

City of Coral Gables
Local Planning Agency (LPA)/Planning and Zoning Board Meeting
Wednesday, July 11, 2012, 6:03 p.m.
Coral Gables City Commission Chambers
405 Biltmore Way, Coral Gables, Florida

MEMBERS	J11	F15	M26	A24	M9	J13	J11	A8	S12	O10	APPOINTMENT
	'12	'12	'12	'12	'12	'12	'12	'12	'12	'12	
Eibi Aizenstat - Chair	C	P	P	P	C	P	E				City Manager Patrick Salerno
Robert Behar	C	P	P	P	C	P	P				Commissioner Rafael Cabrera, Jr.
Jeffrey Flanagan - Vice Chair	C	P	P	P	C	P	P				Commissioner Maria Anderson
Julio Grabiell	C	P	P	P	C	P	P				Mayor Jim Cason
Pat Keon	C	P	P	E	C	P	E				Planning and Zoning Board
Vince Lago	C	P	P	P	C	P	P				Commissioner Frank C. Quesada
Javier Salman	C	P	P	P	C	P	P				Vice Mayor William H. Kerdyk, Jr.

P = Present
E = Excused
C = Meeting Cancelled

City Staff and Consultants:

Eric Riel, Jr., Planning Director
Walter Carlson, Asst. Planning Director
Jill Menendez, Adm. Assistant
Craig E. Leen, City Attorney
Jane Tompkins, Development Services Director
Cindy Birdsill, Economic Sustainability Director
Glenn Kephart, Public Works Director
Kevin Kinney, Parking Director

Court Reporter:

Joan Bailey

Attachments:

- A. 07 11 12 Planning and Zoning Board Meeting Verbatim Minutes
- B. Public Comment received by Richard Namon
- C. Form 8B, Voting Conflict filed by Robert Behar

2012 JUL 16 AM 8:19

CITY OF CORAL GABLES
LOCAL PLANNING AGENCY
PLANNING AND ZONING BOARD MEETING
VERBATIM TRANSCRIPT
CORAL GABLES CITY HALL
405 BILTMORE WAY, COMMISSION CHAMBERS
CORAL GABLES, FLORIDA
WEDNESDAY, JULY 11, 2012, COMMENCING AT 6:03 P.M.

- 6 Board Members Present:
- 7 Jeffrey Flanagan, Vice Chairperson
- 8 Julio Grabiell
- 9 Vicente "Vince" Lago
- 10 Javier Salman
- 11 City Staff and Consultants:
- 12 Eric Riel, Jr., Planning Director
- 13 Walter Carlson, Assistant Planning Director
- 14 Craig E. Leen, City Attorney
- 15 Jill Menendez, Administrative Assistant
- 16 Jane Tompkins, Development Director
- 17 Glenn Kephart, Public Works Director
- 18 Kevin Kinney, Parking Director
- 19 Cynthia Birdsill, Economic Sustainability Director
- 20 Others Participating in Proceedings:
- 21 Mario Garcia-Serra, Esq.
- 22 Greenberg Traurig
- 23 On behalf of the Applicant, 4111 LeJeune, LLC
- 24 Javier Font
- 25 Behar Font & Partners
- Henry Torres
- 4111 LeJeune, LLC
- Philip Parenteau, Project Manager
- Karl Peterson, Project Traffic Engineer
- Public Speakers:
- Philip Rinaldi
- Dolly MacIntyre

MS. MENENDEZ: Javier Salman?

VICE CHAIRMAN FLANAGAN: Okay.

MR. SALMAN: Yes.

MS. MENENDEZ: Vince Lago?

MR. LAGO: Yes.

MS. MENENDEZ: Julio Grabiell?

MR. GRABIEL: Yes.

MS. MENENDEZ: Jeff Flanagan?

VICE CHAIRMAN FLANAGAN: Yes.

The next item on the agenda is a Resolution of the City Commission of Coral Gables requesting mixed-use site plan review pursuant to Zoning Code Article 4, Division 2, "Mixed Use District," for the construction of a mixed-use project referred to as "Merrick Manor" on the property legally described as Lots 13 to 36, Block 1, and a portion of the alley, Industrial Section, known as 4111 LeJeune Road, Coral Gables, Florida, including required conditions; providing for an effective date.

I think, as we start the public hearing, do we swear in any --

MR. RIEL: Mr. Chair, Items 5 and 6, although they're listed as separate items,

THEREUPON:

The following proceedings were had:

VICE CHAIRMAN FLANAGAN: I'd like to call the meeting to order.

MS. MENENDEZ: Robert Behar?

Jeff Flanagan?

VICE CHAIRMAN FLANAGAN: Here.

MS. MENENDEZ: Julio Grabiell?

MR. GRABIEL: Here.

MS. MENENDEZ: Pat Keon?

Vince Lago?

MR. LAGO: Here.

MS. MENENDEZ: Javier Salman?

MR. SALMAN: Here.

MS. MENENDEZ: Eibi Aizenstat?

VICE CHAIRMAN FLANAGAN: Thank you.

The first -- or, actually, second item on tonight's agenda is approval of the minutes, if everybody's had a chance to read them, if there's any changes or comments. No?

MR. SALMAN: So moved.

MR. GRABIEL: Second.

VICE CHAIRMAN FLANAGAN: A motion and a second for the minutes. Jill, do we call that or do we just --

there will be one presentation on those, so you might want to read both of those into the record.

VICE CHAIRMAN FLANAGAN: Okay. We'll read the second one in. It's an Ordinance of the City Commission of Coral Gables requesting abandonment and vacation of a public alleyway pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations," providing for the abandonment and vacation of a south portion of the 20-foot alley bisecting Block 1, and the dedication of a public easement on a portion of Lots 13, 14, and 29 to 33, Block 1, Industrial Section, Coral Gables, Florida; providing for severability, repealer, codification and an effective date.

MR. RIEL: Yes, Mr. Chair, the order of business is the swearing in of the interested parties, and then the applicant will do a presentation. Planning Staff will then do a presentation, and then we'll secure public comments, and then public comments will close, the Board will have their discussion and deliberation, and then, as applicable, a motion and a vote.

1 VICE CHAIRMAN FLANAGAN: Okay, thank you.
 2 Anybody planning to testify regarding this
 3 application or these applications, if they
 4 could please stand and be sworn.
 5 (Thereupon, all who were to testify were
 6 duly sworn by the court reporter.)
 7 VICE CHAIRMAN FLANAGAN: Thank you.
 8 All right.
 9 (Thereupon, Mr. Rinaldi was duly sworn by
 10 the court reporter.)
 11 VICE CHAIRMAN FLANAGAN: Okay.
 12 MR. GARCIA-SERRA: Good evening, Mr. Chair,
 13 Members of the Board. Mario Garcia-Serra, with
 14 offices at 333 Southeast Second Avenue,
 15 representing, this evening, 4111 LeJeune, LLC,
 16 which is the applicant and also the owner of
 17 the properties indicated in yellow on this
 18 aerial photograph over here.
 19 One thing that I want to point out is that
 20 since submittal of the application and tonight,
 21 4111 LeJeune has closed on the purchase of all
 22 those properties there in yellow. So MCI
 23 Laguna, which was indicated in the original
 24 application, is no longer a party to the
 25 application, since they're no longer the owner

1 the Mixed Use District.
 2 The site itself is within the City's Mixed
 3 Use Overlay District, which permits a mix of
 4 residential and commercial uses in one
 5 building, a maximum height of 77 feet on
 6 LeJeune, and a hundred feet in the area of the
 7 property fronting Laguna Avenue.
 8 The proposed building, the actual building
 9 itself, is proposed at a height of 72 feet
 10 along LeJeune, which you can tell in the
 11 rendering that's on the left side there, and a
 12 hundred feet in height along Laguna Avenue,
 13 with a proposed 180 residential rental units,
 14 amenities, and ground floor retail space.
 15 The two requests which are before you
 16 tonight are for a mixed-use site plan review
 17 and a partial vacation of the alley. Please
 18 note that as part of the alley vacation
 19 process, we are proposing to grant an easement
 20 for public access through and under the
 21 building so that there will be continued
 22 ingress and egress to the alley from both of
 23 its ends.
 24 Let me approach this photograph so as to
 25 describe it a little bit better for you.

