to be said. There's going to be
 13 quite a drain from our public school if, as was
 14 stated in the Herald some time ago, these
 15 schools are now the --
 16 CHAIRMAN AIZENSTAT: Ms. Bowker, if you
 17 could wrap it up, I'd appreciate it.
 18 MS. BOWKER: Yeah, I'm just saying, the
 19 last comment is, the Herald announced that the
 20 charter schools are the schools of the future,
 21 and this, to me, is very, very frightening for
 22 our country. Thank you.
 23 CHAIRMAN AIZENSTAT: Thank you.
 24 MR. MOSCETTI: Good evening. My name is
 25 Andrea Moscetti. I live at 743 Anastasia

1 as the academic performance of the students,
 2 and the problem I have with that is that
 3 education is not only the acquisition of
 4 information. Education, to me, through my
 5 experience -- just to give you an idea, I began
 6 teaching in '63. It was a totally different
 7 world, a totally different -- My home is
 8 totally different. I then went to schools
 9 through the imposed imposition of segregation.
 10 It's no surprise to anyone that schools have
 11 been -- for many years, have been the ones who
 12 have had to face social issues. They're thrust
 13 upon us, whether it's to feed the children, get
 14 them glasses or accomplish racial integration.
 15 This has always been a problem, and I
 16 experienced it completely in Coconut Grove,
 17 when I saw the white flight from the schools,
 18 by those parents who were able to do so, and I
 19 hate to say this, because I know there are many
 20 genuine people here, but I feel the same
 21 feeling of us and them, that many of the people
 22 who are choosing these schools for their
 23 children are because they feel that they are
 24 either superior or they need a superior
 25 program, and this, to me, is very, very

1 Avenue. I'm obviously in opposition of the
 2 proposed changes, and it's hard to find topics
 3 to cover after all these speakers.
 4 What I'd like to say is that we're not here
 5 tonight to discuss the quality of education at
 6 Somerset. It's really irrelevant, at least to
 7 me, and what we're trying to discuss here is
 8 the appropriateness of a change that is not
 9 going to have an impact just on a few blocks of
 10 the City, but it's going to have an impact
 11 throughout the City, and I think that that's
 12 something that needs to be taken into
 13 consideration very seriously. It's going to
 14 bring, as Mr. Gibbs said, something new into
 15 the Comprehensive Plan and the zoning that has
 16 never been seen before.
 17 Also, I would like to make a few comments
 18 on some things that I've heard tonight.
 19 Somebody said we should encourage a way of -- a
 20 civil way of speaking and talking to each
 21 other. It's something that, as neighbors, we
 22 always would like to have done from the
 23 beginning. We were never asked to, and we
 24 found ourselves forced and thrown into this
 25 predicament that has lasted over a year now,

1 and cost me personally, and many of us, money
2 and time, and just because nobody came to us to
3 talk to us.

1 I think that the capacity of other schools be
2 or not be greater, the fact that our schools
3 have over 20 children in the classrooms,
4 frequently -- my son's kindergarten did, that's
5 why we moved him -- is still relevant. More
6 choice, more opportunity for those kids to have
7 a great education is relevant, but almost
8 everyone who's spoken on behalf of Somerset has
9 told you what a great school it is, so I don't
10 want to go any further with that. It's a great
11 school. My son had a great first year.

4 And also, somebody said we should be --
5 should act as grown-ups, and I think we're all
6 grown-ups, and obviously, as grown-ups, we are
7 not going to be -- just do what somebody else
8 is telling us to do, out of -- out of, I don't
9 know how to say -- sorry, I'm missing the
10 word -- and just because somebody is going to
11 tell us to do something. We're going to
12 obviously want to be engaged and have a way to
13 say our -- our -- our side of the story, and
14 also, the last thing that I want to add is that
15 if this thing, this change, actually is
16 implemented, why should other schools in our
17 neighborhood, like St. Philip's or Granada
18 Presbyterian, should be capped to the actual
19 number there? They tried to expand before,
20 they were denied expansion, and by opening this
21 opportunity now, they should have the same
22 right to grow in number and offer more
23 opportunity to other people who want to attend
24 the school.

