

City Hall Meeting- 12-3-2019
12/3/2019

2167 S BAYSHORE DR - VILLA WOODBINE
(COMMISSIONER KEN RUSSELL - DISTRICT 2)

ETHAN WASSERMAN, ESQ.
(APPLICANT - ON BEHALF OF COCONUT GROVE PARK)

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City Hall Meeting.

Historic and Environmental Preservation Board.

The City Of Miami, 3500 Pan American Drive,

Miami, Florida, 33133 on Tuesday, the 3rd day of

December, 2019, commencing at the hour of 03:00 p.m.,

and being an Excerpt of a Special Meeting.

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APPEARANCES:

Appearing on behalf of the Applicant:

ETHAN WASSERMAN, ESQ.
GREENBERG TRAURIG
333 SE 2ND AVENUE SUITE 4400
HOLLYWOOD, FLORIDA 33021
MIAMI, FL 33131

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3 MS. ALVAREZ: HEPB Item 2, File ID 6082. A
4 resolution of the Miami Historic & Environmental
5 Preservation Board approving or denying an application
6 for a Special Certificate of Approval for a
7 developmental impact to significant environmental
8 features on a property located at approximately 2167
9 South Bayshore Drive, Miami, Florida 33133, within the
10 Environmental Preservation District 60 and the South
11 Bayshore Drive Scenic Transportation Corridor.

12 MR. HOPPER: Is the Applicant present?

13 MR. WASSERMAN: Yes. Ethan Wasserman with
14 Greenberg Traurig, 333 Southeast 2nd Avenue, here on
15 behalf of the Applicant.

16 MR. ADAMS: And, Chair, would you
17 like to review both of these at the same time. Should
18 we read the other one into the record or would you
19 rather review them separately.

20 MR. HOPPER: Talking about two and three.

21 MR. ADAMS: I will leave that up
22 to the Board as to how they want to handle these.

23 MR. HOPPER: We can do them both at the same time,
24 as long as we have separate motions.

25 MS. ALVAREZ: HEPB Item 3, File ID 6086, a

1 resolution of the Miami Historic & Environmental
2 Preservation Board approving or denying an application
3 for a Special Certificate of Appropriateness for
4 demolition, restoration, alteration, and new
5 construction to a property located at approximately
6 2167 South Bayshore Drive, Miami, Florida 33133, a
7 locally designated historic site and known as Villa
8 Woodbine.

9 MR. HOPPER: And I believe it is the same
10 Applicant?

11 MR. WASSERMAN: Correct, same applicant. Ethan
12 Wasserman, Greenberg Traurig, 333 Southeast 2nd Avenue.

13 MR. HOPPER: Thank you. And we will start with
14 the first topic.

15 MS. SCZECHOWICZ: Wendy Sczechowicz, Historic
16 Preservation Planner. Background, on September 12th,
17 1974, the City of Miami passed Ordinance 8301. The
18 Ordinance created a new section of code allowing for
19 the environmental preservation of areas with extensive
20 tree canopy, scenic routes, unique geological formation
21 and other significant environmental features and
22 providing for special-review procedures and outlining a
23 process for publicly identifying and preserving
24 environmentally significant sites or areas. On April
25 11th, 1975, the City of Miami passed Resolution 75-370,

1 designating Environment Preservation District 60 which
2 contains 2167 South Bayshore Drive. On November 17th,
3 1976, City of Miami passed Resolution 76-955. This
4 Ordinance declared South Bayshore Drive from Alarka
5 Street to 27th Avenue in the Coconut Grove Area of
6 Miami as a Scenic Transportation Corridor. This item
7 came before the Board on September 27th, 2019. The
8 item was continued to allow the Applicant time to
9 address City staffs and the Board's members concerns
10 with the project. The Applicant submitted plans on a
11 landscape offer, a study on the current coral-rock
12 system, a viewing platform to enhance the silver bluff
13 and plans for the preservation of Tree Number 460.
14 Analysis, the Applicant is proposing demolition,
15 restoration, alteration and new construction. The
16 subject property is located within Environmental
17 Preservation District 60 and the South Bayshore Drive,
18 Scenic Transportation Corridor. Environmental
19 Preservation Districts are geographical areas, parcels
20 or corridors which have been or maybe identified,
21 established by City Commission as significant natural
22 or manmade attributes in need of preservation and
23 control because of their educational, economic,
24 ecological and environmental importance to the welfare
25 of the general public and the City as a whole. Scenic

1 Transportation Corridors are those roadways identified
2 by City Commission Resolution as having a unique
3 landscape, an expansive tree canopy and/or unique
4 landscape features, has a substantial environmental or
5 arsenic importance to residents and visitors. The
6 subject property contains environmentally-significant
7 features. Significant features of this property
8 protected by the Environmental Preservation District
9 and the Scenic Transportation Corridor are the
10 historical coral-rock walls, the silver bluff and the
11 trees. As part of the Applicant's proposed plans they
12 are requesting to remove trees, alter the historical
13 coral-rock walls and multiple plans on site and cover
14 the silver bluff with a deck overlooking the proposed
15 pool. Historic coral-Rock Walls, they are coral-rock
16 walls fronting South Bayshore Drive and Tigertail
17 Avenue. Sections of the coral-rock wall at the
18 entrances will be dismantled and rebuilt to allow for
19 the required visibility triangles. This alteration can
20 be supported by staff as the alteration is minor and
21 all materials will be reused in the proposed design.
22 Two coral-rock walls run through the site. A section
23 of the southern wall will be demolished to allow for
24 access to the auditorium building. This proposal can
25 be supported by staff. The application proposes the

1 demolition of a section of the northern coral-rock
2 wall. This can be supported by staff as this is
3 required for vehicular access to the drop-off point.
4 The previous version of the staff report state that the
5 plans proposed the demolition of a further two sections
6 of the coral-rock wall to accommodate two projecting
7 sections of the new-main building. The Applicant has
8 made clear on the plans that this is not occurring and
9 no portion of the wall will be removed for the main
10 building. The demolition plan indicates that all coral
11 rock removed from walls will be salvaged and reused on
12 site. Silver bluff, the Applicant is proposing to
13 place a deck connecting from the proposed auditorium
14 building to the pool. The new deck is depicted as
15 covering the silver bluff. The Applicant depicts the
16 cantilever deck as to cover the silver bluff so that
17 the foundations do not disturb the silver bluff.
18 Section 17-36 of the City Code of Ordinances as amended
19 provides review standards for development activity in
20 Environmental Preservation Districts. These standards
21 state that the development should, one, preserve the
22 natural environmental character of all sites in so far
23 as practical by minimizing removal of trees or other
24 significant environmental features. Two, preserve or
25 enhance existing topography and natural-land features

1 wherever possible. Five, maintain a continuity of
2 landscape material and spacing characteristic of the
3 surrounding area or scenic corridor. The development
4 occurs along a designated scenic corridor. The
5 principal natural landscape are man-made elements from
6 which the visual boundaries are enclosing space, that
7 the corridor shall be preserved in so far as possible.
8 Staff finds the proposed plan to cover the silver bluff
9 is in compliance with Section 17-36 of the City Code.
10 The Applicant proposes to include an educational-
11 viewing platform in the cantilever deck to see the
12 silver bluff below. This will enhance the natural
13 features and feature the silver bluff as a learning
14 opportunity for future generations. Trees, as seen on
15 Plan Sheets L-01 and L-02, the Applicant is proposing
16 the removal of 113 trees. Each of these meets the
17 criteria to be considered a tree as defined within
18 Section 17-2. Of these trees 52 are categorized as
19 prohibited-tree species as defined within Section 17-2
20 which must be removed from the site upon development as
21 mandated by Section 17-37(b). The remaining trees
22 slated for removal are either listed as being in poor
23 condition or are located within the footprint of the
24 new development. These reasons are in accordance with
25 Section 17-34. Of the proposed removal, 12 meet the

1 criteria to be considered a specimen tree as defined by
2 Section 17-2 excluding any hazardous trees. The Tree
3 Preservation Ordinance Section 17-34(b) imposes
4 conditions that permit applicants must consider when
5 developing a site as it relates to the specimen trees.
6 One, the applicant may be required to redesign the
7 project to preserve specimen trees or any other tree
8 determined by the Historic & Environmental Preservation
9 Board to be of substantial value due to its species,
10 size, age, form and/or historical significance.
11 Provide an alternative plan when feasible which shall
12 include the preservation of such trees and design
13 alterations within the scope and intent of the
14 initially proposed plan. Two, where practical specimen
15 trees or any other trees determined by the Department
16 to be of substantial value due to its species, size,
17 age, form and/or historical significance as proposed
18 for removal shall adhere to the acceptable tree
19 location specifications. Findings, consistent.
20 Recommendation, pursuant to Section 23-6.24 and Section
21 23-6.2H1 of the City of Miami Code of Ordinances as
22 amended and Secretary of Interior Standards the
23 Planning Department recommends approval with conditions
24 of the Special Certificate of Approval. One, the site
25 shall be developed in accordance with the plans as

1 prepared by R.J. Heisenbottle Architects, consisting of
2 71 sheets submitted under PZ 19-3159. The plans are
3 deemed as being incorporated by reference herein. Two,
4 the applicant shall comply with all applicable
5 requirements of Miami 21 Code, Chapter 17 and Chapter
6 23 of the City of Miami Code of Ordinances as amended.
7 Three, the applicant shall comply with all requirements
8 of applicable departments, agencies as per the City of
9 Miami Building Permits submittal process. Four, this
10 resolution shall be included in the master-permit set.
11 Five, the applicant shall create a silver-bluff
12 educational viewing platform. Six, the applicant shall
13 include the landscape buffer as detailed in the updated
14 plan set. The Preservation Office in conjunction with
15 the Environmental Resources Chief, shall be able to
16 approve non-substantial changes to landscape buffer.
17 Seven, the applicant shall provide a tree-disposition
18 superimposed site plan that depicts the canopy of each
19 specimen-sized tree within 30 feet of any proposed
20 development to scale. These same canopies must be
21 drawn in a manner that resembles their respective
22 shapes and dimensions to the greatest reasonable
23 extent. Eight, the applicant shall submit within
24 all construction activity within the tree-protection
25 zone of any tree that he is trimming. This includes

1 the installation of any underground utility, any great
2 changes and/or any soil compaction. If the applicant
3 is to reduce the size of any tree-protection zone, the
4 applicants is to perform investigative digging under
5 the supervision of an ISA Certified Arborist. That
6 same arborist is to provide a supplemental report
7 documenting if the reduction in tree-protection zone
8 size is reasonable. Nine, the applicant shall include
9 plan sheet L-05, existing tree study as per the master-
10 permit set. 10, for any specimen tree that cannot be
11 reasonably preserved in its current location the
12 applicant is to assess which of these trees are an
13 appropriate candidate for relocation. Any good
14 candidate shall be relocated either on site or within
15 City-owned property within Commission District 2. This
16 may exclude any tree listed as being in poor condition.

17 MR. HOPPER: Is there anything you would like to
18 add?

19 MR. WASSERMAN: Yes. So, again, Ethan Wasserman
20 for the record. Just a quick recap of the hearing in
21 September. Staff presented their -- the application
22 and the recommendation as modified at the hearing. In
23 September we presented the application. Public
24 comments were made. There were significant Board
25 comment and dialogue and significant testimony provided

1 in the record at that hearing. All of that is part of
2 the record tonight. I just want that to be clear, but
3 we were instructed to bring back three limited items
4 for clarification purposes and specifically those were
5 the landscape plan, the tree-disposition plan and the
6 rock-wall analysis and data, and all of that has been
7 submitted in the revised plans that are before all of
8 you. So, I will turn it over to Elizabeth from Witkin
9 Hults and Lisa Hammer, our Project Arborist, to
10 continue the discussion from the last hearing on the
11 requested diagrams and images related to tree
12 preservation and our landscape plan. You will
13 essentially here about the increased canopy on site
14 from what exist today. You will also hear about the
15 replacement of non-native prohibitive species with
16 native species and, lastly, you will hear about our
17 plan as submitted in the record to put more trees on
18 the property than exists today. I will then turn it
19 over to Richard Heisenbottle, our Historic Architect,
20 to address the analysis that you asked us to do about
21 the historic rock-wall preservation and our original
22 plans that came before you in September showed too, I
23 will call them limited cutouts of the rock-wall. Staff
24 was recommending that we not do that based on a 3D
25 laser scan that we did of a very significant tree in

1 the center of the site. Staff recommended we move the
2 building back a few feet, we have done that, and so you
3 will see in the revised plans that are before you all
4 we are no longer removing those too limited sections of
5 the coral-rock wall, but Rich will walk you through
6 that. Again, this Board was very clear on the
7 limitations for bringing this item back and our
8 presentation is essentially limited to these three
9 factors, which is what you asked us to do. We have
10 reviewed the updated staff report for the certificate
11 of approval and we agree with all the staff conditions.
12 Staff recommendation is essentially consistent with
13 their recommendation made at the hearing in September.
14 It is now just instead of our voluntary proffers all
15 the changes we proffered at the last hearing are now
16 part of the record, part of the plans that is before
17 you. So, we agree with all of those conditions. And
18 for clarification purposes the Special Certificate of
19 Appropriateness, the Historic Preservation Officer
20 asked at the end of the last hearing when the Motion to
21 Continue was made, that item -- that application was
22 not asked for any changes to be made. That is why that
23 staff report is identical to what was presented at the
24 last hearing. It is a recommendation in favor of the
25 Certificate of Appropriateness. We agree -- we

1 continue to agree with all of staffs conditions of
2 approval. So, I will turn it over to Lisa and
3 Elizabeth to walk you through the landscape components,
4 and then Rich will conclude with the coral-rock wall
5 analysis.

6 MR. ADAMS: Briefly, Chair, would
7 you like me to read my report into the record again?

8 MR. HOPPER: Yes.

9 MR. ADAMS: Would you like me to
10 do it prior to the review or after review of the --

11 MR. HOPPER: I think before. Well, hang on.

12 MR. ADAMS: Pursuant to Section
13 23-6.2(b)(4) of the City Code of Ordinances as amended,
14 the Applicant is requesting a Special Certificate of
15 Appropriateness to allow for demolition, restoration,
16 alteration and new construction. The subject property
17 is an individually-designated site known as Villa
18 Woodbine located within the John T. Peacock Estate and
19 the Coconut Grove net area. Analysis, demolition, the
20 Applicant is proposing the demolition of two single-
21 family homes located at 2180 and 2190 Tigertail Avenue
22 at the North of the site; once demolished the lots will
23 be incorporated into the new development. The
24 residences are not part of the historically-designated
25 site and they are not eligible for individual

1 designation. Therefore, their demolition can be
2 supported by staff. An existing structure to the rear
3 of the faculty residence is to be demolished. The
4 structure is not within the historically-designated
5 area and is not eligible for designation. Therefore,
6 the demolition can be supported by staff. The paved
7 area to the rear of Villa Woodbine is to be removed.
8 This can be supported by staff as this is a later
9 addition to the site. There are coral-rock walls
10 fronting South Bayshore Drive and Tigertail Avenue.
11 Sections of the coral-rock wall at the entrances will
12 be dismantled and rebuilt to allow for the required
13 visibility triangles. These alterations can be
14 supported by staff. Two coral-rock walls run through
15 the site. A section of the southern wall will be
16 demolished to allow for access to the auditorium
17 building. This proposal can be supported by staff.
18 The application proposes the demolition of three
19 sections of the northern coral-rock wall. Demolition
20 of the easternmost section can be supported by staff as
21 this is required for vehicular access to the drop-off
22 point. Demolition of the remaining two sections
23 appears to be proposed to accommodate two projecting
24 views of the new-main building. Coral-rock walls are a
25 character-defining feature of the site and should be

1 protected. The removal to accommodate a new structure
2 cannot be supported. The proposed new-main building
3 shall be redesigned or relocated to allow the retention
4 of these two sections of the coral-rock wall. I
5 believe that requirement has since been met with the
6 new plans. The demolition plan indicates that all
7 coral rock removed from the walls will be salvaged and
8 stored for later reuse. The exterior restoration of
9 Villa Woodbine includes restoration of existing
10 windows, doors, replacement of original windows to
11 match original windows, replacement of deteriorated
12 would rafters and purlins, and concrete balconies and
13 walls, damaged and missing-floor tiles to match
14 existing, installation of new gutters, downspouts and
15 exhaust fan louvers, cleaning coral rock for sand
16 detailing and the repair of the existing roof structure
17 as necessary with clay-barrel tiles. The stucco is to
18 be repaired and repainted with a color to be
19 determined. Specifications and manufacturers brochures
20 are required for all new windows and doors. All
21 proposed paint color shall be submitted to staff for
22 review. The exterior elevation contains some
23 misnumbered levels and these should be corrected.
24 Internally, the structure will retain much of its
25 original floor plan, although some interior walls will

1 be moved to accommodate a new teachers lounge with
2 toilets on the first floor, records storage on the
3 second floor and installation of a new elevator.
4 Although, the designation report states only the fourth
5 -- the sides of Villa Woodbine shall be considered
6 major exterior surfaces subject to review, all interior
7 of historic floor and wall tiles shall be retained
8 where possible including tiles from adjoining rooms
9 when an interior wall is removed. I believe the
10 Applicant agreed to that at the last meeting. The
11 proposed restoration and alteration of Villa Woodbine
12 can be supported by staff. The faculty-residence
13 building is located outside of the historically
14 designated site and is not subject to review. However,
15 the proposed exterior restoration is similar to that of
16 Villa Woodbine. Internally, the structure will retain
17 most of its interior layout on the first and second
18 floors. Minor alterations include the removal of
19 sections of first-floor walls to provide a more open-
20 plan layout. The proposed restoration and alteration
21 of the residence building can be supported. New
22 construction, the proposed new-main building is a two-
23 story structure constructed from concrete block and
24 stucco with clay barrel tile patched and --
25 Fenestration comprises double casement

1 windows with impact-resistant glass and anodized
2 aluminum framing and impact-resistant metal doors.
3 Decorative features include stucco banding, stucco
4 motifs, exposed rafters, concrete lattice screens and
5 custom wrought-iron gates. The paint colors are to be
6 determined and shall be submitted to staff for review.
7 The first floor contains classrooms and administrative
8 offices built around a central courtyard containing art
9 rooms in the play area. The building is accessed via a
10 covered walkway with rounded arches, which links this
11 building with the new auditorium. The second floor
12 contains classrooms built around the central area, part
13 of which is open to the play-area below and part of
14 which contains the library and two covered open-air
15 landing patios. The proposed new-main building can be
16 supported by staff as that is located behind Villa
17 Woodbine and its architectural style incorporating
18 Mediterranean-revival elements is consistent with the
19 architectural style of the historic structure. The
20 proposed new-auditorium building is a one-story
21 structure constructed from concrete block and stucco
22 with clay-barrel tiles. Fenestration comprises double
23 casement windows and storefront glazing systems.
24 Decorative features include stucco banding, stucco
25 motifs, exposed rafters and arched entranceway. Paint

1 colors are to be determined and shall be submitted to
2 staff for review. Internally the structure contains an
3 auditorium with a stage, a kitchen, toilets and
4 walkers. The proposed new-auditorium can be supported
5 as it is closer to the front of the
6 site than Villa Woodbine. It will be built on the
7 vacant lot to the west and will not obstruct the view
8 to the Villa from South Bayshore Drive. Additionally,
9 the architectural style incorporating Mediterranean-
10 revival elements is consistent with the architectural
11 style of the historic structure. The proposed new-
12 swimming pool appears to be located outside of the
13 historically-designated area and is therefore not
14 subject to review. The pool will measure 75 feet by
15 35.6 feet and will be surrounded by a pool deck which
16 will be set back 20 feet from the front property line.
17 The deck will be raised approximately 4.3 feet above
18 ground level. The locations of the new-main building
19 auditorium and swimming pool are in accordance with the
20 designation report which states, every attempt should
21 be made to preserve Villa Woodbine and its obstructed
22 view to South Bayshore Drive, its limestone bluff and
23 the major trees on the site by allowing sensitive
24 development at the rear of the property and on
25 adjoining lots. However, the drawings indicate the