1 of the property. We're now fee simple owner of
 2 all these properties in yellow.
 3 And let me introduce the rest of the team.
 4 I'm accompanied here tonight by the principal
 5 of 4111 LeJeune, Henry Torres, who's right over
 6 here; his project manager, Phil Parenteau,
 7 sitting right next to him; Javier Font, our
 8 project architect, which is right over there;
 9 as well as Karl Peterson, our project traffic
 10 engineer.
 11 This project is unique in that it also
 12 involves a proposed land swap with the City,
 13 whereby my client would be acquiring the
 14 property that you see there outlined in green
 15 right now, which is the City's municipal
 16 trolley facility. The idea will be to swap
 17 that property for another property and a new
 18 trolley building, which my client would
 19 construct for the City, thereby unifying the
 20 sites in yellow with the site in green, and
 21 also, as part of our proposal, vacating the
 22 alley that bisects it, so you can unify it into
 23 one building site, where you can build a
 24 project that makes more sense and is more
 25 consistent with what the City is looking for in

1 Is this working? Can you hear?
 2 As you can tell right here, the alley right
 3 now runs in this direction, and what we're
 4 proposing to do is vacate the alley from this
 5 point on down south, so as to unify the
 6 building site. We are then proposing this
 7 easement to be dedicated to the public, which
 8 would run through and under the building at a
 9 height of 15 feet, so that cars that are still
 10 using the alley for purposes of either this
 11 building or this building here, which is where
 12 the little restaurant is, could still go down
 13 the alley and exit through here.
 14 There's also another proposed
 15 reconfiguration of this alley taking place for
 16 the Chase Bank project, which I think
 17 previously came to this Board at another point
 18 in time --
 19 (Thereupon, Mr. Behar entered and then left
 20 the Commission Chambers.)
 21 MR. GARCIA-SERRA: -- and they're proposing
 22 to do a land swap with the City whereby this
 23 property here would be acquired by the City,
 24 the bank would take this property, part of the
 25 alleyway, and so the new reconfigured alley

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1 would look something like this.

2 VICE CHAIRMAN FLANAGAN: Mr. Garcia-Serra,

3 one moment. Sorry.

4 (Pause in the proceedings)

5 VICE CHAIRMAN FLANAGAN: If that was going

6 to be -- If that was going to be quick, I would

7 have waited, but go ahead.

8 MR. GARCIA-SERRA: Okay.

9 VICE CHAIRMAN FLANAGAN: Sorry about that.

10 MR. GARCIA-SERRA: And so the new

11 reconfigured alley would look something like

12 this, permitting access into and out of the

13 alley by both ends and go down.

14 Sure.

15 At this point, I will defer to Javier Font,

16 our architect, so he can do a presentation on

17 the architectural plans.

18 (Inaudible discussion off the record)

19 VICE CHAIRMAN FLANAGAN: Let me just

20 announce, for the record, that Robert Behar was

21 here, but he has recused himself from the

22 meeting and he has left.

23 MR. RIEL: And just for a matter of record,

24 he filed the appropriate form, indicating the

25 conflict, as well, and it's in the record.

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1 MR. LEEN: And also, for the record, Mr.

2 Behar informed me that he thought there was

3 another item before this, which is why he had

4 come, but once he realized that this was the

5 only item, he left immediately.

6 MR. FONT: Good evening. Javier Font,

7 Behar Font & Partners, 4533 Ponce de Leon

8 Boulevard. I'll do a brief presentation of the

9 project, so if you have any questions or need

10 any additional information, please feel free to

11 ask.

12 The site is about a 65,000 square foot site

13 that fronts on LeJeune, Altara and Laguna. It

14 is -- it will be developed as a mixed-use

15 project, with retail and office on the ground

16 floor, and then 180 residential units.

17 The idea is a seven-story building along

18 the LeJeune piece, at about 72 feet in height,

19 and a ten-story building on the rear piece, at

20 about a hundred feet in height.

21 One thing that is important to point out on

22 the project is that we are not asking for any

23 variances. We are completely as-of-right.

24 We're basically working within the Code, and

25 have been working with Staff for quite a while

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1 to get this project to be that way.

2 The ground floor, as I said, you're lining

3 three streets, so what we've done is, there's

4 retail, office, all along LeJeune, a small

5 plaza area that leads you to a paseo that takes

6 you through the block. There's a nice corner

7 feature, on the corner of Altara. Our main

8 entrance to our lobby will be on Altara, so

9 it's centered on our building, with our lobby

10 features fronting on the street, as well, and

11 then the retail component, once again, turns

12 this corner and continues down for that block,

13 an arcade that basically takes you around the

14 entire parcel and brings you back over onto the

15 Laguna side.

16 So, from a pedestrian point of view, we've

17 addressed every streetfront. We've created a

18 covered walkway for 90 percent of the site.

19 There's a couple broken pieces for

20 architectural purposes, but it's a great

21 pedestrian feel as you're on the street.

22 There's three floors of parking above the

23 building -- above the ground floor. One of the

24 interesting things that we've been able to

25 accomplish in the building is that we've lined

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1 Altara and Laguna with units, so the only

2 facade that you actually can get a peek of

3 parking at is on the LeJeune side, and

4 obviously, that's been treated in a way that

5 you can't see the cars and such, but if you

6 look at the building from the Altara and Laguna

7 side, for the entire elevation of the building,

8 you see either the retail component or

9 residential component. You never see a parking

10 component for those.

11 There is -- On the fifth floor of the

12 building is our first full residential level.

13 We'll have some of the multi-purpose rooms at

14 that level and we'll have an entire floor of

15 residential units, and that will happen from

16 five to seven, all typical floors, and then the

17 last three floors on the Laguna side of the

18 building are basically half floors, and they're

19 completely residential, as well. So you'll end

20 up with a seven-story building on the front, a

21 ten-story building in the back, so we kind of

22 step down into the residential component, and

23 then we will match what will happen, or is

24 happening, in the Merrick Park area.

25 If you have any questions, I'd be happy to

1 address them.
 2 MR. GARCIA-SERRA: One thing I would like
 3 to add, for the benefit of the Board, is that
 4 aside from the improvements that are occurring
 5 on site, we have also agreed to certain
 6 off-site improvements. In particular, this
 7 northeast corner, at the intersection of Laguna
 8 and Altara, will be improved with streetscape
 9 improvements. We have also agreed to install
 10 underground utilities, not only on the site
 11 itself, which all utilities abutting the site
 12 will be installed underground, but utilities
 13 will also be installed underground for this
 14 stretch of Altara coming from the boundary of
 15 this project down to the corner that's at the
 16 intersection here of the alley, with the
 17 sidewalk on the side of Altara, which is also
 18 the point at which the underground utilities
 19 for the Village of -- for One Village Place, of
 20 Roger Development, are located. So we've
 21 created a continuous stretch of underground
 22 utilities along this stretch of Altara, and
 23 then this street over here.
 24 You know, in closing, gentlemen, this is a
 25 win-win situation by which my client is able to

1 that -- from this report, versus what you
 2 received in your packet, reflects clarification
 3 and verification of the on-street -- loss of
 4 on-street parking spaces. We went out and
 5 verified the number. So that's one change, and
 6 the other change is the reference to the
 7 traffic study report, which is one of the
 8 conditions of approval. The incorrect
 9 reference to traffic report was indicated, so
 10 we have clarified that and provided the correct
 11 report.
 12 Just very briefly, mixed-use projects are a
 13 conditional use review, and they basically only
 14 require one public hearing review before the
 15 Commission. However, since there's an
 16 abandonment and vacation, that's done in
 17 ordinance form, and that is done through two
 18 hearings. So, depending on the Board's actions
 19 this evening, this will be scheduled for two
 20 hearings before the City Commission for their
 21 review.
 22 Further details on the project, if you look
 23 on Page 7 in the Staff Report, I'm not going to
 24 go through it, but there's a listing of
 25 basically the details of the project, the size,

1 develop an impressive new project in this
 2 up-and-coming area of the City. The City is
 3 able to take another major step in converting
 4 what used to be an industrial area into a
 5 vibrant mixed-use village, which has been
 6 envisioned, planned and hoped for by this City
 7 for now 15 years, and the residents will also
 8 get -- of this City will also get new retail
 9 and housing options, and last but not least,
 10 benefit from an enhanced tax base, as well as
 11 the cost saving of not having to fund the
 12 building of a new trolley building for the
 13 City.
 14 Staff is recommending approval, and we're
 15 in agreement with the proposed conditions in
 16 the Staff recommendation. We would ask that
 17 you follow that recommendation and move to
 18 approve this project.
 19 We have the whole team here, in case you
 20 have any questions, and I'd like to reserve a
 21 little time for rebuttal if necessary.
 22 VICE CHAIRMAN FLANAGAN: Thank you.
 23 MR. RIEL: First off, let me -- In front of
 24 your place, you have a Revised Staff Report,
 25 indicated by Revised on the top, changes

1 the height, the permitted versus the proposed,
 2 the breakdown in terms of the units and unit
 3 sizes, et cetera. It just gives you a good
 4 overview of the project, and the actual site
 5 plans are on Pages 9 through 12 in the packet.
 6 As Mr. Garcia-Serra indicated, this is
 7 associated with an alley vacation and
 8 abandonment. Basically, what they're asking
 9 for is the ability to abandon that alley,
 10 construct the building over the alley for a
 11 more cohesive development, and if you look on
 12 Page 15 in your packet, that is actually the
 13 illustration Mr. Garcia-Serra put up, that
 14 indicates what portions of the alley will be
 15 vacated and what alternative public access
 16 easement shall be provided.
 17 There's very specific conditional use
 18 criteria that Staff evaluates the application.
 19 There's actually nine criteria. That begins on
 20 Page 17 in the packet. Staff has done a
 21 thorough analysis, in association with all the
 22 other departments, departments including
 23 Parking, Public Service, Public Works, Zoning
 24 and Planning, as well as Police and Fire. It
 25 went to the DRC. It did go to the Board of

1 Architects for review. We find that it meets
2 the conditional use criteria, all nine of the
3 criteria, and those findings of fact are stated
4 in the report.

