

1 CITY OF CORAL GABLES  
2 PLANNING AND ZONING BOARD MEETING  
3 VERBATIM TRANSCRIPT  
4 CORAL GABLES CITY COMMISSION CHAMBERS  
5 405 BILTMORE WAY, CORAL GABLES, FLORIDA  
6 WEDNESDAY, JULY 21, 2010, 6:05 P.M.

7 Board Members Present:

8 Tom Korge, Chairman  
9 Eibi Aizenstat, Vice-Chairman  
10 Robert Behar  
11 Jack Coe  
12 Jeffrey Flanagan  
13 Pat Keon

14 City Staff:

15 Eric Riel, Jr., Planning Director  
16 Elizabeth M. Hernandez, City Attorney  
17 Patrick Salerno, City Manager  
18 Walter Carlson, Assistant Planning Director  
19 Jill Menendez, Administrative Assistant  
20 Martha Salazar-Blanco, Zoning Official

21 Also Participating:

22 Laura Russo, Esq.  
23 Russo & Baker  
24 On behalf of Gulliver Academy  
25 Tucker Gibbs, Esq.  
26 On behalf of Gulliver Academy  
27 Gary McGraw, AIA  
28 Gili-McGraw Architects, L.L.P.  
29 On behalf of Gulliver Academy  
30 John Krutulis, Head of School,  
31 Gulliver Academy  
32 Jeffrey Bartel, Chairman of the  
33 Board of Trustees, Gulliver Academy  
34 Andrew W.J. Dickman, Esq.  
35 Law Offices of Andrew Dickman P.A.  
36 On behalf of Gables-By-The-Sea Homeowners  
37 Association

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1           THEREUPON:

2           The following proceedings were had:

3           CHAIRMAN KORGE: All right, everybody,  
4 we're going to get started. We have a quorum.

5           The item on our agenda is Application  
6 Number 09-09-092-P, Planned Area Development  
7 Assignment and Site Plan Review for Gulliver  
8 School.

9           MR. RIEL: Let's call the roll.

10          CHAIRMAN KORGE: Let's call the roll,  
11 please.

12          MS. MENENDEZ: Eibi Aizenstat?

13          MR. AIZENSTAT: Here.

14          MS. MENENDEZ: Robert Behar?

15          MR. BEHAR: Here.

16          MS. MENENDEZ: Jack Coe?

17          MR. COE: Here.

18          MS. MENENDEZ: Jeff Flanagan?

19          Pat Keon?

20          Javier Salman?

21          Tom Korge?

22          CHAIRMAN KORGE: Here.

23          We had let -- We had continued this  
24 hearing, because of time constraints, to hear  
25 from the neighbors who had objected to the --

1 to the application.

2 MS. RUSSO: I'd just -- There were two  
3 sides to that. Or the neighbors who came to  
4 support.

5 CHAIRMAN KORGE: Pardon me?

6 MS. RUSSO: You said, "We did not hear from  
7 the neighbors who came to object," and I said  
8 "Or support."

9 MR. COE: I think, Mr. Chairman, we're on  
10 public comment now.

11 CHAIRMAN KORGE: We're on public comment,  
12 thank you. That's the right way to say it.  
13 Thank you, Jack.

14 So we have a list of about 26 people.  
15 We're going to have to limit it to two minutes  
16 per person. There's a little light there that  
17 tells you -- when it turns yellow, you've got  
18 very little time left; when it turns red, your  
19 time is up. And I understand Mr. Dickman wants  
20 to take a couple of minutes to wrap up, and  
21 then Laura, I believe you have -- Ms. Russo has  
22 reserved some time for rebuttal. And then  
23 after that, we'll open it up for Board  
24 discussion.

25 MR. RIEL: Mr. Chair, can I just make a

1 couple comments?

2 CHAIRMAN KORGE: Please do. I'm sorry, you  
3 had something else to interject into the  
4 record?

5 MR. RIEL: The blue are additional comments  
6 we received since last Wednesday's meeting. As  
7 you know, at the last meeting, the applicant  
8 asked for clarification on several issues.  
9 What I did is, I updated the report to clarify  
10 those issues, and that's what you have in front  
11 of you this evening.

12 One of the issues that they asked  
13 clarification on is relative to when initiation  
14 of certain conditions would be put in place.  
15 Basically, what I've done is, the shaded text  
16 in the conditions are those conditions that  
17 would be in place 180 days after the City  
18 Commission approves it, and that -- again, I'll  
19 say, if the City Commission approves it, if  
20 they recommend approval.

21 The other things that are not shaded would  
22 be implemented at the time that they get the CO  
23 for the first building.

24 I did ask the applicant, based upon the  
25 concerns that we briefly heard at the last

1 hearing -- I did put a condition in here that  
2 they would put the landscaping in 90 days after  
3 the City Commission approved it -- again, if  
4 it's approved -- and then 30 days after, they  
5 would have to do the installation. So,  
6 basically, that accelerates, so within 90 days  
7 of a potential approval, the landscaping would  
8 go through the City's review process and then  
9 would be put in.

10 This is a departure from other  
11 applications. Typically, we only -- the  
12 conditions are implemented at the time that  
13 they either get a building permit or a CO. So  
14 this kind of provides all these operational use  
15 conditions up front, within 180 days. So I  
16 just want to put that in the record.

17 CHAIRMAN KORGE: Ms. Russo, did you accept  
18 that change on the landscaping requirement?

19 MS. RUSSO: Yes, absolutely.

20 CHAIRMAN KORGE: Did your client accept?

21 MS. RUSSO: Absolutely.

22 CHAIRMAN KORGE: Yes? Okay, thank you.

23 Why don't we call the first witness,  
24 please?

25 (Thereupon, Mr. Flanagan arrived.)

1 MS. MENENDEZ: Richard Arnold?

2 CHAIRMAN KORGE: For the record, Jeff  
3 Flanagan has arrived.

4 MR. COE: Have they been sworn? Are we  
5 swearing witnesses or not? Are we swearing  
6 witnesses?

7 CHAIRMAN KORGE: All -- every -- I thought  
8 we'd swore in everybody at the last --

9 MS. HERNANDEZ: I don't know who's here,  
10 that wasn't there.

11 CHAIRMAN KORGE: Why doesn't everybody --

12 MR. COE: It doesn't carry over.

13 CHAIRMAN KORGE: -- who's going to testify,  
14 stand up, and we'll swear you in. Even if we  
15 swore you in before, we'll swear you again,  
16 just to be safe.

17 (Thereupon, all who were to testify were  
18 duly sworn by the court reporter.)

19 CHAIRMAN KORGE: Thank you.

20 MR. ARNOLD: Ready?

21 CHAIRMAN KORGE: Yes.

22 MR. ARNOLD: Yeah. My name is Dick Arnold,  
23 and I've lived at 1180 San Pedro Avenue, at  
24 Gables-By-The-Sea, for 38 years, as has my son  
25 and my wife, and now my daughter-in-law and

1 three grandchildren.

2 We care about Gables-By-The-Sea. I look in  
3 back of me and I see a lot of people who  
4 support Gulliver. Except for one of them, I  
5 don't see anybody there who lives in  
6 Gables-By-The-Sea, and I think most of them  
7 couldn't care if you put a sewage treatment  
8 plant there. They're not interested in our  
9 neighborhood. They're interested in a  
10 profit-making organization, and that's what  
11 they've got. They say it's non-profit. They  
12 don't pay taxes. We pay the taxes, lots of  
13 them.

14 Now they've gone from where they had  
15 originally asked us to go from R1, Residential,  
16 to Special Interest, to at this point now, they  
17 have gotten to 1,100 students, is what they're  
18 supposed to have. There are not 1,100  
19 students. That's a deception. That campus is  
20 used for everything besides the 1,100 students.

21 They're asking now for a gymnasium, a  
22 natatorium, a baseball diamond, with facilities  
23 for a press box. The grades they're supposed  
24 to have are supposed to go up to 13 or  
25 14-year-olds. Does that sound like it's for 13

1 or 14-year-olds, a baseball diamond with a  
2 press box? It doesn't.

3 They're asking -- they're honestly asking  
4 for facilities to be used for the entire  
5 Gulliver empire. If you look on Page 3 of 23,  
6 the bottom shared use, that says the shared use  
7 of on-campus facilities can be permitted for  
8 students and scholastic activities for Gulliver  
9 Academy and their affiliated schools. We're  
10 talking now about thousands of people. We're  
11 talking about Gulliver students, the students  
12 from their accessory schools. We're talking  
13 about all of their faculty. We're talking  
14 about all of their friends.

15 It's not -- yeah, I can see that. I have  
16 one of those things that goes for an hour and a  
17 half when I'm exercising. I ignore that, too.

18 MS. HERNANDEZ: Ah, very good.

19 MR. ARNOLD: I want to say one more thing,  
20 I respectfully request if you're interested in  
21 the people who live in Gables-by-the-Sea, that  
22 you totally deny this application. Thank you.

23 CHAIRMAN KORGE: Thank you very much.

24 MS. MENENDEZ: Ed Guttenmacher?

25 David Arnold?

1           MR. ARNOLD: My name is David Arnold.  
2           Thank you for your attention today. I live at  
3           12931 Deva Street. I also have spent 38 years  
4           in Gables-By-The-Sea, living in my father's  
5           house for part of that, and for the last seven  
6           years with my family.

7           And I want to say, first, that I understand  
8           what the motivations are for some of this  
9           expansion. As an educator, I understand why  
10          Gulliver would want to have a good facility.  
11          As a parent, I understand why the parents have  
12          stood behind this. I have three children, and  
13          there is very little as important to me as  
14          their education. Even as a cancer surgeon, I  
15          understand why they want to keep the kids out  
16          of the sun.

17          I think that it's important that you see  
18          through a lot of this, because I think in a lot  
19          of ways, this is a bait-and-switch. The  
20          enrollment cap has nothing to do with this.  
21          What they are trying to do is to create a  
22          gigantic enterprise, in a neighborhood in which  
23          there is just no room for a gigantic  
24          enterprise. People live there, and there's not  
25          been given, in this application, any regard to

1           that.

2           They have slowly but surely expanded from a  
3           very small school to what you've heard just a  
4           moment ago, and I don't think that any of that  
5           is an exaggeration. Each time there's been an  
6           expansion, there has been -- there has been one  
7           thing that has been sold and there's been  
8           something else that's come to pass.

9           I think that each of you has a very  
10          difficult job. You sit up here and your job is  
11          to defend the way of life of those of us that  
12          have chosen to live in Coral Gables. Those of  
13          us who've done that had a lot of choices in  
14          where we wanted to live, and we live in the  
15          Gables because we know that there is very, very  
16          stringent criteria for how expansion happens.  
17          I think that each of you is charged with  
18          protecting that, and you've got a unique  
19          opportunity to defend that tonight. To allow  
20          this to go forward would be -- would be to go  
21          back on what you've sworn to do, and I hope you  
22          won't do that tonight.

23                 CHAIRMAN KORGE: Thank you.

24                 MS. MENENDEZ: Nancy Perez.

25                 MS. PEREZ: Good evening, and thank you

1 again for extending this meeting for today.

2 I live at 1440 Campamento Avenue, right  
3 across the street from where the natatorium is  
4 going to be built, and we have endured, for the  
5 past 31 years, the traffic, the parents going  
6 through our driveway, with no respect to  
7 private property. I think we have been really  
8 good neighbors and not complained as much as we  
9 should have. We have altered our schedule, as  
10 to not walk down Campamento so we don't get run  
11 over by an 18-wheeler.

12 I have pictures here, which I'd like to  
13 enter into the record, please. This is my  
14 driveway. It has a cone so people won't go  
15 driving around it. I mean, what kind of house  
16 is that? You live in the Gables and you pay so  
17 much taxes. I mean, the quality of life has  
18 deteriorated immensely. We're in no objection  
19 of their expansion, only to the magnitude of  
20 these buildings. This is not in character with  
21 the neighborhood. We still want to have our  
22 residential streets and we still want to use  
23 them.

24 You have trucks arriving as early as five  
25 o'clock in the morning, honking the horn;

1           lawnmowers, leaf blowers, pavement cleaners,  
2           going on at six o'clock in the morning. This  
3           is outrageous, and we haven't complained about  
4           it, but we should complain. We should start  
5           complaining now, because this is getting really  
6           out of hand. You know, we don't want any more  
7           of this travesty to our way of life.

8           I have pictures here of trucks coming in.  
9           This is my view from across the street. It's  
10          from my front door. I seriously suspect that  
11          maybe the building has already started, because  
12          there's so many trucks coming in and doing I  
13          don't know what, unloading heavy equipment.  
14          This is unreal. This is from across my front  
15          door. And we're basically -- you know, we're  
16          really tired of it and we don't want to put up  
17          with it anymore. So I suggest, you know, that  
18          you use your best judgment and protect our  
19          neighborhood.

20                 CHAIRMAN KORGE: Thank you.

21                 MS. PEREZ: Thank you.

22                 MS. MENENDEZ: Margarita Brito?

23                 MS. BRITO: Good evening, ladies and  
24                 gentlemen. My name is --

25                 CHAIRMAN KORGE: You can push the

1 microphone down.

2 MS. BRITO: Right here?

3 CHAIRMAN KORGE: State your name and  
4 address for the record, please.

5 MS. BRITO: My name is Margarita Brito, and  
6 I have been a resident of Gables-By-The-Sea  
7 since 1977, so you can imagine all the taxes  
8 that, between myself and myself -- my husband  
9 died -- I have to keep paying. Now I have two  
10 properties, one in Pinecrest-By-The-Sea and the  
11 other one in Gables-By-The-Sea. My  
12 granddaughter lives in Gables-By-The-Sea, on  
13 the side of Gables-By-The-Sea, right at 1460  
14 Campamento Avenue.

15 Now, I have been dealing with the traffic  
16 that comes, the people going on my driveway,  
17 trying to get pictures, but I'm not going to do  
18 that anymore. I'm going to trust you gentlemen  
19 to make, today -- whatever decision you're  
20 going to make, make it fair. Be fair to the  
21 residents, that we have been there so many  
22 years. I have been there for 33 years, but  
23 lately it's -- it's no good anymore, and I pay  
24 a lot of taxes on that property, plus my other  
25 property, and it's getting very -- it's getting

1           so bad for me to do it. I'm not a young person  
2           anymore.

3           And I understand that Gulliver wants to  
4           expand and wants to do whatever is best for  
5           them, but see, they're a nonprofit  
6           organization. I am not a nonprofit  
7           organization. I've got to pay my taxes every  
8           year, while they do not have any taxes.

9           I can hardly go into the entrance of  
10          Gables-By-The-Sea at Lugo Avenue, because the  
11          traffic is so bad in the morning, I have to  
12          detour myself and go on the other side. I have  
13          to go through 134, which is getting as bad as  
14          Lugo Avenue.

15          I -- I don't know if this is going to be  
16          any good to tell you people, but I just want  
17          you to consider all the people that are old at  
18          this moment, and I just want you to make a fair  
19          decision on this point and keep the residents  
20          the way they should be. Thank you so much.

21          CHAIRMAN KORGE: Thank you.

22          MS. MENENDEZ: Helen Sonenreich?

23          MS. SONENREICH: Good evening. My name is  
24          Helen Sonenreich. I live at 5775 Southwest 131  
25          Terrace, and have been a Pinecrest-By-The-Sea

1 resident for the past 19 years.

2 I am a -- I'm also an active board member  
3 of the Gables and Pinecrest-By-The-Sea  
4 Homeowners' Association, and I'm the lead  
5 Neighborhood Crime Watch liaison for both  
6 Gables and Pinecrest Police Departments.

7 I do not think I speak for myself when I  
8 say that we take pride in what our community  
9 has to offer in the way of schools. We have  
10 the best private and public schools in all of  
11 Dade County. It is why many of us moved here.  
12 We wanted our kids to have the best education  
13 we could offer them. Gulliver is one of those  
14 great schools and does offer a great education.  
15 I stand before you, not telling you that I  
16 don't want it in my backyard. I like having  
17 Gulliver in my backyard. I just want to be  
18 able to get out of my backyard.

19 (Thereupon, Ms. Keon arrived.)

20 MS. SONENREICH: I want Gulliver to be able  
21 to upgrade their facility. I would like the  
22 children there to have a gym. I do not want to  
23 begrudge them a better swimming pool. I only  
24 request that the gym be brought down in scale;  
25 the pool be open air if the only alternative to

1 covering it, sits it directly across from  
2 residential homes; and I request that the use  
3 of these facilities be restricted so as not to  
4 impede on the neighbors more than they do now.

5 As for the Campamento entrance, no matter  
6 how you ultimately vote on Gulliver's  
7 expansion, I would find it difficult to believe  
8 that the Campamento entrance would be allowed  
9 to remain open. The evidence is in the  
10 photographs presented last week. The  
11 commercial vehicles and trucks should not be  
12 traveling down our neighborhood streets. Yes,  
13 it was allowed and agreed to up until now. We  
14 have had since 1995 to know that this does not  
15 work. With all that Gulliver is preparing to  
16 take on, having them reroute this entrance is  
17 the smallest of their projects. I beg you, no  
18 matter how you choose to vote on the whole  
19 application, please insist that Gulliver close  
20 this gate. Thank you.

21 CHAIRMAN KORGE: Thank you very much.

22 MS. MENENDEZ: Carlos Santeiro?

23 CHAIRMAN KORGE: For the record, Pat Keon  
24 has arrived.

25 MR. SANTEIRO: Good evening. I'm Carlos

1           Santeiro, 12500 Ramiro Street, and I'm  
2           president of the Gables-By-The-Sea Homeowners'  
3           Association. I just want to reiterate a couple  
4           of points that I made last week. I did have  
5           the opportunity to speak, as president of the  
6           HOA, but I want to just repeat a couple of  
7           points, is that, you know, we tried -- we heard  
8           the word compromise, and I want to repeat that  
9           Gulliver went through the motions to try to  
10          meet with us, but they have not listened to any  
11          of our requests. The issues that we contend is  
12          that the size and scale and massiveness of the  
13          gymnasium are way out of scale for the  
14          community, way out of character, way out of  
15          character for the City Beautiful. It's not  
16          something that belongs in the neighborhood.

17                 There's many -- The natatorium, you know,  
18                 being covered, you know, is way out -- you  
19                 know, it's with a huge roof structure. It's  
20                 not -- it's not something that's in keeping  
21                 with what we want in Gables-By-The-Sea, that  
22                 everybody is looking out onto this roof  
23                 structure.

24                 The rear gate, the truck traffic is  
25                 something that's completely gotten out of hand.

1           We have a lot of streets in Coral Gables that I  
2           see "No truck traffic allowed," "No truck  
3           traffic." Well, here we have an enclosed  
4           neighborhood, and we have lots of truck  
5           traffic, so we need to prevent that.

6           And again, I want you to remember there's a  
7           1995 agreement that they want to keep regarding  
8           the gate, and there's a 1998 agreement they're  
9           trying to change. If we're going to change the  
10          1998 agreement, change the 1995 agreement. The  
11          1995 agreement was done prior to Gulliver  
12          increasing the enrollment to 1,124 students.  
13          Now that they've increased it, the 1995  
14          agreement, which says the rear gate is allowed,  
15          you know, is out of hand. There's too much  
16          traffic coming into that rear entrance with the  
17          increased enrollment that was allowed in 1998.

18          So, anyway, I urge you to vote this  
19          arrangement, send Gulliver back to negotiate,  
20          and let's see what we can do together. Thank  
21          you.

22                 CHAIRMAN KORGE: Thank you.

23                 MS. MENENDEZ: Ana Cristina Schaps?

24                 Kay Levine?

25                 Melissa Seifer?

1 MS. SEIFER: Yes.

2 Thank you for allowing us to air our  
3 neighborhood dirty laundry, but I live at  
4 842 --

5 CHAIRMAN KORGE: Could you state your name  
6 and address for the record, please?

7 MS. SEIFER: Okay. Melissa Seifer, 842 San  
8 Pedro Avenue, Gables-By-The-Sea.

9 I think the whole issue is, we just want to  
10 be good neighbors. We've tried it. We offered  
11 them that back gate. They've abused the  
12 privilege. They've -- Originally, it was set  
13 up for students that lived in Gables-By-The-Sea  
14 could actually drive to school without going  
15 outside the community. That's not the case.  
16 It's like open enrollment on that back gate.

17 We want law-abiding neighbors. We have to  
18 follow the zoning rules in our neighborhood.  
19 When I went to paint my house, I had to come  
20 down here, get a permit, have the colors  
21 approved. We expect the same thing from  
22 Gulliver. They're not adhering to the Master  
23 Plan. They've -- you know, if I asked for a  
24 house, to quadruple the size of my house on my  
25 same lot, I don't think that would be approved.

1           Why should they get it approved? The Master  
2           Plan was set up for a reason. We'd like them  
3           to adhere to it. No homeowner would apply for  
4           a variance, putting their house 20 feet closer  
5           to the street. People have been denied garages  
6           for six inches, not nearly as deteriorating  
7           into the pathway or the visual, you know,  
8           perception from the neighbors. I don't think  
9           anybody should be allowed that kind of  
10          variance.

11                 The size of the structures are way  
12          overboard. The violations, as far as having  
13          commercial traffic on the use of the public  
14          street that we all use. When we walk our dogs  
15          or ride our bikes back there, if we get  
16          anywhere near drop-off time, it's taking your  
17          life into your own hands. They have not been  
18          good neighbors. They are not keeping up with  
19          the exterior of the property. They might need  
20          money, but they should really take care of what  
21          they have. I don't think they can afford these  
22          enhancements to that campus. They really  
23          should belong on the high school campus. The  
24          people that move next to an elementary and  
25          middle school did not move next to a high

1 school. They're trying to turn this property  
2 into a high school, and it's not supposed to be  
3 a high school.

4 Thank you, and I hope you give us some  
5 compromises on some of the more aggravating  
6 issues to the neighbors.

7 CHAIRMAN KORGE: Thank you.

8 MS. SEIFER: Thank you.

9 MS. MENENDEZ: Arturo Hernandez?  
10 Beverly Arnold?

11 MRS. ARNOLD: My name is Beverly Arnold. I  
12 live at 1180 San Pedro Avenue, where I have  
13 lived for the past 38 years.

14 The fact that your Board was sent 800  
15 letters of support from Gulliver advocates is  
16 irrelevant. It could have been 8,000, and it  
17 would have been expected from alumni and  
18 present students and parents. But that does  
19 not address the question before you.

20 The impact that this overdevelopment will  
21 have on Gables-By-The-Sea is the precise  
22 problem, and the neighborhood is overwhelmingly  
23 opposed to it, as our petitions and our letters  
24 prove. This expansion is not for the benefit  
25 of K through 8 students. The size and scope of

1 the improved athletic facilities are not to  
2 accommodate 1,100 students from the Gables  
3 campus. They are to cater to the activities of  
4 their high school, which supposedly is not on  
5 that campus.

6 When Mrs. Krutulis was denied permission to  
7 place her high school on this campus in the  
8 Gables, it did not mean that she could hold any  
9 activities relating to that school on this  
10 site. But over the years, the school has used  
11 this facility as it chose. Contrary to their  
12 attorney's claim, they have not been good  
13 neighbors, and if you allow them to again  
14 expand, it will have an even greater adverse  
15 impact on our quality of life in this  
16 residential neighborhood. Thank you.

17 CHAIRMAN KORGE: Thank you.

18 MS. MENENDEZ: Mark Miles?

19 Tony Goitia?

20 MR. MILLS: Mark who?

21 MS. MENENDEZ: Mills, I'm sorry, Mark  
22 Mills.

23 MR. MILLS: Are we allowed to speak in  
24 support of the -- Do I go up?

25 Good evening. My name is Mark Mills, 12641

1 Ramiro Street. I have lived there for 15  
2 years. I'm one of the few parents that showed  
3 up in support. I guess there's a fine line  
4 between stupid and passion. But I'm here to  
5 say that my passion is really more for  
6 protecting our children and the Gulliver staff  
7 against skin cancer. My father-in-law died of  
8 it, at age 62, and that was the first time that  
9 I really became aware it was that serious. So  
10 I'd be, you know, all for covering the pool,  
11 and my son is a swimmer there and just  
12 graduated from that school recently, but spent  
13 between two and three hours a day in the direct  
14 sunlight, late afternoon, and of course, the  
15 staff is there from very early in the morning  
16 until eight o'clock at night.

17 As far as the gym, if we could bring some  
18 things inside, be it volleyball, basketball, I  
19 think it will bring the noise level, to some  
20 extent, inside, too, so I'd support that.

21 I do have a letter from a neighbor, William  
22 Beckham, and his wife, Julia. If it's okay,  
23 I'd like to read it. It's to the Coral Gables  
24 Planning and Zoning Board.

25 "To Whom it May Concern: We are eight

1 years' residents of Gables-By-The-Sea and urge  
2 the Board to vote in favor of the Gulliver  
3 School Master Plan for the following reasons.  
4 We should all be happy that the Gulliver School  
5 is looking to upgrade and modernize their  
6 facilities and keep up with the changing  
7 educational standards without expanding the  
8 student base. Gulliver has been a good  
9 neighbor to Coral Gables in many ways over the  
10 years, including the voting precinct, paramedic  
11 station, numerous community service projects  
12 completed by their staff and students, and  
13 offering their pool to master swimmers, et  
14 cetera. Gulliver Schools add to the value of  
15 our homes in Gables-By-The-Sea, and our area is  
16 well sought by families -- in fact, I moved  
17 there primarily because it was close to  
18 Gulliver -- not only because we are a beautiful  
19 residential area, but also our proximity to  
20 leading schools and Gulliver. Thank you."

21 CHAIRMAN KORGE: Thank you.

22 MR. GOITIA: Thank you, gentlemen. My name  
23 is Tony Goitia, 1355 Coruna Avenue. I've lived  
24 there for a little over 16 years.

25 I -- Some of you will know what I say --

1           what I did, served this Planning and Zoning  
2           Board for several years, and I was Chairman of  
3           the Code Enforcement Board of the City for five  
4           years, and I strongly believe that Coral Gables  
5           is set for it's -- for us, the residents, for  
6           who we are and for what we offer. I feel real  
7           sorry about the person that had the cancer and  
8           they were helping him. I have cancer, too. I  
9           got a glioblastoma in my head. I got operated  
10          in December and I'm at it. And I go to Duke  
11          every two weeks and I come back to my home in  
12          Gables-By-The-Sea. And I've got to tell you  
13          that living in Gables-By-The-Sea is a special  
14          place. I've been there, again, for 16 years.  
15          Serving the City and serving the residents is a  
16          special thing.