1 proposed new-auditorium building and swimming pool will
2 impact the limestone bluff. The site is located within
3 an Environmental Preservation District; therefore a
4 Certificate of Approval shall be required. Additional
5 new construction includes a maintenance shop which will
6 be located behind the faculty residence and the
7 security booth located at the Tigertail Avenue
8 entrance. These structures will be located outside of
9 the historically-designated the area and they are not
10 subject to review. However, neither will negatively
11 impact the historic structure. I had a comment in here
12 about parking but I believe that has been addressed now
13 also. Recommendation, pursuant to 23-6.2(b)(4) of the
14 City Code of Miami Code of Ordinances as amended, the
15 historic design guidelines and the Secretary of the
16 Interior Standards, the Preservation Office recommends
17 approval with conditions of the request for a Special
18 Certificate of Appropriateness. The site shall be
19 developed in accordance with the plans as prepared by
20 R.J. Heisenbottle Architects, submitted as part of
21 application PZ 19-695. The plans are deemed as being
22 incorporated by reference herein. The proposed new-
23 main building shall be redesigned or relocated to allow
24 the retention of two sections of coral-rock wall. That
25 is not to be demolished to accommodate the projecting

1 sections of the new structure, and that has been
2 resolved with the new plans. Three, specifications and
3 manufacturers brochures or color photographs of all
4 proposed new windows and doors shall be submitted to
5 staff for review, or all proposed-paint colors shall be
6 submitted to staff for review. Five, any incorrect
7 labeling on the drawing should be corrected. Six, the
8 demolition keynote numbering shall be corrected. I
9 believe they have been done. Seven, all interior
10 historic floor and wall tile shall be retained where
11 possible including tiles from adjoining rooms when an
12 interior wall is removed. Item Number 8, the Applicant
13 shall apply for a waiver of the Miami 21 parking
14 standards, is no longer required. That application has
15 been withdrawn. Nine, a Certificate to Dig is required
16 for all ground disturbing work as the site is located
17 within a high probability archaeological conservation
18 area. The Applicant shall apply for a Certificate to
19 Dig. 10, a certificate of approval is required for all
20 work impacting coral-rock walls, trees and natural
21 features such as the limestone bluff as the site is
22 located within an Environmental Preservation District
23 and the Scenic Transportation Corridor. The Applicant
24 shall apply for a certificate of approval. 11, the
25 Applicant shall apply for all required waivers. Are

1 any waivers required? No waivers required. 12, the
2 resolution shall be included in the master-permit
3 check. 13, the Applicant shall comply with all
4 applicable requirements of the Miami 21 Code and
5 Chapter 17 and Chapter 23 of the city of Miami Code of
6 Ordinances. 14, the Applicant shall comply with the
7 requirements of all applicable departments, agencies as
8 part of the City of Miami Building Permits submittal
9 process. In addition to the report, I passed out two
10 documents. One was a letter from Dade Heritage Trust
11 with their various comments on the proposals and the
12 other is a resolution from Bayshore and Grove, Inc. I
13 can read these into the record if required, but I do
14 not know if they are going to be read into the record.
15 The resolution is going to be read into the record?
16 Yeah. And Dade Heritage Trust, will you be reading?
17 You are reading, okay. They are later into the record.
18 And one final piece of information when I find -- and I
19 have received to a lot of e-mails on this project. As
20 of 1 oâ€™clock today when I had to stop opening them I
21 had received 144 letters of support for the project. I
22 had received seven letters against the project. I had
23 also been copied on a petition against the project. I
24 had received 161 notifications of people signing the
25 petition and I should let the Board know that I am

1 continually receiving both letters of support and
2 notifications from the petition, so I do not have an
3 exact number, and I can try and work it out if you
4 want, while we are discussing this, but they are
5 continually coming in.

6 MR. HOPPER: Thank you.

7 MR. TRAGGASH: Mr. Chair?

8 MR. HOPPER: Yes.

9 MR. TRAGGASH: I just for disclosure,
10 I just want to disclose a conversation I had with Mr.
11 Heisenbottle and it was a brief conversation. We were
12 both at the Historic Preservation Board hearing in
13 Miami Beach and we were talking -- he was talking very
14 briefly about the merits of the project and it was,
15 like I say, a short conversation.

16 MR. CAWLEY: I will mention that as
17 well that I believe that I ran into Mr. Heisenbottle at
18 the Miami Beach Design Review Board meeting, but I do
19 not remember discussing this project at all. Thank
20 you.

21 MR. HOPPER: Okay, your turn.

22 MR. WASSERMAN: Again, based on the instructions
23 provided to us at the last hearing we understood we are
24 limiting our presentation to the three items you had
25 asked us to bring back.

1 MR. HOPPER: Okay.

2 MR. WASSERMAN: The Certificate of Appropriateness
3 was fully vetted and discussed at the last hearing.
4 Based on our proffered conditions, the staff report in
5 favor, we are still accepting all of the conditions of
6 approval.

7 MR. HOPPER: The 10 that are in the pre-hearing
8 memorandum?

9 MR. WASSERMAN: I am sorry.

10 MR. HOPPER: The 10 that are in the staff report?

11 MR. WASSERMAN: Yes, subject to the one -- the
12 reduction of the -- as just read into the record we do
13 not need a waiver from the Miami 21 parking
14 requirements. That application was withdrawn at the
15 last hearing.

16 MR. HOPPER: Right.

17 MS. DILLEWIJN: Good afternoon, my name is
18 Elizabeth Van Dillewijn. I work for Witkin Hults
19 Design Group. Our office is located at 307 South 21st
20 Avenue, Hollywood, Florida 33020. As Ethan was
21 mentioning I am going to speak about and walk you
22 through our landscape plans, specifically through our
23 tree-disposition plan, our goals for the project and
24 how we accomplished the overall landscape design. So,
25 first, I would like to talk about our primary goals for

1 the project. Our main goals are threefold. We would
2 like to preserve as much as the existing natural areas
3 as possible. Our second goal is to design a beautiful
4 and safe outdoor environment that blends in with the
5 schools program for educational purposes. And, Number
6 3, is to revitalize, restore and integrate new
7 landscapes within the existing site and the surrounding
8 community. In order to -- with these goals in mind we
9 began the process of preservation. This is the tree-
10 disposition plan. The existing site was analyzed and
11 studied via tree survey and by working together with
12 our team certified arborist, Lisa Hammer, to document
13 the existing canopy, the canopy conditions, the number
14 of specimen trees and any other species that do not
15 contribute and are exotic invasive species that are
16 affecting the growth and the stability of the natural
17 environment. We have also developed -- based on our
18 tree disposition we felt it was important to create a
19 graphic that can tell the story of what we are trying
20 to do here. We spent countless hours with our team to
21 make sure that our goals can be met at the end of the
22 project through our design. As you can see Graphic
23 Number 1 at the top of the page, it helps us visualize
24 three of the most important existing categories within
25 the site, which we are excited to work with and

1 through. Items in -- you will see the green colors
2 indicate the canopy that is to remain and to be
3 protected. Color orange identifies the invasive and
4 prohibited species that must be removed from the site,
5 and items in red are canopy to remove only due to poor
6 or fair-condition conflict with the proposed structure.
7 You know, we all understand that there is going to be a
8 proposed structure, and non-desirable species by the
9 City. In Graphic Number 2, in the middle of the page,
10 we present the preserve canopy and we start to see our
11 efforts on the preservation of what is existing on site
12 today. This also allowed us to go through the process
13 of our second goal which is to design beautiful outdoor
14 environments for educational purposes. Only through
15 the removal of what is prohibited and what is in bad
16 condition can we start to see where we can begin to
17 design this environment. Some of the outdoor -- some
18 of the areas that we designed in the school are
19 outdoor-activity lawn areas which are located at the
20 east side of the existing Villa Woodbine, small
21 educational trails for students through existing native
22 landscapes near Bayshore Drive. And we also have a
23 great opportunity to plant new material to restore
24 pine-rock hammock habitat and the best place to do this
25 on this site because it is heavily canopied is in the

1 northeast area in front of the teacher -- the proposed
2 teachers residence. We also have the opportunity to
3 integrate and buffer areas all around the perimeter of
4 the site with the proposed new landscape. So, at the
5 bottom of the page you will see in a darker-green color
6 the canopy that we are proposing and it is all -- I
7 would like to mention that everything is native,
8 everything is with the intent to restore pine-rock
9 hammock areas and historical -- what historically would
10 have grown in this area. We have also developed this
11 section graphics to have a better understanding of what
12 we are doing at the buffer -- at the perimeters of the
13 site, especially on the south and South Bayshore Drive
14 and on Tigertail area. Section 1, we are going to walk
15 you through Bayshore Drive which shows the landscape
16 buffer beginning with a native-street trees proposed
17 which are limited by the height due to the existing
18 power lines that are on site and must remain. We
19 progressively layer back with a series of landscape
20 buffers, the proposed coral wall that architects are
21 building for us and a series of midsize trees and
22 broadleaf shrubs to blend into the new site and provide
23 privacy for the users of -- for the pool use. Also,
24 Sabal palms and of various heights, native pigeon-plum
25 trees and a continuous hedge buffers the entire length

1 of the south property as well as the north side of the
2 property. Towards the back of the section you will see
3 Live Oak Tree Number 296 which is something we worked
4 really hard on. We are showing the current canopy
5 which is 40-feet in diameter and is preserved by
6 building an educational deck around the trunk and it is
7 giving enough space for students to view down from this
8 platform and learn about the existing silver bluff and
9 how they are being part of the preservation of this
10 project. At the bottom of the page, Section 2, in
11 Tigertail, what we are doing here is that we are using
12 what is already there. Luckily, we have four major
13 trees that are growing on the coral walk, two large
14 gumbo-limbo trees and two ficus-aria trees that are
15 giving us the sense of buffering. And what we are
16 doing is that we began that process of selective
17 landscape layering with mid-sized trees, broadleaf
18 shrubs and native understory planting along the
19 perimeter but also providing educational areas for the
20 students to have an outdoor room to study. We provide
21 also this -- for us this buffer, I would like to
22 describe it as a natural soft barrier between the
23 school and the surrounding community. We think it is
24 important that we enhance these corridors along South
25 Bayshore Drive and Tigertail, but not block off from

1 what is part of the community. So, creating these soft
2 barriers is going to help us. Continuing, this is our
3 very-detailed landscape plan. Here we show the species
4 that we are proposing, very delicate. We are working
5 with what is existing there. We work closely with our
6 arborist and our knowledge to make sure that what we
7 are planting is not going to compromise the existing
8 canopy and is not going to compete with it. So, the
9 right size, the right tree, the right species. We are
10 very excited to announce that this would be one of the
11 few projects that is attempting to revitalize a pine-
12 rock hammock which is one of the biggest natural
13 ecosystems in South Florida that is in danger, and we
14 think this project can be a catalyst for beginning of
15 this movement. So, do not want to walk you through
16 this entire list, but I just like to mention that at
17 the end of this process our team was able to come up
18 with a conclusion and the conclusion is our goal to
19 preserve, to enhance, and to restore the existing
20 natural communities is met by replacing -- not
21 removing, replacing prohibited species, non-desirable
22 species and poor-condition canopy all in a combined
23 number of 160 trees and we are replacing this with new-
24 native species trees with keeping the existing canopy
25 and relocating what is possible within the sites and at

1 the end of the project we are going to have a combined
2 total of 170 trees that we hope will thrive and
3 continue to the regeneration of the pine-rock hammock
4 habit now and for generations to come. Thank you.

5 MR. CAMPBELL: Mr. Chair, may I ask
6 the landscape architect a couple of question?

7 MR. HOPPER: Can we wait till the end?

8 MR. CAMPBELL: Okay.

9 MR. HOPPER: I have some too.

10 MR. CAMPBELL: Okay.

11 MR. HEISENBOTTLE: Mr. Chairman, for the record
12 once again my name is Rich Heisenbottle, President of
13 R.J. Heisenbottle Architects, with offices at 2199
14 Ponce de Leon Boulevard in Coral Gables, and we are
15 going to get into the discussion here about coral-rock
16 walls and how we are enhancing those coral-rock walls.
17 And to do that before I leave all of Elizabeth's good
18 work here, I would like to just point out on the wall
19 at the at the top the South Bayshore Drive that we are
20 actually adding a new coral-rock wall there where there
21 is no wall today, that kind of continues the existing
22 wall going forward to the south. So, pleased with the
23 way all of the walls in here will actually be handled.
24 As you requested we did a very-very thorough study of
25 each of the walls and we are only removing existing

1 coral-rock walls where it is necessary to drive
2 through. There are actually some areas of those coral-
3 rock walls that have openings in them today that we are
4 going to actually fill and so all of the coral-rock
5 material will in fact be reused. So, we went ahead to
6 truly understand this and I believe as you directed we
7 went ahead and we took photographs of virtually every
8 inch of those coral-rock walls and understood what
9 their physical conditions are. As I had mentioned in,
10 I guess, our last presentation some of these walls are
11 not in very good condition at all. As an example the
12 upper Photo Number 2 up there shows you an example.
13 Photo Number 3 shows you a similar example. Photo
14 Number 4 in the middle of the bottom shows a similar
15 example. So, each one of those walls that you are
16 seeing here that are in this sort of condition will be
17 properly repaired and enhanced, so that they actually
18 look perhaps more like the one that is in Photo Number
19 5 on the bottom. And we have done this virtually from
20 every possible location or every possible location in
21 the -- on the entire site. I am not going to belabor
22 this discussion except to, you can look at the Photo
23 Number 10 down there, it is in truly poor condition,
24 and then some of these that we see are actually in good
25 condition. So, we hope to be able to restore them all

1 to that sort of high quality condition, so they will
2 continue to survive for another 50 or 100 years. We
3 would also need to remove in some cases some of this
4 undergrowth that is -- or, you know, literally covering
5 the walls and is all over the walls and in some cases
6 damaging those walls and you see that in the photos
7 that are in front of you right now. That sort of
8 material where it is not a specimen tree, that sort of
9 material will be removed. Where it is a specimen tree
10 the tree will remain and the wall will remain as well;
11 both of them coexist together. So, we just want you to
12 understand the level of enhancement that will be going
13 on with each different coral-rock wall. One that we
14 think is particularly nice is Number -- Photo Number 4
15 right in the middle on the bottom of -- that you are
16 seeing right now. That is -- it may -- it is just an
17 interesting little coral rock design that someone
18 carved out and it may make a wonderful place for
19 statuary going forward for our students, so that is --
20 well, actually, be right next to one of our walkways.
21 And the only places, of course, that the coral-rock
22 walls will be up -- this is another area. This is the
23 one on Tigertail where the coral-rock walls now have
24 openings in them for certain residences. Those coral-
25 rock walls will be filled in as well and a continuous

1 coral-rock wall and new entrance gates will be
2 installed on both sides of the property. So, with
3 that, we will end our presentation and open this to any
4 questions the Board may have.

5 MR. CAMPBELL: Okay, thank you. The landscape
6 architect please could you come forward and could you
7 display the graphic you had of the three --

8 MS. DILLEWIJN: Yes.

9 MR. CAMPBELL: The three landscape
10 plans and the major issues which is -- are, you know,
11 invasive, existing and mitigated. In plan Number 3 --

12 MS. DILLEWIJN: Yes.

13 MR. CAMPBELL: With the dark green
14 trees representing the new canopy.

15 MS. DILLEWIJN: Yes.

16 MR. CAMPBELL: And we have a tree
17 list which I have not really been able to analyze as
18 yet, but the sizes of the trees that are in dark green
19 which I did not -- which is a new proposed canopy
20 trees, they seemed to be drawn really small and is this
21 because the species itself will be that small or it is
22 just -- or was this just a graphical exercise just to
23 place on the drawing?

24 MS. DILLEWIJN: Yeah, that is a very good question
25 and actually something that I purposely decided not to

1 add on this, so I did not want to add confusion. This
2 would be at time of planting, completion of the
3 project. However, we did study the progressive-canopy
4 growth throughout 5, 10 and 15 years, so we are
5 expecting -- what you see here is just at the time of
6 planting. Some species are midsize species because we
7 know they are going to want to compete with the larger
8 trees. The species that we have planted around are
9 silver buttonwoods, pigeon-plums, Simpson stopper. At
10 the time of planting they will give us a total of 560-
11 square feet of canopy. In five years we expect that to
12 move up to 1117-square feet and between 10 to 15 years
13 we expect 2225-square feet of canopy added. On top of
14 some of the canopy that is existing there, that there
15 is also young trees, so the idea is that this is at the
16 time of planting, that everything will keep on growing.
17 That is why we did not want to put more and more trees.

18 MR. CAMPBELL: Okay. So, basically
19 along the northern edge --

20 MS. DILLEWIJN: Yes.

21 MR. CAMPBELL: Which encompasses the
22 parking lot, that seems to be the most dense area of
23 new canopy?

24 MS. DILLEWIJN: Yes.

25 MR. CAMPBELL: That section is going

1 to be the mixture of the stoppers and those trees?

2 MS. DILLEWIJN: Yeah, the north side we are
3 heavily canopying that area with shade trees because it
4 is a parking lot and we want to make sure that not only
5 we are giving a thick buffer layer on -- along the
6 property line but all those larger circles that you see
7 there are shade trees that are going to be planted at a
8 larger size than minimum requirements, just because it
9 is a parking lot area and we want to make sure that it
10 is properly canopied.

11 MR. CAMPBELL: Okay. And the --

12 MS. DILLEWIJN: And I would just like to mention
13 there is a little bit more space on that side to plant
14 more species than we have on the south side. The south
15 side of -- right, directly, on the south side of the
16 proposed building we are a little bit more restricted,
17 so we have smaller species growing along that side.

18 MR. CAMPBELL: Okay, thanks. Next
19 question is, you mentioned the attempt to regenerate a
20 pine rockland --

21 MS. DILLEWIJN: Yes, sir.

22 MR. CAMPBELL: Situation there, the
23 native pine rockland which is native to the County --

24 MS. DILLEWIJN: Yes.

25 MR. CAMPBELL: Where exactly in the

1 plan is that attempt being made?

2 MS. DILLEWIJN: On the northwest corner and I am
3 going to point it out.

4 MR. CAMPBELL: Yes, point that out
5 for me please.

6 MS. DILLEWIJN: That area is right now just a lawn
7 and an existing building. That is going to be the
8 proposed faculty building or teachers house. We have
9 removed -- I cannot tell you the exact number but we
10 removed fruit trees from that area and is the area that
11 received the most sun. Again, we do not want to
12 compete with the canopy. So, Slash pine which is the
13 thriving species that will grow in a pine-rock hammock
14 area will thrive in this area in the northeast corner.

15 MR. CAMPBELL: Okay, so --

16 MR. HOPPER: So, all of those are pine trees?

17 MS. DILLEWIJN: No. They are Slash pines. Than
18 we have Saw Palmetto. Then we have Green buttonwoods,
19 Silver buttonwoods and mid side -- a mid storey --
20 medium size trees underneath the Slash pine.

21 MR. CAMPBELL: Okay. So, on the
22 third -- on the Drawing Number 3, the grouping of new
23 trees that I see there that is the pine-rockland
24 restoration zone, because when you pointed it out on
25 the top drawing there is a -- there is actually a

1 building, yes. Is that the zone you are speaking of?

2 MS. DILLEWIJN: Yes, that area is the selected
3 restoration. We are going to do small-scale. We
4 cannot -- we do not want to propose it anywhere on this
5 site.

6 MR. CAMPBELL: Okay.

7 MS. DILLEWIJN: This area for educational
8 purposes. Under here we have the open-activity areas
9 for children, trails and activity lawn with the
10 existing open area. So, this is the most appropriate
11 area for that attempt to restore the pine rock.

12 MR. CAMPBELL: And approximately how
13 much square footage is that worth of pine-rockland
14 restoration on there?

15 MS. DILLEWIJN: You know, I do not know the exact
16 numbers or square footage.

17 MR. CAMPBELL: Okay.

18 MS. DILLEWIJN: On that we are focused on the
19 spacing of each tree between each tree and how many we
20 can fit in there comfortably, so they can thrive.

21 MR. CAMPBELL: Okay.

22 MS. DILLEWIJN: So, we can look into the square
23 footage to see how much we will be proposing to plant,
24 but I do not know that number at the moment.

25 MR. CAMPBELL: Okay.

1 MS. DILLEWIJN: But ideally all this is drawn to
2 scale and ideally, you know, it would cover the entire
3 frontage of that -- of the house.