12 What I'd like to address briefly is the
13 nature of the arguments in opposition, and I
14 think that's relevant, as well. I mean, the
15 whole conversation has to be framed in the
16 question, is this a good thing for our greater
17 community? In any given change, or most
18 change, there have to be those who do not get
19 what they want and those who do, but the
20 arguments against tend to consist almost
21 completely of maybes and things that might
22 happen bad. Just as a few examples, allowing
23 Somerset would open the door for other people
24 to try to change their schools. How is that
25 relevant to Somerset? Are we setting a legal

25 Thank you.

1 CHAIRMAN AIZENSTAT: Thank you.
2 MS. MENENDEZ: The last two speakers, David
3 Pike and Patricia Maragliano.

1 precedent here, or are we simply taking a
2 specific event and deciding whether or not a
3 good or bad thing is done by the community? I
4 think we are not setting a precedent. We are
5 deciding, one case at a time, what is good for
6 the community. It will be your jobs to make
7 sure somebody doesn't do something bad, because
8 if you vote for this, you've chosen to allow
9 something good to occur.

4 MR. PIKE: Good evening. Don't let the
5 book scare you. It's just a couple things. My
6 name is David Pike. I live at 712 Zamora
7 Avenue. I'm the owner of a small business
8 employer, a school for autistic children here
9 in Coral Gables. My wife and I started the
10 school -- well, started the process of starting
11 the school a couple of years ago, after many,
12 many years of the battle to find good
13 opportunities for our now nine-year-old
14 autistic son.

10 People have talked about the use of the
11 public park across the street. Someone
12 mentioned that there are no playgrounds at the
13 church. I'm a member of the church, and there
14 are three playgrounds in the church, but having
15 said that, is public youth using the public
16 Youth Center really such a bad thing? Is that
17 the kind of thing we're going to hinge this on?

15 I have another son who is, as of yesterday,
16 seven years old, just graduated from the first
17 grade at Somerset Academy. He went to David
18 Fairchild for kindergarten. I'm a member of
19 the UBC church, and a 12-year resident of Coral
20 Gables.

19 We've talked about the original charter
20 only allowing 110 students, and the charter's
21 design is to keep us from allowing -- to put up
22 an automatic barrier against bad things
23 happening. Your job is to decide whether or
24 not that charter, moment by moment by moment,
25 is serving us, and whether or not it's serving
us in this moment.

21 I think that the value of Somerset Academy
22 as a school, the quality of the school, is
23 exceptionally relevant to this conversation. I
24 think opportunities for choice for the parents
25 is exceptionally relevant to this conversation.

1 So I will wrap up from that. There's a
2 whole bunch more, but they are all maybes that
3 might go bad, nothing that will. And something
4 certainly will go good if the school is allowed
5 to expand, and that's more children will get an
6 education like my son got last year.

7 Thank you.

8 CHAIRMAN AIZENSTAT: Thank you.

9 MS. MARAGLIANO: I'm going to be the last
10 one. My name is Patricia Maragliano. I live
11 on 3635 Riviera Court, and I'm here to talk on
12 behalf of my daughter. I walk her to school
13 every day. I'm sorry --

14 Her two best friends are my neighbors, and
15 they go to different schools. We all applied
16 to kinder together, and we applied to five
17 schools, in the same order, in our heads. We
18 didn't get any of them. We got the fifth one,
19 and it wasn't a good choice for us.

20 My daughter told me to come here and tell
21 you that she wants to go to school with her
22 friends, and the problem is, they are renting
23 their houses and they cannot get the school
24 they want. They're moving to Pinecrest.

25 So keep the kids together and help us.

1 preemptive statute allowed for the school to
2 exist in this location, subject to the zoning.
3 The subject to the zoning was the number of
4 students.