5 And likewise, there's criteria regarding
6 the abandonment and vacation of the alley.
7 Staff, again, has reviewed that in detail.
8 Largely, the responsibility for the review of
9 the abandonment rests with the Public Works
10 Department, and you have attached to your
11 packet their findings and their recommendation,
12 and they recommend approval of the proposed
13 alley vacation, subject to various conditions,
14 which I'll go over very briefly.

15 So, in summary, basically, Staff recommends
16 approval, subject to various conditions, and
17 the findings of fact indicate they've satisfied
18 all the criteria.

19 Just for a matter of information, notice
20 required is 1,500 feet, not surrounding the
21 property, but surrounding the entire northern
22 Mixed Use District. It's probably -- In terms
23 of the Zoning Code, it's the most notice, in
24 terms of the radius, that is required by the
25 Code. Approximately a thousand notices went

1 to ensure that ability to -- that traffic is
2 not compromised by valet parking.

3 Likewise, we're asking that, you know, it
4 be only used for passenger unloading. There's
5 a condition here that no signage shall be
6 permitted above the building's second floor,
7 facing west, which is LeJeune Road or Altara
8 Avenue -- typically, a standard condition to
9 ensure that there's no impact of, you know,
10 lighting, building lighting, on the top of the
11 building that perhaps could have an impact
12 off-site.

13 They have a public landscape plan, a public
14 realm landscape plan improvement. The Public
15 Works' conditions of approval are Number 5.
16 Right-of-way improvements. Access easement is
17 required. That is outlined in Condition 7 --
18 6, I'm sorry, and 7 is the condition regarding
19 the proffering of the underground with the
20 overhead utilities, which is something that
21 since it's off-site and not contiguous to the
22 property -- Essentially, what there is, is
23 between the property and the adjacent property
24 in the next block, this would basically put
25 that missing link where the utilities would be

1 out, indicating the hearing date, as well as
2 the property's posted.

3 Staff does recommend approval of both the
4 mixed use and the abandonment and alley,
5 subject to seven conditions, and just very
6 briefly, Condition 1 is just the documentation.
7 Condition 2 is the standard restrictive
8 covenant that's required. Upon Commission
9 approval, the applicant is required to file a
10 restrictive covenant, outlining all conditions.
11 Prior to issuance of a building permit, there's
12 a construction and service plan required for
13 the alley. There's also an information and
14 contact condition, in terms of, they need to
15 notify the property owners in terms of the
16 construction activities and status.

17 On-street parking, there is a loss of three
18 parking spaces contiguous to the property,
19 therefore, the applicant will be responsible to
20 pay for those, pursuant to the City Code.
21 Staff's recommending no valet parking on Altara
22 between LeJeune and -- I forgot the name --
23 Laguna. The concern there is because of the
24 right turn only on Altara and the fact that
25 cars typically back up in that area. We want

1 compatible and underground with the adjacent
2 development along Altara, including within this
3 development.

4 That concludes Staff's presentation. I'd
5 be happy to answer any questions.

6 VICE CHAIRMAN FLANAGAN: Anybody have
7 questions for Staff at this point?

8 MR. SALMAN: No.

9 VICE CHAIRMAN FLANAGAN: Okay, seeing none,
10 we'll open the public hearing. If there's
11 anybody --

12 Jill, do we have cards where anybody signed
13 up?

14 MS. MENENDEZ: Nobody signed in --

15 VICE CHAIRMAN FLANAGAN: Okay.

16 MS. MENENDEZ: -- but there's some --

17 VICE CHAIRMAN FLANAGAN: If there are
18 people who are interested in speaking -- How
19 many, two people? All right. If we can keep
20 our comments relatively brief and on point,
21 and the dais is yours.

22 MR. RINALDI: Good evening. My name, for
23 the record, is Philip Rinaldi. I live at 513
24 San Esteban Avenue in Coral Gables.

25 I'm here this evening as a resident of the

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1 neighborhood just west of the proposed
 2 development along LeJeune Road. Before coming
 3 here, I have taken time to research the
 4 underlying planning and zoning rules that might
 5 apply, as well as taking time to look at the
 6 nature and the scale of the project, using the
 7 online capability of looking at the plans. In
 8 fact, I notice there's some change that I'll
 9 come back to later on that I'm concerned with.

10 My conclusion is that while the development
 11 of the former -- in the former industrial area
 12 is a welcome change, projects like Merrick
 13 Manor present a significant issue in terms of
 14 size, scale and impact on the urban quality of
 15 life, and that as this project requires
 16 cooperation by our City, I feel it's important
 17 that these issues be raised in hopes of gaining
 18 improvements that sustain our City Beautiful
 19 image and the overall quality of life within
 20 the surrounding neighborhoods and within that
 21 community itself.

22 First off, I was kind of surprised, when I
 23 started doing this research, to learn that when
 24 the industrial area was rezoned for mixed use,
 25 it created the likelihood that we would add

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1 probably well over a thousand residential units
 2 just west of our neighborhood and just south of
 3 the neighborhoods along Bird Road, north of
 4 that area. This is a rather high density
 5 thing, and we already have over 500 of those,
 6 with this project included, in progress. So
 7 this is a substantial change to the nature of
 8 this part of our City.

9 Even more surprising was the fact that this
 10 would be done without any attention to creating
 11 open spaces within the industrial park for use
 12 by these new residents, to create an urban
 13 quality of life consistent with the image of
 14 our City. Instead, it seems that the concept
 15 is likely to result in merely a collection of
 16 high-rise mixed-use buildings, creating more of
 17 a complex than a community or a neighborhood,
 18 and I actually take umbrage to the developers
 19 referring to this as a village. It is not a
 20 village, certainly not a village, okay?
 21 Village of Merrick Park, actually, is more of a
 22 village than this would lend itself to, okay?

23 Also, the landscaping, and it was noted, it
 24 seems like, on Laguna and on Altara -- seems to
 25 be they're going to remove existing trees that

Page 23

1 are in the sidewalk space and replace those
 2 with trees that are actually now inserted into
 3 existing parking space areas in these
 4 triangles. And online, the images that I saw
 5 show these trees as both sets of trees being
 6 existing, and I would hope that the City would
 7 protect the existing landscaping, as well as
 8 perhaps getting additional landscaping to
 9 create a more attractive area, okay?

10 This overall project just appears to be --
 11 the development of this areas seems to be
 12 inconsistent with the 2002 Charrette for the
 13 existing Downtown area, which sought to enhance
 14 the areas with landscaping, with public plazas
 15 and parks, and it's hard to believe that we
 16 would go ahead and continue to have these kinds
 17 of projects without looking at what is going to
 18 be the quality of life inside this
 19 neighborhood.

20 As the issue of parks and open spaces is
 21 not specific to this project, I will refrain
 22 from speaking to the issue. However, I firmly
 23 believe that the Planning and Zoning Board,
 24 together with our City Commission, needs to
 25 take a closer look at quality of life issues in

Page 24

1 this new urban residential neighborhood or it
 2 is likely that the only open space available
 3 for residents will be the grassy area in the
 4 middle of Merrick Park.

5 Speaking of Merrick Park, I think that it
 6 should be viewed as a worthy precedent for the
 7 quality of development and sense of openness
 8 that should be applied to the rejuvenation of
 9 the industrial area. First, Merrick Park and
 10 the residence built adjacent to it are a
 11 significant smaller scale on every phase than
 12 the proposed development we're talking about
 13 here.

14 Moreover, the scale of Merrick Park is
 15 screened from street level at all fronts by
 16 attractive landscaping and setbacks from the
 17 street. In particular, along the high traffic
 18 LeJeune Road frontage, Merrick Park has created
 19 an attractive and inviting streetscape for
 20 pedestrian traffic along the thoroughfare.

21 As someone who walks frequently and spent
 22 nearly 30 years walking and working in
 23 Downtown, the experience is significantly
 24 better walking along the west side of Merrick
 25 Park than on the sidewalks of LeJeune Road

1 close to Downtown. It is for this reason that
 2 I was shocked to learn that Merrick Manor
 3 development had no meaningful streetscape along
 4 the LeJeune Road face. The building's ground
 5 level arcade is planned to go right out to the
 6 existing sidewalk -- I estimate, because I
 7 didn't go measure it -- four feet from the
 8 street. This leaves pedestrians little option,
 9 to either face the risks of walking close to
 10 the street while avoiding obstacles like
 11 streetlights, traffic signs, et cetera, or to
 12 detour into the building's arcade, which is not
 13 really a public space, but merely an access
 14 area for the developer's commercial enterprise.

15 Why is this project not required to provide
 16 a safer, more pleasing pedestrian right-of-way,
 17 similar to that afforded by Merrick Park?