4 MR. CAMPBELL: Okay. This leads me
5 to another couple of questions which you may or may not
6 be able to answer.

7 MS. DILLEWIJN: Sure.

8 MR. CAMPBELL: Is the parking lot
9 area made of a permeable material?

10 MS. DILLEWIJN: It is going to be permeable
11 material I believe so.

12 MR. HEISENBOTTLE: Yes, it certainly is -- it will
13 not -- to answer your question properly, it will not be
14 asphalt; it will be concrete pavers with open joints.

15 MR. CAMPBELL: The entire parking lot
16 -- the entire surface of the parking lot?

17 MR. HEISENBOTTLE: The entire parking lot.

18 MR. CAMPBELL: Okay. And in the site
19 section elevation that was caught on the Bayshore side
20 going in that drawing, I noticed on -- well, one of the
21 issues is the silver bluff and the pool deck, though
22 the top drawing, the one -- Number 1

23 MS. DILLEWIJN: Yes.

24 MR. CAMPBELL: South Bayshore Drive
25 drawing, though as we progress from Bayshore Drive to

1 the first fig tree over the rock -- over coral-rock
2 wall and then we start to ascend we run into a wall of
3 the pool deck, what material is that wall made of?

4 MR. HEISENBOTTLE: That particular wall is also a
5 coral-rock wall. All of the walls surrounding the pool
6 area will be coral-rock walls.

7 MR. CAMPBELL: Okay. And if someone
8 is driving along Bayshore or walking along Bayshore,
9 will the Villa be obstructed to view -- the Villa be
10 obstructed by the coral-rock wall that is protecting
11 the pool deck or which is the pool deck?

12 MR. HEISENBOTTLE: No-no, the Villa does not sit
13 in that location. The Villa sits prior to the pool
14 deck in plan -- can we put our regular site plan up to
15 him?

16 MS. DILLEWIJN: I can explain that because we
17 designed that landscape.

18 MR. HEISENBOTTLE: Yeah.

19 MS. DILLEWIJN: Yes. We purposely did not
20 landscape the center area because we want to frame the
21 Villa. So, here is the -- I also saying the outdoor
22 activities it is open and we only plant around and
23 underneath the existing trees leaving -- and we added
24 the trail for educational trails and the existing pond
25 will remain. So, if you are driving down, the only

1 thing that it is inevitable you will see street trees
2 that are a requirement but are not blocking the view to
3 the Villa.

4 MR. CAMPBELL: Okay.

5 MS. DILLEWIJN: Yeah. And this is at a higher
6 elevation as well, so this is lower elevation. Then
7 you step up. This is all at a higher elevation. So,
8 you will see -- it is a little bit difficult and we
9 studied this in detail because there is a lot of
10 existing oak trees.

11 MR. CAMPBELL: Yes.

12 MS. DILLEWIJN: So, it is not going to be a
13 perfect shot of the Villa, but if you know it is there
14 you will know where to find it.

15 MR. CAMPBELL: Okay. I have a couple
16 of more. Architects --

17 MR. HEISENBOTTLE: Just FYI, the coral-rock wall
18 in front of the Villa is already there. It is a
19 relatively low wall.

20 MR. CAMPBELL: Okay.

21 MR. HEISENBOTTLE: But it will not be obstructing
22 the view of the Villa at all.

23 MR. CAMPBELL: Okay. You know,
24 architects who also practice urban design like myself
25 we sometimes get annoyed when site plans are drawn in

1 isolation and do not include the surrounding properties
2 and what is going on and this is leading up to another
3 question. On the northern and southern edges, what
4 properties are abutting this property on either side or
5 should I say the east and west side, and north and
6 south side?

7 MS. DILLEWIJN: That is a very good question and
8 we did study that. We spent hours doing that so I
9 think it is important that we talk about it, yes.

10 MR. CAMPBELL: Yes.

11 MS. DILLEWIJN: One of the things that we did on
12 the tree survey was we asked the surveyors to go out
13 and survey 10-feet from the property line on each side,
14 on the south and the north side. So, the existing
15 canopy trees that are on the northeast corner and the
16 south and -- northwest and south. Anyway, north and
17 south, the border perimeter was surveyed and accounted
18 for during the process of tree analysis for what is
19 existing.

20 MR. CAMPBELL: Okay. And is there an
21 active plan -- as, you know, school gets let out, is
22 there an active circulation plan where cars would be
23 exiting on to South Bayshore Drive at a regular basis
24 or is the pickup and drop-off active duty --

25 MR. HOPPER: If you would hold that question for

1 the next, if you do not mind.

2 MR. CAMPBELL: Okay.

3 MR. HOPPER: I just like to concentrate now on the
4 landscaping and the coral-rock wall.

5 MR. CAMPBELL: Well, okay, I am done.

6 MR. HOPPER: Okay. Then I have a question if you
7 will go back to your diagram of the tree disposition.
8 What are the prohibited species that form that long
9 line of trees going into the property?

10 MS. DILLEWIJN: Red sandalwood. Red sandalwood, I
11 do not know the scientific name. I am really sorry.

12 MR. HOPPER: Red sandalwood.

13 MS. DILLEWIJN: Yeah. I should -- I know this but
14 just lot of things going on my mind, so the species is
15 --

16 MS. HAMMER: Good afternoon. Lisa Hammer, P.O.
17 Box 2648, Stuart, Florida. I think there are a total
18 of 52 prohibited species on the site. 50 of them are
19 red sandalwood, Adansonia, and then there are
20 some here. There is one Queensland umbrella
21 tree and there is one --

22 MR. HOPPER: So, someone thought red sandalwood
23 was a good idea at some point, I guess?

24 MS. HAMMER: I am sorry.

25 MR. HOPPER: I guess at some point someone thought

1 that red sandalwood would have been a good addition.

2 MS. HAMMER: Well, I think it exemplifies why it
3 is considered a prohibited species. It is seeded out
4 everywhere.

5 MR. HOPPER: Right.

6 MS. HAMMER: And a lot of the little understory
7 stuff that Richard was alluding to growing up
8 underneath and around the walls, are little seedlings
9 of red sandalwoods. They are everywhere.

10 MR. HOPPER: Okay, thank you. Okay, so now we
11 have completed our discussion of the first section
12 which is only trees and coral-rock wall. Is there
13 anyone from the public who wishes to speak on this
14 section on the tree disposition and coral-rock walls?

15 MR. MUNOZ: Mr. Chair, sorry, I
16 have just a couple of questions or should I wait till
17 after the public hearing?

18 MR. HOPPER: You would wait.

19 MR. MUNOZ: I would happily wait.

20 MR. HOPPER: Thank you. Please come forward, give
21 your name and address for the record. Discussing only
22 at this point -- you will have another chance for
23 everything else, only the trees and the coral-rock wall
24 and if you all would not mind taking down your --

25 MALE PUBLIC SPEAKER: I have got a question

1 for you just that this -- we are speaking on this
2 matter, we are still able to talk about things that are
3 related to other topics, correct?

4 MR. HOPPER: No, we are only talking -- right now.

5 MALE PUBLIC SPEAKER: I know.

6 MR. HOPPER: About the trees and the coral-rock
7 wall.

8 MALE PUBLIC SPEAKER: Correct.

9 MR. HOPPER: But you will have another opportunity
10 to talk about those, though.

11 MALE PUBLIC SPEAKER: Perfect, okay.

12 MR. HOPPER: Okay. Yes, sir.

13 MR. DELUGA: Only about the coral wall?

14 MR. HOPPER: And the trees.

15 MR. DELUGA: And trees?

16 MR. HOPPER: But give your name and address for
17 the record.

18 MR. DELUGA: Okay. My name is Steve Deluga. I am
19 a 30-year resident of Coconut Grove. I am a second
20 term member of the Village Council. The Village
21 Council has issued a memo that they are vehemently
22 opposed to this project because of what it will do to
23 the rock wall, what it will do to the neighborhood.
24 There are three players here. There is the church and
25 the school, there is the HEPB Board and there is the

1 Community. The church and the school appear to the
2 community to be involved in greed and self
3 preservation. The HEPB Board should be concerned about
4 the preservation of Coconut Grove and buildings, and
5 the Community is concerned about their community and
6 what they live and where they live and what is not said
7 here, has not ever been presented here is the
8 horrendous traffic problem that this will cause
9 morning, noon and night throughout the neighborhood
10 delivering students to school, picking them up from
11 school and with no regard for the character and the
12 preservation of the neighborhood that has been here a
13 long time.

14 MR. HOPPER: Thank you. And I would remind
15 everyone we are only talking -- we are not talking
16 about traffic now. We are talking only about trees and
17 the coral-rock wall. Yes, sir, give your name and
18 address.

19 MR. MOSKOVITZ: Alexander Moskovitz 2185 South
20 Bayshore Drive. Mr. Campbell, thank you. I am in fact
21 the property just on the southeast corner. One of
22 those red trees which is being removed is -- that goes
23 actually against Section 17-34(a)(1) that stipulates
24 under what circumstances tree should have permits
25 issued for moving, including -- and then when you look

1 at Page 133 and 134 in the packet which were similar to
2 those displays they had, it actually interferes with --
3 right now we have a beautiful view on to that, instead
4 what they would like to propose us having a pool deck
5 with a line wall of trees where we cannot look out on
6 to Bayshore, where we cannot look out onto Kennedy
7 Park. And, frankly, as their landscape architect
8 mentioned in their ideal scenario it will be a fully
9 wooded area and among the things that the Scenic
10 Transit Corridor should be preserving is the vista of
11 looking into the property as it pertains to the
12 historic site going up all the way to the Villa and on
13 the rest of the property still being able to see the
14 rising slope of the coral bluff, some of which silver
15 bluff is buried underground but still has a beautiful
16 incline to it. Now, it will all be obstructed by a
17 wall of trees and a short gate -- short wall -- yes,
18 coral wall, but not viewing into the property and
19 seeing the majesty of the area. So, those are the
20 comments as it pertains to trees and coral wall. Thank
21 you.

22 MR. HOPPER: Thank you so much. Anybody else want
23 to talk about trees and walls? Yes, sir.

24 MR. SILVER: Limiting to the trees --

25 MR. HOPPER: Give me your name and address for the

1 record.

2 MR. SILVER: I am sorry, Scott Silver, 2980
3 McFarlane Road. I am reading from the -- what the
4 Preservation Officer referred to as section of the Dade
5 Heritage Trust. Analysis of this after hearing a
6 presentation from both parties strictly related to the
7 tree canopy, there are other sections as well and the
8 section is entitled Decimation of the Tree Canopy. The
9 3.7 acre property extends from Tigertail Avenue to
10 South Bayshore Drive, encompassing a portion of the
11 silver bluff. According, to Carrollton presentation
12 the site contains a mature tree canopy of a 173 trees.
13 The proposed site plan requires the removal of a 116 of
14 those trees and provides for the relocation of the
15 property on the property of seven trees. This will
16 decimate the tree canopy and dramatically change the
17 view of the site from neighboring property and from
18 South Bayshore Drive. Also, tree removal plans will
19 eliminate the benefits of an urban green space. Green
20 space have been recognized for enhancing the health and
21 wellbeing of people living in cities by improving air
22 quality and reducing urban temperatures. Most
23 importantly it will damage the bucolic setting that is
24 an integral part of the historic and architectural
25 character of the Villa. That is the portion I am

1 reading from Dade Heritage Trust. I would also add and
2 I believe this would be related to the coral-rock wall
3 is the additional coral-rock wall that is being placed
4 in front of the pool and I will get more into later on
5 the silver bluff, but that additional coral-rock wall
6 is actually raising the elevation by almost 5-feet to
7 accommodate the pool deck. So, the vista and I think
8 the protection of that -- the view of the silver bluff
9 is not just protected by covering it with a balcony or
10 covering it with a porch, but I think you have to
11 maintain like they do in front of the Villa also
12 maintain the space by not placing coral-rock walls or
13 elevations in front of it, so that you eliminate the
14 view. You need to have the view and you need to think
15 about the public on the -- not only the adjoining
16 properties but on the street and what they are doing --
17 you will notice the one elevation they do not show is
18 from Bayshore Drive looking at that pool deck, because
19 you will no longer see any portion of the silver bluff.
20 It will be decimated. What you will have is a view of
21 the coral-rock wall and potentially some additional
22 trees.

23 MR. HOPPER: Thank you. Anybody else? Yes,
24 madam.

25 MS. CARDELLO: Yes, sir. Hi, my name is Rachel

1 Cardello. I live at 2175 Tigertail Avenue. So, my
2 house is situated across the street from what will be
3 the proposed main entries which is a double-lane entry
4 point. But my specific reason for getting up at this
5 point in the presentation is to refer to the staff
6 report from July 2nd compared to the staff report that
7 was submitted on December 3rd, and this is in reference
8 to Section 17-36 the City Code of Ordinances about
9 review standards for development activity in an
10 Environmental Preservation District. So, the two
11 points that are most important is -- within that code
12 section is preserving or enhancing existing topography
13 and natural-land features whenever possible. In July,
14 staff's comments -- and I will just read this very
15 quickly. Staff finds that the proposed plan to cover
16 the silver bluff would be in violation of Section 17-
17 36. The deck would obscure the silver bluff from view
18 and thus would be detrimental to the existing feature
19 and the intent of this preservation code. The current
20 -- and I have a side-by-side diagram of what those
21 staff reports say. Today's staff report says staff
22 finds the proposed plan to cover the silver bluff is in
23 compliance with the 17-36 of the City Code. So, the
24 only thing that is different between July and now is a
25 hole at the top with a tree that allow students only on

1 campus or invited guests to look into the hole and see
2 the silver bluff. I do not find that that is enough to
3 justify a change of position from not approving to
4 approving. The other point regarding 17-36 is that it
5 is maintain the continuity of landscape material and
6 spacing characteristics of the surrounding area. If
7 the development occurs -- and I am reading from the
8 code, if the development occurs along a designated
9 scenic corridor which it is, the principal natural
10 landscape which forms the boundaries should be
11 preserved. Again, the walls that we have been seeing
12 and as just previously described, the grade change is a
13 significant component of the City of Miami and Coconut
14 Grove. There is not very many hills we have and when
15 we see one it is kind of a spectacle. So, now that we
16 have an 8-foot high element, 4-foot for a wall, another
17 4-foot for a guard, that is to me not preserving the
18 natural-landscape element of that. The third is the
19 trees -- and if someone can indulge me for two more
20 minutes. The third item which kind of relates to this
21 whole is the landscape material itself, the trees. So,
22 in July the staff report says that the applicant may be
23 required to redesign the project to preserve specimen
24 trees and provide an alternative plan. We have only
25 seen one plan since June. I have not seen any

1 alternate plans. They have adjusted a couple of feet
2 to preserve a few more trees, but the tree-disposition
3 plan still calls out for the removal of a 113 trees,
4 the same number of trees we saw in June. So, to me
5 there has been no alternate plan. And just to point
6 out very quickly the tree-mitigation plan itself which
7 lists in the table on the calculation L-01, right now
8 we have a 1003-inches of DBH on the site. The
9 mitigation that is being proposed and on this sheet
10 calls out for 67 trees at four inches. That is 268-
11 inches worth of trees to mitigate 1003-inches worth of
12 trees. In order to make up for the difference they are
13 going to pay \$218,000. That is really all I have to
14 say. To me I do not see the difference between what
15 they have now and what they have in July that justifies
16 staffs change of opinion.

17 MR. HOPPER: Thank you.

18 MR. LOPEZ: George Lopez, 1889 South Bayshore
19 Drive. Our family lives just to the east of this
20 property and we traverse Bayshore Drive common. I want
21 to remind the group to -- we are really looking at some
22 very subjective evaluations of my neighbors and I
23 appreciate that. We have a different view. We think
24 it is an admirable plan. I think it will definitely
25 improve the facility. We walk to the park all the

1 time, take our pets to the park. We see the property
2 as it is today and we encourage not only your approval
3 but the project to move forward on the two specific
4 items I think there will be marked improvements to the
5 facility. Thank you.

6 MR. HOPPER: Thank you.

7 MR. FERRAO: Derek Ferrao, 3530 Rockerman Road,
8 about a block away from the subject property. I am
9 going go over some analogies a little bit so that -- to
10 put it in perspective as far as what we have here and
11 what we sometimes take for granted what we have,
12 Coconut Grove would be like the Amazon. Removing 123
13 trees and replacing them with something a little bit
14 bigger than this that you can lift with one hand and
15 most of it is the soil, does not take a lot of effort.
16 But do not mistake what we are doing and what your
17 responsibility which is a great burden. I guess I
18 would know what I would do if I were in your position,
19 but it is a great burden. The Amazon -- they are
20 removing a lot of trees from the Amazon. It is only a
21 fraction of the location and the same thing with this
22 area of the Grove, just a small location in relative
23 comparison to the rest of the Grove. But the Grove is
24 a tree-canopy area; it has a great deal of shade and
25 ambiance because of it. In Brazil they removed the

1 trees to grow crops and graze livestock. Here we are
2 going to be removing trees for a different purpose.
3 Each tree as was mentioned is about -- maybe this large
4 or larger and it takes out about 70 times the air
5 pollutants per year than a small tree that it is going
6 to get replaced with. We are in different times. If a
7 year ago this whole thing came out or maybe less time,
8 it would not have mattered as much with the climate as
9 it does now. You have this burden. I ask you to both
10 know.

11 MR. HOPPER: Thank you. Anybody else? Yes,
12 madam.

13 MS. KURLAND: Good afternoon. My name is Cecilia
14 Kurland, 3132 Day Avenue. There is not so much that we
15 can do against Mother Nature. We know pretty much what
16 happens with hurricanes and the devastation of our
17 canopy with that. We know what is happening with the
18 fires in California and also in Brazil. We are
19 thinking globally there, but we have to start locally
20 and that we can do. We cannot let our tree canopy --
21 mature canopy go by human hands. The area needs the
22 mature trees to help with their resiliency. It is a
23 very sensitive area with all the flooding. The ones
24 that we live in the Grove we know every time that when
25 it rains and the problems with the traffic there.

1 There has been -- so, that is the first row I believe
2 that is going to be raised. Bayshore Drive is
3 supposedly going to be raised to deal with the flooding
4 of the area. So, taking away the trees will not help
5 with that. It will help to make it worse. Also, it
6 will adversely affect the property values in the
7 adjacent area. People invested and we pay large taxes
8 for that reason to have these canopy and the benefits
9 of it. Now, those properties also help with the
10 maintenance of certain public facilities like the
11 roads, the drainage. When there is a property that is
12 going to be paying zero taxes it can start burning on
13 the neighbors -- our neighborhood. We can lose
14 services. We can even get increased taxes. We need
15 the most matured trees that we can save. Thank you.

16 MR. HOPPER: Thank you. Anybody else?

17 MR. GARCIA-DIAZ: Yes, sir, Fabian Garcia-Diaz. I
18 live at 3121 Southwest 22nd Avenue, and I am a neighbor
19 next door to Villa Woodbine. I have been raising my
20 family and my house for the past five years. I am very
21 affected by this Applicant and the application of
22 course. There is one topic that has not been discussed
23 and I do not know it belongs to the commission, but I
24 am very concerned about also the noise, that -- the
25 traffic, the trucks, the trash pickup.

1 MR. HOPPER: I think that comes in our next item.

2 MR. GARCIA-DIAZ: Yeah, all right.

3 MR. HOPPER: Because we are only doing the trees
4 and --

5 MR. GARCIA-DIAZ: For the record also I want to
6 let you know that some of the features that described
7 the coral rock are belonging to me as well.

8 MR. HOPPER: Okay.

9 MR. GARCIA-DIAZ: Also, my family has and my kids
10 has enjoyed the grounds of Villa Woodbine in numerous
11 occasions. When they mentioned that there are trees in
12 bad condition I wonder if the City has any say about
13 owners allowing the Woodbines to take over oaks and
14 good trees and choke them to death, and I have brought
15 that -- this issue to the City in couple of occasions,
16 calling for inspectors. I brought up to the owner of
17 the property and the tenant of the property that they
18 just neglect the trees and I see that this is a
19 practice done perhaps in purpose to somebody come and
20 say, well, they are in bad shape. Well, they are in
21 bad shape because they are allowed to be in bad shape
22 and if somebody in this chamber can send an inspector
23 today or tomorrow to assess if there is something that
24 can be done now to protect those threes we all will be
25 a lot more happy, and perhaps less trees can be

1 removed. Thank you.