5 It was said in numerous occasions, both at
6 the City Commission meeting and in court
7 proceedings, that in order to obtain an
8 increase in enrollment, there was a process
9 that needed to go through. In fact, it was
10 quoted as being a process that would take four
11 months, in the court hearing. The process
12 involved the change in land use and a
13 conditional use site plan review. And in fact,
14 it was stated that there had been so much
15 documentation presented, and so much review
16 done, that in fact it would be a simple
17 process -- not -- excuse me, not a simple
18 process, but a timely process, because so much
19 information had been provided, and I can tell
20 you that I was part of the process in following
21 what the City Attorney had recommended, which
22 was to request a change in land use and a
23 conditional use site plan -- associated site
24 plan application to increase the enrollment and
25 allow Somerset Academy to increase its

1 Help us find a midway. I love my neighbors,
2 and that was my daughter's message.

3 Thank you.

4 CHAIRMAN AIZENSTAT: Thank you.

5 And with that, we -- There's no more
6 speakers, Jill?

7 MS. MENENDEZ: No.

8 CHAIRMAN AIZENSTAT: With that, we'll go
9 ahead and -- Go ahead, Ms. Russo. Do you want
10 to make a rebuttal?

11 MS. RUSSO: Good evening, Mr. Chairman,
12 Members of the Board. For the record, Laura
13 Russo, with offices at 2655 LeJeune Road.

14 I'm here this evening as attorney for
15 Somerset Academy. There were so many points
16 raised in today's meeting that I don't know
17 where to start in our rebuttal, but I do want
18 to cover a couple of things that I think are
19 important.

20 First of all, I want to dispel any concept
21 that the school is running illegally. The
22 certificate of use was issued by the City of
23 Coral Gables. It was issued by the prior -- It
24 was issued based on an opinion given by the
25 prior City Attorney, that in her opinion the

1 enrollment at the current UBC location.

2 That application was filed in July of last
3 year. We have tried very hard to get before
4 what we hope will be, at our next meeting, the
5 discussion and the debate of the issues that
6 have been raised and presented here. If you
7 listen to Mr. Gibbs' argument -- and he's a
8 respected colleague, and he and I have been on
9 both sides of the issue, both together,
10 representing schools, and opposed to each
11 other, representing schools -- he knows that
12 covenants, there can be requests to change
13 covenants, and the covenant question as was
14 stated before was a covenant that was given in
15 consideration of attaching buildings that do
16 not longer exist, that were in fact never
17 attached. He knows that there's a process to
18 request a release of covenants. He also knows
19 the ordinances can be changed.

20 We are here trying to go through a process.
21 We're not here trying to thwart a process, to
22 do anything that's not appropriate.

23 With respect to whether or not municipal
24 jails can be done here, the current zoning does
25 not allow for municipal jails. There would

1 have to be legislation passed by the City
 2 Commission to allow jails. That's a scare
 3 tactic, to scare you. Society changes.
 4 Thirty-three years ago, UBC had a need for a
 5 pre-K program that allowed for 110 students.
 6 Somerset has requested that their enrollment,
 7 that is currently allowed at 110, be increased,
 8 and we're here, going through this process.
 9 We submitted a traffic report and a traffic
 10 study, and what's interesting is that the
 11 actual elements of the traffic study and the
 12 accumulation assessment were based on one
 13 criteria established by Dade County, and the
 14 traffic impact study was a study that was
 15 requested by the Public Works Department at our
 16 Development Review Committee. So this isn't
 17 stuff that we just thought would be a good
 18 idea, we would just make up. They set the
 19 parameters. The City of Coral Gables set the
 20 parameters for the traffic impact study, and if
 21 they wanted more information or needed more
 22 information, we were always willing and have
 23 provided the additional information they
 24 wanted.
 25 The parties -- the applicant, Somerset, has