17                 I don't want to get into, you know, what  
18          Gulliver does and what Gulliver is doing,  
19          because I think everybody has already said it,  
20          and saying it 25 times should not be necessary.  
21          But what you should always do is pay attention  
22          and take care of the people that are residents  
23          of the City of Coral Gables, that we pay the  
24          taxes. Gulliver doesn't pay the taxes.  
25          Gulliver doesn't pay taxes, but, you know, it's

1 a not-for-profit organization; that's  
2 understandable. But it is a very for-profit  
3 management company. And it's a great school,  
4 but they did a deal in 1998. When I moved into  
5 Coral Gables, they were an elementary school.  
6 Today they're elementary and middle school.  
7 And it should be enough.

8 I thank you very much for listening. I  
9 thank you very much for the opportunity, and I  
10 look very high to everybody that serves the  
11 City, like the way I have for many years.  
12 Thank you very much.

13 MS. HERNANDEZ: Thank you.

14 MS. MENENDEZ: Louise Villalba?

15 Michael Merry?

16 CHAIRMAN KORGE: You need to speak a little  
17 louder.

18 MS. MENENDEZ: Michael Merry?

19 Cindy Greenberg?

20 Monica Pacheco Zumpano?

21 MS. ZUMPANO: Good evening. I have a  
22 bachelor's --

23 CHAIRMAN KORGE: State your name and  
24 address for the record.

25 MS. ZUMPANO: Monica Zumpano, 1431 Coruna

1 Avenue, Coral Gables, Florida. I'm not a  
2 speaker, but I'm going to speak from the heart,  
3 so -- I have a bachelor's in architecture, and  
4 I work for a prominent firm here in Miami. The  
5 majority of our work is in the Gables. I'm big  
6 on the City Beautiful, and my biggest concern  
7 is that Old Cutler is a historic road, for one,  
8 and it was designed to be a two-way road. Now,  
9 there's schools that are flanking this road all  
10 the way from 144th. There's Gulliver, there's  
11 Pinecrest, there's Pinecrest Presbyterian.  
12 Getting into 57th, there's St. Thomas, there's  
13 Epiphany.

14 So what's happening is that if this school  
15 is interested in doing these huge  
16 infrastructures on their campus, which is  
17 baseball -- which it's not that they're going  
18 to increase their number of students, it's that  
19 they're proposing to do structures like a  
20 natatorium and like a baseball, with bleachers,  
21 and bleachers for both, which call for a huge  
22 amount of people to come to these events.  
23 That's what these structures are going to be  
24 for, these huge amounts of people at the same  
25 time. So all these people are going to be

1 using Old Cutler Road during a busy traffic  
2 hour, when I'm trying to get home from work, in  
3 addition to all the other events that all the  
4 other schools have. That road, as it is now,  
5 to get home from work, is insanity. I do  
6 anything I can to avoid it, to get home.

7 So I don't think it was Merrick's intention  
8 for Old Cutler Road to have this type of  
9 congestion, to design these type of structures  
10 that are going to call for this type of busy  
11 traffic congestion, and the safety of our  
12 children is at stake, because there's cars that  
13 pass each other, to have to try and get through  
14 and around and into the residential  
15 neighborhoods, to try and get home, because  
16 people get impatient.

17 Am I being timed?

18 CHAIRMAN KORGE: Yes, you are.

19 MS. ZUMPARNO: Oh.

20 CHAIRMAN KORGE: Your time is up.

21 MS. ZUMPARNO: You're kidding me. I didn't  
22 know.

23 CHAIRMAN KORGE: No, just wrap up.

24 MS. ZUMPARNO: Well, my other point is also  
25 the architectural, the massiveness of the

1 structures in context with the residential area  
2 inside of it. Pinecrest is also affected  
3 because of the traffic. And I'm the one whose  
4 balcony looks down onto the school, who they're  
5 proposing this huge, massive roof, out of what  
6 material, I don't know, but usually those  
7 materials -- usually those forms call for  
8 metal.

9 So I'm just opposed to the massiveness of  
10 the structures, what they're going to be used  
11 for, which, you know, then affects Old Cutler  
12 Road, and the noise level that these structures  
13 are also going to produce within a residential  
14 neighborhood.

15 Those are basically my points. Sorry to  
16 exceed my time.

17 CHAIRMAN KORGE: That's okay. Thank you.

18 MS. MENENDEZ: Greg Van Natter?

19 Bruce Beattie?

20 MR. BEATTIE: Good evening. My name is  
21 Bruce Beattie. I live at 8100 Southwest 54th  
22 Avenue, in Ponce-Davis. We're the hole in the  
23 doughnut, hopefully annexed in soon.

24 I'm here to speak on behalf of Gulliver. I  
25 presently have a child at the Academy and also

1           one at the Prep. You've heard the back and  
2           forth. The school was built in 1965, so the  
3           homeowners must have known it was there when  
4           they moved into the area. I know I knew it was  
5           there. I've been associated with the school  
6           since the early '70s.

7           I've gone through this entire plan today.  
8           I've got some background in this. I've been  
9           involved in litigation with another private  
10          school for going on 18 years now, so I'm pretty  
11          well versed in what you're allowed to do and  
12          what you're not allowed to do. In going  
13          through this, Staff has gone through it fairly,  
14          fairly well, and Gulliver is permitted and  
15          allowed to do everything they're asking to do,  
16          with the exception of two. They're asking for  
17          two setbacks. One would move the gymnasium  
18          even further away from the neighborhood, and  
19          the other is a natatorium. Now, by enclosing  
20          that, you're not only taking the noise out of  
21          the neighborhood; you're also protecting the  
22          kids by putting a roof over it.

23          So, with those two said, I would strongly  
24          ask for your support in moving the application  
25          forward.

1           CHAIRMAN KORGE: Thank you.

2           MS. MENENDEZ: Otto Paier?

3           Donna Kupper?

4           MS. KUPPER: Hi. Good evening. Can you  
5           hear me? My name is Donna Kupper. I live at  
6           13017 San Mateo. I've been a resident there  
7           for almost 15 years. I am -- I've always been,  
8           for thirteen and a half years, on the  
9           Gables-By-The-Sea Homeowners' Association, and  
10          I currently serve on the City-wide Traffic  
11          Advisory Board.

12          So I'm here to give you a few statistics of  
13          something that occurred last week, for  
14          clarification purposes. Do you recall, last  
15          week, when you were presented with an impactful  
16          brown expandable folder that stated -- that  
17          they stated there was over 600 signatures in  
18          approval for what Gulliver wants to do?

19          Well, members of our community went and  
20          read those. Here's how it went. Of the 457  
21          that I'm going to list now, 12 of them are  
22          Gables and Pinecrest-By-The-Sea residents. One  
23          hundred are Pinecrest residents, but this does  
24          not include any Pinecrest-By-The-Sea residents,  
25          and those most heavily affected by this

1 expansion. 271 were Gables residents, and most  
2 of these residents were in the far reaches of  
3 the north end of the Gables. None are  
4 Gables-By-The-Sea, where Gulliver's expansion  
5 has its largest impact. And lastly, of the  
6 457, 174 were duplicates. These were just the  
7 duplicates they were able to pick out at a  
8 glance.

9 In addition to the pile of the 457 which  
10 these members of the community counted, there  
11 was a pile higher than that, that by  
12 statistics, they estimate if it was that much  
13 higher, it was probably 650 signatures --  
14 pages. Those are people other than Pinecrest  
15 and Coral Gables, living in Dade County,  
16 Broward County, reaching as far as New York,  
17 Virginia, Maryland, Texas, Illinois and  
18 Colorado.

19 I only ask that you realize the lack of  
20 compromising and that you don't use this as  
21 your decision -- as a basis for your decision,  
22 but you look at the lack of integrity for the  
23 basis of your decision. Thank you.

24 CHAIRMAN KORGE: Thank you.

25 MR. BEHAR: Mr. Chair, could I ask her a

1 question?

2 CHAIRMAN KORGE: Sure.

3 MR. BEHAR: Of those 457, how many  
4 residents that filed in favor of the applicant  
5 live within half a mile of the campus?

6 MS. KUPPER: I only know that 12 live in  
7 Gables and Pinecrest-By-The-Sea, and 100 live  
8 in Pinecrest, but not in Pinecrest-By-The-Sea.

9 MR. BEHAR: But you don't know within the  
10 immediate area, you don't know --

11 MS. KUPPER: No, but we'll go back and look  
12 at the stack, if you'd like to know that  
13 information. If you would, please let us know,  
14 and we'd like to -- we could do that.

15 MR. BEHAR: Thank you.

16 MS. KUPPER: Thank you.

17 MS. MENENDEZ: Pablo Acosta?

18 MR. ACOSTA: Good evening.

19 My name is Pablo Acosta. My wife Diana and  
20 I and our two small boys live at 12790 Red  
21 Road, in Gables-By-The-Sea. I've been a  
22 resident of Miami-Dade County for the last four  
23 years. I was born in New York. And  
24 unfortunately, I've only lived in Coral Gables  
25 for the last seven of those years, and I've got

1 to tell you that I am thrilled to be a Coral  
2 Gables resident. I'm probably one of those few  
3 that actually enjoy all of restrictions that  
4 you all have, all of the codes that you have,  
5 and the way you enforce them. Being now a  
6 Gables resident, I really do appreciate it, and  
7 I understand the troubles that you all go  
8 through when you get these applications and how  
9 seriously you look at all of them and how  
10 strictly you also enforce them.

11 I'm not that familiar with the application  
12 for Gulliver and what they have done, for that,  
13 I apologize to my neighbors. But I will speak  
14 on two issues that do give me concern, and  
15 they're very selfish in that regards. I have  
16 the unique situation in where my home is  
17 situated, which I am a corner property right as  
18 you enter into Gables-By-The-Sea. I live at  
19 the four-way stop sign. And I've got -- The  
20 problem that I realized after I moved into the  
21 neighborhood is the Campamento access that  
22 Gulliver was granted, I guess, back in '95,  
23 now, as I understand it. And some of the  
24 neighbors have shown you some pictures of some  
25 semi trucks and other types of delivery trucks,

1           and heavy equipment delivery trucks. I get it  
2           on both sides. I'm the only home that actually  
3           gets that. Most of these homes will probably  
4           get it on the front side. I get it on the  
5           side, where my master bedroom is, and I get it  
6           across the front.

7           I've got to tell you, I served on the City  
8           of Miami's Finance Board, unfortunately. In  
9           these tough economic times, it's not the  
10          board -- the type of board you want to serve  
11          on, or finance committee. So I know what  
12          public service is, and I know what you all are  
13          entrusted with, and that responsibility to  
14          enforce these codes. But I've also got to tell  
15          you that in these tough economic times, and as  
16          most of these governments and situations that  
17          they're facing, it's because of a decline in  
18          property value. If this Campamento access is  
19          continued and permitted and perhaps utilized  
20          during construction -- I understand it's not,  
21          but if it's somehow utilized during  
22          construction, all that will do is continue to  
23          decline property values.

24          One last point is, I'm also a business  
25          owner in Coral Gables, so I pay taxes twice.

1 Under normal circumstances -- and my offices  
2 are at 131 Madeira. Under normal circumstances  
3 it should take me about 20 to 25 minutes to get  
4 to work. It takes me about 45 minutes. Twenty  
5 minutes of it is spent going eight blocks,  
6 coming out of my neighborhood to about 120.

7 Again, traffic is what it is, and I  
8 understand. My only -- and this is my second  
9 concern, is, I just want to make sure that  
10 there's no additional student stations, there's  
11 no attempt to increase the student population,  
12 because in my mind, that will just simply  
13 increase the traffic that's already there.

14 Those are my two concerns: No further  
15 access through Campamento and no further  
16 increase to the student population or the  
17 student stations. Thank you very much.

18 CHAIRMAN KORGE: Thank you.

19 MS. MENENDEZ: Nancy Sanabria?

20 MS. SANABRIA: Good evening. My name is  
21 Nancy Sanabria. I reside at 944 San Pedro  
22 Avenue --

23 CHAIRMAN KORGE: I'm sorry, what's your  
24 name?

25 MS. SANABRIA: Nancy Sanabria,

1 S-A-N-A-B-R-I-A. I reside at 944 San Pedro  
2 Avenue. We bought our home in Coral Gables,  
3 Gables-By-The-Sea, in 1999.

4 We spoke about a lot of things, but the  
5 main thing I'm going to touch on in my  
6 testimony here is on safety and traffic.

7 I live a couple blocks away from Campamento  
8 and the entrance, and I walk my dogs, and I  
9 truly believe and have witnessed the  
10 neighborhood being compromised by safety issues  
11 of people traveling that road to get into  
12 Gulliver. I know the rule is that it's just  
13 residents and commercial allowed vehicles in  
14 the Gulliver campus, but I have seen parents  
15 bringing children at a couple minutes before  
16 start time and speeding in through the gate,  
17 trying to get there, and I've moved over here  
18 with the dogs, just to kind of avoid them,  
19 because we don't have sidewalks there. So I  
20 know the rules aren't being enforced, and that,  
21 I would say, is a definite safety issue for the  
22 neighborhood.

23 Secondly, I agree with what some of our  
24 neighbors have said. Gulliver is a fine  
25 institution of learning. It's well respected,

1           and we would like to see them there. We just  
2           would like to see an agreement that is in the  
3           best interests of everyone. The buildings are  
4           out of proportion and out of scale, and the  
5           entrance, I believe, should be closed, and I'm  
6           sure there's another way to work it out so that  
7           the commercial vehicles and the students'  
8           parents can use the main entrance.

9           Regarding the fire vehicles, I think the  
10          easiest access for them would be the main  
11          entrance on Old Cutler. It doesn't seem to  
12          make sense for them to come in through the  
13          gate, and someone did touch on that already.

14          So, as you review Gulliver's application,  
15          I'd please ask you to consider the scope, size  
16          and safety of Gulliver's application. Thank  
17          you.

18          CHAIRMAN KORGE: Thank you.

19          MS. MENENDEZ: Juan Orriols?

20          MR. ORRIOLS: Hi. Good evening. My name  
21          is Juan Orriols. I live in Gables-By-The-Sea.  
22          My address is 1220 Cartagena Avenue.

23          There's not much that I can say this  
24          evening that hasn't been already said. I join  
25          my neighbors, my friends, in this passionate

1 argument to understand -- to really help you  
2 understand the effect that this is going to  
3 have in our neighborhood.

4           Primarily, there's two points that I'd like  
5 to convey this evening. One of them is safety.  
6 Gentlemen, if you haven't been there during the  
7 school day, in the morning, you're really  
8 missing out on what could be almost a  
9 laughingstock of traffic in our neighborhood.  
10 We have children darting back and forth from  
11 across the street, dodging semi trucks from  
12 Sysco, food purveyors to the school. We have  
13 other service vehicles at seven-thirty, eight  
14 o'clock in the morning, five days a week. It's  
15 really a scary thing, but at one point or  
16 another, you really have to scratch your head  
17 and ask, how long is the administration of this  
18 school going to let this happen? Is it going  
19 to take someone getting hurt? Is it actually  
20 going to take an accident, God forbid,  
21 something more tragic? These are the types of  
22 concerns that I have as a neighbor in this  
23 neighborhood, this beautiful neighborhood.  
24 Safety is my number one concern, as someone who  
25 has three daughters and crosses that street

1           daily.

2           The other point I'd like to convey to you  
3           this evening is, 10 years ago I moved to  
4           Gables-By-The-Sea. I left the wonderful  
5           metropolis of New York City. It's kind of  
6           funny now, ironic, that this is slowly getting  
7           a little bit of encroachment of concrete, of  
8           what I consider a beautiful neighborhood.

9           So I ask you to consider the size and the  
10          scope of the project. We all understand  
11          Gulliver wants to beautify and improve their  
12          grounds. I get that. I certainly do, and I  
13          wish them luck, in terms of renovations. But  
14          in terms of adding structures over 40-foot, I  
15          really do have to ask all of you to take a  
16          strong consideration to the type of  
17          out-of-character building that this would have  
18          to our neighborhood. Thank you.

19          CHAIRMAN KORGE: Thank you.

20          MS. MENENDEZ: Louise Villalba?

21          MS. VILLALBA: Good evening. My name is  
22          Louise Villalba. I'm a resident of  
23          Gables-By-The-Sea. I moved in in 1988. I  
24          remember, back in 1988, when my husband and I  
25          were looking into buying a property in this

1 neighborhood, we did research into the fact  
2 that there was a school in the premises, in the  
3 neighborhood, and I was assured that the cap  
4 would be in place and stay in place, and the  
5 Gulliver School that is there right now is  
6 nothing like the Gulliver School that was there  
7 in 1988.

8 I've watched its growth come and go, and it  
9 is very disheartening and very -- it saddens me  
10 that we have to be here, trying to preserve our  
11 community from a multi-million dollar  
12 corporation that wants to expand and grow and  
13 expand and grow, without caring for what our  
14 neighbors live with every day. The fact of  
15 traffic was not addressed until we all yelled  
16 and screamed in the May meeting, and now  
17 suddenly they will do something about it. They  
18 say they're good neighbors. Their cap is  
19 1,162, but what about the 90 something students  
20 that are bussed in there from their middle  
21 school campus for lunch and afternoon  
22 activities every day? Does that bring their  
23 cap up?

24 They're -- you know, they say they're good  
25 neighbors, but are they really? And I think

1           that our citizens, our citizens and residents  
2           paying taxes in this neighborhood, need to be  
3           represented by you, Members of the Board, for  
4           our community and for the people who you serve.  
5           Thank you.

6           MS. MENENDEZ: Cynthia Azari?

7           MS. AZARI: Hi. My name is Cynthia Azari.  
8           I live in Snapper Creek Lakes, at 10445  
9           Lakeside Drive. I haven't been here for 30 or  
10          40 years, but I plan being here for the next 30  
11          or 40 years.

12          I currently have four students who attend  
13          Gulliver Academy and now Gulliver Prep. One of  
14          them is in Prep. I moved here in 2004, and I  
15          actively looked in Coral Gables for a house in  
16          a neighborhood that was close to Gulliver  
17          Schools. I did my research. I had the  
18          opportunity to go to one of the best schools in  
19          the country, Deerfield Academy, in Deerfield,  
20          Massachusetts, a school started at 1797. If  
21          you look at Deerfield today, it is the balance  
22          of a 200-plus year city, or little town,  
23          actually, and a modern facility for students  
24          that -- it's incomparable.

25          That being said, in Snapper Creek, I know

1           that 90 percent of the people who bought in  
2           Snapper Creek have lived in there, have their  
3           kids in there now or have had kids at Gulliver  
4           schools. Even though there are a number of  
5           schools in the Coral Gables area, I chose this  
6           one. I am in the car five and a half hours a  
7           day, and I know what it's like going back and  
8           forth, down 57th and down 88th and back again.  
9           My kids get out at all different times, at  
10          12:30, at 2:30, at 3:20, at 5:20, after sports,  
11          at gymnastics at South Miami campus, and up  
12          until eight o'clock at night, when I get my  
13          daughter out of gymnastics at the other campus.  
14          So, yeah, there are some trade-offs, with  
15          traffic and whatnot, but it's not the only  
16          school; it's a combination of all of the  
17          schools out there.

18                 I'm willing to put up with it, because of  
19          the facilities, because of the education, and  
20          Gulliver Academy not only is academic  
21          excellence, but it's also a holistic school  
22          that approaches arts, sports, and the  
23          academics.

24                 I always hoped that we would have a place  
25          for the gym, that we would have a place for the

1 swimming, for the arts, because I've been to  
2 the best school -- one of the best schools in  
3 the United States, and this is what I wanted  
4 for my kids. I know there's a way to work  
5 together.

6 CHAIRMAN KORGE: Thank you very --

7 MS. AZARI: I also have a letter, by the  
8 way, from one of the physicians who lives in  
9 Gables-By-The-Sea, who wasn't able to be here.  
10 She lives in Gables-By-The-Sea, this physician,  
11 and she asked me to please drop this off.

12 CHAIRMAN KORGE: Give it to her.

13 MS. AZARI: Thank you.

14 MS. MENENDEZ: Isabel --

15 MS. ELIASCHEV: Good evening. Isabel  
16 Eliashev, 5830 Southwest 85th Street. I have  
17 been a Gulliver parent for the past eight  
18 years, and I am a Gulliver teacher. I have  
19 been a Gulliver pre-K teacher for the past five  
20 years.

21 I was here last Wednesday and I heard about  
22 the possibility of us losing our playground due  
23 to the problems with the delivery trucks. I  
24 was devastated when I heard that, because our  
25 playground is very important for my little

1 students. Our playground is located next to  
2 two classrooms, the junior-K class and the  
3 pre-K class. So when I am in the playground  
4 with my students and they need to go to the  
5 bathroom, I have access to these two bathrooms  
6 right away, right there. Of course, I take  
7 them to the bathroom before we go to the  
8 playground, but there is always accidents or  
9 they really need to go and they can't wait, so  
10 I have access for them right there.

11 If the playground is moved to the field,  
12 there is no bathrooms on the field. Gulliver  
13 will have to build the playground, the  
14 bathrooms, water. There is no trees, because  
15 it's a baseball field, so we will need  
16 something to protect the kids from the sun.

17 Also, the way Gulliver is designed is that  
18 the primary division is separated from the  
19 elementary division and from the middle school  
20 division. If I have to take my students all  
21 the way to the field for playground time, I  
22 will have to cross the other two divisions.  
23 The middle school kids are pretty much, all of  
24 them, taller than me. Their backpacks are  
25 bigger and heavier than my three-year-old

1 students. So, for sure, I will have accidents,  
2 backpacks bumping into my three-year-olds, so  
3 it's something that I cannot do every day.

4 The other point that I would like to  
5 mention is that -- and it's probably the one  
6 that hurts me the most. It's that our  
7 playground, it's the prettiest playground that  
8 Gulliver has. It has 11 trees that are more  
9 than 40 years old. I have pictures, if you  
10 want to see them. Those trees have weird  
11 looking iguanas, lizards, squirrels, birds.  
12 Actually, during the summer, I was in a summer  
13 Spanish camp, and my kids saw this bird  
14 building a nest, right there in the playground,  
15 and we sat down, we look at the bird, we talk  
16 about the colors of the birds in Spanish. So I  
17 have been teaching my students to take care of  
18 the playground, to care for our trees, for the  
19 animals that we have in there.

20 Gulliver's philosophy is based on 16 life  
21 skills. Some of those life skills are caring,  
22 kindness, responsibility and respect. That's  
23 what I have been teaching to my students for  
24 the past five years. How can I go back and say  
25 to my students, "I'm sorry, everything that I

1           have taught you before, it's okay, we're going  
2           to destroy the animals, we're going to destroy  
3           the trees, because we need the delivery trucks  
4           to go through that"? I can't do that.

5           I'm asking you, please, to honor what I've  
6           been trying to nurture to my students.

7           CHAIRMAN KORGE: Thank you very much.

8           (Comments from the audience)

9           MS. ELIASCHEV: I'm sorry, I don't think  
10          anybody was interrupt--

11          CHAIRMAN KORGE: Your time --

12          MR. COE: Your time is all up, ma'am.

13          CHAIRMAN KORGE: Your time is up, ma'am.

14          Thank you very much.

15          MS. ELIASCHEV: And can I only explain --

16          MR. COE: No, ma'am.

17          MS. ELIASCHEV: -- how important  
18          playgrounds --

19          MR. COE: Your time is up.

20          Ms. ELIASCHEV: No? Okay.

21          MR. COE: There's other speakers here.

22          MS. ELIASCHEV: I'm so sorry.

23          MR. COE: You cannot hog the podium.

24          CHAIRMAN KORGE: Okay.

25          MR. COE: Thank you.

1           CHAIRMAN KORGE: Thank you. If you want to  
2 give your pictures up here, they'll pass them  
3 around.

4           MS. MENENDEZ: Hank Langston?

5           MR. LANGSTON: Good evening. I'm Hank  
6 Langston. I live at 3523 Loquat Avenue. I'm  
7 not a resident of Coral Gables, but I am proud  
8 to say that I have been a member of Gulliver  
9 faculty for 42 years. And I think one thing  
10 that I wanted to stress here, more importantly,  
11 is, Gulliver does embrace this entire  
12 community, and that has always been the goal,  
13 and it hasn't been quantity, it has always been  
14 quality that we've always strived for, and this  
15 is from the first time that I arrived at  
16 Gulliver until the present, and what we're  
17 always working for.

18           If I recall, and I think it's still true,  
19 when the homeowners' association was looking  
20 for a home, because there were very few homes  
21 at that time in Gables-By-The-Sea, they came to  
22 Gulliver for their meeting place, and I believe  
23 they're still meeting there and using our  
24 facilities for that.

25           MS. BRITO: It's the least they can do,

1           because they don't pay taxes.

2           CHAIRMAN KORGE:   Please.

3           MS. HERNANDEZ:   You should --

4           MR. LANGSTON:   I also remember that when  
5           the students were --

6           MR. BEHAR:   Address us.   This is the Board,  
7           not over there.

8           MR. LANGSTON:   Okay.   I also remember that  
9           when there were students that were seeking to  
10          start Boys and Girls Scouts, that Gulliver was  
11          there with open arms and embracing the  
12          community, and more importantly than that is,  
13          we're always there.   Regardless of what action  
14          may be taken from any organization, they always  
15          reach out to Gulliver and Gulliver is there.

16          One of the important issues that I would  
17          like to bring to your attention, if you recall,  
18          a few years ago, when one of the residents of  
19          Coral Gables had a heart attack and died,  
20          because the rescue facilities or rescue squad  
21          could not get to the facility on time, or the  
22          home where the patient was, so what had  
23          happened?   Gulliver opened their arms again and  
24          provided a place for the rescue squad truck,  
25          for 24 hours a day, seven days a week, to be on

1           our campus, so they could be of service to the  
2           community down there in South Dade.

3           Gulliver, as I said, is embracing not only  
4           the community of Gables-By-The-Sea, but for  
5           this entire community in South Florida.

6           CHAIRMAN KORGE: Thank you.

7           MR. LANGSTON: Thank you.

8           MS. MENENDEZ: No more speakers.

9           CHAIRMAN KORGE: No more speakers.

10          Mr. Dickman, did you want to wrap up for a  
11          couple of minutes, and then Ms. Russo?

12          MR. DICKMAN: Thank you. For the record,  
13          Andrew Dickman, representing Gables-By-The-Sea.

14          I do want to just take a real quick minute  
15          to provide you with just a summary, because I  
16          think there are some real just key issues here  
17          that you can focus on, and I'd like to, if I  
18          may, approach the dais and pass these out.