2 MR. HOPPER: Thank you. Yes, sir.

3 MR. KURLAND: Nathan Kurland, 3132 Day Avenue. I
4 come before you on behalf of myself, as well as Vice
5 President of Center Grove -- Village of Center Grove,
6 Inc. The reason we are here today reminds me of a
7 short story that I heard about a patient who went in
8 for his yearly physical and during that physical the
9 doctor says, sir, do you realize you have lettuce
10 coming out of your tush and the patient said, doc, it
11 is just the tip of the iceberg. And the tip of the
12 iceberg reminds me while we are here today. You are
13 limiting us to talk about trees although many of us
14 here would like to talk about traffic, would like to
15 talk about congestion, would like to talk about quality
16 of life, but trees it shall be. I have nothing but the
17 greatest respect for Lisa Hammer. I think she is
18 competent, but every time a developer decides that they
19 want to develop, suddenly an invasive tree, which was
20 not causing anyone any problem providing oxygen for all
21 of us to breathe, suddenly the tree becomes invasive, a
22 123, 50 or -- I think the number quoted was something
23 like 50 of which are red sandalwood. I never knew that
24 red sandalwood was a threat to my existence or to
25 yours, god help us from those red sandalwoods. A 123

1 trees -- I moved and love Coconut Grove because of the
2 canopy we have here, and as the gentleman who brought
3 in the little plan showed what we are going to get in
4 the replacement it is not enough. It is absolutely not
5 enough. We have a strip mall at the bottom of Pan
6 American Driveway, absurd. We have a beautiful piece
7 of property at Bayshore Drive that we now want to build
8 something eight times larger than what exists now,
9 absurd. We should be doing everything in our power,
10 and the HEPB Board you are our last line of defense to
11 do everything in our power to keep the canopy that we
12 have, to prevent a gridlock that is surrounding us to
13 the point where if you are on Bayshore Drive or
14 Tigertail Avenue when schools let out you have a
15 problem getting home. And before we make it an
16 impossible problem please understand, most of us are
17 not opposed to Carrollton, the School, we are opposed
18 to putting Carrollton the School in our neighborhood.
19 Thank you.

20 MR. HOPPER: Who is next?

21 MS. PUJOL: Hi, there. This is Rose Pujol, 2455
22 South Bayshore Drive. We have a slide we would like to
23 share with you and we need to -- we are connected here,
24 but we are not too sure how to get it up on --

25 MR. HOPPER: Get it on the overhead. There you

1 go. Is that it?

2 MS. PUJOL: Okay. So, what you are looking at
3 right now is information that we have from the proposed
4 school, documents that you have a packet for. What you
5 are looking at right now is the green space that you
6 have currently. That is Villa Woodbine green space.
7 What you are looking at now is the green space of the
8 proposed school and that should settle in -- they may
9 be doing less green space that is required but what we
10 would like you to consider at this time is that the
11 Grove has a character that the Historic Preservation
12 Board is supposed to protect in particular to this site
13 that has a historic preservation overlay, and that the
14 trees that are coming on this property that they are
15 supposed to replace for all the ones that are coming
16 out, we have been told are being placed offsite. So,
17 if you want the Grove to become Coral Way and 87th
18 Avenue that is what you have, or the building that just
19 went up by Green Street then you would approve
20 something like this. But I cannot imagine that the
21 Historic Preservation Board would look at something
22 like this and approve it. Thank you.

23 MR. HOPPER: Yes, madam.

24 MS. SEGEREN: I am Dr. Ann Hyslop Segeren. I am
25 at 3301 Kirk Street. I would be right next to the

1 auditorium -- maybe between the pool and the
2 auditorium. That is where my property backs up. And I
3 just wanted to clarify because there has been a lot of
4 snickering, I do not -- as a Pediatric Neurologist the
5 education of our children is so important and there is
6 no one here, I think, that would disagree with that.
7 Having this school built is important but we need to
8 protect our children and while this needs to be about
9 trees children are like new-baby trees. We have got to
10 protect them. And having a sight line on Bayshore is
11 important but no one is going to appreciate that when
12 they cannot move in the traffic nor when my emergency
13 vehicles cannot get through to those children in that
14 school or to my neighbors. This is a huge safety
15 concern, not for you to judge about the safety but I
16 want to protect these children. I want to protect my
17 neighbors. And if there are 800 more cars going in and
18 out every day twice because it is 400 twice a day, that
19 is going to be a problem and no one is going enjoy your
20 trees.

21 MR. HOPPER: Let me remind everyone. We are
22 talking about trees and walls now. You will have an
23 opportunity to talk about everything else afterwards.
24 So, please limit your discussion to trees and walls.
25 Yes, sir.

1 MR. VASTINE: Thank you. I am Michael Vastine, I
2 live at 3211 Southwest 22nd Avenue, so I am the
3 neighbor of Dr. Segeren who you just heard from. I
4 think we actually have the worse view of the
5 auditorium, but we can argue about that afterwards, so
6 about trees and walls. You know I moved -- I have been
7 in the Grove since 2001. We moved from Aviation Avenue
8 to our current location because it was beautiful. It
9 was worth investing in because of all the beauty that
10 came with the exact neighborhood where we are now, you
11 know the overhanging trees, the view from when we look
12 at the back. It is a vacant lot right now and then
13 into the Villa Woodbine. I mean that there is just so
14 much green. I guess the -- what I am being offered now
15 and when you look at the renderings and the --
16 literally the lot right behind the auditorium, so I
17 guess I will be having a 30-plus foot elevation to the
18 peak of the auditorium in terms of walls. I know it
19 is not the coral-rock wall. I guess the -- but on the
20 tree issue what we see now again is green. Once
21 everything is chopped down I just do not see how we
22 have not -- have a lot that is -- I think it is over
23 three acres, like over 120,000, maybe pushing 150,000
24 square feet, and we are being offered remedies of trees
25 that are going to be planted with an immediate canopy

1 that is measured in the hundreds that we are projecting
2 out over a decade, in which I am going be looking at
3 this wall I guess before those things flourish and
4 something gets over a thousand feet. I think -- this
5 whole project I think is entirely misguided and outside
6 of the character and expectations of the entire
7 neighborhood and outside of -- you know it is a
8 destruction of many things and natural beauty, but that
9 remedy they are providing is wholly inadequate. Again,
10 a thin line of trees as illustrated before is no sort
11 of buffer, and so I will save other comments for later.
12 But I just think that the whole destruction of the
13 canopy is something that -- if you are here to preserve
14 something I think it is just so counterintuitive the
15 illustrations my neighbors have showed that this is --
16 there is no preservation at all, but thank you very
17 much.

18 MR. HOPPER: Thank you, sir. Anybody else want to
19 talk about trees or walls. Not, I will close the
20 public.

21 MS. FLOOD: One second. I am Tamme Flood, 928
22 Northwest 9th Court, Spring Garden. I really do not
23 have a dog in this fight except for the trees. We live
24 in a beautiful neighborhood. Spring Garden, you all
25 know it. We have the most beautiful tree canopy

1 because we are the tree huggers. We go out -- when
2 FP&L comes we sign forms that say we have a waiver. If
3 we cut electricity to the whole City we have to, you
4 know, deal with whatever they give us. This is super
5 important and it is unfortunate that you are the last
6 line of defense, because like one man said it is a huge
7 responsibility. But this is our oxygen -- it is really
8 our oxygen and it is really important and especially in
9 this time -- in this political time right now that you
10 protect these trees. Thank you.

11 MR. HOPPER: Okay, then last call. Okay, now, I
12 will close public hearing and open up the Boards for
13 questions or comments regarding trees and walls and I
14 believe this -- yours is first.

15 MR. HEISENBOTTLE: Mr. Chairman if I may?

16 MR. HOPPER: You may.

17 MR. HEISENBOTTLE: It seems to me that some of the
18 representations that have been made are falsehood --
19 factually false, and if you can indulge me a moment I
20 would like to run through what they are.

21 MR. HOPPER: Go ahead.

22 MR. HEISENBOTTLE: First, gentleman that was just
23 at the microphone is telling you that this site is a
24 150,000 square feet. In fact it is 45,341 square feet.
25 The lot coverage of this site -- the allowed lot

1 coverage is 80,000 square feet. What are we proposing,
2 a lot coverage of 45,000-square feet. The green space
3 that is required is 48,000 square feet and what we are
4 proposing is 54,000 square feet; more green space, less
5 lot coverage. The comparative-site plan that they
6 showed you a moment ago is completely incorrect, why,
7 because it does not show the parking area of the
8 existing building and the reality of that is not only
9 is part of their parking area already paved over with
10 pavers but they also park 200 cars a weekend in the
11 back, in between the trees, all over the bloody site;
12 completely wrong, completely in disagreement with any
13 code we have in the City of Miami. The new
14 construction actually adds -- for 336 students only
15 35,000 square feet of new building. The existing
16 building is 10,000. The vista to the historic property
17 is not restricted or impaired at all, at all. In fact
18 when the invasives are removed it will probably be
19 improved. To use the word decimated the tree canopy is
20 the biggest falsehood of all. We have not decimated
21 the tree canopy. We have removed trees that are
22 required to be removed by law and at the end of the day
23 in our planting plan we have more tree-canopy area than
24 we have today. So, we are enhancing the tree canopy.
25 Today, some have said that the silver bluff is going to

1 be blocked from view from Bayshore drive. The silver
2 bluff cannot be seen from Bayshore Drive now, and the
3 silver bluff looks like nothing more in this particular
4 case than a grassy knoll. You saw photographs of it at
5 the last meeting. If you need to see them again, I
6 have them for you. And we have Bob Carr here, our
7 Archaeologist, whose plan for the silver bluff we are
8 following to the letter. In short, this plan actually
9 enhances the entire site. It enhances the coral-rock
10 walls. It enhances the buildings that are there. It
11 restores the main historic site and it restores the
12 tree canopy to what it should be and what it once was.
13 That concludes my commentary.

14 MR. HOPPER: Do you have additional rebuttal?

15 MR. WITKIN: Again, Andy Witkin, Witkin Hults
16 Design Group, Landscape Architects. I just want to
17 clarify because I see the shrub here that is being
18 represented as a tree. If you look at our planting
19 plans, the trees, almost every one are going at 16-foot
20 height. Those require tractors to lift them, not one
21 hand like that. I just want to make sure you totally
22 understand that.

23 MR. HOPPER: Do you have any other rebuttal, Mr.
24 Ethan?

25 MR. WASSERMAN: That concludes our rebuttal.

1 Again, we are limiting our presentation to what was
2 asked of us at the last hearing?

3 MR. HOPPER: Thank you so much. Yes, sir.

4 MR. MUNOZ: I mean there is sort
5 of -- some other things have come up but I will just be
6 quick. Mr. Heisenbottle, could you just kind of run us
7 through the square footages while -- since you brought
8 that up actually, because I think we have heard some
9 things? I am not trying to -- so, you are -- only
10 32,000 square feet are being built, is that what you
11 said correctly.

12 MR. HEISENBOTTLE: 35,207 new-square feet,
13 existing 10,134.

14 MR. MUNOZ: So, the entirety of
15 the new proposed development is 32,000 some-odd square
16 feet, 35,000?

17 MR. HEISENBOTTLE: I did not say it correctly
18 35,207 new, 10,134 existing.

19 MR. MUNOZ: And that is the
20 existing Villa Woodbine in the other structure that is
21 being joined to the --

22 MR. HEISENBOTTLE: Yes. The other single-family
23 home, they are being retained.

24 MR. MUNOZ: Right, okay. I got
25 it.

1 MR. WASSERMAN: Just to be clear, so what you are
2 getting at is when you think of the unit size -- what
3 we consider unit size and in most jurisdictions we are
4 about 25% of what could be -- of the unit size, whereas
5 most jurisdictions you are thinking 50%, 40%, something
6 about that. So, we are severely restricted in what we
7 are building. We are self limiting what we are
8 building is what I am saying.

9 MR. MUNOZ: Right, and so that
10 includes the new classrooms, the auditorium. But you
11 are not -- I mean, the paving of the -- around the pool
12 deck, the pool itself that is not being contemplated in
13 that footprint that you said.

14 MR. WITKIN: That is not calculated in the build
15 area.

16 MR. MUNOZ: What is the footprint
17 of that area, of the pavements and pool and all that
18 sort of thing?

19 MR. WITKIN: I would not venture a guess because
20 it will be a bad guess.

21 MR. MUNOZ: Okay, that is fair. I
22 will take that. I think the rest of it was just pretty
23 much brought up, so I am okay.

24 MR. HOPPER: Any other questions? Yes, Ms. Lewis.

25 MS. LEWIS: Counsel, you said -- I believe Mr.

1 Heisenbottle said you -- it was spoken about what could
2 be built, right, under zoning. Am I correct in
3 understanding that -- are you saying that that we could
4 start with this however big the property is and build
5 per Miami 21 a heck of a lot more than we could build
6 now?

7 MR. WASSERMAN: Let me give you an example. Yes,
8 I sure am. We can build up to 50% on the first floor
9 and up to 30% on the second floor of square footage.
10 So, if you take the --

11 MS. LEWIS: How about some numbers?

12 MR. WASSERMAN: If you take the -- I am going to
13 give you some numbers. You are going to let me finish,
14 to give you those numbers. The lot size is 45,000-
15 square feet.

16 MS. LEWIS: 45,000-square feet is the lot size, so
17 this is a one-acre parcel.

18 MR. WASSERMAN: No. No, the lot is about three
19 and a half acres. It is about 160,000. That is
20 correct -- 160,000 square feet, and I will get you the
21 exact number. I will trust my neighbor to my right, a
22 160 -- 169,096.

23 MS. LEWIS: Okay. And as a matter tell me -- tell
24 us please what you think as a matter of right -- what
25 is the amount of the square footage that as a matter of

1 right, let us call it conditioned space.

2 MR. WASSERMAN: Sure. So, it is in the zoning
3 letter but I will read it, what is stated there. You
4 could have about 80,000 square feet on the first floor.
5 That is a 50% coverage.

6 MS. LEWIS: Yeah.

7 MR. WASSERMAN: And 30% on the second floor, about
8 48,000 square feet. So, rough math that is about 128,
9 000 square feet give or take.

10 MS. LEWIS: Okay. My turn and does that take into
11 countenance -- into consideration rather any, what I
12 would, call existing limitations, or existing zoning,
13 or any existing overlays, or any existing prior
14 designations of the property?

15 MR. WASSERMAN: So, that is a great question
16 because when you started to ask that question, it is
17 hard to talk about the site as of right because it is
18 not as right. The site is a historically-designated
19 site and so you do have severe limiting factors in
20 terms of what you can build because we have to design
21 around the historic rock walls. We have to design
22 around the Scenic Transportation Corridor. We have to
23 design around the major trees and we have to, of
24 course, design around Villa Woodbine. If this was a
25 clean slate, a clean property, we could of course hit

1 those maximum numbers. We can -- we know we can but we
2 cannot approach this project and design it as if it is
3 a blank canvas and nothing is there. We have to build
4 into the fabric that is there and I think Rich has done
5 an incredible job doing that and this was something I
6 presented at the first hearing. This is straight from
7 the designation report which I mentioned the first
8 time. This is the outline of essentially what you
9 should and what you could be doing with this property
10 and, again, I will read it into the record. Every
11 attempt should be made to preserve Villa Woodbine, its
12 unobstructed view to South Bayshore Drive, we have done
13 that. Its limestone bluff, we have done that. The
14 major trees on site. Of course, we have done that,
15 while allowing sensitive development at the rear of the
16 property and on adjoining lots. This is straight from
17 the designation report when the property was designated
18 as historic and we followed this as best we could as
19 shown in the plans that are before you.

20 MS. LEWIS: Is that the lodestar -- is that the
21 sole lodestar that guides -- that creates the
22 limitations if you will?

23 MR. WASSERMAN: Plus Miami 21, plus the zoning
24 code.

25 MS. LEWIS: Plus Miami 21, okay. And is it your

1 view that City of Miami Ordinance 11876 remains
2 applicable or not and if you are not familiar with that
3 I will hand it to you?

4 MR. WASSERMAN: Do you have a copy of the actual
5 ordinance?

6 MS. LEWIS: No, I am sorry. I do not. That is a
7 resolution from someone that is opposed to the project.
8 It is apparent -- and I do not -- and I am not
9 representing that that is verbatim. Do you have the --
10 does your colleague have the full reso?

11 MR. WASSERMAN: Yes.

12 MS. LEWIS: Okay.

13 MR. WASSERMAN: And I will submit a copy into the
14 record if you would like. That was a prior resolution
15 modifying the zoning under Ordinance 11000. It is a
16 prior zoning code. That has since been repealed and
17 replaced by Miami 21. Miami 21 has precise language
18 that says 2.2.1.1, this code, Miami 21 replaces the
19 zoning ordinance for the City of Miami, also known as
20 Ordinance 11000. Then it goes on to accept certain
21 pieces of 11000 that remains. So, this is no longer
22 applicable, controlling, or at all relevant for this
23 site.

24 MS. LEWIS: Okay. And same question with regard
25 to the -- I do not know that I will have the number,

1 the NCD. There was not overlay if I am not mistaken.

2 MR. WASSERMAN: Yes. NCD is still applicable.
3 The NCD regulations are applicable. They are codified
4 in Miami 21 and they are still applicable.

5 MS. LEWIS: And what NCD is this property?

6 MR. WASSERMAN: NCD-3.

7 MS. LEWIS: This is NCD-3. And do you have a
8 Board on the NCD-3 -- the relevant NCD-3 provisions
9 with regard to this property?

10 MR. WASSERMAN: Not -- I do not have a board
11 prepared but the rates that were applicable from the
12 NCD-3 are in the zoning legend. That is in the plans
13 that are before you.

14 MS. LEWIS: Okay. I take it would be your view
15 that the Villa Woodbine property because of the
16 adoption of Miami 21 and its repealer, okay, that the
17 Villa Woodbine property -- and I am not talking
18 historic designation right now and you will properly
19 say, Lynn, that is not your jurisdiction, but indulge
20 me for just a minute so I understand what you -- what
21 are my rights, what is my authority and what are my
22 limitations.

23 MR. WASSERMAN: Sure.

24 MS. LEWIS: Miami 21 has a repealer of 11000.
25 Miami 21 also says something along the lines of the

1 adoption of this ordinance will not abrogate any vested
2 rights. It maybe do not -- may not use the word
3 vested, but it is the grandfathering clause, right?

4 MR. WASSERMAN: I am not sure. I would defer to
5 City Attorney on that.

6 MS. LEWIS: Okay. Let us not go there for just a
7 minute. So, your view is that this ordinance that was
8 adopted under 11000 in no way, shape, or form closed
9 this discussion?

10 MR. WASSERMAN: Correct.

11 MS. LEWIS: Okay. Counsel, now I am going to take
12 your advice and ask her.

13 MR. WASSERMAN: Please.

14 MS. LEWIS: We have an ordinance adopted under
15 11000, okay, and then Miami 21 comes along and some of
16 the opponents have quoted a specific Ordinance Number
17 11876. That is not really 11000, is it? Is that the
18 number for the entire 11000?

19 MR. WASSERMAN: I am sorry?

20 MS. LEWIS: I do not think 11876 is the entire
21 11000?

22 MR. WASSERMAN: No-no.

23 MS. LEWIS: Okay. It is just the ordinance which
24 converted, which changed the zoning from this property
25 from single-family to quote, private club, okay. So,

1 my question is, do you agree with the Applicant's
2 Counsel that Miami 21 totally eliminates the provisions
3 of this ordinance adopted under Ordinance 11000?

4 MS. KETTERER: For the most part, yes. I do have
5 that ordinance in front of me and it is a zoning
6 classification change. Miami 21 currently provides for
7 the current zoning and all of the applicable overlays
8 including NCD, the historic designation and its current
9 zoning. So, that is the applicable zoning. So, this
10 ordinance changing the zoning is no longer necessarily
11 applicable. At one point the zoning was changed back
12 in, I guess, 1999, 2000.

13 MS. LEWIS: Okay, thank you.

14 MR. WASSERMAN: Sure.

15 MR. HOPPER: Any other questions?

16 MR. MUNOZ: Yes, I have one. It
17 is for the landscape architect. The new planting list
18 is it contained in L-3? Is that entirety of it or is
19 there another section that I am missing?

20 MS. DILLEWIJN: No, it is on L-3.

21 MR. MUNOZ: Why is it I am not
22 seeing any reference to slash pine, any of the rock-
23 pineland in that planting list?