1 that both uses can work compatibly? We chose
 2 the land use of Community Facilities because
 3 it's the only one that would currently allow
 4 the uses that are going on there now, the
 5 church's religious use, the educational use,
 6 which is a public school use, because a charter
 7 school is a public school, and the City's
 8 senior center.
 9 What's interesting here is that none of
 10 this debate came up when the City decided that
 11 it wanted to put its senior center there. It
 12 violated the zoning, it violated the covenants,
 13 it violated the ordinance. It violated the
 14 underlying land use. But that never seemed to
 15 have been a discussion. So this particular
 16 land use would allow the City's senior center
 17 to continue there for as long as the City wants
 18 it there.
 19 I know that the City is also considering
 20 building a senior center in another location,
 21 which will open up facilities and allow for
 22 less traffic from the senior center, and could
 23 be something that could be looked at in
 24 consideration for the enrollment request for
 25 the school.

1 been involved with the County and working with
 2 the County, who has looked at the models, the
 3 surrogate school that was chosen and the
 4 interpretations that were done by Mr. Garcia,
 5 and in fact received comments verbally from the
 6 City of Coral Gables regarding the City's
 7 consultants' analysis and interpretation of the
 8 other data. We have had this exchange. I wish
 9 we could have this exchange with the City.
 10 Those of you who know me know I've represented
 11 public schools, private schools, religious
 12 schools. I've represented many schools in the
 13 City of Coral Gables, and there normally has
 14 been a more open exchange, in trying to
 15 establish the parameters both for operation,
 16 for use and for concerning care for the
 17 neighborhood.
 18 If you look at the map of the City of Coral
 19 Gables, the comprehensive future land use map,
 20 you will see that almost every single school
 21 and almost every single church exists in a
 22 single-family residential neighborhood, and
 23 that is not just in the United States, but
 24 across the country (sic).
 25 The question is, how do you make it work so

1 And I also think it's important to state
 2 that this is an educational option. It's not
 3 meant to be anti the traditional public
 4 schools. It's not meant to be anti private
 5 schools or anti religious schools. It's
 6 offering another educational option for the
 7 Coral Gables residents and the communities, and
 8 Somerset would like this to be the shining star
 9 of its Somerset Academy schools, and we
 10 respectfully request that you grant the change
 11 in land use application and our conditional use
 12 and our associated site plan review
 13 applications for the increased enrollment, and
 14 we look forward to the continued debate and
 15 discussion at next week's meeting.
 16 Thank you.
 17 CHAIRMAN AIZENSTAT: Thank you.
 18 Now, we are at 8:55. We are either
 19 supposed to adjourn at 9:00, unless there's a
 20 motion to continue this, and I'd like to just
 21 poll the Board.
 22 Would anybody like to make a motion to
 23 continue this past nine o'clock, for discussion
 24 or any comments?
 25 MS. KEON: Okay, I'll make the motion, so

1 we can discuss it. I'll make the motion that
 2 we move beyond nine o'clock.
 3 CHAIRMAN AIZENSTAT: Is there a second?
 4 MR. BEHAR: Mr. Chairman, you know, I think
 5 this is going to take more five minutes, 10
 6 minutes, 20 minutes. I think this is a process
 7 that we have to give it the correct amount of
 8 time. I don't think that we're prepared or I'm
 9 prepared to stay here another hour, hour and a
 10 half to do this correctly. I think we should
 11 adjourn and reconvene next week and take this
 12 matter correctly.
 13 MS. KEON: But what I wanted to know -- I
 14 made a motion so that we would have a
 15 discussion. I want to know -- the discussion
 16 is, who else has to speak other than for us?
 17 We closed the public hearing. They have given
 18 their rebuttal. Who else will speak?
 19 MR. SALMAN: That's it.
 20 MS. KEON: Not --
 21 CHAIRMAN AIZENSTAT: It is --
 22 MR. SALMAN: Except for us.
 23 CHAIRMAN AIZENSTAT: It's up to us.
 24 MS. KEON: Is anybody else --
 25 MR. BEHAR: It's up to now.