19          MR. COE: Is this a written summation  
20          you're giving?

21          MR. DICKMAN: Yes, it is. It's actually a  
22          summary, and this is something that --

23          CHAIRMAN KORGE: Mr. Dickman, about five  
24          minutes, if you would.

25          MR. DICKMAN: Less than that, actually,

1           probably.

2           CHAIRMAN KORGE:   Thank you.

3           MR. DICKMAN:   The main -- and this is no  
4           secret to Gulliver.  We've had conversations  
5           and expressed these to them in the past.  What  
6           you've heard tonight is primarily dealing with  
7           the existing access to the campus from  
8           Campamento, and I've prepared a diagram for you  
9           on the second page that addresses this, and  
10          what you can see -- and this is directly from  
11          their site plan.  What you can see in orange is  
12          what is existing, their existing driveways, et  
13          cetera, et cetera.

14          They have a 60-foot setback from their  
15          property line, going north to their nearest  
16          building line.  It's very easy for them to put  
17          a driveway of about 20 feet along their  
18          property line, to alleviate the problems that  
19          you've been hearing about all through these  
20          hearings.  I mean, it's very easy.  The type of  
21          things that you're hearing about children being  
22          interfered with on campus, well, that very same  
23          thing is happening in the community.

24          So it's kind of shocking to me that there  
25          wasn't even an attempt whatsoever to try to

1 design this type of thing, to see if it is  
2 possible or feasible to do it, and I still  
3 question the fact whether or not the tot lots  
4 and the playgrounds should be located in the  
5 front as an accessory use.

6 Number two, use the Campamento gate if you  
7 have to, for limited access for emergencies.

8 Number three, absolutely deny the request  
9 for variance on the 60-foot setback. And you  
10 can see again, there isn't any justification --

11 MR. COE: You do understand, they're not  
12 requesting a variance?

13 MR. DICKMAN: I understand that, but what  
14 they are requesting --

15 MR. COE: If they were requesting a  
16 variance, they're in front of the wrong Board.

17 MR. DICKMAN: They're requesting -- They're  
18 requesting something that your own professional  
19 Planning Staff is asking you to deny, which  
20 is --

21 MR. COE: But it's not a variance.

22 MR. DICKMAN: Their setback -- the setback  
23 is 80 feet, and they're requesting a 60-foot  
24 setback.

25 MR. COE: It's a modification of the Master

1 Plan.

2 MR. DICKMAN: A modification of that, but  
3 one thing that I want to point out to you in  
4 Article 13, which is the development review of  
5 a PAD, is that it says, "Any part of the  
6 perimeter of a PAD which fronts an existing  
7 street shall be so designed as to complement  
8 and harmonize with the adjacent land use with  
9 respect to scale, density, setback, bulk,  
10 height, landscape and screening."

11 That's part of the design review, and  
12 that's been our argument, is that the closer  
13 you get to Campamento with this very large  
14 building, it's out of scale, and I think your  
15 Planning Director has got that absolutely  
16 right.

17 With regard to the natatorium, just take a  
18 look at the site plan, because I was curious  
19 about this. When you go through the plans that  
20 you have, you'll see the floor plan. You'll  
21 see the size of the pool, which I believe is a  
22 25-meter pool with -- it must be something like  
23 10 lanes. The deck size around that pool is  
24 gigantic. It's gigantic. There's locker  
25 rooms, boys' and girls' locker rooms. They're

1           very large. This building does not have to be  
2           that large for a K through 8 school. Just look  
3           at the site plan, not just the footprint,  
4           because I was curious about what's inside that,  
5           and it's a huge deck area around the pool, and  
6           it does not have to be that large.

7           The same thing for the gymnasium. When  
8           you look inside that, not only is it elevated  
9           because they want to park underneath it; they  
10          have two basketball courts inside that  
11          gymnasium. They have very large bleachers and  
12          two large boys' and girls' locker rooms, with  
13          bathrooms, et cetera. For a K through 8  
14          school, it's very, very large. Not only is it  
15          large in width and length, but it's also tall,  
16          because they're parking underneath it. They  
17          have two basketball courts.

18          And finally, the extensive landscaping and  
19          maintenance along Campamento and Bernal.

20          And those essentially come down to the  
21          issues that we're talking about. The primary  
22          issue has to do with that -- that conflict  
23          point, which is the entrance on Campamento, and  
24          there hasn't been any, any evidence whatsoever  
25          to show that they can't bring on site this

1           problem.

2           They're coming to you, asking for a change,  
3           but at the same time they're saying it's unfair  
4           for us to say, "You change." That's not fair.  
5           That's not compromising.

6           So I would ask that you support your  
7           Planning Staff with regard to the setback  
8           change or adjustment and --

9           MR. COE: Modification.

10          MR. DICKMAN: -- and ask, at the minimum,  
11          ask for -- and deny the rest of the plan, based  
12          on the entrance issue, or at least ask them to  
13          go back and design this so that the natatorium  
14          is set back further, and if you want a scale of  
15          these things, look at the tennis courts in  
16          between, and you can see kind of the scale of  
17          what's going inside these buildings.

18          So, with that, I appreciate your time.  
19          Thank you for allowing me to summarize that.  
20          And of course, I'll be here if you wish to ask  
21          me any questions a little later.

22          Thank you.

23          CHAIRMAN KORGE: Thank you.

24          MS. RUSSO: Good evening.

25          MR. COE: Are you both going to speak

1           simultaneously?

2           MS. RUSSO:  Yes, simulcast.

3           MR. GIBBS:  Tag team.

4           MS. RUSSO:  Tonight, he's my friend.

5           Good evening --

6           MR. COE:  But not all the time.

7           MS. HERNANDEZ:  Whoa.  He should have been  
8           there yesterday.

9           MR. GIBBS:  That's true.

10          MS. RUSSO:  Good evening, Mr. Chairman,  
11          Members of the Board.  For the record, Laura  
12          Russo, with offices at 2655 -- with co-counsel  
13          that I neglected to introduce last time because  
14          he wasn't here, Mr. Tucker Gibbs.

15          I'm going to wrap up and just take about  
16          two or three minutes at the end, but I'm going  
17          to allow Mr. Gibbs to address a couple of the  
18          points, and he had the benefit of reading the  
19          transcript of -- part of Mr. Dickman's  
20          presentation from last week.

21          Mr. Gibbs?

22          MR. GIBBS:  Good evening.  As I said -- as  
23          Laura said, my name is Tucker Gibbs, and I'm  
24          very happy here to be representing Gulliver  
25          Academy.  What I'd like to do is talk to you a

1           little bit about what was said and clarify a  
2           couple of things.

3           Number one, no new students are coming to  
4           Gulliver because of this application. Gulliver  
5           is not asking for new students, and that's  
6           important to understand, because a lot of the  
7           issue you've heard about last meeting and this  
8           meeting has been about traffic. No new  
9           students, no more traffic. There may be people  
10          who think there's a traffic problem caused by  
11          Gulliver. That's not the issue here tonight.  
12          The issue is a PAD, to allow for a new plan for  
13          the school. It is not an expansion of the  
14          school.

15          I deal with schools every day. It's the  
16          bulk of my business. I oppose schools. And I  
17          will tell you, compared to the three issues  
18          that I've been dealing with the most, Palmer  
19          Trinity, Ransom Everglades and Somerset  
20          Academy, this is nothing like it.

21          Different from Palmer Trinity, no new  
22          students, not an additional land.

23          Different from Ransom Everglades --  
24          similar, because Ransom Everglades wanted a  
25          pool right next door to my client. My client

1           said, "I can't deal" -- "I can deal with the  
2           structure. Make it a natatorium." He told the  
3           school, "Make it a natatorium, because I can  
4           always buffer. I can always buffer the noise,  
5           I can always buffer" -- "I can't buffer the  
6           noise, I can always buffer a building." And  
7           the school said "No."

8                     Somerset Academy -- In your land use  
9           designation in the City of Coral Gables, it's  
10          an educational land use that allows a school to  
11          go in. If you're not an educational land use,  
12          you can't go in. Gulliver's land use,  
13          educational. Your City has determined that  
14          this site is the appropriate site for  
15          educational institution of Gulliver -- like  
16          Gulliver.

17                    And so what I'm trying to say is, when  
18          you're looking at all of this, the issue in  
19          your Comp Plan, the issue in your Code, when  
20          you're dealing with a PAD, a P-A-D, is  
21          flexibility. Flexibility. How do you deal  
22          with the issues of where structures go, how big  
23          structures are?

24                    Judge Coe hit the nail on the head at the  
25          last meeting, when he asked about, "Is there

1 going to be a problem with height? Do they  
2 meet the Code with height?" Gulliver meets the  
3 Code for height. Gulliver does not exceed  
4 height. Gulliver does not exceed lot coverage.  
5 Mr. Dickman himself said, as of right, Gulliver  
6 can build the nat, the natatorium, in terms of  
7 its bulk.

8 There's nothing in the Code that says that  
9 Gulliver cannot do anything that it's doing  
10 today, including the setback, because as Judge  
11 Coe said, again, this isn't about a variance.  
12 This is about a PAD, which allows flexibility.  
13 It allows your Planning Department to put  
14 conditions, and that's the last thing I want to  
15 tell you about. The fact is, my clients agree  
16 to every single condition that has been  
17 recommended by your professional Staff, with  
18 the exception of the placement of the  
19 natatorium. Of all the conditions, only one,  
20 and when people get up here and say the school  
21 is not willing to compromise, I take exception  
22 to that. The school has done everything that  
23 your professional Staff has asked for except  
24 for the issue of the natatorium and where the  
25 natatorium is placed.

1           We need the natatorium placed where it is  
2           because we need to provide not only swimming  
3           services, but tennis services, and those tennis  
4           courts are situated in such a way so that when  
5           kids play tennis, the sun is not in their eyes.  
6           That's the importance of why the natatorium has  
7           to be placed where it is, to provide the tennis  
8           courts where they are, so that the kids can  
9           actually play tennis, instead of being blinded.

10           And I'm sure I have a lot more in here, but  
11           I will leave it to Laura to conclude. Thank  
12           you all very much.

13           MS. RUSSO: Thank you.

14           I want to just rebut a couple of the  
15           things. Once again, we'll repeat, there are no  
16           new students. There were some comments that  
17           were made that this is a new -- that the middle  
18           school was an addition. The middle school has  
19           been on this campus since the campus started.  
20           It did used to be a high school. The high  
21           school was relocated in the '70s. Since the  
22           time the high school was relocated, it has come  
23           to this campus to use the baseball diamonds.

24           So, as we said in our submittal, and as was  
25           noted in detail in the facilities report, which

1           you will notice, and the use report, is the  
2           activities that take place now will continue to  
3           take place; what we are doing is upgrading the  
4           facilities in which they are going to take  
5           place. The swimming takes place. The baseball  
6           team from the varsity high school has always  
7           come to use the baseball diamonds here. This  
8           is not new.

9           And so what we're trying to say and what we  
10          said and what we represented is, the only  
11          activities, or a couple that I said would be  
12          new, which were the middle school dances that  
13          are currently taking place in the Prep, will  
14          now take place.

15          The kids on this campus do not have a  
16          public assembly area. They currently have a  
17          covered bleacher area that sits in the middle  
18          of the campus. By providing one structure that  
19          serves as both a gymnasium and an auditorium,  
20          we are allowing for the theater productions  
21          that take place over multiple nights can now  
22          take place on one night. You're allowing for  
23          the holiday performances, for the dance  
24          recitals that take place.

25          With respect to the size of the natatorium,

1 the natatorium at the 60-foot setback is only  
2 20 feet tall. A two-story house can be built  
3 at a 25-foot setback at 39 feet tall, a  
4 single-family home. So the structure of the  
5 natatorium, at 60 feet back, is 20 feet, and  
6 rises up to 38 feet, not at 25 feet. So you  
7 could have a structure -- We've purposely  
8 designed it so it would be lower than a  
9 two-story home, if a two-story were a home, and  
10 it's 60 feet from the property line.

11 We are addressing the issues with respect  
12 to the landscaping. And yes, the landscaping  
13 has become a little sparse in areas, due to the  
14 disease that affected all the ficus in South  
15 Florida, and most of the perimeter is with  
16 ficus. We proffered, in our landscaping plan,  
17 tiers of landscaping, so should that happen  
18 with one tier, the tier behind it, which will  
19 also be allowed to be at 12 feet high, will  
20 protect it. We agreed to that.

21 We've agreed to the additional police  
22 officer. This will be the only school that  
23 will have three police officers in the morning,  
24 and this police officer will be monitoring the  
25 exit over at Gables-By-The-Sea, to allow them

1 to come out, not because of Gulliver traffic,  
2 but because there is more traffic, since our  
3 traffic report and our expert, in the testimony  
4 and the report that was submitted, indicated  
5 that there is no increased traffic due to  
6 Gulliver.

7 I also want to invite, since the neighbors  
8 have discussed the Campamento violations, that  
9 this was part of the special taxing district,  
10 what the neighbors have forgotten, because some  
11 of them weren't part of it, is that the middle  
12 school, the fifth through eighth grade, used to  
13 be dropped off on Campamento. When Red Road  
14 was open, they used to go to Red Road to  
15 Campamento, make a left, and everybody would  
16 queue up on Campamento and do a U-turn in a  
17 circular driveway.

18 As a request, that Gulliver was requested  
19 to accommodate the special taxing district,  
20 they were asked to limit access from  
21 Campamento. That's when Red Road was closed,  
22 and they had to move all those children over to  
23 the front entrance. And the agreement  
24 specifically says that the access on Campamento  
25 could be used for maintenance vehicles, for

1 deliveries, and for authorized staff, and at  
2 that time, that parking lot wasn't even built.  
3 The agreement allowed for the faculty parking  
4 lot to be built of 70 spaces.

5 What I invite, and I'm putting this of the  
6 record, is for the City to have Code  
7 Enforcement and police officers to monitor  
8 that, and if violations are taking place, we're  
9 here to say we think that if parents that are  
10 not one of the 17 families of Gables-By-The-Sea  
11 are using that to drop it off -- we think  
12 they're not, but if they are and they don't  
13 have the sticker, they should get -- Gulliver  
14 should receive a Code Enforcement violation and  
15 have to pay a fine. And so we're trying to be  
16 a good neighbor, and what you have here is also  
17 a set of standards and operations that do not  
18 exist, and the purpose of a master plan is  
19 strategic planning, and even professional Staff  
20 will tell you that the City has a Comp Plan,  
21 and the Comp Plan has to be updated and amended  
22 every seven years.

23 Our position is that when you're trying to  
24 deal with something, life is not static. A  
25 master plan cannot be static. When we did our

1           master plan in '98, we agreed to cap students.  
2           We weren't requesting an increase in students.  
3           We are not requesting an increase in students  
4           now, but only to be allowed to have improved  
5           facilities, and I respectfully request that you  
6           approve the application, and we accept all  
7           conditions in Staff's report except for the  
8           reduction of the -- except for the denial of  
9           the reduction of the setback.

10           MR. COE:   Mr. Chairman, can I ask Ms. Russo  
11           a couple of questions?

12           CHAIRMAN KORGE:   Please.

13           MR. COE:   You've heard, last week and this  
14           week, vociferous comments by the neighbors, and  
15           some of those were directed to the increase of  
16           the athletic facilities, and an allegation that  
17           this is going to mean that there's going to be  
18           a lot more people coming to these athletic  
19           facilities, and that means a lot more traffic.  
20           Is that accurate?

21           MS. RUSSO:   That is not accurate, and if  
22           you look at the -- and I have my traffic  
23           engineer, Mr. Juan Espinosa, of David Plummer  
24           and Associates.  One of the things that Staff  
25           requested and which we happily provided was a

1 list of all the activities that currently go  
2 on, and if you look at our submittal, we list  
3 the athletic activities, when they occur, and  
4 Mr. Plummer was specifically asked to look at  
5 these activities. The current activities will  
6 continue to be the same. In other words, all  
7 the current sports activities that take place  
8 are just going to take place in newer, upgraded  
9 facilities.

10 MR. COE: Are there not going to be more  
11 stands, more seats, therefore, more people?

12 MS. RUSSO: The current -- the only  
13 increase in seating is in the baseball  
14 facility, which will have 176 fixed seats and I  
15 think -- I don't know what the amount --

16 Do you know the current number?

17 MR. McGRAW: The current number? No.

18 MR. COE: What's the portables? How  
19 many is that going to be?

20 MS. RUSSO: But that's the only facility  
21 that's going to have increased seats.

22 MR. COE: How many seats are going to be in  
23 the portables that we're talking about?

24 MS. RUSSO: The portables all exist now,  
25 and they're used all the time. The portables

1 are used and brought out based on the sport.  
2 The portables aren't new. The portable  
3 bleachers are used right now for soccer, for  
4 lacrosse, for tennis.

5 CHAIRMAN KORGE: Well, I guess what --  
6 Excuse me for interrupting you, but are the  
7 portables going to continue to be used?

8 MS. RUSSO: Well, yes, because --

9 CHAIRMAN KORGE: So, then, there will be an  
10 extra 176 seats.

11 MS. RUSSO: No, because there currently is  
12 a baseball facility. We're upgrading the  
13 current baseball facility. It's not --

14 CHAIRMAN KORGE: How many seats are on the  
15 current facility?

16 MR. COE: That's the portables, are the  
17 current. Then they're going to put in fixed.

18 MS. RUSSO: It's a comparable number to the  
19 current facility. It's upgraded --

20 MR. COE: What we're not clear about,  
21 Ms. Russo --

22 MS. RUSSO: Uh-huh.

23 MR. COE: Maybe you can explain it, or  
24 Mr. Gibbs can explain it. We have now, the way  
25 I understand it, the portable facilities for

1 the baseball field. Now you're going to  
2 maintain the portable facilities, but now  
3 you're going to, in addition, build fixed  
4 seating.

5 MS. RUSSO: No, no, no. There are current  
6 fixed seats on the baseball facility now. It's  
7 an older baseball facility. I don't know how  
8 many years old.

9 MR. COE: But those are all going to be  
10 revamped.

11 MS. RUSSO: They're going to be revamped,  
12 and we have current portable bleachers that are  
13 used for the others. There's three other  
14 diamonds. There's the varsity diamond --

15 MR. COE: I guess, to cut to the chase to  
16 this, what I'm getting at, if you were allowed  
17 to do this expansion to the athletic field, to  
18 the baseball field, what would be the total  
19 maximum seating that will be envisioned in this  
20 new plan? Do you know?

21 MS. RUSSO: Well, I think you have to ask  
22 me per game. Is someone coming to watch a  
23 lacrosse game? They bring out bleachers, the  
24 portable --

25 MR. COE: Let's say it's the World Series.

1           How many maximum people can be --

2           MS. RUSSO:   How many maximum people --

3           MR. COE:    Yes.

4           MS. RUSSO:   -- can watch?

5           How many maximum people?

6           MR. GIBBS:   Well, there's 152 fixed seats  
7           now.

8           MS. RUSSO:   Right, but that --

9           CHAIRMAN KORGE:   How many are now?

10          MS. RUSSO:   The question is, how many --

11          MR. COE:    No, no, I want to know, if this  
12          is built, what the maximum seating capacity  
13          would be if the maximum was filled, how many  
14          people.

15          MR. GIBBS:   Can I ask a question?

16          MS. RUSSO:   Of the current baseball?  Are  
17          you talking the baseball?  I want to be able to  
18          answer --

19          MR. BEHAR:   The future, future.

20          MR. COE:    The future.

21          MS. RUSSO:   The future, the future  
22          baseball --

23          MR. COE:    I don't care what it is now.  
24          They want to expand it.

25          MS. RUSSO:   -- is 176, when we have 156.

1           CHAIRMAN KORGE:   So you're adding 20 seats?

2           MS. RUSSO:   Or, I'm sorry, 152 to 176, in  
3           the baseball facility.

4           CHAIRMAN KORGE:   You're adding 24 seats.

5           MS. RUSSO:   24 seats.

6           MR. COE:   So you're saying that the total  
7           additional seating is only 24?

8           MS. RUSSO:   Correct.

9           MR. BEHAR:   How about for the basketball?

10          MS. RUSSO:   Basketball is going to be  
11          indoors, in the gymnasium.

12          MR. COE:   I don't think Mr. Gibbs is quite  
13          in accordance with those numbers, but we don't  
14          want to lose this point.   No, I'm most  
15          concerned about this --

16          MS. RUSSO:   I think we put in -- if I'm not  
17          mistaken, we addressed in our submittal,  
18          depending on whether the gym is used for a  
19          concert function, where the seating would be on  
20          the floor of the basketball court, and whether  
21          it's used as a basketball court and the seating  
22          is on the bleachers, but I can get you those  
23          two figures, because we put them in our  
24          submittal.

25          MR. McGRAW:   The bleacher seating for

1           basketball --

2           MS. HERNANDEZ:   Could you please go up  
3           there?

4           MR. MCGRAW:   I'm sorry.

5           MS. HERNANDEZ:   And state your name from  
6           last week.

7           MR. GIBBS:   Judge Coe, I've talked to the  
8           school representatives.  All seats,  
9           bleachers -- the portables, as well as the  
10          permanent seating in the athletic area for the  
11          school, 500.

12          MR. COE:   500, and that's what it's going  
13          to be.  What is it now?

14          MR. GIBBS:   That's what it -- No, that's  
15          what it is now.

16          MR. COE:   That's what it is now.

17          MR. GIBBS:   That's what it is now.

18          MR. COE:   What does it change, if any, if  
19          this facility is upgraded?  That's what I'm  
20          getting at.

21          MS. HERNANDEZ:   Right.

22          MS. RUSSO:   24.

23          MR. GIBBS:   Do the math, 156 minus the  
24          170--

25          MS. RUSSO:   24.  The difference is the 24

1 seats, from the 176 to the --

2 MR. COE: No, no, he just said 500,  
3 Ms. Russo.

4 MS. RUSSO: No, see, you guys aren't  
5 understanding the question. In the gymnastic  
6 facility --

7 MR. COE: We're not talking about the  
8 gymnastic facility. We're talking about the  
9 athletic field, the baseball facility.

10 MS. RUSSO: Where the athletic field and  
11 the baseball field are --

12 (Comments from the audience)

13 MR. FLANAGAN: Shh.

14 MS. RUSSO: The current baseball facility,  
15 the permanent one, not the portable one, the  
16 permanent one that's there -- I understand.

17 MR. COE: No, no. Mr. Gibbs has combined  
18 the two and has said 500. I'm trying to find  
19 out --

20 MS. RUSSO: Well, I think he meant 500 for  
21 all the bleachers.

22 MR. COE: Well, that's not what he said. I  
23 wish you all would clarify what it is. I mean,  
24 174 and 500 is a huge difference. What's the  
25 correct number?

1 MR. GIBBS: It's 524. 524.

2 MS. RUSSO: But say what that represents.

3 MR. GIBBS: That represents the permanent  
4 seating on the baseball field --

5 MS. RUSSO: Correct.

6 MR. GIBBS: -- and the bleachers, and the  
7 portable bleachers.

8 MS. RUSSO: All the portable bleachers.

9 MR. GIBBS: All the portable bleachers.

10 MR. COE: 524 is going to be the new  
11 number; 500 is the existing number?

12 MR. GIBBS: Correct.

13 MR. AIZENSTAT: Well --

14 MR. COE: Are you going to modify that?

15 MR. AIZENSTAT: What about now, then?

16 MS. RUSSO: No, no, no, but I want to make  
17 sure -- We're not -- The question is, are we  
18 increasing that?

19 We are increasing it in terms of the  
20 gymnasium, because the gymnasium seating is  
21 different and --

22 MR. COE: I haven't gotten --

23 MS. RUSSO: I know, but see, that's not  
24 what it --

25 MR. COE: I haven't gotten to the gymnasium

1 number. I'm still on the baseball field.

2 MS. RUSSO: Okay.

3 MR. COE: This is baseball season. It's  
4 not basketball season.

5 MS. RUSSO: This is the answer to the  
6 baseball field. You've heard the answer to the  
7 baseball field. You could have 500. There's  
8 500 seats now. We will have 524.

9 MR. COE: 524. So you're going to have 24  
10 more seats?

11 MS. RUSSO: Correct. I just want to make  
12 sure we're answering --

13 MR. COE: Okay. Now we can go inside and  
14 talk about the gym. What's the -- What seating  
15 capacity do you have now?

16 MS. RUSSO: For basketball?

17 MR. COE: For basketball, since I would  
18 imagine that would be the big indoor draw.

19 MS. RUSSO: The seating -- They use the  
20 portable bleachers, so --

21 MR. COE: I understand.

22 MS. RUSSO: -- it would be 500 --

23 MR. COE: I'm trying to get at, Ms.  
24 Russo -- I'm not being difficult here. I'm  
25 just trying to get at --

1 MS. RUSSO: No, and I'm trying to answer  
2 your question, to make sure it's answered --

3 MR. COE: I'm trying to get at a real  
4 simple thing. If there's an activity, I want  
5 to get an idea, when that activity takes place,  
6 what's the maximum number of people that are  
7 going to show up.

8 MS. RUSSO: If people come out for a  
9 basketball --

10 MR. GIBBS: Right, and here's the  
11 situation. The new gym -- I'm going to go  
12 backwards. The new gym, 540. However, there  
13 is no gym now, but they do play basketball  
14 outside.

15 MR. COE: Right.

16 MR. GIBBS: Some of those 500 seats we were  
17 talking about, those portable bleachers, that's  
18 what they're used for.

19 MR. COE: That's what I'm getting at.

20 MR. GIBBS: All right, I understand.

21 MS. RUSSO: Right.

22 MR. COE: So you're going to take -- You're  
23 going to take the potential 500 seats for  
24 outdoor basketball and you're going to move it  
25 inside, if your gym is built, and you would

1           have a maximum seating capacity of 540. So  
2           that would be an increase of 40 seats.

3           MR. GIBBS: Right, and remember -- and  
4           also, Judge, that gym is not used exclusively  
5           for basketball. It's a multi-purpose, so --

6           MR. COE: Okay, well, that's the next thing  
7           we're going to get to.

8           MR. GIBBS: Oh, sorry.

9           MR. FLANAGAN: Mr. Chairman --  
10          Hold on.

11          CHAIRMAN KORGE: Yeah.

12          MR. FLANAGAN: Now I'm getting confused.

13          Judge, I think I just heard you think or  
14          say that the seating outdoors for basketball  
15          now would be replaced or moved, effectively,  
16          indoors. What I'm hearing is that there's 500  
17          outdoor seats now. Those 500 outdoor seats  
18          will remain, plus the 24 additional in the --

19          MR. COE: Right.

20          MR. FLANAGAN: -- baseball, plus -- plus --

21          MR. COE: But the basketball activity  
22          that's outside is going to be --

23          MR. FLANAGAN: Plus the 540 --

24          MR. COE: Yeah.

25          MR. FLANAGAN: Plus the 540 inside.

1           MR. BEHAR: In addition to that, you have  
2           174 fixed seating that is not going to be moved  
3           inside. Those stay in the outside.