24 MS. DILLEWIJN: I do not know if you are looking
25 at a different list than I am, but if I you look at --

1 I do not know how best to tell you, but it is on the
2 middle of the list, sorry.

3 MR. MUNOZ: Is it -- are you on L-
4 3, is it a different sheet number.

5 MS. DILLEWIJN: Yes.

6 MR. MUNOZ: Oh, yes, a much larger
7 than what we have. You have a much shorter list. That
8 is L-3.

9 MR. HOPPER: Please use the microphone. Please
10 speak into the microphone.

11 UNIDENTIFIED MALE SPEAKER: Now, I see that.
12 Okay, so --

13 MS. DILLEWIJN: One second.

14 MR. HOPPER: What were you saying?

15 UNIDENTIFIED MALE SPEAKER: Evidently --

16 MS. DILLEWIJN: This is the current landscape
17 plan.

18 UNIDENTIFIED MALE SPEAKER: Okay, I see that
19 there. I just do not see it in this and evidently --

20 MS. DILLEWIJN: Yes. It seems like you have an
21 older version of the plan.

22 UNIDENTIFIED MALE SPEAKER: Well, yeah, so
23 whatever plan we have in our packet is obviously
24 different from that which --

25 MS. DILLEWIJN: Yeah.

1 UNIDENTIFIED MALE SPEAKER: You all have most
2 recently had.

3 MS. DILLEWIJN: Okay.

4 UNIDENTIFIED MALE SPEAKER: Should be some --
5 yeah, just do not pan around too much. Just looking
6 for the date, see that? So, I mean, I -- obviously if
7 these plans are being annexed into the whatever sort of
8 subsequent motion may be coming, I think it could be
9 problematic if the Board has been looking at plans that
10 are different from that which has been produced.

11 MS. DILLEWIJN: Yeah, I do not know why. That is
12 out of my hands.

13 MR. WASSERMAN: I do not really know how to answer
14 that. I am not sure what plans you have that were
15 distributed. We have the plans and I would ask staff
16 to confirm that they have the current set of plans that
17 were distributed to you all of course.

18 UNIDENTIFIED MALE SPEAKER: (Inaudible) 0:183:43

19 MR. WASSERMAN: What is the date of the plans that
20 you all have? These were signed and sealed on November
21 11th, 2019.

22 UNIDENTIFIED MALE SPEAKER: We have 5/20.

23 MR. WASSERMAN: Are you -- let me ask you, are you
24 looking at the COA application or the CO -- Certificate
25 of Approval or Certificate of Appropriateness?

1 UNIDENTIFIED MALE SPEAKER: That is a good
2 question. You are looking at 9/2 or 9/3?

3 MR. WASSERMAN: Because, again, what was asked at
4 the last hearing was that we only bring back on the
5 Certificate of Approval. The Certificate of
6 Appropriateness was fully heard and it was not asked to
7 modify that. This will be the controlling plans.

8 UNIDENTIFIED MALE SPEAKER: This is the fact that
9 was included in HEPB 3. This is the one I am pulling
10 off of.

11 MR. HOPPER: We are only on two.

12 UNIDENTIFIED MALE SPEAKER: The both, they should
13 both be the same set of plans but it is just the one
14 that I have not opened, I do not think.

15 MR. HOPPER: Yeah.

16 UNIDENTIFIED MALE SPEAKER: This was from the most
17 recent.

18 UNIDENTIFIED MALE SPEAKER: HEPB 2 is the
19 Certificate of Approval -- HEPB 2, not HEPB 3.

20 MR. WASSERMAN: And those are the controlling
21 plans.

22 UNIDENTIFIED MALE SPEAKER: Then that might have
23 been much ado about nothing, so sorry for the
24 confusion. But is not HEPB 3 also under consideration
25 tonight?

1 MR. HEISENBOTTLE: Yeah.

2 MR. WASSERMAN: Which means if those plans are
3 annexed into that, they would be in conflict with the
4 plans on HEPB 2.

5 MR. WASSERMAN: Yeah, these are the -- I will
6 defer to the Historic Preservation Office. These are
7 the controlling plans. These are the plans that were
8 asked to be brought back. We proffered all of these
9 conditions at the last hearing. These are
10 incorporating the proffers that we had made on the
11 record. So, this should be the controlling plans.

12 MR. CAWLEY: May I ask a question?

13 MR. HOPPER: Yes.

14 MR. CAWLEY: One, the exhibits that we are looking
15 at here, we have those same plans in our packets.
16 Sometimes, you know, there is additional supplemental
17 things have to be downloaded like in the main agenda or
18 in the main packet. We think that this information is
19 in there. Like there were some colored elevations in
20 sections going over the silver bluff. Are those in our
21 package?

22 MR. HOPPER: Yes, they are in there.

23 MR. CAWLEY: They are in there.

24 MR. HOPPER: For HEPB 2 because that was the
25 direction that the applicants were given to come --and

1 I specifically asked at the end of the meeting does
2 this refer to both the Certificate of Approval and
3 Certificate of Appropriateness and it was only the
4 certificate of approval that was required to be amended
5 to be to be brought back.

6 MR. CAWLEY: But that is like -- has to do with a
7 lot -- you know, now that the plans are electronic and
8 distributed in a different way sometimes it can be a
9 little bit confusing. So, all of this information that
10 we have here we all have it distributed electronically
11 to us. There is nothing new in terms of exhibits that
12 has been brought to this hearing that we do not have,
13 like usually when we go to hearings --

14 MR. HOPPER: I would defer to the applicants if
15 they have introduced anything new, if they have that
16 should be submitted into the record.

17 MR. WASSERMAN: The way you explained it is
18 exactly correct. We brought back -- you asked us to
19 bring back on Item 2, the Certificate of Approval.
20 Everything we basically said we were proffering to do
21 because we wanted to get staff support on the item and
22 address certain comments from the Board. All of that
23 is in your package on Item 2. The only thing extra
24 would have been what I just submitted into the record
25 on the ordinance that was asked about me. That is new.

1 That is not in our presentation materials. Everything
2 else that you have seen that we presented today is in
3 your packet, except -- I just want to be clear except
4 the canopy. I do not think we have the canopy diagram
5 that is submitted, that was for presentation purposes
6 today. That was not in the package.

7 MR. HOPPER: And I would also point out that one
8 of the conditions in the Certificate of Appropriateness
9 is that the applicants get a Certificate of Approval,
10 so a condition of the Certificate of Appropriateness is
11 that they get the Certificate of Approval. So, any
12 changes brought in for the Certificate of Approval
13 automatically by the condition must be incorporated
14 into the Certificate of Appropriateness.

15 MR. WASSERMAN: Just to make it abundantly clear
16 in case it is not. The plans that are in the
17 Certificate of Approval package are the controlling
18 plans. If to the extent anything is not clear we would
19 gladly proffer that these are the plans for Application
20 3 as well; they are one and the same just in case there
21 is any confusion.

22 MR. CAWLEY: Yeah. You know, again like basically
23 just to put it all in real common communication format,
24 I was referring to our fellow Board Member who is
25 looking at the plans that we are looking at in the

1 package and it looked -- the planting plans look a
2 little bit different than these ones.

3 MR. WASSERMAN: From the plans in Item 2.

4 MR. CAWLEY: That is what I am trying to make sure
5 that I fully understand, that I am referring to the
6 right place, because that is like a little stuff and
7 even on an iPad it is a little stuff. So, if I want to
8 see like, okay, what sheet is that plan on in our
9 electronic submittals, what number page would it be.
10 It is not that complicated.

11 MR. WASSERMAN: Okay.

12 MR. CAWLEY: It is either Page 55, 56, 59 of a
13 PDF, very hard to like be referring. So, again, if I
14 was to look at the same plan and say, oh, yeah, this is
15 the pine-rockland corner, I am just trying to
16 understand where to look.

17 MR. WASSERMAN: Sure.

18 MR. CAWLEY: And then also just ask the question
19 for clarification, is there anything like, okay, the
20 tree diagram, okay, totally get it that that is new for
21 the hearing.

22 MR. WASSERMAN: Correct. This is the only item.

23 MR. CAWLEY: So, just trying to clarify and I
24 really appreciate it very much.

25 MR. WASSERMAN: Sure.

1 MR. CAWLEY: Okay, thank you.

2 MR. TRAGASH: And I will just say -- I am looking
3 at from the package that you sent there were 55 pages
4 for Application Number 2, and so on Page 51 is L-03 but
5 the L-03 that I have does not quite match the L-03.
6 There is more legends, there is more information on
7 that plan that you are showing.

8 MR. MUNOZ: This is an issue. It
9 is definitely not the same drawing that we have.

10 MR. WASSERMAN: Can you check the date?

11 MR. MUNOZ: This L-03 here is
12 different from the one that we received. This one is
13 more detailed.

14 MR. WASSERMAN: What is the date on it, I would
15 just like to cross reference, sir?

16 MR. TRAGASH: The date on the -- the revision date
17 is -- it just says submission 5/20/2019.

18 MR. WASSERMAN: No, that is the original from two
19 hearing ago,

20 MR. TRAGASH: That was what we received though
21 digitally from the staff. And then -- so, that is for
22 the second item. On the third item there is 58 pages.
23 So, I do not know, there is a big difference of the 58
24 pages versus the 55 pages.

25 MR. WASSERMAN: Would you allow me two minutes to

1 meet with staff and see if I can get to the root of
2 this?

3 (Thereupon, a short discussion was held off
4 record.)

5 (Hearing resumed.)

6 MR. TRAGASH: Go ahead.

7 MR. WASSERMAN: So, we checked with staff. The
8 correct plans were appropriately uploaded
9 electronically. It seems there maybe -- I do not know
10 the right way to say this, the Board Members need to
11 access it through a certain click -- through a certain
12 link. I do not know if that is happening. I would
13 maybe defer to staff to help.

14 MR. HOPPER: So, let me explain that to you. We
15 get two things. One is easy to do and one is very
16 difficult and tedious, and the tedious one is the one
17 with all the information on it.

18 MR. WASSERMAN: Okay.

19 MR. HOPPER: All the detailed information.

20 MR. WASSERMAN: So, it is there for the record.

21 MR. HOPPER: It is there for the record.

22 MR. WASSERMAN: It is there, okay.

23 MR. HOPPER: So, additional questions.

24 MR. CAWLEY: Well, thanks a lot for the help with
25 the clarification on that one. It is not exactly, you

1 know, simplest process to review plans. I just have
2 some couple of quick questions, please.

3 MR. WASSERMAN: Yes.

4 MR. CAWLEY: Obviously, you guys have spent a lot
5 of time studying landscape architecture here, you know,
6 and we are looking at the existing tree-disposition
7 plans and I remember I asked the question last time and
8 I will just ask it again for a little bit of
9 clarification. If you were just to say in summary the
10 majority of the existing specimen trees on this
11 property are being protected, correct?

12 MS. DILLEWIJN: Yes.

13 MR. CAWLEY: I mean that is just a fact. It is
14 not like you guys are proposing to remove a giant oak
15 tree or anything like that, not even. You are
16 relocating some specimen trees, right?

17 MS. DILLEWIJN: We are and, you know, can I just
18 say that this is the first time I do this and I wish
19 people would see how much work we put into this and
20 going there, and to answer your question we designed
21 this for the quality of the project. The last thing I
22 looked at was the numbers because to me Coconut Grove
23 was about quality of canopy, quality of life. I
24 created a little report for internal purposes that I
25 would like to share with you guys. So, you see where

1 the numbers come from, not that this was the driving
2 force of the design. There are 66 specimen trees on
3 survey, two of them are dead, seven of them are
4 prohibited; we are left with 57. Out of the 57, 14
5 trees are fruit trees and not considered desirable by
6 the City or for this project. We are left with 43.
7 Out of the 43, three of them are palms -- specimen
8 palms that are going to be relocated within the site,
9 to the right location. We are left with 40. Out of
10 the 40, 26 of the biggest specimen trees on site we
11 thought to keep and make part of this project. We are
12 left with 14. Out of those 14, seven are in conflict
13 with the structure. We understand that. But they are
14 all -- we went with Lisa Hammer and studied the
15 conditions. They are frail or poor condition. And the
16 leftover seven are not within the structure conflicts,
17 but they are in bad condition. We want to remove and
18 replace with the right canopy. So, in total, we are
19 keeping 26 specimen trees and we are removing and
20 replacing 28 of them.

21 MR. CAWLEY: Okay. Thank you very much for that
22 summary.

23 MS. DILLEWIJN: Yeah.

24 MR. CAWLEY: I really appreciate it. I am
25 landscape architect as well. So, I get -- you know, I

1 am just trying to go to the bigger kind of picture.

2 MS. DILLEWIJN: Sure.

3 MR. CAWLEY: So, somebody mentioned that there was
4 a large payment into the Tree Trust Fund. Now, is that
5 because you have to pay into the Tree Trust Fund for
6 trees, whether they are invasive or not?

7 MS. DILLEWIJN: So, the way that the mitigation
8 works, yeah, again, we worked closely with City of
9 Miami to go about this one because, again, this is not
10 an easy project. We are not required to mitigate for
11 invasive species.

12 MR. CAWLEY: Okay.

13 MS. DILLEWIJN: We are required to mitigate for
14 everything else. What we cannot do is count the
15 existing trees as part of mitigation calculation. To
16 make that very simple I am going to attempt to read the
17 list.

18 MR. CAWLEY: So, I do not want to interrupt you.

19 MS. DILLEWIJN: Yeah.

20 MR. CAWLEY: But I just want to keep things on a
21 real simple.

22 MS. DILLEWIJN: Simple, okay.

23 MR. CAWLEY: If a 1000 inches of trees are going
24 away and --

25 MS. DILLEWIJN: Yeah, a 1000 inches are going

1 away.

2 MR. CAWLEY: 300 inches or something are coming
3 back or whatever it is, there is a shortfall. That
4 shortfalls because the trees that you are removing --
5 you know, you are providing less trunk in the City of
6 Miami terms or DBH in the new plan --

7 MS. DILLEWIJN: Yeah.

8 MR. CAWLEY: And so you are showing a shortfall.

9 MS. DILLEWIJN: Correct. But we are not proposing
10 minimum-size trees. We are going --

11 MR. CAWLEY: No, I understand that.

12 MS. DILLEWIJN: We are doing larger trees.

13 MR. CAWLEY: But why this shortfall if you do not
14 have to mitigate for all the invasives that you are
15 removing?

16 MS. DILLEWIJN: It is just the size of the exist -
17 - the DBA existing, yes.

18 MR. CAWLEY: It is the size of the existing
19 because the fruit trees and everything would require
20 the mitigation, correct?

21 MS. DILLEWIJN: Yeah, we asked them.

22 MR. CAWLEY: Okay.

23 MS. DILLEWIJN: They require mitigation.

24 MR. CAWLEY: So, then along those lines, I would
25 assume that instead of just placing trees all over the

1 place in order to make the mitigation work that you are
2 studying the existing natural systems and existing tree
3 locations and sizes and canopy and trying to integrate
4 your new proposed trees in a way which will benefit the
5 existing conditions on the site.

6 MS. DILLEWIJN: Correct. We are not going to jam
7 trees that do not belong here. And so the discussion
8 with ownership is we need to either pay to the Tree
9 Trust Fund or plant these trees within the community,
10 working with the City. So, either/or, yeah.

11 MR. CAWLEY: Okay. Thank you guys very much.
12 Thank you very much for the really-thorough
13 presentation.

14 MS. DILLEWIJN: Thank you. Thank you for your
15 time.

16 MR. HOPPER: Any other questions relating to trees
17 or walls? Okay. Mr. Warren, would you clarify for us
18 again what our next motion should be regarding on this
19 item?

20 MR. ADAMS: What motion?

21 MR. HOPPER: What issue -- what it is about, what
22 would -- what we would be approving if we approve?

23 MR. ADAMS: A Certificate of Approval and the
24 Certificate of appropriateness both require --

25 MR. HOPPER: But this is just Number 2.

1 MR. ADAMS: Just Number 2 is the Certificate of
2 Approval. You have the staff analysis, the
3 recommendation and the conditions.

4 MR. WASSERMAN: Each require a separate vote is
5 that what you are saying?

6 MR. HOPPER: Right. We are only dealing with
7 Number 2, be we are going to have public hearing on
8 that one.

9 MR. TARGASH: Mr. Chair, how we typically do this
10 is even though we vote separately we hear the project
11 comprehensively both parts and then we do the vote
12 individually as opposed to hearing one voting on it,
13 hearing the other voting on it.

14 MR. HOPPER: We have a vote with that one.

15 MR. ADAMS: Yeah. The intent of hearing on both
16 at the same time is so everything can be looked at as a
17 whole.

18 MR. HOPPER: So, we have concluded then our
19 discussion on Item number 2. We will now move back --
20 move to Number 3, because we have not had public input
21 on Number 3.

22 MR. ADAMS: Yes.

23 MR. WASSERMAN: For the record what happened, as I
24 recall, at the last hearing was both items were fully
25 heard; full public comment on both.

1 MR. HOPPER: Right.

2 MR. WASSERMAN: There was a motion made narrowly
3 tailored to bring back only three items to bring back.
4 The Certificate of Appropriateness Application was
5 fully heard, full testimony, full public comment and it
6 was asked to be brought back to vote in tandem. That
7 you guys did not want to vote on the items essentially
8 separately, you want to hear holistically as a single
9 application and then take two votes. That is how I
10 remember the specifics of the ending of the last
11 hearing. And there was a lot of back and forth with I
12 think Mr. Tragash on that issue of, we would like to
13 see some more discussion on these limited items we are
14 bringing back and not to discuss the other items.

15 MR. HOPPER: Yes.

16 MS. LEWIS: Counsel, are you saying that you have
17 a Certificate of Appropriateness with regard to the
18 historic site?

19 MR. WASSERMAN: That application is before you
20 today.

21 MS. LEWIS: So, today, you do not have a COA for
22 the historic site, correct?

23 MR. WASSERMAN: That is correct.

24 MS. LEWIS: Okay. And we have just spent very
25 informative time talking about trees, coral rock and

1 bluff. We have not spent any time talking about the
2 historic property.

3 MR. WASSERMAN: That is correct. Today, it was
4 about three, yeah.

5 MS. LEWIS: That is what I am talking, today.

6 MR. WASSERMAN: Yeah, about three hours or so at
7 the original hearing in September it was fully heard
8 and I could put -- we have actually the clip of the lot
9 of the --

10 MS. LEWIS: I am not asking you to.

11 MR. WASSERMAN: Okay.

12 MS. LEWIS: I am asking is it your position that
13 we should not delve into, let us call it Chapter 23.

14 MR. WASSERMAN: Sure.

15 MS. LEWIS: Historic preservation aspects of this
16 project.

17 MR. WASSERMAN: I would not say it is my position.
18 That was the direction from the Board to us in
19 September. That was the motion made. The Chair
20 actually read it himself. He was the one who
21 verbalized it. So, I am just following the direction
22 from the Board in September.

23 MS. LEWIS: Understood, okay. Thank you.

24 MR. WASSERMAN: And, again, the historic
25 preservation officer actually explicitly asked that

1 question at the last hearing. That is why he did not
2 present originally the Certificate of Appropriateness,
3 the staff report tonight.

4 MR. HOPPER: Is there any discussion made?

5 (Thereupon, a short discussion was held off
6 record.)

7 (Hearing resumed.)

8 MR. HOPPER: So, we have had a discussion. Now,
9 what was happening with Items Number 2 and 3, is kind
10 of this confusion that has arisen since September which
11 has been a while ago and many intervening events have
12 occurred. What we would like to do now is -- since we
13 did not have any discussion on Item Number 3 is to
14 allow for public input on Item Number 3, before we make
15 our two motions on Items 2 and 3. Is that rightly
16 represent what you would call as -- go ahead.

17 MS. LEWIS: I was not here at the September
18 meeting and so it is my lack of background. I would
19 like to hear you all talk about the historic context
20 vis-À-vis the neighborhood and that includes discussion
21 about traffic.