1 CHAIRMAN AIZENSTAT: Everybody got that?
 2 Okay, it's not going to be here. So, if you
 3 come here and it's empty, that doesn't mean
 4 less people came. It means you're in the wrong
 5 place. Okay, we're going to go over to City
 6 Commission Chambers.
 7 MR. RIEL: Mr. Chair, I will need a motion
 8 and a second.
 9 CHAIRMAN AIZENSTAT: Is there a motion to
 10 continue this meeting to June 15th?
 11 MR. BEHAR: I make a motion to continue it
 12 to June 15th, at six o'clock.
 13 CHAIRMAN AIZENSTAT: Is there a --
 14 MR. FLANAGAN: Second.
 15 CHAIRMAN AIZENSTAT: Is there a second?
 16 MR. FLANAGAN: Second.
 17 MR. SALMAN: I have a conflict on that day.
 18 I don't know if I can change it.
 19 CHAIRMAN AIZENSTAT: Say that again?
 20 MR. SALMAN: I have a conflict on that
 21 date. I may have to -- Is there a possibility
 22 we could change it?
 23 CHAIRMAN AIZENSTAT: Mr. Riel?
 24 MR. RIEL: I'm sorry, what was it?
 25 MR. SALMAN: I have a conflict on that

1 MS. KEON: Is anybody else going to --
 2 MR. BEHAR: The public hearing has been
 3 closed.
 4 MS. KEON: The public hearing has been
 5 closed. Laura Russo has given her rebuttal.
 6 Is there any other professionals that are to
 7 speak? It is now our discussion; is that
 8 right?
 9 CHAIRMAN AIZENSTAT: That is correct.
 10 MS. KEON: Okay.
 11 CHAIRMAN AIZENSTAT: So nobody makes a
 12 motion?
 13 MS. KEON: No.
 14 MR. BEHAR: Nobody seconded the motion.
 15 MR. SALMAN: Do you want to withdraw it?
 16 MS. KEON: I'll withdraw the motion.
 17 CHAIRMAN AIZENSTAT: You'll withdraw the
 18 motion?
 19 MS. KEON: Yes.
 20 CHAIRMAN AIZENSTAT: Now, Eric, we have a
 21 time certain for the next meeting?
 22 MR. RIEL: Yes. What I suggest the Board
 23 do is continue these proceedings to June 15th,
 24 6:00 p.m. It will be in the City Commission
 25 Chambers at City Hall, 405 Biltmore Way.

1 date. I don't know if I can change it.
 2 MR. RIEL: Okay. Well, it's up to the
 3 Board, whatever you would like to do. Staff is
 4 certainly ready on the 15th. You know, we have
 5 canvassed the Board. You're also available on
 6 the 22nd. The options after that is to go to
 7 the July 13th meeting.
 8 MR. FLANAGAN: Mr. Chairman, I think
 9 counsel --
 10 MR. GIBBS: Mr. Chairman?
 11 CHAIRMAN AIZENSTAT: Yes.
 12 MR. GIBBS: I have a conflict. I have a
 13 hearing at the City of Miami.
 14 CHAIRMAN AIZENSTAT: On June 15th?
 15 MR. GIBBS: On June -- Yes, next Wednesday.
 16 MS. KEON: The 22nd?
 17 CHAIRMAN AIZENSTAT: So, then, if you have
 18 a conflict on the 15th, that means we would try
 19 to move it to the 22nd, because I feel it is
 20 important for you to be here.
 21 MR. GIBBS: Let me just double-check.
 22 CHAIRMAN AIZENSTAT: The problem that we
 23 get into, then, if not, we've got to postpone
 24 this or we've got to continue this on July
 25 13th, because the dates -- the dates that we