18 The issue goes beyond that of pedestrian
 19 access and safety. It also impacts the
 20 attractiveness and the fit within our upscale
 21 community. The landscaping along Merrick Park
 22 provides residents and visitors an attractive
 23 and more pleasant feel than does the open
 24 streetscape of LeJeune Road near Downtown. The
 25 appearance and feel of this primary access to

1 these open spaces make for safer walkways. A
 2 developer truly interested in our community
 3 might have given consideration to these issues,
 4 even without encouragement, but it seems that
 5 the developer does not appear to be doing
 6 anything beyond that which is otherwise
 7 required to make our City more -- anything
 8 beyond what is required, to make -- instead of
 9 making the City -- helping to make the City
 10 more beautiful.

11 I recognize that it is, for the most part,
 12 their right, and I think it was stated, within
 13 the Zoning Codes. However, while we might
 14 normally have little recourse, in this case, in
 15 the case of Merrick Park -- Merrick Manor, the
 16 project needs more than to strictly meet the
 17 existing Codes. It requires, to a significant
 18 extent, the active cooperation of our City.

19 I estimate that more than 25 percent of
 20 this project's footprint is derived from the
 21 underlying trolley depot land swap, the subject
 22 of another issue, and subsequent alleyway
 23 abandonment. As such, it seems that the
 24 residents of our City -- in fact, the real
 25 owners of these properties -- have the right to

1 our community, in particular as relates to the
 2 residential neighborhoods adjoining the
 3 development, impacts not only our quality of
 4 life, but also the value of our homes. If
 5 development along the LeJeune Road perimeter is
 6 allowed to be so highly urbanized, then our
 7 neighborhoods will absorb the negative impacts
 8 of this in terms of the attractiveness of our
 9 neighborhood and the market appeal of our
 10 close-in residential community.

11 It seems important that while improving the
 12 economic viability of the industrial zone, we
 13 continue to emphasize things that maintain our
 14 City Beautiful image. As proposed, this
 15 project does not do that.

16 As one drives around the City, the look and
 17 feel of the streets is radically different when
 18 buildings are allowed to come out to narrow
 19 sidewalks, as opposed to being set back, with
 20 or without significant landscaping. The
 21 buildings where there is even a small amount of
 22 open space surrounding their project are always
 23 more interesting and attractive to drivers and
 24 passengers passing by. And for pedestrians,
 25 beyond being more interesting and attractive,

1 expect more in return.

2 At a minimum, our City should use the
 3 developer's interest in getting the cooperation
 4 to provide quality improvements that would make
 5 this project more compatible with the well
 6 landscaped precedent of Merrick Park, and in so
 7 doing, advance the precedent to making this
 8 section of LeJeune Road a pleasing and inviting
 9 urban residential and commercial gateway to our
 10 City.

11 To be specific, I am asking that the plans
 12 be modified to provide at least five foot of
 13 the 20-foot alleyway abandonment to be used to
 14 create landscape setback along LeJeune Road,
 15 the LeJeune Road face of the project. This
 16 compromise should provide the developer with
 17 sufficient additional surface area for
 18 apartment, commercial and parking improvements
 19 by using the remaining alleyway square footage.
 20 This small concession by the developer will not
 21 only improve the quality of our community, but
 22 will increase the visual appeal of the Merrick
 23 Manor building for residents and commercial
 24 tenants. It seems that's the least they can do
 25 to pay back the residents for the right to use

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1 the alleyway within that project.
 2 In closing, I ask the Planning and Zoning
 3 Board to look to the precedents set by Merrick
 4 Park, in terms of the more attractive and safe
 5 vehicular and pedestrian environment along
 6 LeJeune Road, and before recommending approval
 7 of the project -- including the related land
 8 swap and alleyway abandonment -- to our City
 9 Commission, obtain revised plans from the
 10 developer in line with the precedent.
 11 And again, just to touch on something that
 12 appeared different today than what I saw
 13 online, again, the trees that are existing on
 14 Laguna and Altara, online, show those trees
 15 still existing within the sidewalk space and
 16 additional trees being planted within the
 17 parking areas, and the presentation today, as
 18 far as I could see, no longer showed the trees
 19 in the sidewalk area, that those would be
 20 removed, and again, it diminishes the quality
 21 of the urban environment.
 22 Thank you for affording me this time to
 23 speak, and I look forward to some action by the
 24 Board.
 25 VICE CHAIRMAN FLANAGAN: Thank you.

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1 The next speaker?
 2 MS. MACINTYRE: My name is Dolly MacIntyre.
 3 I live at 409 Viscaya -- excuse me -- Viscaya
 4 Avenue, which is four blocks north of the
 5 proposed project.
 6 I think the previous speaker has covered
 7 the points quite well. I would just like to
 8 say that I'm surprised this room isn't full of
 9 people, because I remember the hubbub when
 10 Merrick Village was proposed, and what a
 11 catastrophe that was going to be. It has not
 12 turned out to be a catastrophe; in fact, it's
 13 an example that I'd like to see set for this
 14 current project. I was by there today, as I am
 15 almost every day, and it's an attractive
 16 stretch of the road, as compared to what we're
 17 going to be getting in this project.
 18 Please consider carefully, because once
 19 those walls go up, you are stuck. When they
 20 put the few trees and the lamp poles in the
 21 sidewalk, you can't even get a wheelchair along
 22 the sidewalk. I think that's very poor
 23 planning for us and for the future. So please
 24 carefully think what the impact that this
 25 project is going to have. Thank you.

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1 VICE CHAIRMAN FLANAGAN: Thank you.
 2 Any other speakers?
 3 Okay, Mr. Garcia-Serra.
 4 MR. GARCIA-SERRA: Thank you, Mr. Chair, if
 5 I could just have a few minutes of rebuttal.
 6 In the brief comments and conversation that
 7 I had with Mr. Rinaldi before the meeting, I
 8 told him, you know, it looks like there's just
 9 some issues we're going to have to disagree
 10 upon, without being disagreeable, and of
 11 course, I would disagree with the three major
 12 contentions that he's -- arguments that he's
 13 put forward.
 14 The first one that I disagree with, most
 15 vehemently, is the statement that my client
 16 hasn't put enough effort, perhaps, or thought,
 17 or gone the extra mile or made the extra effort
 18 that he should with this project. We've been
 19 involved with this project now for over a year,
 20 and it's been extensive negotiations with the
 21 City, both on their land swap issue as well as
 22 the proposed regulatory approvals for this
 23 building. You know, we're doing improvements
 24 off-site. We're undergrounding utilities in
 25 front of properties that we don't own. You

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1 know, we've made every effort. Every comment
 2 that's been made by the Board of Architects,
 3 we've incorporated. We've complied with the
 4 Streetscape Master Plan of the City, a
 5 streetscape master plan which was based, I
 6 believe, on the streetscape and landscaping
 7 that's provided at the Village of Merrick Park,
 8 which seems to be the preferred sort of
 9 streetscape. So, overall, on that issue, I
 10 have to disagree with him, and anybody who's
 11 been involved in the process, whether it be
 12 from the City's side or our side, I'm sure,
 13 could vouch for me as far as the effort that
 14 we've made to make this a good project and make
 15 it another step in the direction that the City
 16 wants for this area.
 17 With concern to the large scale issue, I
 18 think we could best summarize what Mr. Rinaldi,
 19 and to a certain extent, Ms. MacIntyre is
 20 saying is that we don't want a concrete canyon.
 21 We don't want, you know, these big projects
 22 overwhelming the single-family residential
 23 neighborhood, and, you know, we didn't get to
 24 this point by accident. You know, the City
 25 planned this redevelopment of this area of the

1 City very, very intensely. It actually won
 2 awards for the proposed regulations that they
 3 proposed for this part of the City, and
 4 recognized that it was an area that could be
 5 developed more intensely because it is
 6 separated by major section line roads of the
 7 County, such as Bird Road, LeJeune Road, South
 8 Dixie Highway, Douglas Road, and is distinct
 9 from the residential areas of the City.

10 And in connection with that point, since I
 11 had seen comments that have been submitted by
 12 Mr. Rinaldi previously, I went out to Mr.
 13 Rinaldi's neighborhood and saw what the impact
 14 is from this area of the City from the former
 15 industrial area and the Village of Merrick Park
 16 to the residential area, and we took some
 17 pictures, and if you'll indulge me for a
 18 second, let me put them up, to make certain
 19 points.

20 Here, on this particular photograph, you'll
 21 see where the subject property is for the
 22 Merrick Manor project, and Mr. Rinaldi's
 23 residence is over here, 513 San Esteban Avenue.
 24 If you measure the distance from one part of
 25 the property to another, it is 1,419 feet.

1 at the maximum height along Laguna, of a
 2 hundred feet.

3 So here is One Village Place, right here,
 4 this sort of little speck in the distance, and
 5 what will basically happen once this project is
 6 developed is that instead of seeing this facade
 7 or this building, already there right now,
 8 you'll see the facade of our building there at
 9 that point.