4           MR. COE: That's still -- The portable --  
5           Essentially, basketball goes from outside to  
6           inside.

7           MS. RUSSO: Correct.

8           MR. FLANAGAN: But if I understand it,  
9           we're creating 540 new seats inside, plus 24  
10          new outside.

11          MS. RUSSO: Correct, correct.

12          MR. COE: What I'm trying to find out,  
13          Ms. Russo -- or Mr. Gibbs, whoever wants to  
14          tell me this -- inside this gym, if it were  
15          built, what's the maximum number of people that  
16          can show up to an event, whether it's a  
17          concert, graduation or whatever?

18          MS. RUSSO: Okay, if it's a concert or  
19          graduation, you use the floor seating, and I  
20          believe the number was --

21          MR. MCGRAW: It's approximately 250. I  
22          can't recall exactly.

23          MS. RUSSO: We submitted it in our -- I can  
24          look it up. We submitted the number, because  
25          for the Fire Department, depending on the use,

1           you have to show where the seating is and the  
2           ability to exit, and I'll look it up, but we  
3           had a number for using it as a concert, as a  
4           theater. For the holiday concerts, for the  
5           dance recitals, they use the floor seating.  
6           When you have a basketball game or a volleyball  
7           game, the floor becomes the arena of activity,  
8           and the seating takes place in the bleachers.

9           MR. BEHAR: And you could not potentially  
10          have the floor seats and the bleachers at the  
11          same time?

12          MS. RUSSO: No.

13          MR. BEHAR: Why wouldn't you have those --

14          MS. RUSSO: Well, because you're having  
15          your performance. I mean, you have to be able  
16          to have the room for the performance. Where  
17          would you have --

18          MR. BEHAR: How about graduation?

19          MS. RUSSO: Graduation? You have --

20          MR. BEHAR: You're telling me that you  
21          cannot have floor and bleachers?

22          MS. RUSSO: I think we even took into  
23          account graduation and provided that number, to  
24          be able to --

25          MR. BEHAR: So 250 is the maximum you would

1 have under those scenarios?

2 MR. COE: Well, what about the kids that  
3 have to --

4 MR. McGRAW: I'm Gary McGraw. I'm the  
5 architect. I believe, in the City's  
6 recommendations, they had seating for  
7 basketball functions which is approximately  
8 540.

9 MS. RUSSO: And --

10 MR. McGRAW: And --

11 MS. RUSSO: We submitted that data when  
12 requested by Planning.

13 MR. McGRAW: Right, and there was separate  
14 seating for assemblies at the stage. The two  
15 were never combined. It was either one or the  
16 other would take place. I believe that's the  
17 way it was written by the City.

18 MS. RUSSO: We were requested -- the  
19 information was requested because we had to  
20 give it to the Fire Department. When you build  
21 any public assembly area, the Fire Department  
22 has to know what your seating plans are.

23 MR. COE: You're suggesting, Ms. Russo, so  
24 I understand this -- I'm quite puzzled. So, if  
25 there's a graduation of the -- I don't know,

1           what, eighth grade is a graduation?

2           MS. RUSSO:  The eighth grade graduates, I  
3           believe kindergarten graduates --

4           MR. COE:  There's a kindergarten --

5           MS. RUSSO:  -- and there may be a  
6           graduation --

7           MR. COE:  Then it goes to the eighth  
8           grade --

9           MS. RUSSO:  -- from fourth to fifth grade,  
10          when you move from elementary to middle.

11          MR. COE:  So fifth grade into middle  
12          school --

13          MS. RUSSO:  Correct.

14          MR. COE:  -- there's a graduation?

15          MS. RUSSO:  Uh-huh.

16          MR. COE:  Let's take eighth grade.  How  
17          many students would graduate, routinely, from  
18          eighth grade?

19          MS. RUSSO:  In eighth grade?

20          How many students, John?  John --

21          VOICES IN AUDIENCE:  There is no  
22          graduation.

23          MS. RUSSO:  There is no eighth graduation  
24          anymore, so that goes out.  There's no more  
25          eighth grade graduation.

1           MR. COE:  So there's a fifth grade  
2           graduation?

3           MS. RUSSO:  Is there a fifth graduation?  
4           (Inaudible comments)

5           MS. RUSSO:  There's no fifth grade.  I --

6           MR. COE:  So K is it?

7           MS. RUSSO:  There's no fifth grade  
8           graduation.  There a kindergarten graduation.

9           MR. COE:  Is that still there?

10          MS. RUSSO:  There is a kindergarten  
11          graduation.

12          MR. COE:  So the only graduation Gulliver  
13          has in this facility is for K, right?

14          MS. RUSSO:  Is for K.

15          MR. COE:  Okay.  How many students graduate  
16          K?

17          MS. RUSSO:  Do we know how many students in  
18          kindergarten --

19          MR. COE:  Because everybody in the class  
20          graduates, I would hope.

21          MS. RUSSO:  Do we know how many  
22          kindergarten students?  Approximately.  Give me  
23          a -- I can't hear.  One hundred?

24          Less than 100 students.

25          MR. COE:  Less than 100.  Are those 100 or

1 less students included in the 250 seating  
2 capacity that you told me?

3 MS. RUSSO: Were the students --

4 MR. GIBBS: Yes.

5 MS. RUSSO: When you calculated the use of  
6 the gym for a graduation type event, did you --

7 MR. MCGRAW: There's seating for 250.  
8 There may be additional students on stage at  
9 that time.

10 MR. COE: Okay.

11 MS. RUSSO: Seating for 250. The students  
12 would be on stage, receiving their K diplomas.

13 MR. COE: And if there was a concert --

14 MS. RUSSO: A holiday --

15 MR. COE: -- you have the performer on the  
16 stage --

17 MS. RUSSO: Correct.

18 MR. COE: The performer is on the stage,  
19 and the maximum number of people that could  
20 attend this conference, you're suggesting, is  
21 250?

22 MS. RUSSO: I'm going by the --

23 MR. MCGRAW: That's an approximate number.  
24 We submitted the exact number. It was 250,  
25 265, somewhere in that range, as I recall.

1 MR. COE: Okay.

2 CHAIRMAN KORGE: Ms. Russo, I think the big  
3 question is, if we're going to have a total of  
4 524 on the baseball field, and then 540 at the  
5 basketball gym, is it likely or possible that  
6 both events could be occurring at the same  
7 time? That's when you really run into the  
8 issue.

9 MS. RUSSO: Well, basketball would not  
10 occur at the same time as baseball, because  
11 that much I know, they have different seasons.  
12 Basketball is a fall sport and baseball ends  
13 with the World Series. Now, you have  
14 volleyball, which has a different season. Most  
15 of the sports have different -- so on the field  
16 you may have -- I know that you have some  
17 conflicts, and so you have soccer and lacrosse  
18 and whatever. But could there be an event?  
19 I'd have to --

20 Could there be an event where both the  
21 baseball facility is being used and the gym is  
22 being used for --

23 MR. KRUTULIS: Basketball is in the winter.  
24 Volleyball is in the fall.

25 MS. RUSSO: Okay. So there would be no

1 overlap of the athletic facilities -- you know,  
2 of the baseball facility being filled, with all  
3 the bleachers, everybody watching it, and the  
4 gym.

5 MR. GIBBS: Laura, can I make a --

6 MS. RUSSO: Yes, you may make a --

7 MR. GIBBS: Can I make a statement? I  
8 understand the numerical issue, but I think  
9 there's a practical issue here that is really  
10 important. We're not talking about Palmetto  
11 Senior High School or even the -- you know,  
12 we're talking about an elementary school going  
13 up to eighth grade and their athletic program.  
14 This is not like watching LeBron James, so the  
15 point is that --

16 MR. COE: Yes, but Mr. Gibbs -- Hold on.  
17 Hold on, Mr. Gibbs.

18 MR. BEHAR: Do not insult my intelligence.

19 MR. COE: Hold on, Mr. Gibbs.

20 MR. GIBBS: No, no, I understand. What I'm  
21 trying to -- No, I respect that. No, I didn't  
22 mean to offend you. What I'm trying to say is  
23 that when you're dealing --

24 MR. ARNOLD: You did.

25 MR. GIBBS: Excuse me.

1           Excuse me, Mr. Chairman -- Mr. Chairman,  
2           I've apologized. I --

3           CHAIRMAN KORGE: No, you have the floor.  
4           Go ahead.

5           MR. GIBBS: Okay. I apologize. I didn't  
6           mean to offend anybody, and I certainly don't  
7           mean to insult anybody's intelligence. What  
8           I'm trying to say is that we're talking about  
9           capacity, and I understand that. What we're  
10          trying to put it is in the context of what it  
11          is, in terms of the number of people, and yes,  
12          absolutely right, we have given you the  
13          numbers, 524, 500, or 250 in the gym.

14          What I'm trying to say is, when you talk  
15          about the seasons and you talk about a sport,  
16          you talk about volleyball or lacrosse or  
17          football or soccer, it depends on the interests  
18          of who's going to be there. And a lot of  
19          times, if you have a team that's winning the  
20          State championship, you're going to have  
21          everybody in the school there, and sometimes  
22          you won't. It's just a matter of looking at it  
23          that way. We understand that -- Those numbers  
24          that we gave you are the numbers.

25          MR. BEHAR: You know, when you look at a

1 plan, a proposed plan of a gymnasium that has  
2 two basketball courts, a full gym that's  
3 probably, you know -- I don't know, 700, 800  
4 square feet, the floor of the gym is over  
5 20,000 square feet, you're telling me that this  
6 is for up to eighth -- you know, from K to  
7 eighth grade?

8 MR. GIBBS: Yeah, but that's --

9 (Applause)

10 MR. COE: Please. Please stop it.

11 CHAIRMAN KORGE: I really -- We'd really  
12 appreciate it if everybody --

13 MR. COE: Ladies and gentlemen, if you're  
14 going to get out of order like this, we're  
15 going to have this room cleared.

16 MR. GIBBS: And can I say -- Mr. Behar, I  
17 will tell you this. That's exactly what it's  
18 for, and you can put it in your resolution that  
19 that's exactly what it should be.

20 MR. COE: Are you suggesting, Mr. Gibbs --

21 MS. RUSSO: The high school has its own  
22 basketball gym and --

23 MR. COE: Now, hold on. You're not  
24 suggesting that the high school students at  
25 Gulliver are not bussed over to use the

1 athletic field, nor will they, in the future,  
2 use the athletic field? Is that what you're  
3 telling me?

4 MS. RUSSO: No, I'm telling you that the  
5 high school has -- has been, is and will  
6 continue to use the baseball diamond.

7 MR. COE: Okay.

8 MS. RUSSO: There are no diamonds at the  
9 high school.

10 MR. BEHAR: How about the basketball  
11 facility, Ms. Russo?

12 CHAIRMAN KORGE: Well, before we get to  
13 basketball --

14 MS. RUSSO: They have their own basketball  
15 facilities at the high school. They have a  
16 gym. They have their own swimming -- they have  
17 a --

18 MR. COE: And you're making a  
19 representation that the basketball team at the  
20 high school, if this new gym is built on the  
21 Gables facility, they will not use that  
22 basketball facility?

23 MS. RUSSO: That is correct. They use  
24 their own --

25 MR. COE: That can be an agreement that

1 Gulliver will enter into with the City? Is  
2 Gulliver prepared to do that?

3 MS. RUSSO: We agree to it, yes. They use  
4 their own facility. They have a brand new  
5 swimming facility.

6 MR. COE: All we're getting at, you don't  
7 intend to start bussing over to the Gables  
8 facility --

9 MS. RUSSO: No, and we actually shared --  
10 If you look at the facility report --

11 MR. COE: -- high school students, to have  
12 all these different facilities?

13 MS. RUSSO: -- we share what events from  
14 the high school come over, and we explained  
15 that the baseball has always come over, and we  
16 put that in there. So everything -- We've made  
17 our representations as to what -- The middle  
18 school dance, that currently is in the gym at  
19 the high school, will move over.

20 MR. COE: I just want the record to be  
21 clear on this, that you're not going to have  
22 any increased participation by Gulliver high  
23 school students within the Gables Gulliver  
24 facility --

25 MS. RUSSO: Correct.

1           MR. COE:  -- regardless of what is built on  
2           the Gables Gulliver facility.

3           MS. RUSSO:  Correct.  That is correct.  
4           That is what we've represented in our package  
5           and our quite extensive --

6           MR. BEHAR:  Mr. Gibbs, I have a question  
7           for you.  Please clarify something for me.  
8           You've stated that they could build the  
9           facility today and meet Code, right?

10          MR. GIBBS:  There is no lot coverage --

11          MR. BEHAR:  Without -- Let me finish.  
12          Without a PAD, can they do that?

13          MR. GIBBS:  They're -- I don't know.  
14          They're -- I can tell you this.  With the  
15          exception of the issue of the natatorium and  
16          that setback, the answer is yes.

17          MR. BEHAR:  Both the gymnasium and  
18          natatorium --

19          MS. RUSSO:  Right, the setback.

20          MR. BEHAR:  -- are requesting a setback --

21          MS. RUSSO:  The reduction.

22          MR. BEHAR:  So therefore, you can't -- just  
23          to be clear, you cannot build it as of right,  
24          today.

25          MR. GIBBS:  You can build -- The issue --

1           The issue was massing. The issue was massing,  
2           that was presented by Mr. Dickman. In terms of  
3           the massing, my clients can build everything  
4           there without a PAD, and -- You're right,  
5           but -- and Mr. Behar, you make a very good  
6           point. You're right. If my clients didn't do  
7           a PAD, they would have to meet those setback  
8           requirements. But then the neighborhood would  
9           not get the additional buffering. They would  
10          not get anything extra, because the PAD --

11           MR. BEHAR: My question to you, please --

12           MR. GIBBS: I understand.

13           MR. BEHAR: I don't want to know about the  
14          additional. I'm asking you a question.

15           MR. GIBBS: Absolutely. They could --

16           MR. BEHAR: Can they do it as of right,  
17          without a variance reduction, a setback  
18          reduction?

19           MR. GIBBS: If they don't do a PAD, for  
20          those two buildings only, no.

21           MR. BEHAR; Thank you.

22           MS. RUSSO: Not where located, correct.  
23          But I want to explain, because I think it's a  
24          misnomer. We have the PAD, and when I  
25          submitted, I was requested to make it a PAD,

1           okay, versus having a rezoning that changed the  
2           setbacks, because the setbacks are  
3           site-specific. Not all "S" uses have the same  
4           setbacks. They're site-specific.

5           MR. BEHAR: Right.

6           MS. RUSSO: Staff asked me to do this as a  
7           PAD because it gave the City -- all right, and  
8           I had to confer with Gulliver, because it was  
9           an additional application and a lot more  
10          information that had to be provided, and it  
11          allowed Staff the ability to enumerate the, I  
12          don't know, 86, 117 conditions that are on  
13          there. And while it does allow flexibility  
14          with setbacks, with placement of buildings, we  
15          also voluntarily agreed that the minor  
16          amendments that you were allowed to have  
17          administratively would be -- would be limited,  
18          okay, so that we could not ask for height as a  
19          minor amendment, we could not ask for an  
20          increase in allowable FAR, we could not allow  
21          for -- so a bunch of things that normally would  
22          be the benefits to having a PAD, we voluntarily  
23          let go and only took on the -- the component of  
24          the reduction in the setback, all right, and  
25          gave the City the ability to put in the 117

1 conditions in operating that will allow for --  
2 you know, for things that aren't currently in  
3 place now.

4 And I think if you put in Code Enforcement,  
5 which I recall Judge Coe talking about, we have  
6 Code Enforcement and we invite it, and we will,  
7 you know -- we will abide by it. I mean, I'm  
8 not standing up here -- If there are  
9 violations, they need to be -- they need to be  
10 addressed, and we invite the Code Enforcement  
11 to go down there and monitor the --

12 MR. RIEL: Mr. Chair, can I clarify the  
13 issue? The reason Staff instructed the  
14 applicant to pursue a PAD is, if they were to  
15 change the setbacks, it would go through  
16 variance proceedings, would go to the Board of  
17 Adjustment, and that's all that they would rule  
18 on, is the setbacks. We thought it was more  
19 appropriate for all the activities, in terms of  
20 the requests, to come to this Board and you  
21 make that decision as a whole on the site plan,  
22 not just looking at variance criteria.

23 MR. COE: Well, Mr. Riel, if it went to the  
24 Board of Adjustment on a variance, they're not  
25 going to meet the legal requirements of a

1           variance.  You're not going to be able to show  
2           legal hardship, are you?  So it would be  
3           denied.  It would be sort of an exercise in  
4           futility.

5           MR. BEHAR:  And for the record --

6           MS. RUSSO:  But there could be -- there  
7           could be a rezoning request, to change your  
8           site-specifics, but, you know -- I mean, there  
9           are different avenues, but we chose an avenue  
10          that provided the most protections, you know,  
11          for the surrounding and gave Staff the most  
12          input into, you know, placing operational  
13          conditions and restrictions on the campus that  
14          it does not have now.

15          MR. AIZENSTAT:  I'd like to ask a question,  
16          maybe directed to the architect, on record.  
17          Currently, how many parking spaces do you have  
18          in the facility, as is?

19          MR. MCGRAW:  I have to grab the board to  
20          get that.  The additional parking spaces that  
21          we have --

22          MR. AIZENSTAT:  What is the current, yeah.

23          MR. MCGRAW:  The current.

24          MS. RUSSO:  I have it right here.  Hold on.

25          MR. RIEL:  I can tell you, the proposal is

1           293. That's what the proposal is.

2           MS. RUSSO: And the existing has 203 spaces  
3           in the north parking lot and 78 spaces in Lot  
4           F, for a total of 281 spaces.

5           MR. AIZENSTAT: That's what you have  
6           currently?

7           MS. RUSSO: That's currently existing.

8           MR. AIZENSTAT: Currently legal parking  
9           spaces?

10          MS. RUSSO: Yes, legal parking spaces.

11          MR. AIZENSTAT: Okay, 281, total.

12          MS. RUSSO: Yes.

13          MR. AIZENSTAT: And now, with the proposed  
14          PAD, how many parking spaces are you proposing?

15          MR. RIEL: 293.

16          MS. RUSSO: 293.

17          MR. AIZENSTAT: You're only increasing --  
18          with the building of the gymnasium and your  
19          parking underneath, you're only increasing your  
20          parking spaces by a minimal amount?

21          MS. RUSSO: Yes, because the gymnasium is  
22          displacing -- is displacing some parking, so  
23          the parking is going underneath. There's  
24          additional, but the structure itself.

25          MR. MCGRAW: We're only required by Code to

1           have 242.

2           MS. RUSSO: Yeah. We're over the Code  
3           requirement, based on full-time employees and  
4           maintenance, et cetera, and teachers, to have  
5           242 parking spaces. So, from the required 242,  
6           we're providing --

7           MR. AIZENSTAT: You're required 242, so  
8           you're over.

9           MS. RUSSO: Right. We're providing 51  
10          additional, over the required.

11          CHAIRMAN KORGE: Will that be enough to  
12          accommodate the other facilities, the baseball  
13          facilities, you know, the extra seats and the  
14          auditorium or the gymnasium?

15          MS. RUSSO: Yes, it will, and in fact, we  
16          provided a Special Event Parking and Management  
17          Program that's required as part of the Master  
18          Plan, and we had it prepared by Tim Plummer.  
19          It was submitted. As some of you may or may  
20          not know, but this is done by other schools  
21          when they come in for a master plan, is, you  
22          list your schedule of known events and what the  
23          anticipated attendance is and vehicles, and you  
24          have to provide -- like St. Thomas did, like  
25          St. Phillips did, you provide where those cars

1           are going to go, depending on the event and the  
2           number attending the event.

3           And this was submitted and it was reviewed  
4           by the City's independent traffic consultant,  
5           who confirmed that all the events that Gulliver  
6           will have, as enumerated, currently listed,  
7           back-to-school night, parent night, the dance  
8           recital, the holiday festival, the athletic  
9           events, and they are in excruciating detail by  
10          month, and they're even enumerated in your  
11          binder, if you got a copy of it, under the --  
12          It's called Facility Use and Fact Sheet. They  
13          label all the different uses, and Tim Plummer  
14          gave us a plan, gave us signage, directed it,  
15          and there's plenty of parking on site, without  
16          going off site, and one of the restrictions --  
17          I don't know if you read, but one of the  
18          restrictions that Staff put in, that during  
19          athletic events, there can be no parking on the  
20          south lot. No patrons coming to any athletic  
21          event can use the south parking lot. So that's  
22          something that's been put into the conditions  
23          that are before you as part of the Staff  
24          report.

25                 But those findings and the plan that was

1 presented by Tim Plummer's office was also  
2 independently reviewed by a traffic engineer  
3 hired by the Planning Department, and they  
4 confirmed the findings, you know, and the plan,  
5 and that it was functional and that it worked.

6 MR. AIZENSTAT: Have you looked at trying  
7 to contain your traffic within your property  
8 for deliveries and so forth, as opposed to  
9 going on the street and outside of your  
10 property to service your needs?

11 MR. BEHAR: Well, let me tag on that a  
12 second.

13 What uses do you have on the south side  
14 that require the service truck to be on the  
15 south side of the property and not on the  
16 north?

17 MS. RUSSO: The cafeteria and the  
18 maintenance facilities, and the cafeteria and  
19 the maintenance facilities existed there since  
20 the beginning of time, which was one of the  
21 reasons why, in the special taxing district,  
22 when they closed off Campamento, they left it  
23 there.

24 So we now have -- That's where they pick up  
25 the recycling. That's where they pick up and

1           they deliver the food to the cafeteria. And  
2           there's a maintenance area there, and there  
3           have been conditions that have been placed on  
4           the maintenance area. There's additional  
5           screening now, so when the new 10-foot gate  
6           opens, there will be screening that will hide  
7           the dumpsters, that are all part of the  
8           conditions and extras that have been put in  
9           by --

10           CHAIRMAN KORGE: Is there any physical  
11           impediment to putting a vehicle access on the  
12           north side of the property?

13           MS. RUSSO: On the north side, as in --

14           CHAIRMAN KORGE: As on the north side.

15           MS. RUSSO: At the very -- There is --

16           CHAIRMAN KORGE: Where there's parking now,  
17           where you could just have entry for the service  
18           vehicles there. Why not put the service  
19           vehicles -- have them enter and exit on the  
20           north side? Why is that such a big deal?

21           MR. AIZENSTAT: And wrap around and come  
22           over.

23           CHAIRMAN KORGE: Wrap around or not, but  
24           why can't you just put them in there and let  
25           them deliver there, and if they have to use

1           golf carts to move it across campus -- I mean,  
2           this has been the big sore point for the  
3           neighbors.

4           MS. RUSSO: Well, some of them are  
5           delivering food that goes directly into the  
6           cafeteria.

7           CHAIRMAN KORGE: I got it, but you can take  
8           the food and put it on a golf cart, can't you?  
9           Do you understand what I'm saying? I mean, I  
10          get it. I see the logistics.

11          MS. RUSSO: I mean, if they do that  
12          delivery, though, but then you're going to have  
13          them impeding with the queuing of children that  
14          are coming off the Red Road -- well, they come  
15          in off the north, but some of the parents do  
16          the big loop, all the way around.

17          CHAIRMAN KORGE: Has anybody looked at --  
18          I'm not suggesting I'm capable -- excuse me.

19          MS. RUSSO: John, have you -- Have you  
20          looked at -- The question was, have you looked  
21          at moving the service entrance and the  
22          maintenance to the north part, not to -- to the  
23          north part, off of -- I guess it would be like  
24          Cartagena, where the current parking lot is  
25          now, and then --

1           MR. KRUTULIS: To move the maintenance and  
2 cafeteria?

3           MS. RUSSO: The deliveries.

4           CHAIRMAN KORGE: Whatever. It doesn't  
5 matter.

6           MR. KRUTULIS: Or just the deliveries?

7           MR. BEHAR: Deliveries and service, picking  
8 up --

9           MS. RUSSO: Only for your maintenance, and  
10 then have golf carts to move it about.

11          CHAIRMAN KORGE: Let me just ask the  
12 question more clearly.

13          MR. KRUTULIS: There's more to --

14          CHAIRMAN KORGE: Wait, wait. Let me just  
15 ask the question real clearly. There's  
16 serious -- I mean, the big -- the big sticking  
17 point for the neighbors, clearly -- there are  
18 two. One is the size, we all know that, and  
19 the other is the traffic coming through their  
20 neighborhoods, and more than anything else,  
21 since it's really just truck traffic, it's  
22 these large trucks coming through, you know,  
23 day and night, early in the morning,  
24 afternoons. You're going to try to regulate  
25 it, I understand that.

1           When I look at the site plan, I see that  
2           there is plenty of pavement on the north side  
3           of the property to put an access road. Have  
4           you -- for purposes of deliveries and anything  
5           else, have you -- have you had the architects  
6           or the landscape planners look at -- seriously  
7           look at and study whether that would be  
8           feasible?

9           MR. KRUTULIS: Well, there is no access  
10          from the north side to the south side.

11          CHAIRMAN KORGE: I understand that. But  
12          that's what we're talking about.

13          MR. BEHAR: But you're proposing an  
14          emergency service road; are you not?

15          MS. RUSSO: No. No, that's just compacted.  
16          That's not a road.

17          MR. KRUTULIS: That's a fire --

18          MS. RUSSO: That was asked -- The Fire  
19          Department asked for extra compacting of the  
20          soil underneath, so that if they need to come  
21          and do a fire, whether they access from the  
22          north or the south, they can get across --

23          CHAIRMAN KORGE: I'm sorry, I'm not --

24          MS. RUSSO: -- the campus. So that's not  
25          a --

1           CHAIRMAN KORGE: I'm not being clear. I'm  
2 not asking you whether it's in the plan now.  
3 I'm asking you whether --

4           MS. RUSSO: But someone else asked that,  
5 aren't you providing it, and --

6           CHAIRMAN KORGE: Right, and you may be  
7 providing some now that's inadequate, but the  
8 question is, have you brought in all your  
9 experts who are there, and I certainly don't  
10 pretend to be one, to look at whether that is a  
11 feasible alternative? It might cost more  
12 money, it might require some redesign, but has  
13 anybody looked at whether that's a feasible  
14 alternative, to contain the traffic within the  
15 property? That's the big rub with the  
16 neighbors. They're going to be there another  
17 30 years. Gulliver is going to be there  
18 another 30 years. If you could figure out a  
19 way, and it may cost more money to resolve that  
20 problem, I think a lot of the tension would  
21 disappear, and people would all be happy. Is  
22 that something you've looked at?