1 have are the 15th or the 22nd. Those are the
 2 Wednesdays, from what I understand from the
 3 City.
 4 MR. RIEL: We've contacted each of the
 5 Board members, and based upon that, most of the
 6 Board was available. But obviously now we have
 7 a conflict with the 15th, so --
 8 CHAIRMAN AIZENSTAT: Mr. Gibbs?
 9 MR. GIBBS: Yes.
 10 CHAIRMAN AIZENSTAT: Your conflict on the
 11 15th that you have is during the day or do you
 12 expect to --
 13 MR. GIBBS: In the evening. I just want to
 14 double-check, but my understanding is, it's the
 15 evening.
 16 On the 15th, seven o'clock p.m. City of
 17 Miami Planning and Zoning Board, Brickell City
 18 Center, a big project, the biggest project in
 19 the City of Miami, ever, I think.
 20 MR. BEHAR: Mr. Gibbs, I --
 21 MS. RUSSO: I would respectfully request
 22 that it not go beyond June 22nd. For those of
 23 you who know, this meeting has been postponed,
 24 even our Planning and Zoning Board meetings
 25 have been postponed. I mean, my application

1 22nd. Whether he's here or not doesn't matter.
 2 MR. GIBBS: I understand. I understand and
 3 accept that.
 4 MS. RUSSO: Okay. Thank you.
 5 MR. LEEN: We have a pending motion on the
 6 15th.
 7 CHAIRMAN AIZENSTAT: Yes.
 8 MR. LEEN: So it needs to be amended --
 9 CHAIRMAN AIZENSTAT: Do I hear a motion
 10 to --
 11 MR. LEEN: -- or withdrawn.
 12 CHAIRMAN AIZENSTAT: Actually, can we
 13 withdraw the motion to continue it?
 14 MR. BEHAR: I'll withdraw the motion, and
 15 make a motion to continue on the 22nd.
 16 MR. SALMAN: I second the motion.
 17 CHAIRMAN AIZENSTAT: Second the motion.
 18 Call the roll, please.
 19 MS. MENENDEZ: Jeff Flanagan?
 20 MR. FLANAGAN: Yes.
 21 MS. MENENDEZ: Julio Grabiell?
 22 MR. GRABIEL: Yes.
 23 MS. MENENDEZ: Pat Keon?
 24 MS. KEON: Yes.
 25 MS. MENENDEZ: Javier Salman?

1 was filed July 30th, and the first -- I mean,
 2 if this continues, this is just -- We need this
 3 meeting to continue. We have the momentum. To
 4 allow too much time to lapse is unfair to the
 5 applicant, to the children, to the future
 6 children, and just to the process itself.
 7 CHAIRMAN AIZENSTAT: How is the Board with
 8 the 22nd of June?
 9 MS. KEON: I'm okay.
 10 MR. SALMAN: Okay.
 11 CHAIRMAN AIZENSTAT: Is there anybody on
 12 the Board that is not able to make it on June
 13 22nd?
 14 Mr. Gibbs, you're okay?
 15 MR. GIBBS: Fine.
 16 CHAIRMAN AIZENSTAT: Ms. Russo?
 17 MS. RUSSO: I'm fine on the 22nd.
 18 So, even if you're continued from the Miami
 19 City Planning Board, you have to choose
 20 which --
 21 MR. BEHAR: No, absolutely correct. If
 22 it's continued --
 23 MS. RUSSO: He has to choose --
 24 MR. BEHAR: He'll be out. He will be out.
 25 We'll give him the courtesy to put it on the

1 MR. SALMAN: Yes.
 2 MS. MENENDEZ: Robert Behar?
 3 MR. BEHAR: Yes.
 4 MS. MENENDEZ: Eibi Aizenstat?
 5 CHAIRMAN AIZENSTAT: Yes.
 6 Okay, thank you very much, and please
 7 remember, it's over at Commission Chambers, on
 8 the second floor of City Hall, at six o'clock
 9 on June 22nd. Thank you.
 10 (Thereupon, the meeting was adjourned at
 11 9:05 p.m.)
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CERTIFICATE

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

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

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

DATED this 13th day of June, 2011.

SIGNED COPY ON FILE

JOAN L. BAILEY, RDR, FPR

Notary Commission Number DD 64037
Expiration June 14, 2014.