10 Keep in mind, also, that along LeJeune
 11 Avenue -- rather, on LeJeune Road, we're only
 12 going to be at a 72-foot height. We're
 13 permitted a 77-foot height. And there is some,
 14 you know, gradual change in height along the
 15 street. Keep in mind, also, that on the west
 16 side of LeJeune, you will never have a sort of
 17 canyon effect, because you have Coral Gables
 18 High for a considerable distance and lower
 19 zoned properties to the south. So on the east
 20 side of LeJeune, you could very well have some
 21 height, but I'll point out that that height --
 22 there is variation in that height today. If
 23 you go to the Gables Ponce project on the old
 24 Deel Ford site, that it starts at a 45-foot
 25 height, goes up to a 77-foot height, and then

1 That is a quarter mile in distance from this
 2 property to this one. In between, you have
 3 Coral Gables High School, which is not a small
 4 buffer at all, and if you look at the pictures
 5 that we took from that street facing the
 6 project site, you'll realize that from right in
 7 front of this property, from right in front of
 8 513 San Esteban Avenue, looking east in the
 9 direction of the site, or more or less in the
 10 direction of the site, you cannot even see the
 11 actual project site because of the tree canopy
 12 and other buildings that are in the way. This
 13 is from right in front of Mr. Rinaldi's
 14 residence.

15 If you walk a little bit further down the
 16 block, towards the end of the block, where
 17 you're in front of Coral Gables High, which is
 18 there, you can identify further buildings on
 19 the other side of LeJeune, but you realize what
 20 the distance is. You'll see Village of Merrick
 21 Park over here, Coral Gables High School.
 22 Here, in the far distance, you'll see the One
 23 Village Place project, which is the project
 24 that's immediately to our east and is at the
 25 same height that we're proposed to be built at,

1 you go further down to Village of Merrick Park,
 2 which I believe is also at a 77-foot height.
 3 Then after that, you would have our project,
 4 which is actually lower, at 72.

5 So the idea of this somehow creating a
 6 concrete canyon, much less it creating some
 7 sort of overshadowing of the residential
 8 neighborhood which is a quarter mile away to
 9 the west, I just have to disagree with, and I
 10 think it's not supported by the facts.

11 On the sort of smaller scale issues, which
 12 are the issues, let's say, of landscaping and
 13 open space and the treatment of LeJeune, well,
 14 you have to take into consideration that
 15 LeJeune Road is a State Road, and trust me, if
 16 we could beautify LeJeune any more than what we
 17 have already, we would, but the Florida
 18 Department of Transportation, who has
 19 jurisdiction over LeJeune, simply would not --
 20 does not permit it.

21 We should actually be looking at it this
 22 way, the north-south configuration.

23 Looking at it here, here's LeJeune Road;
 24 here's Laguna. You'll notice that along
 25 Laguna, we treat it with landscape bulb-outs,

1 new trees and so forth. Along LeJeune, that
2 doesn't exist, and why doesn't that exist, when
3 the City would want it addressed? It's because
4 the Florida Department of Transportation simply
5 does not permit it, and so that is why you
6 don't see any additional landscaping to what we
7 already have provided along LeJeune.

8 Laguna and Altara comply with the City's
9 Streetscape Master Plan. You know, it's
10 something that we've made an effort, that cost
11 money to come into compliance with. I would
12 think that Mr. Rinaldi would prefer, instead of
13 having an arcade, a sort of open sidewalk area,
14 perhaps, with more landscaping in this area,
15 but as you very well know, the City Code
16 practically obligates you to put up that arcade
17 along this project, and arguably, an arcade
18 would be preferred by a majority of citizens,
19 in that it provides shade, you know,
20 considering that we have pretty hot weather
21 conditions here in Florida.

22 So, basically, I guess we're arguing over
23 what's the meaning of the City Beautiful and
24 what's appropriate for this area. You know, I
25 respect everyone's point of view, but I think

1 Mr. Serra-Garcia --

2 VICE CHAIRMAN FLANAGAN: Sir, I'm sorry --

3 MR. RINALDI: -- knew that I was going to
4 speak tonight --

5 VICE CHAIRMAN FLANAGAN: Sir --

6 MR. RINALDI: -- and came and made a
7 personal issue out of this, and my issue was
8 not a personal issue. It is as a resident of
9 the southern part of the City, north of U.S. 1
10 and Ponce --

11 VICE CHAIRMAN FLANAGAN: All right --

12 MR. RINALDI: -- and as someone who walks
13 around that neighborhood.

14 VICE CHAIRMAN FLANAGAN: All right, sir,
15 thank you. I mean, I appreciate that, and you
16 can discuss that with Mr. Garcia-Serra after.
17 The public hearing has been closed.
18 Everybody's had an opportunity to speak at this
19 time.

20 MR. RINALDI: Well, he had an opportunity
21 for rebuttal. I don't have an opportunity for
22 rebuttal?

23 VICE CHAIRMAN FLANAGAN: No, I'm sorry, you
24 don't.

25 MR. RINALDI: Okay, fine. I was just a

1 we are backed up by many years of planning on
2 the part of the City, by the regulations of the
3 City Code, by what's happened before, what we
4 hope to happen in the future, and on the facts
5 of the matter just as it relates to other
6 neighborhoods in the area.

7 So that is the conclusion of my rebuttal.
8 I will point out that we have a fairly short
9 Board here tonight. In order for any action to
10 be taken here, we need four votes. If there
11 are any issues, concerns, questions, comments,
12 by -- which you feel you need addressed in
13 order to vote, I would encourage you and almost
14 beg you to please bring them up now, to see if
15 we could address them or not, because we would
16 like to, of course, leave this evening here
17 with a recommendation of approval from this
18 Board unanimously.

19 VICE CHAIRMAN FLANAGAN: Very good. Thank
20 you.

21 At this point, I'd like to close the public
22 hearing. Do any members of the Board have any
23 comments?

24 MR. RINALDI: Excuse me. I feel that I was
25 at a significant disadvantage, because

1 little concerned.

2 VICE CHAIRMAN FLANAGAN: Thank you.

3 Any questions from anybody on the Board?

4 MR. SALMAN: Well, just to open it up to
5 deliberation, I have a couple of questions I
6 want to go over.

7 Mr. Garcia-Serra, you had a public meeting
8 prior to this project, in presenting it to the
9 neighbors; is that correct?

10 MR. GARCIA-SERRA: Correct.

11 MR. SALMAN: What were, if any, the
12 substantial changes made to the design in order
13 to comply with the issues that may have been
14 raised at that public meeting?

15 MR. GARCIA-SERRA: Well, at that public
16 meeting, actually, the property owners and
17 neighbors that came to the meeting all
18 expressed support of the project. There
19 weren't any significant comments that required
20 any sort of revisions to the plans.

21 MR. SALMAN: Very good.

22 My next question is, on Laguna, I remember
23 when they did the streetscape improvements in
24 that area, taking the old -- I believe the old
25 Camilo furniture building site, and there's

1 some fairly substantial trees along there, that
2 will be relocated, or are they going to be
3 replaced?

4 MR. GARCIA-SERRA: My understanding, and we
5 could ask the architect to elaborate more on
6 it, is that new trees that are complying with
7 the streetscape plan will be installed. I'm
8 not sure what the, you know, type of tree is
9 and so forth. My understanding is that there's
10 a lot of black olives actually in the area and
11 so forth, that generally the City wants removed
12 and replaced with native species, such as palms
13 or oaks.

14 MR. SALMAN: They were very popular 30
15 years ago, yes.

16 MR. GARCIA-SERRA: Yeah.

17 MR. SALMAN: The question is more as to
18 caliper size and mass of the tree that's going
19 to be installed --

20 MR. GARCIA-SERRA: Javier, will you --

21 MR. SALMAN: -- because I didn't see that
22 as one of the requirements here. I know that
23 you're putting in the triangles and the trees,
24 but --

25 MR. RIEL: There's a minimum size. I

1 whether it's a lot or a little. We're actually
2 complying with what Public Works and the City
3 has asked us to comply with.

4 MR. SALMAN: Right now, there's not a lot
5 of landscaping. It's really just trees.

6 MR. FONT: Well, there's a lot of shrubbery
7 that goes with it, but it's not a lot of
8 landscaped area, per se, but all those areas
9 are sort of covered, if you will. There's a
10 lot of xeriscape so that there's no grass
11 cutting and things of that nature.

12 MR. SALMAN: Those are my two issues.

13 MR. GRABIEL: I have a question, Mr. Font.

14 MR. FONT: Sure.

15 MR. GRABIEL: I'm looking at the landscape
16 on the LeJeune side.

17 MR. FONT: Yes.

18 MR. GRABIEL: And in the rendering that you
19 have, it looks like you have some larger trees
20 on LeJeune, and the site plan that you show on
21 LeJeune also seems to show some larger trees
22 right in front of the entrance on LeJeune, but
23 I don't see any on the site plan that I have.

24 Those four trees --

25 MR. FONT: There is four palms --

1 believe it's 16 to 18 foot, and three to four
2 and a half inch caliper.

3 MR. SALMAN: That's about half the size of
4 the tree that's there right now. I just want
5 to make sure that we do it in kind.