23           MR. KRUTULIS: Yes, we have looked at that,  
24 and the feasibility, you'd have to bring the  
25 trucks and vehicles -- The only access is where

1           this road would be, and to bring anything over  
2           here, it's going to be running where you have  
3           kids going back and forth, and the traffic  
4           analyzer said that safety-wise, that would not  
5           be feasible for children. There's no  
6           cross-way, because the kids all exit onto the  
7           field, right in this area, where you see this  
8           road, where the tennis courts and the field  
9           are. The kids for PE and sports, that are  
10          going down to the field --

11           MR. GOITIA: How about the children in the  
12          residences?

13           CHAIRMAN KORGE: Please. He's got the  
14          floor. We've finished --

15           MR. GOITIA: I'm just putting it in the  
16          record that --

17           CHAIRMAN KORGE: I appreciate that. We've  
18          finished with the public. We've finished with  
19          the public input, and now we're dealing with  
20          the attorneys.

21           MR. GOITIA: Thank you, Mr. Chairman.

22           CHAIRMAN KORGE: So let them finish.

23           MR. KRUTULIS: Okay, and we've looked at  
24          that, and there's no -- according to their  
25          suggestion, there's no real area that, you

1 know, again, we'd be able to run a road across  
2 without, you know, having the children who  
3 would be exiting and entering the fields in  
4 those areas --

5 CHAIRMAN KORGE: You're telling me there's  
6 no way you can reconfigure, to eliminate the  
7 concern with the kids, and therefore put  
8 traffic through there, even though there will  
9 be traffic going through there, albeit cars  
10 only? Is that what I'm hearing?

11 MR. KRUTULIS: Well, there's no cars going  
12 through there.

13 MS. RUSSO: Say that last part again?

14 CHAIRMAN KORGE: Then what is the parking  
15 for? On the north side, is that not parking,  
16 or am I --

17 MS. RUSSO: What he's saying, bring the  
18 cars up to the north, but he's saying the  
19 bringing in, whether it be by golf carts or  
20 whether it be by smaller trucks, going from the  
21 north end to the south end, would be in  
22 constant conflict during the day because of  
23 people using the field for PE, for lunch, et  
24 cetera, so you would have vehicles moving in a  
25 north-south direction, with children going

1 east-west.

2 CHAIRMAN KORGE: Is that what your experts  
3 told you, you couldn't, it was infeasible, you  
4 couldn't like move the goods around the back of  
5 the property, or behind the baseball diamond,  
6 that that also would impede -- I mean, I'm not  
7 trying to design this for you.

8 MR. KRUTULIS: Yeah. No, I understand.  
9 I'm just saying --

10 CHAIRMAN KORGE: Do you understand?

11 MR. KRUTULIS: Yes, they felt that this  
12 would impede with the kids coming across the  
13 fields, on and off the fields, that it was a  
14 major safety issue.

15 MR. BEHAR: How often do you have a  
16 delivery truck or service truck coming to your  
17 property?

18 MR. KRUTULIS: It's on the sheet there.

19 MS. RUSSO: If you look, I'm going to  
20 direct you to --

21 MR. KRUTULIS: Yeah.

22 MR. BEHAR: Is it five times a day, 10  
23 times a day?

24 MR. KRUTULIS: Yeah. No, not that many.

25 MS. RUSSO: I'm going to give you the

1 answer to that, Mr. Behar. Depending on --

2 MR. BEHAR: Because I think you would be  
3 able to control and have somebody control that  
4 truck coming through from the north side to the  
5 south side better than you do outside your  
6 property.

7 CHAIRMAN KORGE: Right.

8 MR. BEHAR: And yes, as an architect, as a  
9 planner, yes, there's ways to do it. I am not  
10 here to pretend to do your architect's work,  
11 but there's ways to do it.

12 MR. KRUTULIS: But --

13 MS. RUSSO: Okay, just so you see, and if  
14 you look under your second tab, use of F Gate,  
15 the south parking lot, it's under Tab Number  
16 2 -- I'll share it with you. I'll share.

17 MR. BEHAR: I took my booklet apart, so --

18 MS. RUSSO: Okay, no, here, I'll share mine  
19 with you.

20 MR. BEHAR: Okay.

21 CHAIRMAN KORGE: Which tab is that, Ms.  
22 Russo?

23 MS. RUSSO: As long as I get it back.

24 MS. KEON: Which one?

25 MS. RUSSO: You will see that we specify

1           each user, delivery.  Okay?  We give you the  
2           days of the week.  We describe the waste,  
3           garbage, waste yard, the different deliveries,  
4           the types and the hours.  It can't be denied  
5           that we tried to give as much information --

6           MR. AIZENSTAT:  But you could be more  
7           restrictive on your deliveries, also, and say  
8           that your deliveries have to be between such  
9           hours and such hours or so forth.

10          MR. KRUTULIS:  And that's what -- yeah,  
11          that's what we're specifying.

12          MR. BEHAR:  And if you -- The bulk of the  
13          delivery, that really is the garbage, which  
14          does it from 10:00 to 11:30 -- the important,  
15          because Fed Ex trucks doesn't have to go  
16          through the campus.  They go out in the front,  
17          and they don't usually come to your property  
18          till after ten o'clock in the morning, and you  
19          could be in the front of the property and then  
20          have room -- and make room for them there.  The  
21          Office Depot, the same.  I mean, these are not  
22          delivering important goods that needs to go  
23          directly into the cafeteria freezers and  
24          coolers.

25          MR. KRUTULIS:  Well, sometimes it's the

1 volume of what they're delivering. You have to  
2 understand, when the food --

3 MR. BEHAR: You could keep those in the  
4 front. Those trucks that are delivering goods,  
5 food, vegetables, whatever --

6 MR. KRUTULIS: Right.

7 MS. RUSSO: And garbage pick-up.

8 MR. BEHAR: Okay, those are limited.

9 MR. KRUTULIS: Right.

10 MR. BEHAR: I mean, they're not going to  
11 deliver at three o'clock in the afternoon. So  
12 you've got, perhaps, a number of deliveries in  
13 a day that you could control and at least bring  
14 them in through your north side and not, you  
15 know, queue on the street, on that street on  
16 your south side. So, potentially, conceivably,  
17 you could do it.

18 MR. KRUTULIS: Uh-huh. We'll take a look  
19 at it.

20 MR. FLANAGAN: Mr. Chairman, could I --

21 MR. McGRAW: I'd like to say -- I'm sorry.

22 MR. FLANAGAN: Along those lines, I still  
23 don't understand why you can't just access that  
24 south side from Red Road. I heard something  
25 last week about, we need a tot lot in the front

1 of the school for some certification purpose,  
2 and I heard something today that we need it  
3 there because it's close to some bathrooms.

4 If those are the two reasons, I find that  
5 very hard to believe and comprehend, that that  
6 prohibits you from putting the access right  
7 there, and with the huge neighborhood  
8 concerns -- it sounds like it's a huge problem,  
9 and I sympathize with the neighbors --  
10 redesigning the access from the north, I'm not  
11 the architect, but it sounds like -- I mean,  
12 you can always do something if you really need  
13 to do it, but it sounds like the easiest way is  
14 going to be on the south side.

15 MS. RUSSO: There are other constraints. I  
16 mean, the --

17 MR. FLANAGAN: Like what?

18 MS. RUSSO: And I can give you the  
19 guidelines for the certification, in terms of  
20 the amount of square footage needed per child  
21 and the fact that the children's playground --  
22 I mean, those are all real, and I'm happy to  
23 supply that documentation --

24 MR. FLANAGAN: Okay, but --

25 MS. RUSSO: But in addition --

1 MR. FLANAGAN: Well, let me just --

2 MS. RUSSO: -- there's a physical  
3 constraint.

4 MR. FLANAGAN: Okay, but let me just -- How  
5 many acres is this whole property?

6 MS. RUSSO: 18.8.

7 MR. FLANAGAN: 18.8 acres. And how big is  
8 that little playground or tot lot?

9 MR. MCGRAW: I would have to go back and --  
10 I don't have the numbers at my fingertips.

11 MR. BEHAR: It's small. If you look at the  
12 picture, it's a small --

13 MR. FLANAGAN: And I don't want to presume  
14 anything, but I still have a very hard time  
15 believing that there's not some place,  
16 somewhere on this 18-acre piece of property,  
17 where that can't be relocated, but that's one  
18 thought. Now I'm moving on --

19 MS. RUSSO: Well, there are other issues,  
20 besides, in terms of the shade that a toddler  
21 can have, but the real physical constraint of  
22 going right through there is that if your --  
23 the deliveries that are made, and there's no --  
24 there's only half-semis now, that are only some  
25 of the deliveries. The semis don't come

1           anymore, and the pictures that were shown, it's  
2           been a few years since the semis, but to have  
3           this --

4                   (Simultaneous comments from audience)

5           MR. COE:   Shh.

6           CHAIRMAN KORGE:  Please, please, please.

7           We don't --

8           MR. FLANAGAN:  Please.

9           MR. GOITIA:  For children, the only parking  
10          in Gables-By-The-Sea --

11          CHAIRMAN KORGE:  Please, please, please.

12          MR. COE:  We will clear the room if  
13          everybody continues to talk out of order.  The  
14          public aspect of this is closed.

15          CHAIRMAN KORGE:  Continue.

16          MS. RUSSO:  In response, I'd like -- There  
17          is a physical constraint that has to do with  
18          the elevation.  The property drops off, and I'm  
19          going to let the architect explain, in that  
20          south -- southwest quadrant of the property.

21          MR. BEHAR:  That applies to habitable  
22          spaces.

23          MS. RUSSO:  No, but it has to do with the  
24          truck having to be able to -- if it comes in  
25          that way, be able to physically back up into

1 the service area. But I'm going to let someone  
2 who understands it better try to explain it.

3 MR. FLANAGAN: Please.

4 CHAIRMAN KORGE: Let me -- Let me just make  
5 it a little easier for everybody. We're not  
6 suggesting here that you plan this in front of  
7 us and tell us how it would work. But I think,  
8 I mean, my -- just from what I see, it looks  
9 like there's -- you know, there are other  
10 options to be explored. I don't know if you've  
11 really explored them. That's the point.

12 MR. McGRAW: Okay. My name is Gary McGraw.  
13 I'm the architect. We have explored this.  
14 This actually -- this came up at the Board of  
15 Architects, and I believe we had the City  
16 Architect out to the job site, to show him the  
17 condition out there.

18 There's a disparity in elevation of almost  
19 10 feet, where there's a ridge that runs right  
20 through the property.

21 MS. RUSSO: Show them.

22 MR. McGRAW: The front of the property --  
23 There's a ridge through here. The front of the  
24 property is about 10 foot higher than --

25 MS. RUSSO: Here, Gary. Use that when

1           you're off the mike.

2           MR. MCGRAW:  -- this area back here.  So  
3           for a truck to come in, the ridge drops --  
4           drops off and then goes back up again to the  
5           service yard.  So the turning radius of any  
6           type of service truck, beyond a small panel  
7           van, can't be accommodated here.

8           Also, the truck has got to turn and back up  
9           a hill, you know, at the same time.  It's  
10          not -- it's not an optimal situation,  
11          especially if we do have small children in the  
12          area.

13          Also, our firm has done over 24 schools for  
14          Dade County Public Schools.  That's what we  
15          specialize in.  And Dade County Public Schools  
16          would never let us put a road through a piece  
17          of property where children have to cross to get  
18          to a playground.

19          CHAIRMAN KORGE:  What about at the other  
20          end of the property, at the --

21          MR. MCGRAW:  You're talking about the --

22          CHAIRMAN KORGE:  The east side.

23          MR. MCGRAW:  -- the perimeter, the entire  
24          perimeter?

25          CHAIRMAN KORGE:  Yeah, at the east side of

1 the property, to move the goods. Not the  
2 trucks, but to have the trucks -- I'm just  
3 asking --

4 MR. McGRAW: Sure.

5 CHAIRMAN KORGE: -- unload somewhere in  
6 there, and then, through golf carts or other  
7 small electric vehicles, come around the back  
8 of the property, where you don't -- you don't  
9 actually cross in the middle, where kids are  
10 going to be located.

11 MR. McGRAW: Yeah. I don't -- I don't  
12 really think that's practical. I mean, a lot  
13 of times there are trucks here that this is one  
14 of maybe five or six stops they're making. I  
15 don't think they're going to sit there while  
16 stuff is unloaded onto golf carts, that sort of  
17 thing. There's also -- there are frozen foods  
18 coming in, things like that. I think it's  
19 pretty inefficient to run golf carts across  
20 here with the food supplies for 1,162 kids for  
21 the cafeteria.

22 CHAIRMAN KORGE: Yeah, I mean, you make a  
23 very valid point. It is inefficient. But I  
24 mean, on the other side, you've got the  
25 neighbors, and they're not really looking for

1           efficiencies but just a more pleasant or less  
2           unpleasant --

3           MR. BEHAR:   Quality of life.

4           CHAIRMAN KORGE:  -- quality of life, and so  
5           it's a -- the concern is that we're balancing  
6           the two, and in respect to that, my real point  
7           and question is, can we do it?  Is it  
8           practical?  Can it actually be done on the  
9           north side?

10          I see what you're saying about the south  
11          side and how that really is a problem, but I  
12          don't know, I mean, maybe it's not optimal,  
13          but --

14          Mr. FLANAGAN:  I don't even see the problem  
15          on the south side.  I mean, I can appreciate --

16          MS. RUSSO:  I have a compromise.

17          MR. FLANAGAN:  I can appreciate the drop --

18          MS. RUSSO:  I've just been asked to give a  
19          compromise, which is in line with -- and I  
20          forget which of the Board members made it, but  
21          Mr. Krutulis has asked me to proffer moving the  
22          Office Depot, Fed Ex, UPS, and Fed Ex Ground,  
23          which are the ones you said, and we can  
24          relocate them and have their deliveries, so  
25          only the food and the --

1 (Simultaneous comments from audience)

2 MR. AIZENSTAT: Shh. Please.

3 MS. RUSSO: -- the food and the waste would  
4 be using the service and maintenance, and the  
5 others would come either off the north or  
6 other -- They would not be using the Campamento  
7 access.

8 MS. KEON: Could I?

9 CHAIRMAN KORGE: Yes, please.

10 MS. KEON: With regard to those -- And I  
11 think that that does alleviate some concerns,  
12 if the others are required to use the front  
13 entrance, but talk to me a little bit about --  
14 It seems that this gate and all of this was  
15 planned many, many years ago, and the size of  
16 trucks and all of the different things have  
17 changed dramatically over the years, and so  
18 they're not little trucks anymore. They're  
19 very big trucks now.

20 MS. RUSSO: And actually, some of the  
21 trucks, though, have gotten smaller. There  
22 were bigger trucks a few years ago, and some --

23 (Simultaneous comments from audience)

24 MS. KEON: Okay, so the trucks that now  
25 would be using this service entrance would be

1 the garbage truck; is that right?

2 MS. RUSSO: It would be the waste garbage.

3 MS. KEON: Garbage waste, whatever, and --

4 MS. RUSSO: And the recycling, the --

5 MS. KEON: Recycling. Well, okay,

6 waste-related, and the food service.

7 MS. RUSSO: The Sysco food service.

8 MS. KEON: Okay, but the pictures that we  
9 saw were of the Sysco food service, and it  
10 appeared that -- from what you have here, it's  
11 very difficult for that truck to negotiate into  
12 your property, because of the size, the way  
13 it's laid out and the size of the truck.

14 MS. RUSSO: It's my understanding, and I  
15 will allow a school representative to address  
16 it, but the picture that was presented by  
17 Mr. Dickman shows a semi, and I've been told,  
18 and I'll have whatever school representative  
19 can come up, that Sysco stopped using semis and  
20 now uses a half-semi, so whatever difference it  
21 is between a semi and a half-semi, and has, for  
22 the last couple of years.

23 MS. KEON: Right.

24 MS. RUSSO: So that's what I -- and I'm  
25 happy to have --

1           MR. COE:  So are we stipulating there will  
2           be no semis on the road --

3           MS. KEON:  Okay, but in addition to that --  
4           Excuse me, Judge Coe --

5           MR. COE:  Will you stipulate there will be  
6           no semis on the road?

7           CHAIRMAN KORGE:  Jack, Jack --

8           MS. KEON:  Excuse me --

9           CHAIRMAN KORGE:  Pat has the floor.

10          MR. RIEL:  One person at a time, please.

11          MR. COE:  I'm sorry.

12          MS. KEON:  Thank you.

13                 In addition to that, when you begin to do  
14                 your building and whatever here, what is  
15                 your -- what was the plan for your construction  
16                 entrance?

17                 MS. RUSSO:  The construction, which we  
18                 stated and showed on one of the site plans,  
19                 construction -- all construction vehicles would  
20                 be accessing off the north, and the staging  
21                 would take place in the area where the tennis  
22                 courts are.

23                 MS. KEON:  Okay, so it --

24                 MS. RUSSO:  There would be no access of  
25                 construction vehicles whatsoever --

1 MS. KEON: Okay.

2 MS. RUSSO: -- on the south side.

3 MS. KEON: So you could allow -- then the  
4 only thing that you would use the side gate,  
5 would be the waste-related --

6 MS. RUSSO: Right. If you look at --

7 MS. KEON: -- and Sysco. Your food  
8 delivery and waste delivery --

9 MS. RUSSO: We would eliminate --

10 MS. KEON: -- that use of this gate --

11 MS. RUSSO: -- one, two, three --

12 MS. KEON: -- would be limited to that?

13 MS. RUSSO: -- four of the deliveries that  
14 are currently on here. The Fed Ex Ground, UPS  
15 Ground, Fed Ex Air, and the Office Depot, we  
16 would relocate and leave the waste, the two  
17 different waste pick-ups that are done, the  
18 Dade Paper delivery, because it's sizeable, and  
19 the Sysco, the food. There's bakery and --  
20 cookies, which go right into the kitchen.

21 MS. KEON: Right. Now, are you able --

22 MS. RUSSO: And we would move the others.

23 MS. KEON: Are you able to schedule your  
24 deliveries so that at no time there would be  
25 any stacking of delivery trucks on the public

1 street?

2 MS. RUSSO: Correct, and we've agreed --  
3 One of the conditions that Staff put is that  
4 all stacking now has to come into the property,  
5 in other words, where they've now -- and this  
6 is why I'm saying, I invite Code Enforcement.  
7 If they stack, they get a ticket and  
8 violations, because now the stacking is going  
9 to have to be internal, in the parking lot.  
10 They're going to have to queue inside, as  
11 opposed to queuing outside.

12 MS. KEON: And does the gate --

13 MS. RUSSO: And I would proffer, no semi  
14 trucks in the Campamento access. So I will add  
15 that to the proffer of no semis, taking out the  
16 four -- Fed Ex, UPS and Office Depot, and  
17 reemphasize that we've agreed to the condition  
18 that all queuing would occur on site.

19 MS. KEON: So, with that, the neighborhood  
20 could feel some comfort in knowing that at no  
21 time are -- that their access in and out of  
22 their neighborhood will be impeded by --

23 MS. RUSSO: A truck queuing up.

24 MS. KEON: By a truck queuing on  
25 Campamento?

1 MS. RUSSO: Correct.

2 MS. KEON: Is that right?

3 MS. RUSSO: Correct.

4 MS. KEON: Okay. You know, I -- Campamento  
5 is a public street. It is a public street.  
6 That school has been there for a long time. It  
7 has services. It needs to be serviced. Those  
8 trucks, I do feel, have the right to access the  
9 facility by means of a public street.

10 What they don't have the right to do is to  
11 block traffic or make the conditions in the  
12 neighborhood such that it is -- becomes very  
13 undesirable for the people living there. But  
14 do they have the right to drive into that  
15 street, to access the property and get off of  
16 the street, do what they need to do, and then  
17 leave? I personally think, yes, they do. And  
18 I think, in asking them to take everything out  
19 of that area, off of Campamento, that doesn't  
20 have to be there, I think should be a condition  
21 that we place on them. But I think allowing  
22 that -- them to use just those things that we  
23 discussed, is not unreasonable, and I think it  
24 should be included in here as a condition, but  
25 I think it is a reasonable condition. It is a

1 public street. No one has the right to queue  
2 on it. The community should expect that they  
3 can come in and out of their neighborhood  
4 without undue duress because of the school.  
5 But trucks should be allowed on the street.  
6 That's what streets are for.

7 MR. DICKMAN: The problem is that the  
8 burden is on us now, to call Code Enforcement,  
9 and by the time Code Enforcement is called, the  
10 truck is there and gone. There isn't one Dade  
11 County school that dumps its commercial -- and  
12 I would say industrial, because they're picking  
13 up garbage and other things -- into a  
14 residential street.

15 This can be redesigned, and there hasn't --  
16 I agree with you, if it's a matter of looking  
17 at redesign, send them back and say, "Show us  
18 some options that you've actually explored,  
19 just don't tell us that you've explored it."  
20 You know, it's a huge site. It's not like  
21 Ransom. I'm also dealing with Ransom. It's  
22 nine acres. This is 18 acres. They have the  
23 ability to make changes. If they can build a  
24 multi-million dollar natatorium and gymnasium,  
25 they can certainly relocate a tot lot and put

1 in a small road there.

2 MS. KEON: Well, we haven't addressed all  
3 those other issues yet, either.

4 MR. DICKMAN: Oh, and by the way, I mean,  
5 it does say that -- in the conditions, as Staff  
6 puts it, that there's shared events for all the  
7 Gulliver schools, so I --

8 MS. RUSSO: That was what we put in and we  
9 shared them from the beginning, what they were.  
10 They're currently existing uses that have gone  
11 on and will go on. Whether this master plan  
12 goes forward, those uses will continue to go  
13 forward.

14 MR. DICKMAN: I understood you to say that  
15 it was just the baseball field.

16 MS. RUSSO: No. If you read my submittal,  
17 which I provided to you --

18 MR. COE: Address us. Address us.

19 MS. RUSSO: I'm sorry.

20 MS. KEON: How would you -- How would the  
21 school -- Can someone from the school talk  
22 about how you would monitor the appropriate use  
23 of these gates and the entrance, as to being  
24 in conformance with the conditions that may be  
25 placed here, and to protect the neighborhood?

1           How would you --

2           MR. KRUTULIS: For --

3           MS. KEON: What would you do to ensure that  
4 these conditions are met?

5           MR. KRUTULIS: For the trucks entering?

6           MS. KEON: Yes.

7           MR. KRUTULIS: The --

8           MS. KEON: That they're not -- that they  
9 don't stack, that you schedule deliveries so  
10 that everybody isn't delivering and picking up  
11 at the same time. Who within your school  
12 assumes that responsibility? Because it  
13 shouldn't be the neighborhood responsibility.  
14 It should be your responsibility, and the  
15 burden shouldn't be on the neighborhood to have  
16 to call Code Enforcement or the police because  
17 you're not good citizens. So how do you -- How  
18 are you good citizens? How will you ensure  
19 you're being good citizens?

20           MR. KRUTULIS: Well, first, our director of  
21 operations is in charge of the cafeteria and  
22 maintenance department, so he would ensure that  
23 the -- basically, that the vendors that are  
24 coming in there, you know, are notified and  
25 placed on a schedule as to, you know, when they

1 can enter.

2 Now, you know, some vendors, like Home  
3 Depot, may come in at different times, just  
4 based on, you know, sometimes, their delivery.

5 MS. KEON: But they're in the front. We're  
6 talking about, really, the --

7 MS. RUSSO: We're talking about the --

8 MS. KEON: We're talking about the waste  
9 and the food service.

10 MR. KRUTULIS: Right. Well, basically, we  
11 would work with our vendors to make sure that  
12 they know and their drivers know what the rules  
13 are for coming into that area.

14 MS. KEON: So if anyone in this  
15 neighborhood that is -- that notices that  
16 they're stacked, they don't really have to  
17 worry about calling Code Enforcement --

18 MS. RUSSO: They can call --

19 MR. KRUTULIS: No, they can call --

20 MS. KEON: They can call you directly?

21 MR. KRUTULIS: Right, they can call --

22 MS. KEON: Is that right?

23 MR. KRUTULIS: -- the director of  
24 operations, and he will deal with it.

25 MS. KEON: No, they can call you, as the

1 head of the school, right?

2 MR. KRUTULIS: They can call me, of course.

3 MS. RUSSO: We will provide the name -- no,  
4 no, we're going to provide -- and that's one of  
5 the conditions, of a contact person. That will  
6 be given to the neighborhood, and it will be  
7 updated annually, but that person can be the  
8 person that can be contacted, and I'm going to  
9 suggest something, that we proffer that there  
10 be spot checks by Code Enforcement. I mean,  
11 not that they have to always come when someone  
12 calls, but just -- They are -- Just so you  
13 know, Code Enforcement officers are assigned to  
14 a district, and so we have officers that cover  
15 every district, and they're changed  
16 periodically so they don't get used to a  
17 district. But the Code Enforcement officer for  
18 this district could be told, "Periodically,  
19 drive by that south gate and see if someone is  
20 violating." I mean, that's the purpose. It  
21 doesn't always have to be as a result of a  
22 complaint. And we will be providing -- it  
23 won't be Mr. Krutulis. It will be the director  
24 of operations who will be the person who is in  
25 charge of the gate and the deliveries, because

1           if they call Mr. Krutulis, you know, the  
2           reality is, he may not be able to return the  
3           call for a couple of days. But we agreed, as  
4           part of the conditions, to give a contact name  
5           of someone who can be contacted, who will be  
6           willing and able to respond to neighbors'  
7           complaints.

8           MR. DICKMAN: And why hasn't that person  
9           been doing this all along? Again, the burden  
10          is on us. They're saying now they're going to  
11          be good neighbors.

12          MS. KEON: We're starting from here, going  
13          forward.

14          Can I ask Mr. Riel a question?

15          Mr. Riel, in putting conditions on, for  
16          approval, if -- Can you condition it that if  
17          they -- if there are -- Will this come back to  
18          us? How does it -- If this continues to be an  
19          issue with the neighborhood, with the traffic  
20          and the stacking of trucks and whatever on  
21          Campamento, how does that come back to the  
22          City, and how is that resolved within the City?  
23          Would it in any way come back to us?

24          MR. COE: Code Enforcement.

25          MS. KEON: You would come through Code

1 Enforcement?

2 MR. RIEL: Basically, the way this is  
3 written, within 180 days, they have to comply  
4 with those items that are shaded here. It's a  
5 Code Enforcement issue, just like everything  
6 else is. If you build something illegally on  
7 your home, without a permit --

8 MR. COE: And the problem -- the problem we  
9 have --

10 MR. RIEL: -- it's an enforcement issue.

11 MR. COE: From a practical sense, the  
12 problem we have in these times, with reduced  
13 budgets, is Code Enforcement is impacted, like  
14 any other City agency.