22 MR. BAILLINE: Ryan Bailline with offices at 333
23 Southeast 2nd Avenue. I am not sure -- I know we had a
24 little bit of a snafu with the right access or the
25 proper access to the plans that were submitted in

1 November, what have you, but you know when we all and
2 most everyone in this room was here back in September,
3 and I understand you were unable to be here for
4 whatever reason, but we just want to reiterate the fact
5 and it was said probably 10 or 12 times during that
6 hearing and it was confirmed by the City Attorney, that
7 when we walked through the historic analysis the
8 intervention, the rehabilitation whatever you would
9 like to call it, the directive of the Board in
10 reviewing the plans of record -- the appropriate plans
11 of record, vehicle access, turning lanes, that what
12 have you is not something that is before the Board.
13 And I would please refer to the City Attorney and I
14 recall, you know, Mr. Tragash actually complimented us
15 because it is an issue that another board will have to
16 review in the early part of next year. But that
17 analysis, that topic is not something within the
18 purview criteria, jurisdiction or, you know, I -- from
19 one lawyer to another I know I am just trying to be as
20 elegant as possible.

21 MS. LEWIS: Sure-sure and I appreciate that and I
22 appreciate your indulgence of the fact that I was not
23 here and I am coming in and saying, hey, well, what
24 about and you are saying you should have been here in
25 September, right?

1 MR. BAILINE: I think I am -- I did not mean to
2 say it that way.

3 MS. LEWIS: No-no, you did not -- and you did not
4 say it that way.

5 MR. BAILINE: Okay.

6 MS. LEWIS: But let me ask you a question. You
7 said that there is going to be another review by
8 another board.

9 MR. BAILINE: Yes.

10 MS. LEWIS: Okay. And then you said in a much
11 more elegant way than I could say it.

12 MR. BAILINE: Never been accused of that before.

13 MS. LEWIS: This Board tonight does not have the
14 jurisdiction to consider things like traffic studies,
15 correct? Did I misquote you?

16 MR. BAILINE: No, you did not misquote. I did not
17 say studies but traffic, correct.

18 MS. LEWIS: Traffic stuff.

19 MR. BAILINE: Correct.

20 MS. LEWIS: Okay. What is the other board, what
21 is its scope of review and when is that to happen?

22 MR. BAILINE: So, let me see if I can -- I am
23 thinking back to September because I thought I actually
24 said it pretty succinctly. The charge of the board
25 here this evening -- and, again, please confirm with

1 the City Attorney is to approve the package of plans
2 before you. So, we could go and get a building permit
3 and build these buildings. The Planning Zoning and
4 Appeals Board which is the subsequent board will review
5 an issue or not, an exception, so that we can use these
6 buildings as a school. That review from a legal
7 perspective factors in turning lanes, vehicle
8 circulation, pickup and drop-off times and all those
9 vehicle-operational issues that one equates where one -
10 - that comes with the operation of a school facility.
11 So, tonight we are here for the buildings, trees and
12 historic preservation. In the early part of next year
13 we anticipate, although we do not have a firm date from
14 the City yet, it will be the establishment of the
15 school use before the Planning Zoning & Appeals Board.

16 MS. LEWIS: Got it. So, whatever we do tonight,
17 you cannot rely on to get a building permit because
18 whatever we do tonight would be -- would -- those plans
19 are for a school.

20 MR. BAILINE: You are correct.

21 MS. LEWIS: So, if we were to say, gosh, we love
22 it, it is just perfect. So, many things are perfect
23 these days.

24 MR. BAILINE: Thank you.

25 MS. LEWIS: It would still be subject to PZAB

1 approving the school use.

2 MR. BAILINE: 100%.

3 MS. LEWIS: Great. I am clear now. Thank you.

4 MR. BAILINE: Thank you. And we missed you in
5 September.

6 MR. TRAGASH: And just for clarification, I was
7 here during the previous hearing and so -- and I
8 believe I made the motion. I cannot remember exactly
9 every second, but that I was impressed with the level
10 of detail and the resolution of the historic
11 preservation of the Villa and the new construction
12 around it. I had expressed some concerns because there
13 were -- the Applicant was actually proposing that we
14 approve portion of it or to move it along and I was --
15 had problems with the landscape in terms of the tree
16 canopy and some of the coral-rock walls and that is
17 where we made this motion which we said those are the
18 things that need to come back.

19 MS. LEWIS: Okay. Thank you.

20 MR. CAMPBELL: So, I am actually been satisfied
21 with the presentation. I would like to move -- go
22 forward and make the two motions. And as I get it
23 clear in my head as Ms. Lewis has just allocated, the
24 issues of Transect and turning, drop off, pickup,
25 Bayshore Drive, Tigertail, that is in the province of

1 the Planning & Zoning Board. So, I am actually ready
2 to go ahead and start proceeding forward these motions.

3 MR. HOPPER: Before you do let me say something.
4 I need to apologize to the people who are here because
5 I offered you another opportunity to speak. I have
6 been corrected. That was not something that we were
7 doing today. We were only revisiting those three items
8 because we did not have an opportunity to talk about
9 those things in September as I recall. I am trying to
10 pull up the minutes for this, so slow here. Would you
11 like to -- please use the microphone.

12 MR. SILVER: Scott Silver, 2980 McFarlane Road.
13 Just -- we believe that is inappropriate in terms of
14 your procedure that when you -- you did not take a vote
15 on any portion of any ordinance during the last when we
16 did not close the public hearing.

17 MR. HOPPER: We did close the public hearing.

18 MR. SILVER: And 10494 which is the ordinance
19 which specifically is not 118 -- 1100 was not -- even
20 if 1100 was repealed, I hear the magic words by the
21 lawyer which are -- I am a recovering attorney myself
22 which is I agree with Counsel for the most part. I
23 would point you to 10434 that provided the historic
24 designation. It said specifically in Section 2, it
25 dealt with the same conditions that is in conforming

1 with the comprehensive neighborhood plan, not out of
2 scale with the needs of the neighborhood and
3 specifically not adversely affect living conditions,
4 will not create or excessively increase traffic
5 congestion or otherwise affect public safety. So, if
6 your City Attorney can say with a 100% certainty that
7 those do not apply, then you can proceed. We object
8 for the record and would say that it is being done
9 inappropriately. But I do not believe if you look at
10 the -- when 1100 was superseded it was -- the general
11 zoning-code provisions were superseded. If there is a
12 condition place on a specific property I would ask the
13 City Attorney, I would ask you to ask the City Attorney
14 when a specific property has conditions placed on it as
15 a part of its historic designation, are those
16 eliminated. If they are not eliminated then you guys
17 have jurisdiction. I do not believe that simply
18 Counsels representation should be taken without
19 examining that further. I think you need to do that.
20 Otherwise the whole process goes out the window.

21 MR. SNYDER: John Snyder.

22 MR. WASSERMAN: I would object. The public
23 hearing has been closed. This is new testimony coming
24 in when it is being closed. I have to object to
25 anymore testimony being provided at this time.

1 MR. HOPPER: So, I had things going in my ear.

2 MS. LEWIS: Counsel has objected. This gentleman
3 wants to speak. Counsel has objected because the
4 public hearing has been closed.

5 MR. HOPPER: Right, public hearing is closed.
6 Give us a minute. Give us a minute.

7 MR. SNYDER: Okay, yes, John Snyder.

8 MR. HOPPER: Give us a minute.

9 MR. SNYDER: Oh, okay.

10 MR. HOPPER: Thank you. I am sorry. I keep
11 forgetting to be closer to the microphone.

12 (Thereupon, a short discussion was held off
13 record.)

14 (Hearing resumed.)

15 MR. TRACHTENBERG: I have a question for the City
16 Attorney. In the past we have had situation like this
17 arise and we have made a vote or motion to make a vote
18 on the Board to reopen the public hearing. Is that
19 something that is applicable to this situation?

20 MS. KETTERER: Yes, to reopen. Yes, I want
21 to be clear or I just -- I want to clarify whether the
22 -- because I know it seemed to be limited to Item
23 Number 2 regarding the Certificate of Approval. So, I
24 do not know if it was the Boards intent trying to close
25 the public hearing on both of the items. I know both

1 of the items were read into the record, but it seemed
2 to be limited to Item Number 2.

3 MR. HOPPER: That is correct. When I closed the
4 public hearing it was specifically on Item Number 2.

5 MS. KETTERER: Okay.

6 MS. LEWIS: So, would you entertain a motion?

7 MR. WASSERMAN: We presented both together as I
8 understood.

9 MS. LEWIS: Would you entertain a motion to reopen
10 the public hearing for comments and an opportunity for
11 rebuttal with regard to Item Number 3?

12 MR. WASSERMAN: Yes.

13 MS. LEWIS: I shall move.

14 MR. HOPPER: Is that second?

15 MR. TRAGASH: Second.

16 MR. HOPPER: The motion to reopen public hearing
17 on Item Number 3, during discussion on that motion --

18 MR. WASSERMAN: If I can just have one minute to
19 consult?

20 MR. HOPPER: Yes.

21 (Thereupon, a short discussion was held off
22 record.)

23 (Hearing resumed.)

24 MR. WASSERMAN: So, if we are -- if it is the will
25 of this Board to reopen the hearing again, I would just

1 ask that we have extra time for -- during rebuttal to
2 make a more formal presentation that we normally would
3 on rebuttal.

4 MR. HOPPER: Absolutely.

5 MR. WASSERMAN: Thank you.

6 MR. HOPPER: Absolutely. So, there is a motion to
7 reopen the public hearing on Item Number 3 -- HEPB Item
8 Number 3 which is the Special Certificate of
9 Appropriateness. Discussion on the motion, have a roll
10 call please.

11 MR. BAILINE: Mr. Chair, I just have one question
12 just for our purposes. Are there -- will there be any
13 guidelines with respect to the public hearing in terms
14 of earlier this evening, it was -- or this afternoon,
15 now evening, it was coral rock, trees and landscaping.
16 Are there any, you know, criteria?

17 MR. HOPPER: Yes, it would be limited to the
18 substance of the application in Number 3.

19 MR. BAILINE: The substance of Application Number
20 3?

21 MR. HOPPER: That is correct.

22 MR. BAILINE: Okay, thank you.

23 MS. LEWIS: Just so that everybody understands
24 what is that?

25 MR. HOPPER: We will get to that.

1 MR. BAILINE: That was my next question.

2 MS. LEWIS: Never mind.

3 MR. BAILINE: That was my next question.

4 MR. HOPPER: I will get there. Roll call please.

5 MS. ALVAREZ: Ms. Lewis?

6 MR. HOPPER: Ms. Lewis?

7 MS. LEWIS: Yes.

8 MS. ALVAREZ: Mr. Trachtenberg?

9 MR. TRACHTENBERG: Yes.

10 MS. ALVAREZ: Mr. Campbell?

11 MR. CAMPBELL: I would like to hear what the
12 substance is of third motion before I give my vote,
13 because I am slightly confused actually.

14 MR. HOPPER: Look on -- it is listed in the HEPB
15 Resolution. Look at on the agenda.

16 MR. CAMPBELL: Okay, yes.

17 MS. ALVAREZ: Mr. Cawley?

18 MR. CAWLEY: Yes.

19 THE COURT REPORTER: Ms. Galvez Turros?

20 MS. TURROS: Yes.

21 MS. ALVAREZ: Mr. Prieto Y Munoz?

22 MR. MUNOZ: Yes.

23 MS. ALVAREZ: Mr. Tragash?

24 MR. TRAGASH: Yes.

25 MS. ALVAREZ: Dr. Hopper?

1 MR. HOPPER: Yes.

2 MS. ALVAREZ: Motion passes unanimously.

3 MR. HOPPER: Okay. We now reopen the public
4 hearing on Item Number 3. I believe the -- Mr. Warren,
5 Mr. Adams I mean -- hold on. Did you already read the
6 staff report for Number 3?

7 MR. ADAMS: Yes, I did.

8 MR. HOPPER: Yes, you did. So, we will take --
9 and could you just give us the -- what is being
10 requested briefly in the applications of -- you know,
11 to what -- to limit their discussion. I believe it is
12 -- tell me if I am wrong, demolition, restoration,
13 alteration and new construction, is that correct?

14 MR. ADAMS: Yes.

15 MR. HOPPER: So, we should limit your point. Our
16 comments should be limited to those topics. That is
17 the demolition of existing properties, restoration of
18 Villa Woodbine as well as alterations and new
19 constructions at the same property. Okay?

20 MR. SNYDER: Thank you.

21 MR. HOPPER: You are first.

22 MR. SNYDER: Okay, thank you, John Snyder, 3980
23 Hardie Avenue.

24 MR. HOPPER: And I would remind everyone, please
25 limit your comments to three.

1 MR. SNYDER: Okay, yes. It is my understanding
2 that this Board can approve an alternate use for
3 property even in a single-family neighborhood. So, I
4 think that it is important that whatever you do, you
5 place a condition on it that it will go to the Planning
6 & Zoning Appeals Board because we asked that it be
7 heard there initially before it came to the Historic
8 and Environment Preservation Board. At present, there
9 is already an approved change of use for the property
10 and it set forth certain conditions to mitigate the
11 impact on the neighborhood. Those -- let me just
12 briefly review what they are. The following
13 conditions, it is not of a scale with use -- excuse me,
14 as a -- for usage as a private club, is not of a scale
15 with the needs of the neighborhood or City. The
16 neighborhood, if you include all of Coconut Grove there
17 is 21,000 people. There are 18 private schools in
18 Coconut Grove. They service 6800 students. The number
19 of students for a population of 21,000 is about seven
20 or 800. So, we are already at about 10 times the need
21 of the neighborhood. In regard to the needs of the
22 City, the tuition for this school that is being built
23 will be \$30,000 per student. That is just about the
24 median income of the residents of the City of Miami.
25 So, I do not think it is going to meet their needs.

1 Second or B, it will not materially alter the
2 population density. Well, I agree that it does not do
3 that, but it does certainly increase the traffic and
4 the congestion. Thank you.

5 MR. HOPPER: Thank you. I remind you again, we
6 are talking about demolition, restoration, alteration
7 and new construction. Who is next? Yes, madam. He
8 got up first.

9 MR. SILVER: What is that?

10 MR. HOPPER: He got up first. He was -- come on.

11 MS. CARPENTER: Thank you. Good evening, Elena
12 Carpenter, 1660 South Bayshore Court. I have some
13 opinions on other issues, but I do have a question that
14 strictly relates to the new construction because I have
15 been confused for a little bit and it -- my confusion
16 started when they said that they could build 200,000
17 square feet and they were generously only doing 45, but
18 Ms. Lewis actually gave them the exact questioning and
19 we arrived at their limitations and what they could
20 actually build. Now, the second set of questions that
21 she was going to clarify and I hope I am quoting him
22 properly, what came out of a result of your questioning
23 was you approved the package of plans which allows them
24 to go get a permit. After that they go to PZAB which
25 will review and issue the exceptions, so we can use it

1 as a school, and these are the notes that I took that
2 Mr. Wasserman was saying. And my question to you, so
3 that you can perhaps get an answer for me, is does that
4 mean that by passing Number 3, they can build a 45,000-
5 foot building of unidentified use because that is what
6 I heard. Approve the package of plans before you, so
7 that we can go get a permit and go to PZAB to get an
8 exception to use it as a school. So, does that mean we
9 get a 45,000-square foot building anyway and it is just
10 the use that we do not know? So, if you could get an
11 answer for me, I would appreciate it. Thank you.

12 MR. HOPPER: I would differ to the City Attorney.

13 MS. KETTERER: Regarding whether this
14 approval would allow them to have the school use?

15 MR. WASSERMAN: We are not getting a building -- I
16 will just cut to the chase. We are not getting a
17 building permit in between. I do not think we can and
18 we are not.

19 MS. KETTERER: Yeah, I mean if this Board
20 wishes to clarify that or put a restriction on that,
21 there could be an additional condition that this
22 approval is subject to any required exception under
23 Miami 21.

24 MR. HOPPER: And I think we already have that, so
25 whatever. Yes, sir.

1 MR. SILVER: Okay, Scott Silver, 2980 McFarlane.
2 I have bit of piecemeal argument and -- but I am going
3 back to the Dade Heritage Trust letter that has
4 analyzed this and specifically the -- although 11876
5 was also referencing there, to base the original
6 ordinance that designated this, it had all those
7 conditions that I just related that do allow you to do
8 this. It is 10494 enacted 1988. So, I think you need
9 to get before you take any action, need to understand
10 whether that is in your jurisdiction because I think
11 fortunately in this historic preservation and this
12 particular property when they looked at it, they said
13 this is not just -- we are not just looking at
14 historic, we have to look at the entire context. We
15 have to look at the way it fits in the neighborhood.
16 It is a very unique property. So, what the decision
17 was, what the legislative history is in 1988, I do not
18 know, but they put the conditions in there. So, you
19 are under that, allowed to determine if it is within
20 the scale of the neighborhood, whether it increases
21 traffic. The other concerns that were raised by Dade
22 Heritage Trust in their analysis of it and that we
23 raised is particular related to the silver bluff. It
24 says the site plan calls for a 9975-square foot
25 swimming pool and a 2475-foot upper deck to be build

1 either encroaching on the silver bluff or beneath the
2 bluff in South Bayshore Drive. To say that they are
3 preserving it when they are encasing it would be like
4 wrapping the Eiffel Tower. We can take the Freedom
5 Tower, knock it down and give people tour showing what
6 it used to look like. I mean encasing it in a -- that
7 is almost like -- frankly, I think it is almost
8 laughable to say that they are preserving the silver
9 bluff. The silver bluff is not just the exposed rock.
10 The silver bluff was referred to, well, just a grassy
11 knoll there. You have to look at the entire geologic
12 formation and what Dade Heritage Trust in their
13 analyzing it, said it may have a negative impact and
14 this is for you to determine on the important
15 archeological and environmental features that is
16 Coconut Grove Silver Bluff. Not only does it have an
17 impact, it covers it. I cannot imagine a more
18 significant impact. The other -- one of the other
19 points that they raised was impact on drainage. I do
20 not know that a drainage plan has been presented. And
21 particularly if you do find the traffic is within your
22 jurisdiction, they did not present any traffic study.
23 We do have information on traffic impact that we are
24 going to put in the record as well.

25 MR. HOPPER: Thank you. Anyone else? Yes, sir.

1 MR. MOSKOVITZ: Hi, Alexander Moskovitz, 2185
2 South Bayshore Drive. I have heard it said by several
3 folks here that it seems like you guys think -- maybe
4 think of yourself as a design review board and,
5 frankly, I think you are a lot more than that and have
6 designated powers enumerated to you in Chapter 23.
7 Specifically, Chapter 23 provides the intent and
8 purpose, states in Section B2, provide a mechanism
9 whereby the HEPB may in the interest of historic
10 preservation waive certain zoning requirements for
11 those existing structures deemed individually
12 significant or contributing within a designated
13 historic district. Now, moving forward, in the
14 definitions of Chapter 23 under Certificate of
15 Appropriateness, it says, it is a written document
16 issued pursuant to this article permitting specified
17 alterations, demolitions or other work, or to allow
18 certain waivers from the criteria set forth in the
19 zoning ordinance in this chapter. One of the concerns
20 I have, maybe the paranoid person that I am, is that
21 they are going to go to PZAB and say we already got the
22 Special Certificate of Appropriateness from the HEP
23 Board. We do not need you guys to approve the use as a
24 school because we gave them plans for a school and they
25 said okay. Furthermore, I think there is also

1 designated within the designation, this is an
2 archeological sensitive area. Section 23-6.2(h)(3)(a)
3 states in a relevant part for ground-disturbing
4 activity in archeological zones, archeological sites or
5 archeological conservation areas, of which this is one,
6 no certificate of appropriateness shall be issued for
7 new construction, excavation, tree removal, or any
8 other disturbing activity until the City's archeologist
9 has reviewed the application and made his or her
10 recommendation concerning the required scope of
11 archeological work. If that work has been done, I am
12 unaware of it. When I met with Mr. Adams, he was
13 unaware of it. We would like to see where that work is
14 done. Based on those two reasons alone I think this
15 Board should simply deny the application. Let them
16 reapply later.

17 MR. ADAMS: For clarification, at the meeting it
18 was clearly stated that a Certificate to Dig is
19 required and that is also one of the conditions that is
20 stated in the report. So, that is a condition, an
21 archeological assessment must be done on the site. So,
22 that was explained at the meeting.

23 MR. HOPPER: Yes, madam. Yes, madam.

24 MS. PUJOL: Rose Pujol, 2455 South Bayshore Drive,
25 and I am specifically bringing up the issue of the

1 traffic study that as early as this morning I spoke to
2 Mr. Warren Adams.