6 MR. FONT: Yeah, actually, I don't have it
7 with us, but I know that we've done a
8 mitigation plan, and as you would know, any
9 time you remove trees in Dade County, you have
10 to do a mitigation plan and you have to somehow
11 account for those trees, whether it's a larger
12 number of trees with a smaller canopy or the
13 same canopy, but I think what it's important to
14 point out is that we've worked with Public
15 Works for a year now on the streetscape
16 improvement plan, and we're actually complying
17 with exactly what was designed by Public Works
18 and by Staff for that area and the vision that
19 they have in that area, and I think the intent
20 is to make a more cohesive-looking landscape
21 scheme, so that all the blocks look the same,
22 and that's exactly what we've done. So it's
23 not like we've come in here and said, "This is
24 what we want for this area," or, "This is the
25 amount of landscaping that we want to put in,"

1 MR. GRABIEL: No, on the --

2 VICE CHAIRMAN FLANAGAN: On LeJeune.

3 MR. GRABIEL: Those four trees.

4 MR. FONT: These four trees are reflected
5 on here.

6 MR. GRABIEL: Right, but I don't see it in
7 my site plan, so I'm not sure if it's there or
8 not.

9 MR. FONT: Yes, they're definitely there.

10 MR. GRABIEL: So that area will have those
11 four trees?

12 MR. FONT: Yes. The LeJeune side will
13 appear just like it does here. There's four
14 palms that address the octagon piece on the
15 corner. There's two on either side of this
16 entry feature --

17 MR. GRABIEL: Okay.

18 MR. FONT: -- that flank that entry
19 feature, and there's three trees at the end of
20 the building.

21 MR. GRABIEL: Okay. It's not shown on my
22 site plan.

23 MR. FONT: Yeah, that might have been a
24 different version. I apologize. We've gone
25 through several landscape versions. But yes,

1 what you see on the rendering and on this board
2 is what we're assuming will be built.

3 MR. GRABIEL: That's good.

4 The other question is also dealing with
5 landscaping, and this is a general statement
6 that I have for the City, but that applies to
7 this project, and I've seen it in other
8 projects before. We, as a City, are requesting
9 arcades around our buildings, but yet I see
10 that there is a planting area between columns
11 or next to the columns, which means that then
12 the people on the sidewalk will not have access
13 to the arcade. Was that green that's shown in
14 there as part of a design feature or because
15 you needed to comply with the landscaping
16 requirements?

17 MR. FONT: We're speaking of this area?

18 MR. GRABIEL: No, I'm showing -- again,
19 my -- the plan that I have shows like a planter
20 right in front of a columns, here and there.

21 So I was wondering if that is required or --

22 MR. FONT: Do you mind if I could take a
23 look at that?

24 MR. GRABIEL: Sure, please. This landscape
25 area strip and this landscape area strip --

1 building, and we put in some awnings at that
2 point, but the City's actually wanting -- not
3 requiring, but suggesting that you be able to
4 walk around an entire building, sort of dry and
5 covered, if you can.

6 So we went back and forth with the Board of
7 Architects, to get you into the arcade at
8 certain points, to get you along the arcade and
9 to get you covered as you went through those
10 broken areas. So the intent is not to have you
11 access the arcade and make it look just like a
12 straight line with no landscaping in front of
13 it. It's to -- There's certain points where if
14 I'm walking down the sidewalk, this is the
15 reasonable point to go into the arcade or come
16 out of the arcade, and then the rest of the
17 time I'm traveling through the arcade. So the
18 intent is not, "I'm going to cross LeJeune Road
19 at this point, so I want to go into the arcade
20 at that point." The intent is, I'm walking
21 along LeJeune Road. I get to this building.
22 There's an arcade opening. I go into that
23 arcade opening and I travel along the arcade,
24 and then, when I get to the other end, come out
25 at some point.

1 MR. FONT: This is in our file. That's an
2 old context plan.

3 MR. GRABIEL: Okay.

4 MR. FONT: You may have a more updated
5 landscape plan, or you should have a much more
6 updated --

7 MR. GRABIEL: This still shows it, here.

8 MR. FONT: Right, there's a small --

9 MR. GRABIEL: And this shows it, also.

10 MR. FONT: There's a small landscape strip
11 along there.

12 MR. GRABIEL: Is that needed for your
13 landscape requirements, or it's just a design
14 feature?

15 MR. FONT: It's probably both, at this
16 point. The idea is -- and as you know, part of
17 the new urbanism is to actually create arcades
18 that people can walk along, because people
19 generally do prefer to walk under cover,
20 whether it's raining or not, and one of the big
21 issues that we had with the architectural board
22 was that we were breaking that arcade. At
23 these corners, we were actually breaking that
24 arcade for, you know, 20 feet in either
25 direction, to try and soften that corner of the

1 So there's certain points in the arcade
2 where we feel people will come in and there's
3 certain points where we don't think that there
4 will be pedestrian traffic, or you have the
5 option, you know, 20 feet up or 20 feet back.
6 We've used those areas to try and soften it
7 with a little bit of landscaping.

8 MR. GRABIEL: Okay, thank you.

9 VICE CHAIRMAN FLANAGAN: Eric, can we just
10 clarify, are we working off of the newest
11 version of plans or have there been any
12 significant changes? It sounds like, from two
13 comments that we've heard already, our plans
14 differ from either the newest ones or what
15 they're using for the presentation tonight.

16 MR. RIEL: Well, I can tell you, there's
17 been no changes to the plans. What was
18 submitted to City Staff is what you have in
19 your packet. I'm looking through the plans,
20 and I would note that I don't see those trees
21 as noted on LeJeune Road, so I would ask the
22 applicant that prior to this proceeding forward
23 that they need to accurately represent what is
24 shown on the plans, because I don't find those
25 two trees on LeJeune Road on any of the plans.

1 VICE CHAIRMAN FLANAGAN: Right.
 2 MR. FONT: We'll make sure that they're on
 3 there.
 4 VICE CHAIRMAN FLANAGAN: Okay.
 5 Can I ask a procedural question, maybe to
 6 the City Attorney?
 7 Some of the land that is encompassed by the
 8 application, I've heard, is owned by the City.
 9 It's, I guess, the trolley building.
 10 MR. LEEN: Yes, some of the land is.
 11 Do you know specifically, Eric --
 12 MR. RIEL: Yes, the trolley building,
 13 which -- Mario, do you have the --
 14 VICE CHAIRMAN FLANAGAN: No, I saw that
 15 that was like the -- I think it was outlined in
 16 yellow.
 17 MR. RIEL: Yellow. It was outlined in
 18 yellow -- Green.
 19 VICE CHAIRMAN FLANAGAN: Does the City then
 20 need to be an applicant, a co-applicant in this
 21 application?
 22 MR. LEEN: We talked about this a little
 23 bit. I think -- They are the applicant and the
 24 City is -- It's on behalf of the City in part.
 25 Is that -- Eric, how have you -- How --

1 approvals. It's simply allowing them to
 2 proceed and present this, even though at this
 3 point, the City still owns some of the land.
 4 VICE CHAIRMAN FLANAGAN: All right, so
 5 there is a separate agreement?
 6 MR. LEEN: Yes. There's the -- related to
 7 the land swap, and there's a general agreement
 8 that governs the relationship between the two
 9 parties, but makes clear in the agreement that
 10 these regulatory approvals are not guaranteed.
 11 They have to go through it like any other
 12 applicant.
 13 MR. GARCIA-SERRA: Exactly. I would agree
 14 with your counsel on that point. The fact that
 15 we've been talking about or negotiating other
 16 agreements doesn't bind you to make a decision
 17 one way or the other.
 18 VICE CHAIRMAN FLANAGAN: No, I understand
 19 that, but I think you can appreciate where I'm
 20 coming from, at least, let's say, on the
 21 County -- if you're in Unincorporated Dade
 22 County, your application can encompass lands
 23 that are not owned by you, so long as a certain
 24 percentage are owned by you, and I just don't
 25 know if that procedure exists within the City

1 MR. RIEL: I don't know the answer to that.
 2 I don't know. We can ask Mario.
 3 MR. LEEN: That's how it was presented to
 4 me and --
 5 Mario?
 6 MR. GARCIA-SERRA: If -- I don't know how
 7 familiar you are with the process or not, but
 8 how this process initiated was a letter of
 9 intent submitted by my client to the City,
 10 which was accepted by the City Commission in
 11 July of last year, so sort of based on that
 12 approval, we had the authorization to move
 13 forward with negotiation for that swap
 14 agreement, as well as these regulatory
 15 approvals, at our own risk and at our own cost,
 16 and so that sort of authorization served as the
 17 City's consent for us to move forward with
 18 these various processes.
 19 MR. LEEN: Yes, but if I can follow up on
 20 that, there is an agreement which allows them
 21 to do this, but the regulatory aspect, that's
 22 at their own risk. So the City is not -- of
 23 course, it cannot, legally, but is not saying
 24 that you will grant a recommendation or that
 25 the Commission will approve these regulatory