15 MS. HERNANDEZ: Yeah.

16 MR. COE: And I do not think -- as the  
17 applicant may like to see in the ideal world, I  
18 truly don't see Code Enforcement officers are  
19 going to have the ability to spend a lot of  
20 time spot-checking Gulliver on any kind of  
21 routine, to determine whether or not there's  
22 Code Enforcement violations.

23 But from a practical sense, yes, the burden  
24 is always upon the neighbors to complain of  
25 Code violations. Certainly Gulliver is not

1 going to call up Code Enforcement to say  
2 there's a violation.

3 MR. RIEL: And if I could make one  
4 additional --

5 MS. RUSSO: We would proffer to fund -- We  
6 would proffer to fund a spot-check on Code  
7 Enforcement.

8 MR. COE: Well, I was going to get to that.  
9 The solution to that, of course, is if Gulliver  
10 is willing to pay the Code Enforcement --

11 MS. RUSSO: For spot checks.

12 MR. COE: -- for Code Enforcement  
13 spot-checking, that's something else that can  
14 be worked out, when you see them.

15 MR. RIEL: Board Members, I think one thing  
16 that you have to understand, we have a Zoning  
17 Code that's interpretable. These are very  
18 specific conditions. These are enforceable.  
19 There's accountability on all parties.

20 Now, there's no question in anybody's mind,  
21 when a Code Enforcement sees a truck that's  
22 queuing on the street, there's no question of  
23 interpretation. It's --

24 MS. HERNANDEZ: Right.

25 MR. RIEL: And, you know, a violation will

1 be issued immediately.

2 MS. HERNANDEZ: Right.

3 MR. RIEL: So that accountability is not  
4 there right now. They just live within the  
5 parameters of the Code, which everybody does  
6 that lives within the City.

7 MS. KEON: But if that -- if that violation  
8 continues to occur, is there then the ability  
9 to close the entrance entirely, except for  
10 emergencies?

11 MR. RIEL: I mean, that's a possibility, as  
12 a part of the Code Enforcement process.

13 MS. KEON: Okay.

14 MR. RIEL: I'm not sure if that's been  
15 done, but yes, if they're a repeat violator,  
16 that can be identified, and then certainly  
17 upon -- you know, the Commission could say,  
18 "Well, we need to revisit that issue," or, you  
19 know, pursuant to the Code Enforcement or the  
20 Building and Zoning Department saying, "This is  
21 a problem, we need to revisit that issue," we  
22 can certainly -- If the applicant doesn't agree  
23 to revisit it, it could be brought up at the  
24 Commission level.

25 MR. DICKMAN: Are you saying this Board

1 retains jurisdiction?

2 MR. RIEL: No, it's not this Board.

3 MR. COE: Not this Board.

4 (Simultaneous comments among Board members)

5 MR. RIEL: This Board is a recommending  
6 body to the City Commission.

7 MS. KEON: But the Commission could then  
8 ask this Board to revisit this issue, and this  
9 Board could recommend that that gate be closed?

10 MR. COE: It doesn't work that way, though.

11 MS. KEON: He's just telling us that it  
12 does work.

13 MS. RUSSO: The closure would have to go to  
14 Dade County. You can't close this --

15 MS. KEON: The gate.

16 MS. RUSSO: There's an agreement -- the  
17 gate. The access gate is part of a three-way  
18 agreement with the City of Coral Gables,  
19 Metro-Dade County and Gulliver Academy. So  
20 any --

21 MS. KEON: For fire.

22 MR. DICKMAN: Right, but leave the gate  
23 there and find another way to deliver your --

24 MS. KEON: Right. It would only be  
25 available for fire. That's what we're asking.

1           CHAIRMAN KORGE:  We're really just talking  
2           about the delivery trucks --

3           MS. KEON:  We're asking --

4           CHAIRMAN KORGE:  -- and in particular, the  
5           food and other larger delivery trucks, because  
6           you've already indicated that, you know, Fed Ex  
7           and Office Depot, which are smaller trucks --

8           MS. RUSSO:  Right.

9           CHAIRMAN KORGE:  -- they can deliver on --

10          MS. RUSSO:  But you also have the faculty  
11          parking, and that was part of the plan.  When  
12          Gulliver agreed to be part and participate in  
13          the special taxing district, they were  
14          approached by the City and the County to  
15          participate, to allow the Gables-By-The-Sea to  
16          have their gate houses, by restricting access  
17          to a campus that had access by public streets,  
18          and so they were told, "We want you to limit  
19          your access to public streets, to give a  
20          benefit to a neighborhood" --

21          MS. KEON:  Right.

22          MS. RUSSO:  -- that wanted gates, that  
23          wanted to restrict people.

24          MS. KEON:  I understand.

25          MS. RUSSO:  So they said to Gulliver, "We

1 want you to stop putting your children on the  
2 south side," and Gulliver agreed. So four  
3 grades had to move, and at the time, the  
4 homeowners' association agreed, and it's in the  
5 documentation, that a parking lot would be  
6 erected on the south side for faculty, and that  
7 the access -- there could be no additional --  
8 there were additional access points on  
9 Campamento. There was another additional one.  
10 There was a circular driveway, where the  
11 children were dropped off. Those two were  
12 closed, and that there could be no other  
13 access, and that that access gate would be used  
14 for maintenance and delivery and for authorized  
15 staff. In fact, they're issued a card, that's  
16 issued by the County, is what issued the card,  
17 and I think --

18 CHAIRMAN KORGE: But Ms. Russo, I don't --

19 MS. RUSSO: -- you forget that Gulliver  
20 gave up access to a public street.

21 CHAIRMAN KORGE: I don't think -- I don't  
22 think the issue is with the faculty parking,  
23 driving in through that gate and parking, or  
24 the occasional student -- I guess some  
25 students who live in Gables --

1 MS. RUSSO: 17 students currently --

2 CHAIRMAN KORGE: So I don't think that's --

3 MS. RUSSO: -- that are a part of Gables  
4 Estates, have special decal stickers, that are  
5 dropped off at the --

6 CHAIRMAN KORGE: I understand that, and I  
7 don't think that's the issue. The issue is  
8 really just the trucks. That's the --

9 MS. RUSSO: And I agreed and I said and I  
10 proffered that we would move the four off to  
11 the -- to the north entrance, and no semi  
12 trucks, and -- you know, because right now  
13 there is no restriction on semi trucks, and we  
14 would contact all our vendors and proffer no  
15 semi trucks and --

16 MS. KEON: And there will be no stacking.

17 MS. RUSSO: And no stacking.

18 MS. KEON: No stacking.

19 MS. RUSSO: No stacking on the street  
20 whatsoever.

21 MS. KEON: Okay.

22 MR. DICKMAN: These truck drivers don't --

23 MR. BEHAR: So, theoretically, the issue of  
24 the trucks could be somewhat maybe resolved?  
25 But --

1 MS. RUSSO: It would be lessened, the  
2 impact. There's no doubt that by doing that,  
3 the impact would be lessened, that the --

4 MR. BEHAR: And Pat, you're right, it is a  
5 public street, but the neighborhood has rights,  
6 too.

7 MS. KEON: Absolutely.

8 MR. BEHAR: And it cannot interfere with  
9 their quality of life.

10 MS. KEON: Absolutely.

11 MS. RUSSO: Right.

12 MS. KEON: That's why you can't stack them.  
13 You can't allow them to be stacked there. You  
14 know, you can't -- you can't tolerate a  
15 situation where they don't have the appropriate  
16 turning radius, where they can't get in and get  
17 out, absolutely not, and they should be  
18 scheduled at such a time that they're not  
19 interfering with the morning or the  
20 afternoon -- or the traffic that the  
21 neighborhood uses in leaving in the morning or  
22 re-entering their neighborhood in the  
23 afternoon. I think those are all reasonable  
24 things.

25 MR. BEHAR: Let me ask you a question. I

1 mean, really, right now you have six tennis  
2 courts.

3 MS. RUSSO: Six what?

4 MR. BEHAR: Tennis courts there, right?  
5 Which really, if you think about it, if you  
6 would come to compromise on the number of  
7 tennis courts, you could solve this problem  
8 very easily. If you compromise half of those  
9 tennis courts and you centralize those and you  
10 move your both buildings within your setbacks,  
11 you don't have to be asking for anything. But,  
12 you know, you've got to compromise three of the  
13 courts. In lieu of six, you have three.

14 I cannot see eight through 12 -- I mean, K  
15 through eighth grade, using all six courts.  
16 It's a simple compromise. Then you bring your  
17 building within your setbacks. My biggest  
18 issue here is your reduction of setbacks.

19 MS. HERNANDEZ: Right.

20 MS. KEON: On both sides?

21 MR. BEHAR: On both sides.

22 MS. RUSSO: Even on the north?

23 MR. BEHAR: Yes.

24 MR. COE: Yes.

25 MR. BEHAR: Because that will set a

1 precedent. That's your -- You could solve your  
2 problem by giving up three of your courts.

3 MR. KRUTULIS: Well, you can't do it,  
4 because you have different grade levels that  
5 use those courts during the day, and you can't  
6 put, you know, lower school kids and high  
7 school -- I mean, middle school kids, you know,  
8 on three courts and try to get them all in  
9 there, because, you know, usually there's only  
10 two or so many kids that play at a time.

11 MR. BEHAR: But you have tennis and you  
12 have basketball courts now, that in lieu of  
13 using tennis, they could be using the  
14 basketball courts up there. I mean, you are  
15 compromising something, because you're  
16 asking -- you're asking me to grant you  
17 variances and, you know, building  
18 encroachments --

19 MR. COE: No variances.

20 MR. BEHAR: No variances, excuse me.  
21 Reduction in setbacks. I'm sorry. Okay?  
22 That -- Reduction in setbacks, to allow for two  
23 structures, okay? But yet there's no --  
24 really, in my mind, a way to compromise and be  
25 able to build -- I'm in favor of the uses,

1           okay, for the record.  Whether you -- whether  
2           you could build that gym on the floor and not  
3           raise it up nine feet to allow for the 30  
4           spaces, which I think that, again, it could  
5           have been done.  You know, have you looked at  
6           it without having to put the building on  
7           stilts, on legs?

8           MR. KRUTULIS:  Well, we have to, because of  
9           the flood level.

10          MR. BEHAR:  Okay.

11          MR. KRUTULIS:  We can't build it without  
12          the 9 feet.

13          MR. BEHAR:  How about the rest of the  
14          building?

15          MR. KRUTULIS:  What?

16          MR. BEHAR:  How about the rest of the  
17          structures?  They don't meet flood level?  And  
18          if you want to meet flood level, you could  
19          have barriers on the doors, okay?  So there's  
20          ways to do it.  But you could raise it to the  
21          minimum flood level, elevation that you need.  
22          I'm okay with raising it to the minimum  
23          elevation, whatever it is.

24          MS. RUSSO:  It's 11.

25          MR. BEHAR:  Okay, up to 11.

1 MS. RUSSO: And Coral Gables, I was told,  
2 doesn't let you do the barriers.

3 MR. BEHAR: Okay.

4 MS. RUSSO: I don't --

5 MR. BEHAR: You know, I've been practicing  
6 here in the City for 20 something years. I  
7 haven't done 24 schools, but I've done a lot of  
8 work in the Gables.

9 MR. MCGRAW: We -- We had specifically  
10 asked for that, in the past, out at the  
11 baseball field that we're proposing, and I was  
12 told, although the Federal Government allows  
13 it, if you use what we call submarine doors,  
14 the City of Coral Gables would not allow that,  
15 and we specifically asked for it.

16 MR. BEHAR: Okay.

17 CHAIRMAN KORGE: So you're raising it to  
18 flood level?

19 MS. RUSSO: Correct. Above flood level,  
20 because flood level is 11.

21 CHAIRMAN KORGE: And how far above flood  
22 level are you raising it?

23 MR. MCGRAW: We're raising it about five  
24 feet above flood level, to allow 32 cars to be  
25 put under the building. We're also only two

1 feet -- our first floor of our gymnasium is  
2 only two feet higher than the last house that  
3 was built on Bernal Street, the first habitable  
4 floor of that house. So we're only two feet  
5 higher than the last house that was built on  
6 the perimeter of the site.

7 MR. DICKMAN: It's not nearly as big.

8 MR. BEHAR: What is the rest of your  
9 buildings? What's the flood floor elevation  
10 for the ground floor? Do we know?

11 MS. RUSSO: Of the rest of -- of each of  
12 the buildings? If you want to identify them, I  
13 can --

14 MR. BEHAR: Yeah, for example, Building E  
15 says 16.30, under the --

16 MS. RUSSO: What page are you looking at,  
17 so I can --

18 MR. BEHAR: I'm on LNS, which is the  
19 Proposed Master Plan.

20 MS. RUSSO: Okay, I just want to pull it  
21 out so we can be looking at the same --

22 MR. BEHAR: Or any, I mean --

23 MS. RUSSO: -- LNS.

24 MR. BEHAR: Yeah, the landscape plan or --  
25 but it says master --

1 MS. RUSSO: Okay, I just want --

2 MR. McGRAW: Those buildings that are up on  
3 the bluff that I spoke of, there's a 10-foot  
4 disparity in elevation --

5 MR. BEHAR: Between that building and the  
6 gym, you said there's a 10-foot --

7 MR. McGRAW: Which building are you looking  
8 at?

9 MR. BEHAR: Building E, I believe it is.

10 MS. RUSSO: E?

11 MR. BEHAR: E, the one on that north side.

12 MR. McGRAW: Yes, that is 10 foot higher  
13 than the area the gym is in.

14 MR. BEHAR: So, if you took your ground  
15 floor -- forget about your parking for now --  
16 your ground floor of the proposed gymnasium,  
17 how much higher is it than that building?

18 MR. McGRAW: Approximately one foot.

19 MR. BEHAR: So you could theoretically --  
20 or keep it the same elevation, and what you do  
21 is, utilizing the space underneath as parking.

22 MR. McGRAW: That's correct. In fact, we  
23 calculated that the beam depth to hold up the  
24 parking -- or the structure above, the bottom  
25 of that beam would be eight foot, one inch. So

1           we brought it down as far as we could.

2           MR. BEHAR:   Okay.

3           Laura, going back, you know, my biggest  
4           problem here -- Ms. Russo, I should say. My  
5           biggest problem here is the reduction in  
6           setbacks, when you do, in fact, have options to  
7           do what you intend to do.

8           Again, I'm in support of the uses. I think  
9           that doing it within your setbacks, I don't --  
10          I would not have a problem. And I think that  
11          there is a potential -- I'll leave it at that.

12          CHAIRMAN KORGE:   Robert, can I ask you a  
13          question?

14          MR. BEHAR:   Yes, sir.

15          CHAIRMAN KORGE:   Why is the north side  
16          setback of concern to you? It doesn't really  
17          impact anybody.

18          MR. BEHAR:   Today you've got the gym and  
19          the proposed baseball bleachers, stadium,  
20          whatever you're going to do there. Why cannot  
21          keep it within my setbacks?

22          CHAIRMAN KORGE:   Well, even assuming that  
23          you can, I'm just curious. The setback's not  
24          really, on the north side, protecting any  
25          homeowners. It's protecting property that for

1 all intents and purposes is not used by  
2 anybody. It's a park, you know, a preservation  
3 or whatever type of designation it is.

4 MR. BEHAR: But if I -- if I allow to do a  
5 PAD, which will decrease that, then on the  
6 south side, you would ask for the same  
7 reductions, you know, for --

8 CHAIRMAN KORGE: I don't know that that's  
9 reasonable, to ask it on the south side.

10 MR. BEHAR: But if you ask for the PAD,  
11 you're giving them the leniency throughout the  
12 whole property. Isn't that what they're asking  
13 for?

14 CHAIRMAN KORGE: Jack's shaking his head.  
15 I just don't understand. That's why I'm  
16 asking.

17 MR. COE: Well, these setbacks were  
18 negotiated and argued in 1998. I happen to  
19 have been --

20 MS. RUSSO: No, no, the setbacks --

21 MR. COE: Or, before that.

22 MS. RUSSO: 1966.

23 MR. COE: The setbacks, yes, but it was  
24 raised up again when the PAD was brought before  
25 us in 1998, and setbacks were discussed.

1           MS. RUSSO:  Okay.  I'm not aware of that,  
2           so I won't --

3           MR. COE:  And when we did that, we were  
4           very careful about the setbacks.  But this  
5           Board and the Commission in the past have been  
6           very careful, when you have setbacks and PADs,  
7           not to alter the setbacks, because you then set  
8           a precedent.  And I see no valid reason here  
9           why we need to change the setbacks.

10          Quite frankly, there's other ways you can  
11          do this without altering the setbacks.  I agree  
12          with Mr. Behar.  That's my main problem I have  
13          with this, is your attempt to reduce setbacks.

14          CHAIRMAN KORGE:  But that doesn't really  
15          address the question that I asked, which is,  
16          who's hurt if we -- on the north side, if we  
17          allow that setback to be changed?

18          MR. COE:  The City is hurt, among other  
19          things.

20          CHAIRMAN KORGE:  How is the City hurt?

21          MR. COE:  Because this was worked out years  
22          ago.  Now you go and start changing setbacks.  
23          What valid reason that you don't change all the  
24          setbacks?  Then setbacks don't mean anything.  
25          You cannot say, "Well, we don't think anybody

1 is going to be hurt on this particular setback,  
2 so let's reduce it down from 80 to 60," and the  
3 next five years from now, 60 to 40, to whatever  
4 you want to do. Then every setback becomes  
5 negotiable. Then they don't mean anything. A  
6 setback is a setback. If you don't stick with  
7 the setback, I think you have a real planning  
8 and zoning problem.

9 MS. KEON: But setbacks are negotiable.  
10 That's why you have a variance process.

11 MR. BEHAR: Well, but then don't come here  
12 for that.

13 MS. RUSSO: But that's also the PAD  
14 process, which --

15 MS. KEON: But under the PAD --

16 MR. COE: No, no, you don't come here to  
17 tell us to change to a PAD by reducing the  
18 setback. That's not what we should be doing.

19 MS. KEON: What happens under the PAD?  
20 What happens with the setbacks?

21 MR. RIEL: Well, a PAD is a -- the intent  
22 is to allow flexibility in design.

23 MS. KEON: Okay, and so --

24 CHAIRMAN KORGE: Does that mean setbacks  
25 can be altered?

1           MR. RIEL: Yes. Yes, setbacks can be  
2 altered.

3           MS. KEON: But can they be altered without  
4 coming before you, or they can be altered  
5 without any overview?

6           MR. RIEL: The PAD that will be assigned is  
7 subject to the site plan. So any alteration of  
8 the site plan would need to come back through  
9 the entire process.

10          MS. KEON: So once -- Even if you are  
11 designated as a PAD, PADs are site plan  
12 specific?

13          MS. RUSSO: Correct.

14          MS. KEON: Any change to the site plan?

15          MR. RIEL: There is a provision in the PAD  
16 to allow changes, but we have specifically  
17 indicated that you cannot do that in this case.

18          MS. KEON: Okay.

19          MS. RUSSO: And that's one of the things  
20 that I said earlier, that Staff requested us to  
21 have a PAD to allow flexibility in the design,  
22 but while allowing us to have the PAD and  
23 giving us the extra conditions and  
24 restrictions, they took away the benefits of  
25 the PAD, which was that you were allowed 20

1           percent ability to make changes, as a minor  
2           amendment which could be done administratively,  
3           and they've taken away the ability to do that,  
4           with anything that would impact the  
5           neighborhood. They took away the height, the  
6           FAR, the setbacks, et cetera.

7           So the benefits of the PAD inured to this  
8           specific site plan, but none of the other  
9           benefits. So any change to the setbacks would  
10          require a major amendment, which is a public  
11          hearing process.

12          MS. KEON: Okay. I'm comfortable with  
13          that.

14          MR. DICKMAN: Can I make a quick statement  
15          about setbacks? Because it's been argued here  
16          that because it was negotiated back in the '90s  
17          that Red Road would be closed and there would  
18          be a gate there, that we have no right to be  
19          here and say that there's a problem with this  
20          entrance --

21          MS. RUSSO: We've never said that.

22          MR. DICKMAN: -- and then now --

23          MS. RUSSO: That's not true.

24          MR. DICKMAN: -- we agreed to a master  
25          plan, okay? So we rely on the master plan that

1           they had, and then now they're able to come  
2           back and say, "We want a different master plan  
3           and a more intense master plan." Maybe there's  
4           not an intensity of students, but there's  
5           clearly an intensity of space, and so it's  
6           patently unfair for them to say that we -- you  
7           know, we have no right to come and say -- you  
8           know, and say that there needs to be a change  
9           on this parking, on this driveway issue, and  
10          then now they want to expand and at the same  
11          time come to you and ask you for these changes.

12           MS. KEON: But everyone here believes that  
13          you have a perfect right to be here.

14           MR. DICKMAN: Well, they apparently don't.

15           MS. RUSSO: No, that's not true, and I've  
16          never --

17           MR. DICKMAN: They apparently don't.

18           MS. RUSSO: I've never made that  
19          representation, and I take offense.

20           CHAIRMAN KORGE: Let's not -- let's not  
21          turn this into a -- you know, an argument. I  
22          mean, I think, clearly -- clearly, everything  
23          is on the table. You know, the access is on  
24          the table. The setbacks are on the table,  
25          including changing the setbacks. Our Planning

1 Director made it pretty clear that you could  
2 change the setbacks under the PAD development,  
3 and that if you do, that any changes to those  
4 have to be approved, as well, and go through  
5 the same process. So, you know, everybody --  
6 everything's on the table. That's why we're  
7 discussing all this.

8 Any other questions from the Board,  
9 anybody? No?

10 MR. FLANAGAN: I mean, I have very little  
11 problem with the setback reduction on the north  
12 side. I think like you do.

13 The reduction on the south side, I have a  
14 very hard time with. I forget who said it, it  
15 may have been Mr. Dickman, that the -- I asked  
16 it, last meeting, I mean, it was my question of  
17 the architect, that it was a 20-foot, I think,  
18 deck on all sides of the pool, which I don't  
19 know if that's excessive. I don't know if  
20 that's a minimum requirement. I don't know if  
21 there's a 20-foot deck on the south side of the  
22 pool today. If there is, that would seem to  
23 violate the setback requirement, so -- and I  
24 think we agreed last meeting that the south  
25 side of the pool was right on the south setback

1 line, at 80 feet, which leads me to believe  
2 that there is no deck, and so I question why we  
3 would need that deck.

4 I don't really have a problem with the  
5 height of the natatorium. I think, at least  
6 from the site studies that I've seen, you know,  
7 from the street or from a neighbor's house, and  
8 just being, I think -- it's like at 20.5 feet  
9 at the lowest point, which I don't think is an  
10 excessive height. But the reduction in that  
11 setback, coming closer to that neighborhood, is  
12 something that I have a strong objection to.

13 The height of the gymatorium, I don't know  
14 if 44 feet is high. I think from its location  
15 being as far north as could be from the  
16 neighbors and what seems to be as far west from  
17 the neighbors, if you went on the slope of the  
18 distance versus the height, I would -- I would  
19 think it's quite nominal, and so that at 44  
20 feet, at its location, however far it is from  
21 what I believe is Bernal Street, or however far  
22 from Campamento, does not become excessive in  
23 height, but it's -- My big issues are the  
24 Campamento, the use. The gate is there. The  
25 gate needs to be there. That's fine. I still

1 struggle and still, in my gut, believe that  
2 access from Red Road is possible, 10 feet. I  
3 doubt there's a prohibition on putting fill  
4 there and filling it so that it's a more  
5 gradual grade, or that it could actually meet  
6 with the crown of the road on 57th Avenue and  
7 it could work.

8 So between that and the natatorium, those  
9 are my two big sticking points.

10 CHAIRMAN KORGE: Do we have a motion? Does  
11 anybody want to discuss this further?

12 MS. KEON: I have one question about the  
13 traffic, if I can ask.

14 Who has jurisdiction with regard to the  
15 entry and, you know, ingress and egress off of  
16 like Red Road and Old Cutler and those types of  
17 things? Is that purely the City or --

18 MR. RIEL: The County.

19 MS. KEON: The County has that? So, if you  
20 were going to provide an entrance on Red Road,  
21 it would have to go to the County to have that?

22 MR. RIEL: I believe so.

23 MS. KEON: Is that --

24 MS. HERNANDEZ: The County, yes.

25 MS. KEON: You would have to go to the

1 County. So we would have to go to the County  
2 if you -- if you were going to --

3 MR. DICKMAN: No, no, no.

4 MS. KEON: Or they would have to go to the  
5 County?

6 MR. DICKMAN: No, the entrance is already  
7 there.

8 MS. HERNANDEZ: You have to go -- You have  
9 to go through the County.

10 MS. KEON: You have to go through the  
11 County?

12 MS. HERNANDEZ: You have to go through the  
13 City and County.

14 MR. DICKMAN: But the entrance is already  
15 there.

16 MS. KEON: No, we're talking about an  
17 additional entrance for --

18 MR. DICKMAN: No, no, no. The entrance is  
19 there. All they have to do is run something  
20 along their property line.

21 MR. BEHAR: Would you consider going back  
22 and revisiting some of these issues that we  
23 have made today and coming back to us, perhaps,  
24 with some modifications to these site plans?

25 MS. RUSSO: Can you give me a moment?

1 (Discussion off the record)

2 MS. RUSSO: Based on scheduling conflicts  
3 that would occur with construction and trying  
4 to get construction done, what we would prefer  
5 is to proffer the limited access to Campamento,  
6 as we said, moving four of the delivery type  
7 vehicles, agreeing to the no queuing, and we  
8 would move the setback on the south side from  
9 the 60 and eliminate the reduction of the  
10 setback on the south side from 60 and bring it  
11 into the setback line, so that the natatorium  
12 would be no longer asking for a reduction in  
13 setback. And so that's what -- that's the  
14 compromise that we're willing to make today,  
15 and --

16 MR. COE: You're no longer seeking  
17 setbacks?

18 MS. RUSSO: On the south side. On the  
19 south side.

20 MR. COE: You want the north side, but not  
21 the south side.

22 MS. RUSSO: In other words, the north side,  
23 we feel that trying to move the gym as far away  
24 as possible was a good thing, and it's  
25 currently -- and it will be, probably way past

1           our lifetimes, the John Montgomery Foundation,  
2           so it doesn't have an impact, and so the one  
3           that does have the impact, and now, you know,  
4           the 20 feet will start at -- the 20 feet in  
5           height will start at 80 feet instead of the 20  
6           feet, and we'll provide the revision and the  
7           effect it has on the tennis courts to the Board  
8           of Adjustment before the City Commission  
9           meeting.