3 MR. HOPPER: We are not discussing traffic, only
4 demolition, restoration, alteration and new
5 construction.

6 MS. PUJOL: Okay.

7 MR. HOPPER: You can do those. Okay, otherwise it
8 is PZAB. Yes, madam.

9 MS. GONZALEZ: My name is Ana Gonzalez. I live at
10 3000 Coral Way. I am actually a Graduate of
11 Carrollton, so I am pretty familiar with the way the
12 school sort of operates and as you can see from our
13 history or from their history in the area, they own two
14 separate sites in the area and I could say that they
15 are probably the prettiest campuses in all of the 18
16 schools that are in Coconut Grove. They are the most
17 accurate with regard to historic preservation. They
18 are extremely well maintained. There is a lot of pride
19 in the campuses, specifically because they are part of
20 the community. So, they instill in the students and in
21 the families that go there and in the people who work
22 there to preserve it and to take care of it and I think
23 that if you were to walk any of the properties, you
24 would see that. I was there with the original campus.
25 I saw them build -- or buy and build on the second

1 campus and I honestly think that they have done a great
2 job and I would think that with something as beautiful
3 as Villa Woodbine, a school might be the best thing.
4 It will preserve it. It will make sure that it is
5 there for years to come. They will have the resources
6 to keep it maintained. And I do not think that by the
7 look of the rest of the Grove in a particular area and
8 what has come up with the housing in the areas that
9 homeowners are going to do nearly as good of a job as
10 an institution as large as the Sacred Heart would do.
11 So, thank you.

12 MR. BAILLINE: I know how everybody's time is super
13 valuable, so what I promised my friends and clients at
14 Carrollton I would do for -- to expedite this is to
15 have anyone who is here -- I did this last hearing but
16 since we have another public hearing I might as well do
17 this again for the record. Anyone who is here on
18 behalf of Carrollton in terms of a supporter, whether
19 you are wearing a button or not, to please stand up and
20 wave. I do not want -- I do not know if you want
21 everyone to get up and come to the podium and say the
22 same things about preservation, construction, what have
23 you. And since it appears my own little personal -- I
24 think she is watching on the computer. I am missing my
25 daughter's 11th birthday dinner. Happy Birthday Sasha,

1 but we are here for a few more hours it would seem, so
2 thank you.

3 MR. KUVIN: I would -- my name is Lowell Kuvin. I
4 represent the residents and I would object to that
5 comment, that none of these people have come forward to
6 testify and none of them have come forward and entered
7 their address or their name into the record and I would
8 ask that you would basically ignore that they stood up.
9 And I understand that they support the school but,
10 however, if they are going to come up and testify and
11 give their name and their address and I think then you
12 can recognize in that. Thank you.

13 MR. HOPPER: It has been done in other meetings
14 the same way from both sides. Yes, sir.

15 MR. PATRICK: My name is Charles Patrick. I am an
16 attorney. My address is 1648 South Bayshore Drive. I
17 have lived in Coconut Grove since 1977, and I have seen
18 the Grove change dramatically and this is an example of
19 what is happening to Coconut Grove. It is being taken
20 over by corporations and you have heard the name
21 Carrollton. Well, Carrollton School of the Sacred
22 Heart is a fictitious name. It does not exist. It is
23 a fictitious name that was registered to a Corporation
24 called the Covenant of the Sacred Heart of Miami
25 Incorporated. That is a corporation that looks like it

1 is a convent, but it is not. There are no nuns in this
2 convent. The nuns left in 2015, and in 2016 the
3 company was taken over and the President of the convent
4 is the Headmaster of the School. His name is Olen
5 Kalkus. All of the corporate officers of this convent
6 are lay people. There are no nuns at that school.

7 MR. CAMPBELL: Forgive me my friend. Forgive me.

8 MR. PATRICK: All right.

9 MR. CAMPBELL: Forgive me for interrupting you,
10 but we are here to ask the public to speak on the
11 restoration, alteration, and demolition of the
12 property. If we allow everyone to speak like what you
13 are doing, we will be here forever. So, if you have
14 something to speak about the actual project and those
15 three events that I just mentioned, please address
16 that. Thank you.

17 MR. PATRICK: I am addressing -- this is what has
18 happened.

19 MR. CAMPBELL: But you are going into some other
20 history that is not relevant to this.

21 MR. PATRICK: No. This is what happening to
22 Coconut Grove.

23 MR. CAMPBELL: Yes, I understand but --

24 MR. PATRICK: And it is what is happening to this
25 property. This property --

1 MR. CAMPBELL: You are not listening to me, are
2 you?

3 MR. PATRICK: I am listening.

4 MR. CAMPBELL: No, you are not.

5 MR. PATRICK: Demolition and construction of a
6 massive school that is totally out of character with
7 the rest of Coconut Grove.

8 MR. CAMPBELL: Okay.

9 MR. HOPPER: There you go.

10 MR. PATRICK: It has a deleterious effect on the
11 entire Coconut Grove including all of South Bayshore
12 Drive, all of Tigertail and all of the surrounding
13 areas. And this has -- it fits a pattern of conduct
14 that is not the only time this has happened. It has
15 happened down in Carrollton. They will buy properties
16 all around Carrollton School now to convert them to
17 this use. This is a wolf in sheep clothing and this
18 Board has an obligation to this community to do
19 something about it and to preserve the history of
20 Coconut Grove and not let it be sold to Corporate
21 America.

22 MR. LOPEZ: Mr. Chairman, Honorable Members of the
23 Board, my name is George Lopez. My family and I reside
24 at 1889 South Bayshore Drive. I just want to comment
25 for the record that we also submitted direct

1 communication to Mr. Adams, be part of the record in
2 support of the application and specifically on the
3 points that you are addressing now and pointing to the
4 history and legacy that the Carrollton extended family
5 has done with their current properties and I would
6 submit to you that they will do with this property in
7 terms of any and all commitments to preserve and
8 enhance the site. Thank you very much.

9 MR. HOPPER: Thank you. Yes, madam.

10 MS. MARTINEZ: Good evening. My name is Maria
11 Martinez. I reside at 2541 Lincoln Avenue, so I am a
12 neighbor. I am about, you know, a couple blocks away.
13 I am also an alumna and I am also -- I also studied
14 Architecture at the University of Miami which is, you
15 know, known for its respect for preservation for urban
16 design, for respecting neighborhood. I understand
17 what, you know, the civic duty of an architect and what
18 a project of this magnitude can -- you know, implies
19 upon its neighbors. And I just want to express my
20 personal support for the project as well as remind the
21 Board and remind them to consider the fact that
22 Carrollton has a longstanding tradition of respecting,
23 you know, its -- or having respect for historic
24 preservation of its buildings, having respect for its
25 neighbor and its neighborhood. We all can look at the

1 -- its buildings along Main Highway on the way to Grove
2 and we can -- I think we could all say that they are
3 beautiful contributions to our neighborhood. I
4 personally think that they are part of the Grove. You
5 know, we are saying that this is a new Grove, but I
6 think that these -- those buildings are already part of
7 what Coconut Grove is. So, again, I express my support
8 and, you know, I encourage you to do so as well.

9 MR. HOPPER: Thank you. Yes, madam.

10 MS. MILLER: My name is Catherine Miller, 3221
11 Morris Lane. For those of you who do not know where
12 that is, it is a Cul De Sac, right between Villa
13 Woodbine and Ransom. I got myself a scooter because
14 many-many times I cannot get in and out. I know this
15 is about appropriateness, but in my world
16 appropriateness is also, is it appropriate for the
17 neighborhood in general. Can you just take an historic
18 site and build a school? If people cannot get to their
19 house or back, and I have two children and I love the
20 Grove and I love that I can chose from 18 different
21 schools. Do I need a 19th? I do not know. But still
22 it is not appropriate and I can take a scooter, but the
23 elderly neighbors I have in this Cul De Sac which need
24 an ambulance once a month at least, will not get their
25 ambulance during drop-off and pickup. I know it is a

1 different board but for some reason I have the feeling
2 that this is really intertwined in a very slippery
3 slope. So, please do not vote for this.

4 MR. HOPPER: Yes, madam.

5 MS. CARPENTER: Elena Carpenter, 1660 South
6 Bayshore Court. I thought a statement that I think was
7 too easily dismissed but was important, was made by Mr.
8 Lowell Kuvin and he said that it is really easy to say
9 stand up all those who are in favor of Carrollton, I
10 would have preferred that they come here individually
11 and they told me this is my name and this is my address
12 and I live in the City of Miami or better yet Coconut
13 Grove. But why do I say this because Carrollton School
14 as Ransom does, and my son went to Ransom and I went to
15 the Sacred Heart. They are going to serve Key Biscayne
16 South Miami, Coral Gables, Pine Crest and whatever else
17 I have forgotten, and the minimal amount of students
18 are going to be from Coconut Grove. It exists now in
19 Carrollton and it exists in Ransom and in many of the
20 high-price schools in Coconut Grove. However, to
21 service this expanded Miami-Dade County area, we are
22 going to take a 45 or 46,000-square foot structure and
23 skydive it right in the middle of a single-family
24 neighborhood which, I mean, activists of yore in
25 Coconut Grove must be just turning in their graves.

1 You do not do that. You expect protection from the
2 City in a single-family neighborhood. But what are we
3 going to do? We cannot talk about traffic, but Mr.
4 Heisenbottle whom I adore and respect did say that
5 currently at Villa Woodbine, 200 cars park in the
6 weekends against code and they park everywhere. When
7 Carrollton School for Boys has an event at night, those
8 400 cars are going to park on Morris Lane and Tigertail
9 and at Kennedy Park. Thank you.

10 MR. ARGIZ: Hi. Tony Argiz, 1450 Brickell Drive
11 and I just want to correct the record here. A
12 gentleman spoke out of tune here. First, it is not a
13 covenant. It is a Convent of the Sacred Heart that
14 owns the real estate. Second of all, he also indicated
15 that since 2015 there has not been a nun. That is a
16 sexiest word by the way. A nun since 2015, I like to
17 point out in the stand, there is a religious of the
18 Sacred Heart that has been at our school since 1980 --
19 1978 --

20 MR. ARGIZ: '63.

21 MR. ARGIZ: And her name is Ann Taylor. Ann,
22 could you get up? So -- and she is still at that
23 School. So, clear the record, you know, unfortunately
24 there is more -- not more religious to the Sacred Heart
25 because like every other order in the Catholic Church,

1 they are diminishing quickly. So, thank you for your
2 time.

3 MR. KAUFMAN: Thank you. Good afternoon. My name
4 is Ariel Kaufman. I am resident in Coconut Grove, 3757
5 Carmen Court. I am A Physician/Urologist practicing
6 actively at Mercy Hospital which I am on call right
7 now. And I took the time, I requested permit to come
8 here on behalf of most of the employees, physicians and
9 most important, thousands of patients that live in this
10 area, okay, and that have to depend on Mercy Hospital
11 for their health. This, as you may or may not imagine
12 effects people, effects life and this is a life or
13 death situation. A person can die on the way to Mercy
14 Hospital because he got an MI, a myocardial infarction
15 or a stroke, and those minutes that they are going to
16 be in traffic -- and believe me I drive to Mercy every
17 single day. I know that you are talking --

18 MR. CAMPBELL: Please. No, wait-wait, hold on a
19 second.

20 MR. HOPPER: Mr. Campbell. Mr. Campbell.

21 MR. CAMPBELL: Okay.

22 MR. HOPPER: And I must ask you, again, I know
23 everyone is concerned with traffic. We are not about
24 traffic. We are about demolition, restoration,
25 alteration, and new construction.

1 MR. KAUFMAN: Demolition. Carrollton School has
2 demolished houses that have historic preservation
3 value, like Parker House right next to the school and
4 there is another Parker House that they just bought
5 that has, as Mr. Adams probably knows, very historic
6 value and we will talk about that today. But if we are
7 talking about demolition, that is also important.
8 Carrollton School is demolishing houses right next to
9 the school for unknown purposes because only one house
10 is now in habitat by the school director. The rest of
11 the houses have no known purposes to be there. And I
12 hope that some point I can speak on behalf of the many
13 patients that go to Mercy Hospital. Thank you.

14 MR. HOPPER: Yes, madam.

15 MS. RHODES: Good evening. My name is Ebony
16 Rhodes. I live at 3146 Hibiscus Street. I did speak
17 at the last hearing and I am here again to reiterate
18 that there are those of us who are in support of this
19 project, who are members of Coconut Grove Community. I
20 was compelled to speak last time because I live in a
21 historic property in the Grove in one of the wood-frame
22 vernacular homes and that was a very controversial
23 process that I was a part of where I had to consider
24 personally how I felt about the importance of historic
25 preservation. And I am saying on record again that it

1 was because of Carrollton School of the Sacred Heart
2 and understanding, I work in the building of El Jardin
3 and I understand I have been brought into a culture of
4 stewardship, of preservation, and I respect that and
5 honor that, and that actually did change my personal
6 opinion on how I steward my own personal property and
7 also as the Director of Community Partners at the
8 School, it is my job and my point of pride to serve the
9 Coconut Grove Community directly and especially in the
10 West Grove which is also part of the community. So, in
11 that sense what we do as a school reverberates
12 throughout the community in many different nuances. I
13 want to make sure it is on record. Thank you.

14 MR. HOPPER: Thank you. Yes, madam.

15 MS. SEGEREN: Hi, Ann Hyslop Segeren again, 3301
16 Kirk Street. Just to -- I just do not know how this
17 quite fits in but just to add a little historical
18 context to our neighborhood which was constructed by an
19 architect, he constructed about 10 or 11 homes on what
20 was called The Hill which is the bluff
21 that we live on. He did so -- he was architect from
22 Bogota and he came up here, he actually built low-
23 income housing for those in South America and then he
24 got a grant from the City that allowed him to put up
25 these homes where I live and several of my neighbors

1 live, which do not -- which have minimal east-facing
2 windows so that they were economical, they did not
3 require air conditioning initially, and the whole idea
4 was a very environmentally-friendly approach. And so
5 he took down very few trees and due to that our houses
6 are built in different angles and around trees and, you
7 know, my house is cupping a sea grape and so, anyway, I
8 think they are about nine houses built by Hernando
9 Acosta and I just thought -- because I heard somebody
10 earlier talking about her window of a new historical
11 build was going to be three feet from her home and I
12 thought, wow, I did not know I had -- I could talk to
13 somebody about details like that and about maybe how
14 this would impact me. I thought that was -- I thought
15 maybe that would be selfish, but I think that I would
16 like to do that, but I just wanted to share the history
17 of our homes and how important that is and it actually
18 played in my decision to buy my home. So, thank you.

19 MR. HOPPER: Yes, madam.

20 MS. CARDELLO: Rachel Cardello, 2175 Tigertail
21 Avenue. It is kind of exciting to talk twice in one
22 meeting. I never had that happen before. But I want
23 to focus on -- you mentioned the compatibility
24 architecturally of this proposed school in the
25 neighborhood that we have. So, again, I live across

1 the street from the proposed double-wide driveway entry
2 point. My house is about 60-feet that faces Tigertail.
3 The academic building that is being proposed is 18-feet
4 off the street and is 111-feet wide. I consider my
5 house pretty typical for the area. It is about 2400
6 square feet. There is majority of the single family
7 with one little pop up, that is a second story and it
8 is a donut. So, I have a pretty significant courtyard
9 in there but the main house is about 2400 square feet.
10 In comparison to double the size in just what is front
11 in Tigertail, the depth of that building which is
12 facing my neighbors across the street on their side
13 lots, is 242-feet long. My house in the other
14 direction is 80-feet long. So, to give you a sense of
15 scale, we are talking about three times the size of
16 what I would consider an average house in that
17 neighborhood. If you continue on to the auditorium,
18 you have got about a 120-feet that are facing the side
19 lots and our neighbors and that is about 10 to 20-feet
20 depending on where you are off the property line. And
21 that roof while not measured on the drawings
22 themselves, probably peaks out at about 33-feet, again
23 much taller than the typical one-story homes that are
24 in this neighborhood. So, my problem is primarily
25 compatibility and scale. And earlier somebody on the

1 Board and I think it was Mr. Campbell asked, well, what
2 is it look like in context? I will show you if you are
3 interested. This is the scale put on an aerial of the
4 school relative to all the single-family homes. What
5 they are also not really talking about is the scale of
6 the academic buildings relative to Villa Woodbine
7 itself, and the idea of not overshadowing that is
8 significant resource on the site. So, I am happy to
9 share these two images that I think in terms of
10 compatibility, I do not think it is.

11 MR. HOPPER: Thank you. Yes, sir.

12 MR. FERRAO: Derek Ferrao, 3530 Rockerman Road. I
13 first want to just thank you because you all are
14 volunteers as I understand. So, I am very grateful
15 that you are sitting here and reviewing everything and
16 someone previously said you are our last best hope for
17 understanding our point of view and our view of this
18 area as it pertains to, you know, us living there. The
19 school, I think it is a -- I think Carrollton is a
20 wonderful place. The only point is we are disagreeing
21 with its location. We do not want it at Villa
22 Woodbine. We do not want any school. If any other
23 school wanted to come there, we would fight just as
24 hard to make sure it is not going to be there. To
25 build a 45,000-square foot presence in a residential

1 area impacts us greatly. You know, just the thought of
2 all the cars and all the other things that go with a
3 45,000-square foot structure with people coming in and
4 out, day in, day out, everyday of the week and there
5 are other factors because we -- I use Kennedy Park and
6 I do not know what is going to be the impact there. I
7 have people at Kennedy Park parking on our street where
8 we cannot get out and we had the City OR rather the
9 County put in a special area so we could back out and
10 they blocked off an area that we can back into the
11 street, so we can get out. I am just saying that we as
12 residents and I felt a little hurt when somebody
13 mentioned that Carrollton would do a better job on
14 Villa Woodbine than maybe a resident of Coconut Grove,
15 I think we have the appropriateness if we needed to do
16 something with it, but the point is that we feel it is
17 an appropriate use for now because it is not impacting
18 the residents to the level that this would. Thank you.

19 MR. HOPPER: Yes, madam.

20 MS. MCCONNELL: Sue McConnell. I am the President
21 of Village of Centre Grove which goes from US-1 to Main
22 Highway -- I mean US-1 to Main Highway.

23 MR. HOPPER: And your address.

24 MS. MCCONNELL: Yeah, a little.

25 MR. HOPPER: No, your address for the record,

1 please.

2 MS. MCCONNELL: 3090 Virginia Street. I did not
3 speak about the trees, demolition as an issue. I do
4 not know if we are going to be allowed to speak on
5 traffic, but whether or not we will be able to -- I
6 have a resolution here from the Villa of Centre Grove
7 asking you to deny this application. And if I may pass
8 this out to all of you I would like to do that now.

9 MR. HOPPER: Yes, go ahead and give one to the
10 gentleman over there and to the staff. Yes, sir.

11 MR. KUVIN: Yes. Good evening. My name is Lowell
12 Kuvin. I represent the residents and the homeowners
13 that surround this piece of property. I would just
14 like to say something to the Board that I think is very
15 important. Just because you could approve this, does
16 not necessarily mean that you should and the reason
17 being is that I think you have seen a lot of people
18 come up here and speak today and they have spoken very
19 passionately about their homes, their property and what
20 this School is going to mean to that piece of property.
21 Now, not one single person here has spoken out and
22 said, oh, we do not like Carrollton. Nobody here is
23 anti-school or anti-child, but this is a good project
24 but for the wrong location. These people, when they
25 bought their property here bought it next to Villa

1 Woodbine and that was very important to them, and some
2 of them have paid millions of dollars for their houses.
3 And now what we have is a corporation, basically a
4 business, that is going to move in and build a very
5 large building and bring a lot of traffic to the
6 neighborhood, and we have a school that is 250 yards
7 away from this particular piece of property. And
8 again, nobody is anti-school here, but what they are is
9 trying to preserve their way of life, their homes just
10 like you, the people on the Board here would want to
11 preserve your home or your style -- lifestyle. And it
12 has gotten to the point where it is the boiling, it is
13 the filling -- overfilling of the cup when it comes to
14 traffic. I was born in Miami. I was raised in Coconut
15 Grove in the 60s and so, yes, I have seen what it has
16 become. And, again, it seems a little bit like there
17 is a round peck trying to be put into a square hole
18 here. And, again, just one more time, just because you
19 can approve it does not mean you should. I see a lot
20 of people here that are passionate about the school and
21 what it is done for their children. However, they can
22 do that somewhere else. They can put in Coconut --
23 they can put it in Coral Gables, they can put it
24 elsewhere in the City of Miami. And, again, these are
25 a lot of homeowners that have come up and spoken to you

1 today. So, please just because you can does not
2 necessarily mean that you should. Thank you.