1 Zoning Code or within the other governing
 2 regulations of the City. I just want to make
 3 sure, whatever happens --
 4 MR. GARCIA-SERRA: There's no -- to the
 5 best of my knowledge --
 6 MR. RIEL: No. There's no provisions that
 7 mirror what the County has regarding that.
 8 MR. LEEN: It's my view that because the
 9 Commission has approved this, that this is --
 10 that this can proceed. This is a lawful
 11 proceeding.
 12 VICE CHAIRMAN FLANAGAN: Okay. Thank you.
 13 Any other questions from the Board?
 14 If I could, to Mr. Garcia-Serra, is there a
 15 way to break up that facade on LeJeune? I can
 16 understand and appreciate, the Zoning Code is
 17 there; this application fits within the
 18 regulatory scheme. But it seems like -- I
 19 worry about a canyonization effect as you're
 20 going north on LeJeune, and I understand on the
 21 west side it's a little bit lower intensity,
 22 but as you're driving north on LeJeune, at this
 23 point, you hit -- I don't know what it's called
 24 right now, the Gables residential project,
 25 which even though it's -- I think you said it's

1 like 45 feet and it steps back as it goes up,
 2 it still is an imposing structure as you come
 3 up LeJeune.
 4 Merrick Park, I don't know what the height
 5 of Merrick Park is at the LeJeune side, or how
 6 set back it is, but it seems to have a much
 7 softer effect. Whether that's a function of
 8 some of the landscaping, or everything, height
 9 and setback, I'm not sure, but it's much
 10 softer. I worry, as you go north, and as these
 11 projects are developed, that you don't
 12 effectively have a very high, flat wall of
 13 buildings on the east side of LeJeune as you go
 14 from Ponce up to Bird. So I guess my question
 15 is, I would like to see -- I don't know whether
 16 it's stepping it back, I don't know whether
 17 it's reducing the height, or if there is some
 18 modification to the facade, because from the
 19 renderings that I looked at, it looked like,
 20 you know, yes, there's the arcade; yes, there
 21 are some balconies that stick out. But for the
 22 most part, it's pretty level height, all the
 23 way across, and a very long north-to-south
 24 distance, whereas if you -- I think at Merrick
 25 Park, you have the parking garages, which are

1 it on LeJeune. We have some variation in
 2 height here between these different features.
 3 I think your bigger issue, probably, and
 4 especially when you point out that Village of
 5 Merrick Park might be at 77 feet, but you
 6 somehow feel that that's broken up a little bit
 7 when you're going along there -- is, how is
 8 this sort of frontage treated here along
 9 LeJeune, and is there a possibility for somehow
 10 breaking it up more.
 11 You will note that there's a plaza here, in
 12 between these two wings of the building. We
 13 also have to deal with the fact that the
 14 property is somewhat narrow at this point.
 15 We're pretty tight on the parking space areas.
 16 Javier, if you have any sort of thoughts
 17 as far as what other -- as perhaps in
 18 two-dimensional, you can't see it; in
 19 three-dimensional, there would be more a
 20 break-up there, or perhaps any adjustments that
 21 could be made?
 22 MR. FONT: Well, if you look at the facade,
 23 we've actually tried to break it up. We've got
 24 the nice corner feature, which is recessed back
 25 from the street. We've eliminated the arcade,

1 more -- the narrow side is on LeJeune, because
 2 they go basically from LeJeune over to along
 3 Greco, over to Ponce, and then effectively, the
 4 same thing for Merrick Park itself, for the
 5 buildings. So they seem to be narrower on
 6 LeJeune, whereas this is basically turned the
 7 other way so that the long side is on LeJeune,
 8 creating, I think, a much more imposing
 9 structure, where, yes, there's a big distance
 10 as you head to the west, because of the high
 11 school, but I also think that works against the
 12 application, because you go from a very low
 13 intensity, low rise, in a lot of the playing
 14 fields and grass area, to all of a sudden
 15 looking up at a much higher structure.
 16 MR. GARCIA-SERRA: Well, let's see if we
 17 can address that. You know, keep in mind, as
 18 far as height is concerned, that coming up the
 19 street, you generally have a height that's
 20 probably around 77 feet in height with the
 21 Village of Merrick Park.
 22 Here, our highest point is 72, and that
 23 would be indicated by these sort of
 24 architectural features here. So overall, this
 25 is lower in height than what might be south of

1 you know, sort of as you move either north or
 2 east on that piece, so there's a little bit of
 3 relief on that whole corner. Then the arcade
 4 pops out from here to here -- here, I'm sorry,
 5 and then there's no arcade at this point. It's
 6 recessed into the building. Then the arcade
 7 pops out again here. But you see this arcade
 8 pop out, then the building recesses back, and
 9 then you see the arcade pop out again. So we
 10 tried to move that line in and out, even though
 11 it's hard to tell because, you know, the
 12 perspective is sort of taken pretty far away,
 13 and it is a long building, but we've tried to
 14 make sort of a break along LeJeune -- or as
 15 many breaks along LeJeune as we could.
 16 We've also created this paseo, big entrance
 17 feature, so there is a nice architectural
 18 component that runs through the building that
 19 kind of gives you a purpose, breaks up the
 20 building in half, and basically makes it look
 21 like half the building is over there and half
 22 the building is on this side.
 23 VICE CHAIRMAN FLANAGAN: Does that paseo,
 24 though, go all the way up, or is it --
 25 MR. FONT: Oh, no, that paseo goes one

1 story.
 2 VICE CHAIRMAN FLANAGAN: So it's one story?
 3 MR. FONT: It's one story. It's probably
 4 15 feet high, and it goes through the building
 5 itself, but it is a sort of an element that
 6 breaks the building in half.
 7 MR. GARCIA-SERRA: Mr. Chair, I don't know
 8 if you have the benefit of this particular
 9 rendering in your package. Do you? Because he
 10 was explaining that you do notice more of the
 11 breaking up -- if you look fairly closely, do
 12 you see how this element pops out, comes back
 13 in, pops out, comes back in, along there?
 14 MR. SALMAN: The rendering doesn't help you
 15 in that case, because those trees are actually
 16 tucked into that setback, that it would
 17 highlight that a little bit better.
 18 (Inaudible comments among Board members)
 19 MR. FONT: One last item is, this only
 20 happens -- This arcade is only two levels high,
 21 and then it steps back and the whole building
 22 steps back. So the arcade -- You know, most of
 23 the buildings today -- and what we've really
 24 thought to do in this building is bring the
 25 elevation down to the ground wherever possible.

1 parking, then, are covered by your arcade?
 2 MR. FONT: Correct.
 3 VICE CHAIRMAN FLANAGAN: Okay.
 4 MR. FONT: The three levels of parking are
 5 covered by the arcade, and the units start sort
 6 of where this balcony is, and then there's a
 7 unit that comes down to here, to the second
 8 level, where you do the break. That's only on
 9 the LeJeune side. On the Altara and the Laguna
 10 side, you have units all the way from the
 11 second floor up.
 12 So we've tried not to show any parking.
 13 We've tried to hide the parking as much as
 14 possible, and I think once the building is
 15 built, you'll see a big difference from what's
 16 typically been done in the area.
 17 MR. GRABIEL: A question. The comment is
 18 that the developer and the architect should be
 19 commended on bringing the units down to the
 20 street and covering the parking for most of the
 21 areas. That's a great step. There's nothing
 22 as bad as a building sitting on top of a
 23 parking garage. It's obvious. In this one,
 24 you've done a good job. I have a question. I
 25 don't know who made the statement, Mr. Font or

1 Most of the buildings you see today are very
 2 typical. You see retail on the ground floor,
 3 and you see three levels of parking above,
 4 where you see some sort of nice decorative
 5 component done on the windows, and then you see
 6 six or seven stories of residential units up
 7 above. We tried to break that up as much as
 8 possible in the facades, where we bring you all
 9 the way down, and these are actually terraces.
 10 So you've got an arcade and then you've got
 11 these terraces for these units on the second
 12 floor that give them a little bit of privacy
 13 from the street and also give the street a
 14 little bit more life. So --
 15 MR. LAGO: How far is that set back on the
 16 second floor?
 17 MR. FONT: Ten feet. Ten feet back. So
 18 we've tried to hide the parking, but if you can
 19 imagine, these are three levels of parking
 20 here. So those aren't units. Those are three
 21 levels of parking, and if you look at it from
 22 the facade, you can't even tell that there's
 23 parking back there.
 24 VICE CHAIRMAN FLANAGAN: So the three --
 25 I'm sorry, Mr. Font. Your three levels of