10           So, with that, along with the restrictions  
11           that we've agreed to on eliminating service  
12           vehicles of four types, or four of the noted  
13           delivery types, on Campamento, and agreeing  
14           that there will be no queuing on the  
15           Campamento --

16           MR. AIZENSTAT: I'm not an attorney,  
17           but --

18           CHAIRMAN KORGE: Count your blessings.

19           MR. AIZENSTAT: Count my blessings.

20           MR. DICKMAN: Be glad, yeah.

21           MR. AIZENSTAT: What would -- I understand  
22           that you have to -- that you have to go ahead  
23           and build your project according to the site  
24           plan, and if you deviate, you have to come back  
25           to the Planning and Zoning Board.

1 MS. RUSSO: We have to -- yes, to the Board  
2 of Adjustment -- I mean, to the Board of  
3 Architects and to the Planning and Zoning  
4 Board.

5 MR. AIZENSTAT: If we grant you the  
6 variance on -- not the variance, but the  
7 setback --

8 MS. RUSSO: Reduction.

9 MR. AIZENSTAT: -- reduction, over on the  
10 north side, down the road you decide to tear  
11 down another building that's closer to Red  
12 Road, and you decide at that point to come  
13 back, which you would have to come back to the  
14 Planning and Zoning Board, wouldn't that help  
15 your argument, that we've already granted one  
16 reduction and why not give you another  
17 reduction, whether it's going to be closer to  
18 Red Road or not closer?

19 MS. RUSSO: I'm going to give you the  
20 lawyer line --

21 MR. AIZENSTAT: Yeah.

22 MS. RUSSO: -- because that's my job, and  
23 the lawyer line is that each zoning case is  
24 decided on its own merits. If the building  
25 were way on the northeast corner, and it had no

1 impact, but if the -- I'm sorry, the northwest  
2 corner -- I would make an argument that it  
3 would have the same no impact. But if it were  
4 built on the northwest corner, I would say,  
5 "Well, yes, it's going to impact the  
6 neighbors." So I think until you have that  
7 proposal --

8 MR. BEHAR: And that's the reason I was --

9 CHAIRMAN KORGE: I understand.

10 MR. AIZENSTAT: And to me, if I'm looking  
11 at a school that is from first grade to eighth  
12 grade, I don't understand the need for such a  
13 massive gym or so forth.

14 (Applause)

15 MR. AIZENSTAT: I don't -- please. And --

16 MS. RUSSO: Because it's a double use, as  
17 opposed to doing two buildings, a gymnasium and  
18 an auditorium.

19 MR. AIZENSTAT: I understand that, but I  
20 think you can actually bring it in without a  
21 reduction of setback, for the scale of school  
22 you have. I think it's doable, to be very  
23 honest with you.

24 MS. RUSSO: Well, I disagree, respectfully,  
25 because the way that sports, arts, music, and

1 all the extracurricular activities that take  
2 place, that did not take place in our day, when  
3 we were in elementary and middle school, when  
4 you took one sport, it was -- you know, the  
5 difference in the life of a child that's in  
6 primary, elementary and middle school today,  
7 Mr. Aizenstat, compared to what we went  
8 through, is very different, and they have  
9 multiple enrichment classes. So, in order to  
10 facilitate drama, art, music, the band -- They  
11 have a band. I mean, we didn't have band until  
12 we were in high school. You now have band.  
13 You have bioengineering. You have Mandarin  
14 Chinese that's being taught. You have  
15 things -- curricula that didn't exist, and you  
16 have to provide the facilities. They didn't  
17 have the competitiveness in sports that exists  
18 today.

19 MR. AIZENSTAT: I agree with what you're  
20 saying, but at the same time, this is looking  
21 like something that you want to bring in  
22 students from other campuses --

23 MS. RUSSO: But --

24 MR. AIZENSTAT: -- to -- Whether it's down  
25 the road, whether it's not today, I can't tell

1           you, but this is what it appears.

2           MS. RUSSO: Well, and that's why Staff  
3           asked us, and that's why you look at them. We  
4           went through the extra trouble -- I mean, this  
5           isn't an application that was slapped together  
6           overnight. Staff will tell you, we've been  
7           working two years on this. We list every use  
8           that another campus has on it, and it's  
9           labeled, it has an initial. This isn't just  
10          saying to you, willy-nilly -- I mean, I can  
11          read to you. I mean, we supplied it so that  
12          someone can say, "Oh, that event, here it is."  
13          It's listed and it's made part of the public  
14          record, and we listed which ones are in the  
15          daytime, which were in the evenings.

16          We went so far as to give you expected  
17          attendance, based on current activity, because  
18          the representation that we are making is, the  
19          activities take place now. They just take  
20          place over extended periods. They take place  
21          in facilities that are less than optimal.

22          So the baseball, they still come, all  
23          right? There are certain programs that come.  
24          The back-to-school parent-teachers would be  
25          best off being able to meet in an auditorium



1 done.

2 MS. RUSSO: Yeah, but see, the difference  
3 is, you have three divisions. You don't have  
4 one high school, which is one set of kids. You  
5 have three sets of kids of different ages. So,  
6 when you have PE for the elementary and the  
7 middle school, you can have them both  
8 participating on the different sides of the  
9 gym. The difference is, when you have a high  
10 school, they can all do it together. When  
11 you're ninth through twelfth grade, you don't  
12 have those divisions based on size. So that's  
13 the difference. This school has the pre-K,  
14 what we call primary, the elementary, and then  
15 the middle school.

16 So what they're trying to do is allow --  
17 you know, Grades 1 through 4 can be on one side  
18 of the court, and the Grades 5 through 8 can be  
19 on the other. In the high school, you don't  
20 have that. And, you know, that's the -- that's  
21 the difference here for the need for the  
22 facility.

23 MR. COE: Are you suggesting that  
24 elementary students are using a full basketball  
25 court?

1           MS. RUSSO: Well, they could divide it up.  
2 They're probably using a half court. Two  
3 classes at the same time can use half courts.

4           MR. COE: I didn't think you were  
5 suggesting that.

6           MS. RUSSO: Yeah. No, not full, but they  
7 could do half court, and you have two PE  
8 classes at the same time. You can also have  
9 the volleyball. I mean, the idea is set up  
10 that you have different divisions. You have,  
11 basically, you know, age groups that can't  
12 co-exist on the same --

13          MR. DICKMAN: But I understood that they  
14 said that they didn't want the younger kids to  
15 interact with the bigger kids, and now they're  
16 saying that they are in the gym. I mean, it  
17 doesn't make sense.

18          CHAIRMAN KORGE: On the -- Ms. Russo, on  
19 the new --

20          MS. RUSSO: And there's a curtain that  
21 comes down that separates the kids and the age  
22 groups.

23          MR. DICKMAN: No --

24          CHAIRMAN KORGE: I want you to just clarify  
25 and proffer, for the -- to try to alleviate the

1 issues with the trucks, that you identified the  
2 small trucks, delivery trucks, Fed Ex, UPS --

3 MS. RUSSO: They're actually on the sheet,  
4 so --

5 CHAIRMAN KORGE: -- Home Depot, that would  
6 deliver to the front, and then the others that  
7 would deliver at the gate, you're saying there  
8 would be -- let me just make sure I got this  
9 right -- there would be no semi trucks allowed  
10 at all --

11 MR. GIBBS: Right.

12 CHAIRMAN KORGE: -- that stacking would be  
13 prohibited on the street, it would have to be  
14 on the property, and you said the delivery  
15 would be scheduled for the off-peak hours, but  
16 I don't know what would be the -- What would be  
17 the off-peak hours? In other words, when it's  
18 not interfering with the neighbors coming and  
19 going during the normal rush hour and traffic?

20 MS. RUSSO: I'm trying to find my schedule.  
21 Hold on. They have it on a chart, which I  
22 think is easier to see.

23 MR. AIZENSTAT: What does Home Depot  
24 deliver to you?

25 MS. RUSSO: Home Depot delivers --

1           MR. AIZENSTAT: You said Home Depot. Did  
2 you mean Office Depot?

3           MS. RUSSO: I meant Office Depot. He said  
4 Home Depot. Office Depot.

5           MR. AIZENSTAT: Because Home Depot is  
6 construction and --

7           MS. RUSSO: Office Depot. It's listed on  
8 the -- Here we go.

9           MS. HERNANDEZ: They also have cleaning  
10 supplies, by the way.

11          MS. RUSSO: Office Depot, Fed Ex or UPS.  
12 And what was your question, I'm sorry? I was  
13 looking for the chart that has it in terms  
14 of --

15          CHAIRMAN KORGE: The third part of your  
16 proffer was that deliveries would be scheduled  
17 only for off-peak hours, so that the trucks,  
18 the non-semi tractor trucks that would be  
19 coming on Campamento would be coming on during  
20 certain hours that would not really be as much  
21 of an impediment to the neighbors, because  
22 they'd be coming in off-peak hours, but what  
23 are those off-peak hours?

24          MS. RUSSO: Right now, based on the  
25 schedule, the waste garbage is between 10:00

1 and 11:30, and the waste, the 20-yard --

2 CHAIRMAN KORGE: All right, 10:00 and  
3 11:30.

4 MS. RUSSO: -- is on call.

5 CHAIRMAN KORGE: I'm sorry, which -- What's  
6 the other one?

7 MS. RUSSO: The waste, the 20-yard  
8 container, which is different from your  
9 garbage, your --

10 MR. BEHAR: But those are limited. Those  
11 are very --

12 MS. RUSSO: On call. That's on call.

13 The Dade Paper delivery, which for a  
14 school, you know, paper delivery is -- It's at  
15 8:30.

16 CHAIRMAN KORGE: Well, you're going to have  
17 to change some of those, aren't you?

18 MS. RUSSO: We can --

19 CHAIRMAN KORGE: What are you going to  
20 offer as the off-peak hours? 8:30 is not an  
21 off-peak hour.

22 MS. RUSSO: Well, and we have Sysco Food,  
23 8:30 to 10:00. So we can work -- and the  
24 bakery and produce is at 6:00. So we can work  
25 on those three that are 8:30 to 10:00, and try

1 to make those from ten o'clock, and work with  
2 the vendors to have them so that they're not in  
3 the -- after ten o'clock in the morning, so  
4 that they're not affecting the morning rush  
5 hour.

6 MR. COE: Out of curiosity, Ms. Russo --

7 MS. RUSSO: Yes.

8 MR. COE: -- how much time in May, when  
9 there was this -- It was proffered there was a  
10 May meeting between Gulliver and the  
11 homeowners. How much time was really devoted  
12 to going over all of this with the homeowners?

13 MS. RUSSO: We spent -- I'm trying to  
14 remember what time the meeting started. The  
15 meeting ended after 9:30. It started at --

16 Does anybody here remember what time the  
17 meeting started?

18 (Inaudible comments from audience)

19 MS. RUSSO: We started at 7:00, and it went  
20 to almost ten o'clock at night.

21 MR. COE: Seven o'clock at night to ten  
22 o'clock, or seven o'clock in the morning to ten  
23 o'clock?

24 MS. RUSSO: No, seven o'clock at night.

25 MR. COE: It seems -- and I'm just making

1 an observation. It seems to me that you have a  
2 lot of disgruntled homeowners who do not fully  
3 understand what you're doing, and I don't think  
4 it was really carefully explained to them. I  
5 don't think your limitations were ever  
6 explained to them. I don't think they have any  
7 real understanding of what this project  
8 entails. That's my sense, listening to all  
9 these people.

10 MS. RUSSO: Well, I also sat down with  
11 their counsel for an extended period of time,  
12 along with co-counsel, and we invited  
13 Mr. Dickman, and he did a site visit to the  
14 campus, which was at least a two-hour --

15 MR. DICKMAN: Yeah, let me say, the quick  
16 answer to the biggest problem that we have was  
17 the Campamento. "We can't, because of  
18 accreditation," that was it. It lasted five  
19 seconds, not an option. A letter, untenable.  
20 And it just hasn't been -- I mean, I looked to  
21 try to find out why they can't do that. It's  
22 not going to require Dade County. It's not a  
23 matter of not knowing, and now you're talking  
24 about pushing all of these deliveries on  
25 Campamento up until after 10:00. Well, again,

1           that's going to cram up the deliveries.  It's  
2           just untenable to have that there.

3           I mean, they just haven't shown -- I mean,  
4           they just said, "Well, we can't move that tot  
5           lot because of accreditation."  That's it.  
6           They didn't even want to look at any options  
7           whatsoever.

8           MS. RUSSO:  I'm being told, with the  
9           limitations on the Fed Ex and the UPS trucks,  
10          that you're looking at a maximum of three to  
11          five trucks per day, which includes the waste,  
12          the delivery, the food, and the bakery --

13          MS. KEON:  Right.

14          MS. RUSSO:  -- on a public street.

15          MS. KEON:  All right.  At off-peak hours.  
16          At off-peak hours?

17          MS. RUSSO:  We would proffer -- we would  
18          proffer, once again, to change the hours that  
19          are stated here and have them come off-peak  
20          hours.

21          MS. KEON:  So that you don't have people  
22          coming and going in the morning, during the  
23          rush hour period of time.

24          To Mr. Riel.  In your recommendation, you  
25          recommend denial of the setback on the south

1 side. Do you --

2 MR. RIEL: Correct.

3 MS. KEON: Other than the setback, was the  
4 size, scale, mass and whatever of that building  
5 acceptable?

6 MR. RIEL: I can't really answer that,  
7 because we didn't evaluate it. You know, that  
8 condition that comes before us --

9 MS. KEON: Right.

10 MR. RIEL: -- we look at it, we evaluate  
11 it, based upon its location.

12 MS. KEON: Okay, so you did it just based  
13 on the setback, not on the building itself?

14 MR. RIEL: Correct.

15 MS. KEON: Okay. That -- you know, that  
16 makes me a little uncomfortable. It makes me  
17 uncomfortable that, you know, they're  
18 proffering to move it back --

19 MR. RIEL: You also have to understand, it  
20 involves other departments, as well.

21 MS. KEON: Right, right.

22 MR. RIEL: So -- you know, The Development  
23 Review Committee, the Board of Architects, and  
24 so --

25 MS. KEON: Correct.

1           CHAIRMAN KORGE: It would have to go  
2 through another review, apparently. That's  
3 what you're telling us?

4           MR. RIEL: Yeah. Basically, yes.

5           CHAIRMAN KORGE: So if that's part of the  
6 proffer, we could -- it's still got to go back  
7 and come to us again, or can it --

8           MR. RIEL: Well, we can -- if you -- if the  
9 Board, you know, recommends that it return to  
10 the 80-foot setback, between now and the  
11 Commission, I can solicit other City Staff and  
12 go to the Board of Architects and, before it  
13 goes to the Commission, get that input.

14          MS. KEON: You'll get the input, so you'll  
15 have a recommendation on the building itself?

16          MR. RIEL: Yes. We can accommodate that.

17          MR. COE: If we vote tonight, Mr. Riel,  
18 when does this go in front of the Commission?

19          MR. RIEL: August 24th, so there's  
20 sufficient time.

21          MS. KEON: There's sufficient time to go  
22 back and look at the size, scale and whatever,  
23 of the building.

24          MR. BEHAR: Just for clarification, that  
25 playground, is that, as an accessory use,

1 outside of the setback requirement today?

2 MR. RIEL: The playground accessory use,  
3 how I -- how the Zoning Department has told me,  
4 deals with playgrounds -- deals with only  
5 single-family. That's my understanding.

6 CHAIRMAN KORGE: So there's no setback  
7 requirement for the playground?

8 MR. RIEL: Not when it deals with --

9 CHAIRMAN KORGE: For here.

10 MR. RIEL: Yeah, not on this particular  
11 application.

12 CHAIRMAN KORGE: Right.

13 MR. RIEL: It only applies to single-family  
14 residences.

15 CHAIRMAN KORGE: Okay.

16 MR. DICKMAN: And just for the record, I  
17 take exception to that.

18 CHAIRMAN KORGE: Pat, you wanted to make a  
19 motion?

20 MS. KEON: I would make a motion. I'd move  
21 for approval of the area -- the area  
22 development assignment. What do I have to read  
23 to make that recommendation?

24 MR. COE: You're just moving Number 1?

25 MS. KEON: Number 1.

1 MR. AIZENSTAT: Which is --

2 MR. COE: Approval of the PAD.

3 MS. KEON: The approval of the Planned Area  
4 Development assignment.

5 MR. AIZENSTAT: But doesn't that have to be  
6 specific to a site plan, to approve that?

7 MS. KEON: I don't know. Does it have to  
8 be specific to the site plan to approve it?

9 MR. RIEL: Well, there's two -- I mean,  
10 there's three recommendations.

11 MS. KEON: Right.

12 MR. RIEL: It's the PAD assignment.

13 MS. KEON: Right.

14 MR. RIEL: The second is the site plan or  
15 amendment to the master plan --

16 MS. KEON: Right.

17 MR. RIEL: -- which the conditions are tied  
18 to, in the site plan.

19 MR. AIZENSTAT: How do you approve Number  
20 1, a PAD, without approving it to --  
21 specifically to the site plan?

22 MR. RIEL: You don't. You have to --

23 MS. RUSSO: If you approve 1, you have to  
24 approve 2. You can't approve 1 without  
25 approving 2.

1 MR. COE: Without approving 2.

2 MR. DICKMAN: Can I make a suggestion?  
3 Because there are a lot -- there seems to be a  
4 lot of willingness now for them to move on  
5 things that they weren't willing to before.  
6 Why not deny this, tell them to go back and  
7 meet with us --

8 MR. COE: We understand your position.

9 MR. AIZENSTAT: We understand your  
10 position.

11 MR. COE: The Board members are now  
12 deliberating among ourselves.

13 CHAIRMAN KORGE: We're having a motion now,  
14 and we'll see how the vote turns out. I don't  
15 know how it's going to turn out, and I don't  
16 even know what the motion is going to be yet --

17 MS. KEON: Right, approval of --

18 CHAIRMAN KORGE: So why don't we start with  
19 the motion?

20 MS. KEON: We'll start with 1 and 2.  
21 Approval of the Planned Area Development  
22 assignment and approval of the site plan or  
23 amendment to the previously approved Gulliver  
24 Academy Master Campus Site Plan, to allow for  
25 new classrooms, pavilion, gymnasium, baseball

1 field house, and other improvements, subject to  
2 conditions -- and the conditions are?

3 CHAIRMAN KORGE: Well, they're in this --  
4 Staff's recommendation, and then there were  
5 proffered --

6 MS. KEON: All right.

7 CHAIRMAN KORGE: -- additional conditions.

8 MS. KEON: We are -- In accordance with  
9 Staff's recommendation and those that have been  
10 proffered by the applicant, which are --

11 CHAIRMAN KORGE: Dealing with the stacking  
12 of trucks, the problem with traffic on  
13 Campamento, that no semi trucks would be  
14 allowed --

15 MS. KEON: Access to the property.

16 CHAIRMAN KORGE: -- to deliver at the  
17 property. Trucks are prohibited from stacking  
18 on the street, but would have to stack on the  
19 property, and delivery would be scheduled for  
20 off-peak hours, and as best I can gather,  
21 off-peak hours would be after 10:00 a.m.  
22 There's no clear expression of when it would  
23 end after 10:00 a.m., whether it would go from  
24 10:00 a.m. till midnight, or 10:00 a.m. until  
25 whatever, so that was -- just after 10:00 a.m.

1 is what you proffered, right?

2 MS. RUSSO: 10:00 to 3:00?

3 MS. KEON: 10:00 to 2:00?

4 MS. RUSSO: 10:00 to 2:00?

5 CHAIRMAN KORGE: Whatever you proffer. I  
6 don't know. I'm not going to tell you what to  
7 do.

8 MS. KEON: I'm asking the school. What's  
9 the latest deliveries that you --

10 MS. RUSSO: 10:00 to 3:00.

11 MS. KEON: 10:00 to 3:00.

12 CHAIRMAN KORGE: 10:00 to 3:00 p.m.

13 MR. COE: 10:00 to 3:00, you mean, 10:00  
14 a.m. to 3:00 p.m.?

15 MS. KEON: Yes, 10:00 a.m. to 3:00 p.m.

16 MS. RUSSO: Yes, to be specific.

17 CHAIRMAN KORGE: And then you proffered to  
18 increase the setback on the south side, for the  
19 natatorium, from 60 feet to 80 feet.

20 MS. RUSSO: To the allowed, so that it is  
21 no longer a request for a reduction in the  
22 setback.

23 CHAIRMAN KORGE: Right.

24 MS. RUSSO: Correct.

25 CHAIRMAN KORGE: So that's -- You proffered

1           that.

2           MS. RUSSO: I proffered that, correct.

3           CHAIRMAN KORGE: Okay.

4           MR. RIEL: Again, that's a part of your  
5 motion --

6           MS. KEON: Yes.

7           MR. RIEL: -- to include the natatorium?

8           MS. KEON: Yes.

9           MR. RIEL: I just want to be clear.

10          CHAIRMAN KORGE: With the changes that --

11          MS. KEON: To include the natatorium, with  
12 further review by Staff, prior to going to the  
13 Commission, as to massing, height, and other  
14 issues, because it has not been reviewed for  
15 those things.

16          MR. BEHAR: Okay.

17          MS. KEON: And before it goes to the  
18 Commission, you have to provide a Staff report  
19 to them on those issues, as well.

20          MR. BEHAR: I need clarification.

21          CHAIRMAN KORGE: Okay. Is there a second  
22 on the motion?

23          MR. BEHAR: I need a clarification, for a  
24 second.

25          MS. RUSSO: Uh-huh.

1           MR. BEHAR:  New classrooms and pavilion  
2 buildings, what are those, new classrooms,  
3 because --

4           MS. RUSSO:  They are on -- if you look at  
5 your -- on your sheet, the one you were  
6 referring to before -- LNS.

7           MR. BEHAR:  Yes.

8           MS. KEON:  They're replacing something.

9           MR. FLANAGAN:  They're replacing some  
10 structures and adding new ones.

11          MR. BEHAR:  But those are within --

12          MS. RUSSO:  Setbacks.

13          MR. BEHAR:  -- the campus?

14          MS. RUSSO:  Totally within the campus.  
15 They're not asking for any special --

16          MR. BEHAR:  Just clarification.

17          MS. RUSSO:  No, absolutely, absolutely.  
18 Without any -- They're within height, within  
19 setbacks, within everything.

20          CHAIRMAN KORGE:  Is there a second for the  
21 motion?

22          MS. KEON:  Wait a minute, did we limit --  
23 We limited who could deliver to --

24          CHAIRMAN KORGE:  Oh, I'm sorry, the other  
25 part was the --

1 MS. RUSSO: Was elimination of deliveries  
2 by --

3 MR. RIEL: The smaller trucks, in the front  
4 of the property.

5 MS. RUSSO: -- Fed Ex Ground --

6 MS. KEON: Limiting delivery to only  
7 waste -- waste, garbage, food --

8 MS. RUSSO: Food and Dade Paper.

9 MS. KEON: Food and Dade Paper.

10 MS. RUSSO: Correct.

11 MS. KEON: So the use of Campamento is  
12 limited to those things, with no stacking on  
13 the street, and off-peak hours.

14 MR. AIZENSTAT: But -- My concern is that  
15 you're actually taking the vehicles that could  
16 easily deliver within the property, that should  
17 have been doing it from the beginning. You're  
18 just telling them, "You can't put it on the  
19 street now," which are smaller vehicles, and  
20 you're setting certain time limits, that in a  
21 way you may be creating stacking, because  
22 you're telling them now, "You've got to do your  
23 delivery between this hour and this hour."

24 MS. RUSSO: But there's three to five a  
25 day, maximum.

1           MR. AIZENSTAT: That's a -- That could be a  
2 lot, because the trucks can be in there --

3           MS. RUSSO: But they can queue on site in  
4 the parking --

5           MS. KEON: They can queue on site.

6           MR. AIZENSTAT: How do you queue on site?

7           MS. KEON: In the parking lot.

8           MS. RUSSO: In the parking lot. If you  
9 look at the south --

10          UNIDENTIFIED WOMAN IN AUDIENCE: No,  
11 there's no room.

12          MR. DICKMAN: You're talking about --

13          MR. AIZENSTAT: Can it be done? Did our --  
14 Did the City's Staff take a look?

15          MR. RIEL: Yes, we looked at it.

16          MR. AIZENSTAT: And it can be queued on  
17 site?

18          MR. RIEL: Yes.

19          MR. AIZENSTAT: Okay.

20          CHAIRMAN KORGE: There's enough empty space  
21 to queue them and then turn them around, Eric?

22          MR. RIEL: Correct.

23          MR. AIZENSTAT: If you can queue them  
24 inside the property --

25          MS. KEON: Yes.

1           MR. AIZENSTAT: -- and if you need to, I  
2 understand that.

3           MR. DICKMAN: But how does that make sense  
4 with what they were saying, that there couldn't  
5 be a turnaround? They're saying that if they  
6 put in a new entrance, there was no turnaround,  
7 but now they're saying there's enough room to  
8 queue --

9           MS. KEON: Okay, those are the -- those are  
10 the items that we have proffered. Is there  
11 anything else on this?

12          MR. DICKMAN: It doesn't make any sense.

13          CHAIRMAN KORGE: I don't think -- Has  
14 anything else been proffered?

15          MR. AIZENSTAT: It's clear that they queue  
16 inside?

17          MR. RIEL: That's a condition of Staff.

18          MS. KEON: That's a condition.

19          MR. RIEL: Staff put that in the Staff  
20 review. That's --

21          MR. COE: That's a Staff condition.

22          MR. AIZENSTAT: I understand that, but I  
23 want to make sure it's in our motion.

24          MR. RIEL: That's already included.

25          CHAIRMAN KORGE: Yeah, it is.

1 MS. KEON: It is.

2 CHAIRMAN KORGE: So, is there a second for  
3 the motion?

4 MR. AIZENSTAT: I still have a hard time  
5 with that setback.

6 MR. COE: And that, quite frankly, is my  
7 problem. I will not agree to reduction of the  
8 north side setback.

9 MS. KEON: Okay, is there a second? If  
10 there's no second, then the motion will die.

11 CHAIRMAN KORGE: That motion's dead. Is  
12 there another motion?

13 MS. KEON: Okay, then, someone else make a  
14 motion.

15 (Applause)

16 MS. KEON: Can someone make a motion so we  
17 can close this meeting?

18 MR. COE: Let me ask this of Ms. Russo.

19 MS. HERNANDEZ: It's almost nine o'clock.

20 MR. COE: It's not nine o'clock yet. I'll  
21 ask this of Ms. Russo.

22 Is it my understanding that if we do not  
23 agree to the reduction of the setback on the  
24 north side from 80 to 60 feet, your gymnasium  
25 will not be built? Is that what we're talking

1 about?

2 MR. BARTEL: Correct.

3 MS. RUSSO: I'm not sure I understood the  
4 question.

5 MR. COE: Well, if there is no setback  
6 reduction --

7 MS. RUSSO: For the gymnasium?

8 MR. COE: All the setbacks stay where they  
9 are. Without setbacks, is your project going  
10 to go forward, is it dead, or what? Do you  
11 need to revamp the whole thing? I need to know  
12 that.

13 MR. BARTEL: It kills it.

14 MS. RUSSO: It kills the application.

15 MR. COE: That's what I wanted to find out.

16 MS. RUSSO: The building. It kills which  
17 building?

18 MS. KEON: The gymnasium.

19 MS. RUSSO: The gym?

20 MR. COE: It kills the gymnasium.

21 MS. RUSSO: The gym. It kills the  
22 gymnasium.

23 MR. COE: It cannot be done at the existing  
24 setback? It has to be reduced?

25 MS. RUSSO: Right.

1 Chairman KORGE: can we have a motion --

2 MR. COE: That's the decision of Gulliver,  
3 as far as I'm concerned.

4 MS. KEON: Do you want to make a motion to  
5 deny the application, Judge Coe?

6 MR. COE: I'm not making any motion.

7 MS. KEON: Then what will we do? Will we  
8 adjourn at nine o'clock?

9 CHAIRMAN KORGE: Oh, please.

10 MR. COE: That's up to the Board. I'm not  
11 making any motion.

12 MR. AIZENSTAT: Let me ask --

13 MS. KEON: I'm asking you --

14 CHAIRMAN KORGE: Eric, do you have an  
15 alternative suggestion, maybe --

16 MR. COE: There's five other people on this  
17 Board.

18 CHAIRMAN KORGE: -- to get this -- move  
19 this so they can move forward in some way? I  
20 mean, obviously, they plan to make improvements  
21 to the -- you know, the campus, to the end of  
22 the process here. How can we move it forward  
23 for everybody so they can get to --

24 (Simultaneous inaudible comment by Ms.  
25 Russo)

1           MR. RIEL:  There seems to be -- The Board  
2           seems to have a problem with that north  
3           setback.  So that's the feeling I get from most  
4           of the Board.  So that seems to be the issue  
5           that is stalling it from going forward.

6           MS. KEON:  Well, there's probably half of  
7           us that do and half of us that don't have a  
8           problem with that north setback.

9           CHAIRMAN KORGE:  I don't -- The setback,  
10          the north setback, doesn't bother me.  I  
11          understand all the arguments.

12          MS. KEON:  I don't have a problem with the  
13          north setback.

14          MR. RIEL:  Well, may I suggest, make a  
15          motion subject to the setbacks and the vote --

16          MR. BEHAR:  How do you --

17          MR. COE:  That's a motion in futility.  
18          That's why I asked the applicant.  What is the  
19          point of saying we're not going to agree to  
20          setback reductions if the applicant is going to  
21          tell this Board that that's a deal breaker?  
22          There's no sense in making that motion.

23          MR. DICKMAN:  If I could make --

24          MR. COE:  And I have no motion to make.  I  
25          mean, Gulliver is a fine institution.  It's --

1           MS. RUSSO:  If we were to proffer, in  
2           addition, that no other building would ever be  
3           proposed in violation --

4           MR. BARTEL:  No, that no other setback or  
5           other building would be moved closer.

6           MS. RUSSO:  -- no other building would be  
7           moved closer on the north setback line?

8           MR. COE:  A setback is a setback, as far as  
9           I'm concerned.  As far as I am concerned, I  
10          cannot vote for any reduction of the setback.  
11          This project is fine if you kept your setbacks.  
12          If you cannot accommodate architecturally with  
13          the existing setbacks, I cannot, in good  
14          conscience, vote for this, even though I want  
15          Gulliver to succeed.  I want Gulliver to  
16          revitalize itself.  I think it's a fine  
17          institution.  It's renowned.  We all know that.  
18          But, you know, you have to draw a line.  You  
19          know, we have -- we have a community here, we  
20          have -- The Planning and Zoning Board's sworn  
21          mission is to have uniformity of plans and of  
22          PADs, and the setbacks are setbacks, as far as  
23          I am concerned, and they will not be reduced,  
24          as far as my vote is concerned.  Anybody else  
25          can do what they want.  I will never vote for

1 reduction of setback.

2 MR. BEHAR: We don't always -- I don't  
3 always agree with the Judge. Tonight I'm happy  
4 to feel like I'm -- I agree with him.

5 MR. AIZENSTAT: Let me ask you a different  
6 question. We've got one, two, three, four,  
7 five, six members, with one member absent.  
8 You're getting a feel for us. And I also see  
9 that you guys could come to an agreement  
10 between the two parties and maybe revamp this  
11 and bring it back to us in a different way.

12 MR. DICKMAN: I think that this is the --

13 MR. AIZENSTAT: Would you like to try to do  
14 that?

15 MR. DICKMAN: I think this is the first  
16 time we've actually seen serious movement on  
17 their part to try to amend their plan. My  
18 clients would -- Now that they're willing to  
19 talk about changes --

20 MS. RUSSO: Would you give me a moment to  
21 confer with my client?

22 MR. DICKMAN: -- we would be able to do  
23 that. Again, Campamento is our major sticking  
24 point.

25 MR. AIZENSTAT: Well, I'd like for you guys

1 to be able -- For me, individually, I'd like  
2 for you guys to be able to talk and see if you  
3 can come to an agreement.

4 VOICES IN AUDIENCE: We tried.

5 CHAIRMAN KORGE: Shh, Shh.

6 MR. AIZENSTAT: Please. We understand  
7 that.

8 MR. DICKMAN: There's been a lot of --

9 CHAIRMAN KORGE: Could we take, maybe --  
10 since they're talking, could we take a  
11 five-minute recess, maybe?

12 MS. KEON: Are you going to --

13 MR. AIZENSTAT: Before we do that, maybe we  
14 could take a motion to extend.

15 MR. COE: If we take a five-minute recess,  
16 we will --

17 MR. FLANAGAN: I move to extend the meeting  
18 until --

19 MS. KEON: 9:15.

20 MR. COE: 9:15.

21 MR. FLANAGAN: -- 9:30.

22 MR. BEHAR: 9:30, and I'll second that  
23 motion.

24 MR. AIZENSTAT: I'll second that.

25 CHAIRMAN KORGE: Okay, there's a motion on

1 the floor to extend to 9:30. Any discussion on  
2 that motion?

3 MR. COE: No.

4 CHAIRMAN KORGE: Hearing none, we'll call  
5 the roll on the motion to extend till 9:30.

6 MS. MENENDEZ: Robert Behar?

7 MR. BEHAR: Yes.

8 MS. MENENDEZ: Jack Coe?

9 MR. COE: Yes.

10 MS. MENENDEZ: Jeff Flanagan?

11 MR. FLANAGAN: Yes.

12 MS. MENENDEZ: Pat Keon?

13 MS. KEON: Yes.

14 MS. MENENDEZ: Eibi Aizenstat?

15 MR. AIZENSTAT: Yes.

16 MS. MENENDEZ: Tom Korge?

17 CHAIRMAN KORGE: Yes.

18 Okay, we'll recess for about five minutes.

19 (Thereupon, a brief recess was taken.)

20 CHAIRMAN KORGE: Can we come back to order,  
21 please?

22 MS. RUSSO: We need two more minutes.

23 (Discussion off the record)

24 CHAIRMAN KORGE: Ms. Russo, do you have,  
25 perhaps -- Oh, you guys are talking?

1 MS. RUSSO: I'm waiting.

2 (Discussion off the record)

3 CHAIRMAN KORGE: Okay, what's the verdict?

4 MR. COE: Do we have an announcement?

5 MS. RUSSO: Yes.

6 MR. DICKMAN: My clients have agreed to --  
7 if you would defer this item, till August --

8 MS. RUSSO: And we'll accept it, to the  
9 next meeting, and we're going to sit down  
10 honestly and try to see what issues -- what  
11 more we can do to try to make the program work  
12 for all parties concerned, in a real concerted  
13 effort. I can promise no end results, but as I  
14 said to Mr. Dickman, I assured him that we will  
15 go in in total good faith and look at  
16 everything we can look at, to try.

17 MR. DICKMAN: Especially -- and we made it  
18 especially the Campamento --

19 MS. RUSSO: Especially the Campamento.

20 MR. DICKMAN: -- issue, because that's key  
21 here, that we want to see that --

22 MS. RUSSO: And the north setbacks. We  
23 will look at --

24 MR. COE: Mr. Chair --

25 MS. RUSSO: I give him my word that I will

1 bring my clients to the table.

2 MR. COE: Both sides have gotten a sense in  
3 these last two sessions of where this Board is,  
4 so I urge conciliatory gestures on both sides.

5 MR. RIEL: Mr. Chair, I would point out,  
6 our next meeting agenda is full.

7 MR. COE: Is UM.

8 MR. RIEL: Is full.

9 CHAIRMAN KORGE: Is full.

10 MR. COE: Is UM, right. We understand.

11 MR. RIEL: Is full, so --

12 MS. KEON: So it requires a special  
13 meeting?

14 MR. BEHAR: A special meeting?

15 MR. FLANAGAN: Can we start -- Can we start  
16 an hour early that day?

17 MR. AIZENSTAT: Can we start what, I'm  
18 sorry?

19 MR. FLANAGAN: An hour early that day?

20 MR. COE: No.

21 MS. KEON: But can we ask that things be  
22 worked out so that it will only take three  
23 hours to hold that meeting?

24 MS. RUSSO: Do you want to make it the next  
25 day or pick another day, the week after?

1 MS. HERNANDEZ: Sure, why don't we all just  
2 move in?

3 CHAIRMAN KORGE: Mr. Coe?

4 MR. FLANAGAN: Do we think -- Mr. Chairman,  
5 do we really think it would take --

6 MR. COE: Hold it.

7 MR. FLANAGAN: I mean, it may take an hour,  
8 but if we're close now and they're going to  
9 take a few weeks to try and work through the  
10 issues, I would hope or imagine they would come  
11 up here and say either, "We've come to  
12 consensus," or, "We haven't."

13 MS. RUSSO: Or we haven't, and that would  
14 shorten the --

15 MR. FLANAGAN: And we don't need to hear  
16 everything all over.

17 MR. COE: There's no public comment  
18 anymore. It's just what they're going to agree  
19 to or not agree to --

20 MS. KEON: Right, right.

21 MR. COE: -- and then we vote.

22 CHAIRMAN KORGE: Right.

23 MR. COE: It shouldn't take very long. I  
24 don't think we're talking about more than 30  
25 minutes.

1           CHAIRMAN KORGE:  What do you think, Eric?

2           MR. RIEL:  I'm -- The agenda is full,

3           Mr. Chair.

4           MS. KEON:  And the next is -- When is the  
5           next meeting?

6           CHAIRMAN KORGE:  Just UM or anything else?

7           MR. RIEL:  Yes.

8           CHAIRMAN KORGE:  Just UM?

9           MR. RIEL:  Just UM, yes.

10          CHAIRMAN KORGE:  And UM is going to take  
11          three hours, you think?

12          MR. RIEL:  Well --

13          MS. KEON:  Yeah.

14          CHAIRMAN KORGE:  Yeah?

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

16          CHAIRMAN KORGE:  Right.

17          MR. RIEL:  But I don't want to --

18          MR. COE:  That would push us into  
19          September, then.

20          MR. FLANAGAN:  But is there a reason why we  
21          can't meet at 5:30 and start, try to defer this  
22          until --

23          CHAIRMAN KORGE:  Let's see.  Who can make  
24          it at 5:30?

25          MR. BEHAR:  Just so you know, I will not be

1 here, next meeting.

2 CHAIRMAN KORGE: Okay.

3 MS. RUSSO: You're not here --

4 MS. HERNANDEZ: August 8th. You won't be  
5 here at the next meeting?

6 MR. BEHAR: I'm not here, next meeting.

7 MR. FLANAGAN: No, August --

8 MS. RUSSO: It's August 11th.

9 MR. RIEL: 11th. And we can do August 4th.  
10 I don't know if you want to have another  
11 meeting.

12 MS. RUSSO: August 4th doesn't really give  
13 us enough time, logistically, to try to get  
14 together. I mean, when you have so many  
15 parties involved. Can we try to have a special  
16 meeting the following week, for another day?

17 (Simultaneous comments by Board members)

18 MS. RUSSO: How about a special meeting the  
19 following week? Since we know it's going to be  
20 short, we can either pick a Wednesday or any  
21 other day of the week and just say you have an  
22 hour or less? As you said, it's not going to  
23 be --

24 MS. HERNANDEZ: But if -- I mean, no one on  
25 this Board can meet half an hour earlier to

1 take --

2 CHAIRMAN KORGE: I can meet a half hour --

3 MR. COE: We could schedule it. I mean, if  
4 I'm in court, I may not get back. That's what  
5 I'm saying, you know.

6 MS. RUSSO: We know Mr. Behar can't.

7 MR. COE: If I'm stuck in rush hour  
8 traffic, you know, I may not get back here till  
9 six o'clock, and you know -- I guess I can get  
10 back and vote, I suppose, but I mean, that's  
11 about it.

12 MR. DICKMAN: Will everyone be here on the  
13 19th, on the following week, on the --

14 MS. RUSSO: The 18th?

15 MR. DICKMAN: I think it's the 16th.

16 MS. RUSSO: The 16th or 17th?

17 MR. RIEL: 18th.

18 MR. COE: I just suggest, then, we just put  
19 it at 5:30, and see what happens.

20 MR. AIZENSTAT: Well, no, that's -- I  
21 disagree with you, and I'll tell you why. You  
22 have a strong opinion.

23 MR. FLANAGAN: Yeah.

24 MR. AIZENSTAT: Robert has a strong  
25 opinion.

1 MR. FLANAGAN: Yeah.

2 MR. AIZENSTAT: And if you're not here at  
3 5:30 --

4 MS. RUSSO: Right, it's only fair.

5 MS. HERNANDEZ: You're going to cave?

6 MR. AIZENSTAT: No, but -- that's not fair.

7 MS. RUSSO: No, but to be fair -- to be  
8 fair --

9 MS. HERNANDEZ: I'm sorry. I apologize.

10 MR. AIZENSTAT: Hey --

11 MS. HERNANDEZ: I owe you dinner. I'm  
12 sorry, I'm sorry.

13 MR. COE: This is why we should never go  
14 beyond nine o'clock. See what happens?

15 MR. AIZENSTAT: But what I'm saying is, the  
16 Board that has been here, and the Board that's  
17 heard all the sides, should all be here.

18 MR. FLANAGAN: Yeah.

19 MS. RUSSO: I agree.

20 MR. BEHAR: I'll be back for the 18th.

21 MS. RUSSO: How about the 18th, one hour?

22 MS. KEON: I won't be here on the 18th.  
23 I'm gone.

24 CHAIRMAN KORGE: The 18th, I don't know if  
25 I'll be in town on the 18th.

1 MR. COE: The problem we're getting into  
2 is, it's summertime and vacations and all that.

3 (Simultaneous inaudible comments among  
4 Board members and among counsel)

5 CHAIRMAN KORGE: I may be available. I  
6 just don't know.

7 MS. KEON: I know I won't be.

8 MR. COE: Is it a disaster to just push it  
9 to September?

10 MS. RUSSO: Mr. Dickman has trial.

11 MS. HERNANDEZ: Mr. Dickman, you can't make  
12 in it September?

13 MR. GIBBS: He's got trial time.

14 MR. DICKMAN: What about the first week of  
15 September?

16 MR. COE: The second week of September is  
17 when we have our meeting.

18 MR. DICKMAN: I have an interesting  
19 trial --

20 MR. COE: You don't have a half an hour on  
21 the second Wednesday of September?

22 MR. GIBBS: He has a trial.

23 MR. DICKMAN: I have -- My trial period  
24 starts that week for --

25 MR. COE: It's a trial period. You may not

1 be in trial at all. It's not specially set.

2 MS. RUSSO: I don't know, this is --

3 CHAIRMAN KORGE: This is for you, Jack.

4 MS. HERNANDEZ: Well, the City is pushing  
5 hard to get this case over with, the one that  
6 he's on standby.

7 MR. COE: We understand what the City's  
8 problems are.

9 MS. HERNANDEZ: No, it's a different --  
10 We're on the same case against each other.

11 MS. RUSSO: They're against --

12 MR. COE: I understand that, and I know  
13 what the case is, so forget all of that. I'm  
14 not interested in that. That's a side issue,  
15 nothing to do with this Board. You know, I  
16 want to --

17 MS. RUSSO: I'm happy to accommodate  
18 Mr. Dickman if it's earlier than that, in other  
19 words, a special -- a special day.

20 MR. COE: Well, when you start getting into  
21 special days in late August and early  
22 September, you run into vacations and we're not  
23 going to get a full board, and then what are  
24 you going to do, if you have five people? See,  
25 then you move into October. So this is why I'm

1           trying to do this, you know, where everybody  
2           has a consensus of where we're going, and do  
3           this as quickly as possible, you know?

4           MR. DICKMAN:   September --

5           MS. RUSSO:   September 8th.

6           MR. DICKMAN:   In the evening?

7           MR. COE:   You know?

8           MS. KEON:   It's the regularly scheduled  
9           Planning and Zoning Board.

10          MS. RUSSO:   Can you put us first on the  
11          agenda, then?

12          MR. DICKMAN:   Can you help me with my  
13          trial?

14          MR. COE:   We would be in September,  
15          Mr. Riel, the first agenda item.

16          MR. RIEL:   Whatever the first -- I don't  
17          know, what's the --

18          MR. COE:   Well, we would be the first  
19          agenda item.

20          MS. RUSSO:   The meeting would be September  
21          8th, according to the second Wednesday.

22          MR. RIEL:   September 8th is fine. We can  
23          put you on the first agenda -- first agenda  
24          item.

25          MS. KEON:   We'll put you on first.

1           MR. AIZENSTAT: On which date, September  
2           8th?

3           MS. RUSSO: September 8th, which is the  
4           normal --

5           MR. BEHAR: That's the regular meeting.

6           MS. KEON: That's the regular meeting.

7           MR. BEHAR: That's a great idea.

8           MR. COE: And that will be it, and --

9           CHAIRMAN KORGE: Then you have plenty of  
10          time to work out an agreement.

11          MS. RUSSO: I can only -- What?

12          CHAIRMAN KORGE: Then you have a lot of  
13          time to work out an agreement.

14          MR. COE: You'll be out of here by 6:30.

15          MR. DICKMAN: Right.

16          MR. COE: Because either there's going to  
17          be an agreement, which is going to be explained  
18          to this Board --

19          MS. RUSSO: I mean, everybody knows enough  
20          about the project to understand, if there's a  
21          disagreement, what the issues are. It's not  
22          going to need --

23          MR. DICKMAN: I'm just worried if the Judge  
24          schedules our trial that day, and being able to  
25          get here on time and --

1 MS. HERNANDEZ: Well, but you'll be in  
2 town. Trust me, the Judge, Judge Echarte, is  
3 not going to have us till six o'clock at night.

4 MR. DICKMAN: Okay.

5 MS. HERNANDEZ: I can guarantee you that.

6 MR. DICKMAN: All right.

7 MR. COE: The City Attorney doesn't work  
8 after five o'clock.

9 MR. DICKMAN: She just guaranteed I'm --

10 MS. HERNANDEZ: No, but Judge Echarte won't  
11 be in the courthouse --

12 MR. DICKMAN: Okay.

13 MS. RUSSO: September 8th, first item on  
14 the agenda?

15 MR. RIEL: And I just want to make sure --

16 CHAIRMAN KORGE: Do we need a motion, Eric?

17 MS. KEON: Do we need a motion?

18 MR. RIEL: Can I just make a couple  
19 parameters? September 8th, first agenda item,  
20 no further public input, continue the meeting,  
21 and therefore, we do not need to re-advertise  
22 or renotice.

23 MS. HERNANDEZ: Correct.

24 MR. RIEL: I just want to make sure all the  
25 parties to agree to that.

1           MS. RUSSO:  It's a motion to continue, and  
2           we present either the agreed-upon -- or what's  
3           been agreed upon or has not been agreed upon.

4           MR. RIEL:  Mr. Dickman, do you agree to  
5           that?

6           MR. DICKMAN:  Yes, I agree to that.

7           MS. RUSSO:  You have enough knowledge to --

8           MS. HERNANDEZ:  Is there a motion to  
9           continue?

10          MR. BEHAR:  I will make that.

11          MR. FLANAGAN:  So moved -- second.

12          MR. DICKMAN:  There's going to be a  
13          full Board?

14          MR. RIEL:  Motion subject to the parameters  
15          I outlined?

16          MR. BEHAR:  Yes, sir.

17          CHAIRMAN KORGE:  Subject to the parameters.  
18          Is there a second?

19          MS. KEON:  I second it.

20          CHAIRMAN KORGE:  Seconded.

21          (Inaudible comments among Board members)

22          CHAIRMAN KORGE:  Would you call the roll on  
23          that motion, please?

24          MS. MENENDEZ:  Jack Coe?

25          MR. COE:  Yes.

1 MS. MENENDEZ: Jeff Flanagan?

2 MR. FLANAGAN: Yes.

3 MS. KEON: Pat Keon?

4 MS. KEON: Yes.

5 MS. MENENDEZ: Eibi Aizenstat?

6 MR. AIZENSTAT: Yes.

7 MS. MENENDEZ: Robert Behar?

8 MR. BEHAR: Yes.

9 MS. MENENDEZ: Tom Korge?

10 CHAIRMAN KORGE: Yes.

11 MR. DICKMAN: Can I just clarify something?

12 I know you made a motion, but if we both --  
13 both attorneys, both sides, will be able to  
14 make our debate -- I don't want to call it  
15 debate, but if, let's say -- hopefully we'll  
16 reach an agreement --

17 MS. RUSSO: Presentation.

18 MR. DICKMAN: -- but if we don't, I'd like  
19 the opportunity to be able to --

20 MR. COE: If you don't reach an agreement,  
21 what are you doing to add that we haven't  
22 heard?

23 MS. RUSSO: Well, there may be partial  
24 agreements. I --

25 MR. COE: That's fine, so we know what

1           you've agreed to, so we know what you haven't  
2           agreed to.

3           MS. RUSSO:   So you know what's agreed to  
4           and you know what's not agreed to.

5           CHAIRMAN KORGE:   We'll play it -- we'll  
6           play it by ear and see where we are, and then  
7           we can decide, but we're not going to be  
8           spending a whole lot of time --

9           MR. DICKMAN:   I understand.

10          CHAIRMAN KORGE:   -- further.  There's no  
11          more public input, and if and to the extent the  
12          attorneys need to add something to clarify  
13          where we are, then, you know, we'll do that.  
14          It's not going to be a big deal.  But we're not  
15          going to be spending a lot more argument back  
16          and forth.  We've already heard everything  
17          there was to be heard.

18          MR. DICKMAN:   Yeah, as long as I'm not  
19          precluded, but the other side is -- okay.

20          MS. HERNANDEZ:   No.

21          MR. COE:   We've heard this for six and a  
22          half hours.

23          MS. RUSSO:   I would always afford you -- I  
24          would always --

25          MR. DICKMAN:   My paranoia.

1 MS. RUSSO: I would always afford you the  
2 opportunity to be heard, Mr. Dickman.

3 CHAIRMAN KORGE: Okay. So that concludes  
4 that item. Do we have anything else?

5 MR. RIEL: We have election of Chair and  
6 Vice-Chair, but --

7 CHAIRMAN KORGE: Do you want to --

8 MR. BEHAR: I'll make a motion that we keep  
9 the same --

10 MS. KEON: Me, too.

11 MR. BEHAR: -- Chair and Vice-Chair.

12 MR. FLANAGAN: Second.

13 CHAIRMAN KORGE: Is there any discussion?

14 MS. KEON: No.

15 CHAIRMAN KORGE: Call the roll, please.

16 MS. MENENDEZ: Jeff Flanagan?

17 MR. FLANAGAN: What?

18 CHAIRMAN KORGE: We're calling the roll on  
19 the motion.

20 MS. MENENDEZ: Jeff Flanagan?

21 MR. FLANAGAN: Oh, yes.

22 MS. MENENDEZ: Pat Keon?

23 MS. KEON: Yes.

24 MS. MENENDEZ: Eibi Aizenstat?

25 MR. AIZENSTAT: Yes.

1 MS. MENENDEZ: Robert Behar?

2 MR. BEHAR: Yes.

3 MS. MENENDEZ: Jack Coe?

4 MR. COE: Yes.

5 MS. MENENDEZ: Tom Korge?

6 CHAIRMAN KORGE: Yes.

7 The next meeting is on the 11th of August.

8 MS. KEON: Do I have to be reappointed  
9 again?

10 CHAIRMAN KORGE: Yeah.

11 MS. HERNANDEZ: August 11th.

12 MS. RUSSO: Thank you very much.

13 MR. GIBBS: Thank you very much.

14 CHAIRMAN KORGE: Oh, a motion for  
15 reappointment of Pat Keon.

16 MR. AIZENSTAT: So moved.

17 CHAIRMAN KORGE: Is there a second?

18 MR. FLANAGAN: Second.

19 CHAIRMAN KORGE: Call the roll, please.

20 MS. MENENDEZ: Eibi Aizenstat?

21 MR. AIZENSTAT: Yes.

22 MS. MENENDEZ: Robert Behar?

23 MR. BEHAR: Yes.

24 MS. MENENDEZ: Jack Coe?

25 MR. COE: Yes.

1 MS. MENENDEZ: Jeff Flanagan?

2 MR. FLANAGAN: Yes.

3 MS. MENENDEZ: Pat Keon?

4 MS. KEON: Yes.

5 MS. MENENDEZ: Tom Korge?

6 CHAIRMAN KORGE: Yes.

7 MS. KEON: Thank you.

8 CHAIRMAN KORGE: We're adjourned.

9 (Thereupon, the meeting was adjourned at

10 9:25 p.m.)

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C E R T I F I C A T E

STATE OF FLORIDA:  
SS.  
COUNTY OF MIAMI-DADE:

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

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

DATED this 26th day of July, 2010.

\_\_\_\_\_  
JOAN L. BAILEY, RDR, FPR

Notary Commission Number DD 64037  
Expiration June 14, 2011.