1 Mr. Garcia-Serra, on LeJeune being a State
 2 Road. Does that mean that you cannot plant any
 3 trees on the sidewalk in front of the building?
 4 MR. GARCIA-SERRA: Within the right-of-way
 5 of LeJeune Road, or the City right-of-way, we
 6 cannot plant -- correct me if I'm wrong, guys;
 7 you guys have more experience in this -- any
 8 sort of landscaping.
 9 MR. GRABIEL: Nothing whatsoever?
 10 MR. GARCIA-SERRA: Or bulb-outs or --
 11 MR. GRABIEL: So we could not -- even if we
 12 had the space, we could not plant any trees on
 13 that sidewalk?
 14 MR. FONT: That is correct.
 15 MR. LAGO: Is there a reason?
 16 MR. SALMAN: (Inaudible).
 17 MR. GRABIEL: And the other question is,
 18 the arcade on LeJeune, that was requested by
 19 the Board of Architects? Is that what I heard?
 20 MR. GARCIA-SERRA: That arcade, really, I
 21 think, was in the plan from the very beginning,
 22 and it's a product, I think, of the Zoning Code
 23 actually providing that if you have an arcade,
 24 you have a reduction in setback, correct?
 25 MR. FONT: It's a requirement of the --

1 It's a requirement of the Mediterranean bonus.
 2 It's an ordinance. So, if you want to do a Med
 3 building, a mixed-use -- If you want to do a
 4 mixed-use building, you have to do Med, and if
 5 you want to do Med, you have to do an arcade.
 6 So it's basically a requirement.
 7 MR. GRABIEL: That's what I thought. Okay.
 8 VICE CHAIRMAN FLANAGAN: Anybody else?
 9 MR. LAGO: My only question was about the
 10 FDOT, but --
 11 MR. SALMAN: Ask.
 12 MR. LAGO: No, it was pretty much addressed
 13 by what you --
 14 VICE CHAIRMAN FLANAGAN: Would anybody like
 15 to make a motion?
 16 MR. GRABIEL: I'd move to approve both,
 17 making sure that the trees that are shown in
 18 the rendering and in the plan that is on
 19 the chamber are put into the final drawings.
 20 MR. GARCIA-SERRA: That's acceptable to us.
 21 MR. SALMAN: I'd like to make a friendly
 22 amendment to that. I'd like the trees along
 23 the -- First of all, I'd like to take a pause
 24 and just say, this is obviously a very studied
 25 piece of work, and the building will actually

1 it's initially completed, and still allow for
 2 the trees to grow in, without necessarily
 3 interfering.
 4 You have -- just checking over the -- You
 5 have the space. You're eight feet away from --
 6 at least, from the planting area to the base of
 7 the building on Laguna and Altara, and on
 8 LeJeune, you're at least seven feet, so you
 9 should be able to accommodate at least a
 10 10-inch caliper tree, which would give you
 11 about a 20-foot, and about a 10-foot canopy.
 12 It would also let you limb it up early enough
 13 that it won't interfere with the sight lines.
 14 I'm afraid that six-inch is just going to be
 15 too small when it goes in, and we're not
 16 talking about any money, really, very little.
 17 So, if you'll accept that as a friendly
 18 amendment --
 19 MR. GRABIEL: That's acceptable.
 20 MR. GARCIA-SERRA: It's acceptable to us,
 21 also.
 22 MR. SALMAN: -- I'm prepared to second the
 23 motion.
 24 VICE CHAIRMAN FLANAGAN: And if I could,
 25 the City Attorney has asked that we do two

1 look much better than the renderings, and it's
 2 unfortunate, but that's the case here.
 3 My concern -- and I'd like to thank you,
 4 again, for your strict adherence to the
 5 Streetscape Master Plan and the way it fits in
 6 with the architecture. I know that, as an
 7 architect, that's a very difficult thing to
 8 achieve and to have it all sing together. It's
 9 going to be a really nice addition to this
 10 area. Unfortunately, you're coming in and
 11 you're breaking ground on what is a very low,
 12 flat block. It is going to be -- Like when
 13 Merrick went up, it's a shock at the beginning.
 14 It takes a while to get used to. And part of
 15 that shock is the -- even though there's very
 16 little landscaping, we're going to lose it, and
 17 so the purpose of my friendly amendment is that
 18 we take the trees that we're proposing and that
 19 are not sized in the plan as to their caliper
 20 size, and we go ahead and state that they
 21 should be at least a 10-inch caliper along the
 22 street edge and along the LeJeune side. You
 23 have more than enough space to receive the tree
 24 and get out of the five-foot impact zone, and I
 25 think it will add a lot to the building when

1 motions on this. So the first one would be a
 2 motion on the resolution approving mixed-use
 3 site plan review, and then we will take up the
 4 alleyway abandonment and vacation on the next
 5 motion.
 6 So, Mr. Grabiell, your -- The motion is as
 7 to the resolution approving the mixed-use site
 8 plan review?
 9 MR. GRABIEL: Yes.
 10 MR. LEEN: And that includes the additional
 11 condition that you just raised, and that's been
 12 seconded.
 13 MR. SALMAN: For a 10-inch caliper street
 14 tree along the streets and the setbacks as
 15 noted on the proposed site plan given today in
 16 chambers.
 17 MR. LEEN: And the applicant has accepted
 18 that?
 19 MR. GARCIA-SERRA: Yes.
 20 VICE CHAIRMAN FLANAGAN: And it still does
 21 include the trees that are on your plan today
 22 there?
 23 MR. GARCIA-SERRA: Correct.
 24 VICE CHAIRMAN FLANAGAN: All right. We
 25 have a motion. We have a second. Any

1 additional comment?
 2 MR. SALMAN: I'd like, just for the record,
 3 for the applicant to accept all the conditions
 4 proposed by Planning as part of their
 5 conditional recommendation of approval.
 6 MR. GARCIA-SERRA: As amended right now on
 7 the floor, also, yes.
 8 MR. SALMAN: Thank you.
 9 VICE CHAIRMAN FLANAGAN: All right. Jill,
 10 if you'll call the roll.
 11 MS. MENENDEZ: Julio Grabiell?
 12 MR. GRABIEL: Yes.
 13 MS. MENENDEZ: Vince Lago?
 14 MR. LAGO: Yes.
 15 MS. MENENDEZ: Javier Salman?
 16 MR. SALMAN: Yes.
 17 MS. MENENDEZ: Jeff Flanagan?
 18 VICE CHAIRMAN FLANAGAN: Because it
 19 complies with the Zoning Code, I'll vote yes,
 20 but I have continuing reservations and concerns
 21 about -- notwithstanding what the esteemed
 22 architects have said, and I'm not an architect,
 23 so I don't see it, but I see the rendering and
 24 I have those lingering concerns. So, with that
 25 notation --

1 Mr. Chairman and Members of the Board, and let
 2 me assure you, Mr. Chair, we will work as hard
 3 as we can to try to make that facade an
 4 acceptable one, that is broken up, and also I
 5 would like to, if any of my comments have
 6 caused any offense, of course, to Mr. Rinaldi
 7 or anyone else, apologize. I did not mean to
 8 do that. Sometimes during vigorous advocating
 9 for your client, sometimes you may say things
 10 that cause offense, but certainly I try to get
 11 along well with everyone who I work with and I
 12 continue to pledge to do that.
 13 MR. SALMAN: Shake hands and go to your
 14 corners.
 15 VICE CHAIRMAN FLANAGAN: Thank you all.
 16 The meeting is adjourned.
 17 (Thereupon, the meeting was adjourned at
 18 7:12 p.m.)
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1 MR. GARCIA-SERRA: Understood.
 2 VICE CHAIRMAN FLANAGAN: -- I vote yes.
 3 MR. LEEN: The second issue.
 4 VICE CHAIRMAN FLANAGAN: Yeah, we'll need a
 5 motion on the second issue, which is an
 6 ordinance of the City Commission requesting
 7 abandonment and vacation of the alleyway.
 8 MR. SALMAN: I move to accept Staff's
 9 recommendation for acceptance of the vacation
 10 of the alleyway as proposed.
 11 VICE CHAIRMAN FLANAGAN: We have a motion.
 12 MR. GRABIEL: Second.
 13 VICE CHAIRMAN FLANAGAN: We have a second.
 14 Any discussion on that?
 15 Seeing none, Jill, if you could call the
 16 roll.
 17 MS. MENENDEZ: Vince Lago?
 18 MR. LAGO: Yes.
 19 MS. MENENDEZ: Javier Salman?
 20 MR. SALMAN: Yes.
 21 MS. MENENDEZ: Julio Grabiell?
 22 MR. GRABIEL: Yes.
 23 MS. MENENDEZ: Jeff Flanagan?
 24 VICE CHAIRMAN FLANAGAN: Yes.
 25 MR. GARCIA-SERRA: Thank you very much,

1 CERTIFICATE
 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7 I, JOAN L. BAILEY, Registered Diplomate
 8 Reporter, Florida Professional Reporter, and a Notary
 9 Public for the State of Florida at Large, do hereby
 10 certify that I was authorized to and did
 11 stenographically report the foregoing proceedings and
 12 that the transcript is a true and complete record of my
 13 stenographic notes.
 14
 15 I further certify that all public speakers were
 16 duly sworn by me.
 17
 18 DATED this 16th day of July, 2012.
 19
 20
 21 SIGNED COPY ON FILE
 22
 23 JOAN L. BAILEY, RDR, FPR
 24 Notary Commission Number EE 083192.
 25 My Notary Commission expires 6/14/15.