3 MR. KODSI: Hi. My name is Isaac Kodsi. I live
4 at 2131 South Bayshore. Again, I did speak here last
5 time. I abut the property with 450 feet. I will be
6 the most damaged resident in this entire room, okay,
7 but I am not here for myself though. I really am not.
8 What I want to come in and just say is really just one
9 keyword and that is really the word appropriate. That
10 is the whole purpose of this entire charade that we are
11 doing out here is one word and it is the word
12 appropriate. And the point is, yeah, they come to a
13 historical board and, you know, the previous applicant
14 came here to add to a house -- to a historical house.
15 They are not coming here and adding to a historical
16 house. My house is a John Peacock House. It is a 110
17 years old. The owner spent millions of dollars to
18 renovate it. A private citizen renovated a spectacular
19 home, okay. So, you want to come here -- they should
20 come here and talk to you about preserving a house.
21 Adding to a house, that is appropriate to a house not
22 to add a school. DeGarmo did not build a house so a
23 school could be added to it, because I am telling you
24 guys, you guys are going to create precedent in the
25 City of Miami. Someone like me who has got a

1 historical house with an extra acre -- and I am telling
2 you right now, I am already started thinking of what I
3 can build in the back of my house that is appropriate
4 now to a school -- to be another school, maybe a tennis
5 school, maybe -- I do not even know what but I will
6 figure it out, because that is what you are going to
7 start doing here. That is what the purpose of your
8 Board is here. So, when they came up here and they
9 said to you, we did not build as much as we could, no
10 normal person is building a 45,000-square foot house if
11 they bought 3.7 acres. A person that would buy 3.7
12 acres in the Grove would take the existing home, add
13 another couple of thousand square feet to it and then
14 the rest would be all lush gardens, okay, not a
15 200,000-square foot -- I mean, 240-foot building, okay.
16 That is not a house. Remember we are on a house
17 property. This is a residential property with a
18 special exception, okay, for a private club. That has
19 how this has all started, okay. This was a regular
20 residential house, okay. They could not do what they
21 are doing. It is flat out. They are playing you guys.
22 They are just simply playing you. Thank you.

23 MR. HOPPER: Thank you.

24 MR. KODSI: And I am Carrollton parent, I am very
25 proud of it.

1 MR. HOPPER: Anyone else? Now, I will close the
2 public hearing and allow attorneys some rebuttal time.

3 MR. WASSERMAN: Sure. And I will keep my rebuttal
4 very brief and I will turn it over to Rich Heisenbottle
5 to walk you through the design of the new construction,
6 again, for the record.

7 MR. HOPPER: Okay.

8 MR. WASSERMAN: So, from just a -- again, this was
9 the presentation we made at the last hearing but for
10 everyone's benefit again we are now talking about the
11 certificate of appropriateness and from a
12 jurisdictional perspective it is important to remember
13 what it is we are talking about under the certificate
14 of appropriateness, that is this blue outline of the
15 property. This is based on a designation report which
16 created the jurisdiction along with this application.
17 You will notice very little does it touch Tigertail
18 side; it does not touch this side of the property or
19 this side of the property. Again, just for technical
20 explanation, I wanted that to be clear again for the
21 record. I mentioned this prior but, again, when you
22 are trying to understand where the new construction is
23 located we followed the designation reports, guidance,
24 and I said this of -- this point a few hours ago I
25 think, but the whole point of this designation was to

1 allow sensitive development at the rear of the property
2 and on adjoining lots.

3 MR. HOPPER: And while you are there let me just
4 ask you to clarify something. Is this construction
5 going into rear of the property?

6 MR. WASSERMAN: Yes.

7 MR. HOPPER: Is it -- is any of it going in the
8 front of the property?

9 MR. WASSERMAN: No. In front of the Woodbine from
10 --

11 MR. HOPPER: You define front as being towards --
12 facing Bayshore Drive.

13 MR. WASSERMAN: Bayshore, sp it is towards the
14 Scenic Transportation Corridor and the front of Villa
15 Woodbine. That is correct.

16 MR. HOPPER: And the other construction is on the
17 adjoining lots, is that correct?

18 MR. WASSERMAN: Correct. That is correct.

19 MR. HOPPER: Thank you.

20 MR. WASSERMAN: I will turn it over to Rich.
21 Yeah, just start with that please.

22 MR. Heisenbottle: Board Members, members of the
23 audience this evening, I think we are all tired and we
24 sat here last time through, what was it, three-and-
25 half, four hours worth of testimony on the details of

1 how this was built and I actually think that I did a
2 rare thing. I took the approach of speaking to you
3 about what our thought process was, what our logic
4 diagram was for the design of this project. And I am
5 going to just kind of keep this discussion much shorter
6 than last time. And I think that is the pleasure of
7 the Board that you do not want my one-hour version, so
8 we are going to make it a 10-minute version. Why do we
9 do the things we do -- did where we did them? We built
10 the School in this location -- the new two-story school
11 in that location because it allowed for two different
12 things. It allowed us to occupy land that was already
13 built upon by the previous homes that were being
14 demolished, and we have showed you those homes. You
15 know what the site plan looks like. Why did we put the
16 auditorium in this location, because it is a location
17 that had few if any trees, and both were located across
18 the way -- across the roadway from the building. We
19 never had to attach it to the existing Villa Woodbine.
20 We only had to make it in proximity and give it a nice
21 connection with an arcade -- a covered arcade that the
22 students can transfer from the classroom building on
23 the left to the auditorium building on the right. Why
24 did we locate the entrance in the middle of the
25 property? Because by locating the entrance in the

1 middle of the property we can be assured that our
2 school is not going to line up traffic outside of
3 Tigertail. But traffic is not the discussion, we know
4 that. We did everything in the site plan that we can
5 possibly do to accommodate the historic nature of this
6 site including the bluff and relative to the bluff, I
7 might add, we have Bob Carr with us, our archeologist.
8 Bob is standing right there. As I said to you before,
9 we have followed Bob recommendations of how to protect
10 this bluff to a T, even though it is not the kind of
11 bluff that can be visualized or even seen from the
12 street. So, now, I want to shift gears a little bit
13 and talk to you about what we are actually doing with
14 Villa Woodbine itself. Then, this is the part of the
15 presentation that I think -- we should get someone to
16 put this up on the screen in front of all of you. Not
17 happening, anybody -- there we go. The restoration of
18 Villa Woodbine itself will be as meticulous as any
19 restoration my firm has ever done. While the building
20 gives the impression of being in a very good condition,
21 it has not a seen a lick of work in more years than we
22 can imagine. It has been converted -- most of the
23 lower area has been converted to a kitchen to serve the
24 200 or so -- 225 guests that come every weekend
25 outside. That lawn that the guests use will now become

1 a play area for the students. You have got in front of
2 you an existing and proposed set of floor plans that
3 depict all of the kinds of work that we will be doing
4 to restore this building. All of it will be done in
5 accordance with the Secretary of the Interior Standards
6 right down to the restoration and/or replacement when
7 necessary of windows and doors and iron work, removal
8 from the building of inappropriate air-conditioning
9 units and electrical lines that have been attached
10 virtually all over the place. The only architectural
11 intervention on the inside of this building and one
12 that will not be seen, I might add, is the intervention
13 of putting an elevator to bring a lift, to bring
14 handicap persons up to the second floor, and we did
15 that with enough care to assure that that is not seen
16 from the outside of the building, it never goes through
17 the roof with the override. On the outside of the
18 building, every element of that building from the
19 wrought iron-gate work to the roof is being restored.
20 Notice, I said restored, because restoration is the key
21 to this entire process. If you look -- if you could
22 see this closely enough, I do not know if they -- how
23 it comes up on your monitors back there. You would
24 know -- you would see that the existing -- let us see
25 if I can -- yeah, that works. Look at that. Touch

1 screen. We will be removing things such as the exhaust
2 fans that come out of the kitchen and that area will be
3 completely renovated to become the teachers lounge.
4 All the electrical work that is now there
5 that is all over this building will ultimately go way.
6 You will be left with a properly-restored historic
7 DeGarmo Landmark that anyone and everyone here should
8 be proud to have, no additions, no alterations. Each
9 of the interior spaces has been converted to a use --
10 an administrative use for the school except for one
11 room. That room is the chapel and we have taken the
12 living room in the DeGarmo house and we will convert
13 that to a chapel. Ladies and gentleman, that is the
14 essence of this restoration project. Sensitive site
15 planning to mitigates the problems of -- that would
16 normally occur with a school and sensitive historic
17 preservation that meets the Secretary standards. I
18 urge you to approve our Certificate of Appropriateness.
19 Thank you.

20 MR. WASSERMAN: Like I said, two quick cleanup
21 items just to be clear. Because it is a reopen public
22 comment I am not sure procedurally, I just want to make
23 sure all of the prior hearing is incorporated by
24 reference and is part of the records, and I will close
25 with staff is recommending in favor of this item.

1 There is substantial competent evidence for you all to
2 rely on to approve this request, thank you.

3 MR. HOPPER: Thank you very much. The public
4 hearing is now closed and we will open to -- and I
5 really mean it this time. For both items and we will
6 have opportunity for discussion, questions, comments on
7 Item 2 or Item Number 3 and 4.

8 MR. CAMPBELL: I have a question. How did the
9 Carrollton School acquire this property?

10 MR. WASSERMAN: We are contract purchaser.

11 MR. CAMPBELL: Okay. Who was the owner of the
12 property before the school?

13 MR. BAILINE: Ryan Bailine, again, 333 Southeast
14 2nd Avenue. We will be acquiring the property in the
15 next few weeks.

16 MR. CAMPBELL: Okay. And the owner of the
17 property at present?

18 MR. BAILINE: Is a family -- I believe a Greek
19 family that lives in Panama.

20 MR. CAMPBELL: Okay. And the Villa was designated
21 historic but -- and that historic designation of the
22 Villa sits on this family's property. So, am I
23 correct? The designation was approved by the owners of
24 the property at the moment.

25 MR. BAILINE: The folks that own the property now

1 did not own the property when it was designated. The
2 designation was several years ago.

3 MR. CAMPBELL: Okay.

4 MR. BAILINE: I am not sure who owned it at the
5 time.

6 MR. CAMPBELL: Okay. So, I am just trying to get
7 a clear picture of the neighbors and the neighborhood
8 and the people that surround the immediate adjacent
9 properties and the immediate adjacent neighbors around
10 the property. From reading the information, I thought
11 that I had an impression that perhaps the site was
12 owned by the City of Miami or it had some kind of
13 public use or the Villa itself had some public use. It
14 was the -- has it been always a private property?

15 MR. BAILINE: The answer is yes. I am not sure
16 where you may have read what you read, but I heard
17 secondhand that when -- a couple of weeks ago or
18 whenever it was, when the Dade Heritage Trust reviewed
19 our plans they did what I thought was an interesting
20 thing. They allowed Mr. Heisenbottle to go over the
21 plans and before that they had the folks who presented
22 the other side I guess, present the plans. They did
23 not allow us to be in that room. And there was a
24 representation made on the record at that meeting that
25 there was a recorded covenant that, you know, there had

1 to be some park-like features or something like that.
2 I am not sure if that is what you are referring to. I
3 heard that as well but you can rest assure whether it
4 is entitled or in any of the agreements that you have
5 reviewed, that could not be farther from the case.

6 MR. CAMPBELL: Okay. It was not that but --

7 MR. BAILINE: That is what I heard, so I was just
8 sharing with you.

9 MR. CAMPBELL: Okay. So, it has always been a
10 private property?

11 MR. BAILINE: Yes, and is certainly not owned by
12 the City of Miami.

13 MR. CAMPBELL: Okay. Now, it was -- what was the
14 zoning designation for that property? What is the
15 zoning designation for it at this moment in time?

16 MR. WASSERMAN: It is a T3-R with an NCD-3 overlay
17 and there is an approved commercial use on site today.

18 MR. CAMPBELL: So, it is an approved commercial
19 use. Has that always been there, that approved
20 commercial use?

21 MR. WASSERMAN: I do not recall off the top of my
22 head when that commercial use was approved, but that is
23 the current use of the property today.

24 MR. CAMPBELL: Okay. So, you have no idea when
25 the designation was -- or the zoning was change to

1 allow commercial use on that property?

2 MR. WASSERMAN: Off the top of my head, no.

3 MR. CAMPBELL: Or how many years, you have no
4 idea?

5 MR. WASSERMAN: I just do not recall and I
6 apologies.

7 MR. CAMPBELL: Okay, but that is public
8 information though that the property --

9 MR. WASSERMAN: There is a City license for it.

10 MR. CAMPBELL: Right, so the property -- this is
11 public information, the property is private and the
12 zoning designation has -- does allow commercial use.

13 MR. WASSERMAN: Correct.

14 MR. CAMPBELL: Okay. So, I would just like to say
15 knowing that this property has this potential to be
16 used commercially, the fact that the Carrollton School
17 has purchased or is attempting to purchase the property
18 and has hired Mr. Heisenbottle to do, what I think is,
19 a very graceful intervention into that property, very
20 well complimenting the buildings that are there now. I
21 live in neighborhoods that surround the Design District
22 and at the moment we are battling properties that want
23 to build 25-story high-rise apartment buildings. That
24 is the kind of battle we are facing there. This is a
25 private property that has a commercial use with very

1 graceful buildings and I think the people of the Grove
2 should actually take a moment and a breath to think
3 about what you actually have and the type of battle you
4 are facing versus what is going on around the rest of
5 the City. One concern I did have about the property --
6 well, I had a couple of concerns. The environmental
7 features, I am not satisfied that the coral-rock wall
8 which is facing the pool deck in on the lower southeast
9 corner of the property, is only 20% at most of the
10 frontage of Bayshore Drive. It does not obliterate the
11 enjoyment of the view along Bayshore Drive. I am also
12 satisfied with the plan sections and elevations and the
13 restorations that office of Mr. Heisenbottle has done
14 and I would -- I was concerned -- I am concerned about
15 the traffic, but I think the energy of that should be
16 taken away from this location where we are on this
17 night, and taking to the PZAB Board meeting, that is
18 the same energy you have here tonight about the traffic
19 and the impact when -- the member of this planning and
20 zoning, those guys will be able to really knock down
21 the situation about traffic movement, you know zoning
22 issues. Take the energy -- the same energy you have
23 showed us tonight and the same passion, make sure you
24 have it when you present to -- when you -- when this
25 issue comes up at that Board. Yes, I think that this

1 project will be a good thing for the future of the
2 neighborhood, seeing that worse could happen and it is
3 a commercial private property. Just take a breath and
4 think about it for a moment.

5 MR. HOPPER: Do you have any questions or
6 comments?

7 MS. TURROS: I wanted clarification on something
8 that has been mentioned a couple of times about the
9 1999 overlay or historic preservation overlay, and I
10 want to ask the City Attorney. I think Ms. Lewis was
11 also asking you about it. Somebody said that that was
12 overwritten by Miami 21, so that those actual --

13 MS. KETTERER: So, the reason why I said I
14 somewhat agree with the Attorney for the Applicant is,
15 I do not know that it was necessarily overwritten.
16 However, this -- or this particular ordinance was a
17 specific request under the previous zoning ordinance
18 and those requirements or the findings were for this
19 particular request. So, after reviewing this ordinance
20 and the previous zoning ordinance this seems to be like
21 a conditional use or a deviation from the use that is
22 allowed under their current zoning which may explain
23 why they have a commercial use there. So, this was
24 basically a deviation of the use.

25 MS. TURROS: So, these conditions still apply to

1 that specific property?

2 MS. KETTERER: Well, they are not conditions.
3 They are basically findings that when City Commission
4 approved this they found that that particular use was
5 in conformity with the Miami Comprehensive Neighborhood
6 Plan, was not contrary to the established land-use
7 patterns, all of those things. These were findings,
8 not necessarily -- they were not imposing those
9 conditions, etc. It was basically findings that that
10 use complied with all of those.

11 MS. TURROS: So, is it your legal opinion to the
12 Board then to disregard those findings considering --

13 MS. KETTERER: Well, it is not applicable to
14 the current application.

15 MS. TURROS: Okay.

16 MS. KETTERER: Because those findings were
17 applicable to the request to use the property in that
18 way at that time. This right now is the Special
19 Certificate of Appropriateness for the alterations,
20 demolition, construction, regarding the new project.
21 Does that make sense?

22 MS. TURROS: Yes.

23 MS. KETTERER: Okay.

24 MR. HOPPER: We are ready for our motion.

25 MS. LEWIS: Couple of questions and then comments.

1 I always get nervous when very skilled-applicant teams
2 come before this Board and say, please give us a
3 Certificate of Appropriateness under Chapter 23, and we
4 say, okay, but you know we have really narrow
5 jurisdiction. We issue a certificate of
6 appropriateness and then six months, two years later,
7 we find that it was represented to another board that
8 has different and perhaps greater jurisdiction. Well,
9 the HEP Board approved us and thus there is an argument
10 made by very skilled-applicant counsel that we relied
11 to our detriment and we spent lots of money on legal
12 fees and architectural fees and so you cannot take it
13 away because they, the HEP Board approved so. So, I
14 always struggle with, how can we stop very skilled-
15 applicant teams from making that kind of an argument.
16 I do not have a good answer yet. So, we are here and
17 you all have said and staff has said and counsel has
18 said, well, but we cannot do this use because we have
19 to go to PZAB first, understood. And, well, you know,
20 you could condition the Special Certificate of
21 Appropriateness as staff has recommended on full
22 approvals under Miami 21, got it. So, indulge me to
23 get it all out and then you can answer please. Why
24 should not you go to PZAB first to get the use? Next
25 question, our ordinance is very clear that you need to

1 have an architectural -- an archeological survey before
2 a special certificate of appropriateness can be granted
3 in this type of district, and I understand that our COA
4 can be conditioned upon going out and getting an
5 archeological survey and a Certificate to Dig, indeed
6 that is what staff has recommended. But I have another
7 question, why have you not done an archeological survey
8 first? Then to my fellow Board Members. We are
9 struggling with what can we do, what can we say, what
10 context can we be aware of with regard to a historic
11 site that I believe was colored grey and only touches
12 Tigertail a little bit and it is a narrow site. And
13 our Code Chapter 23 says that a special certificate of
14 appropriateness shall be decided by the Board based on
15 the guidelines in the chapter as well as the general
16 purposes of the chapter. Guidelines, and this is 23-
17 6.2(h) say that -- and I am paraphrasing and I have
18 lost it on my computer, so you are just going have to
19 humor me until I pull it up, okay, that we will look at
20 among other things -- damn it, I cannot even pronounce
21 it, the state of congruitness. It does not use those
22 words. It says congruity between the subject structure
23 and its neighboring structures and surroundings. So, I
24 would say to all of us though we are not the PZAB and
25 should not pretend to be the PZAB, we do not have the

1 skill or the competence or the law behind us, and we
2 would get overturned if we do not want that, that we
3 can consider with regard to a special certificate-of-
4 appropriateness application, the congruity between the
5 historic structure and what is proposed to the
6 modification to that specially-designated structure.
7 Compare -- evaluate the congruity between that and its
8 neighborhood structures and surroundings. And our
9 general purposes of the statute -- I will go away.
10 Include the intent and purpose of Chapter 23 is to
11 preserve and protect the heritage of the City, yakedi-
12 yakedi, and further intended to -- and I am quoting,
13 effect and accomplish the protection, enhancement,
14 perpetuation and use of structures, landscape features,
15 archeological and paleontological resources, areas,
16 neighborhoods and scenic vistas which represent
17 distinctive elements of the City's historic cultural
18 archeological, paleontological, aesthetic and
19 architectural heritage. Protect -- Number 3, protect
20 and enhance the aesthetic and environmental character,
21 diversity and interest of neighborhoods. So, to recap,
22 we are bound by 23-6.2. We shall decide based on the
23 guidelines as well as the general purposes of the
24 chapter. The guidelines include looking at the
25 congruity between the subject structure and its

1 neighboring structures and surroundings, purpose of the
2 Chapter 23-1(a) (1) and (3) are the parts that I have
3 just quoted. I am not trying to sandbag you all nor am
4 I trying at this late hour to get into a legal argument
5 about what those words mean. But you all -- all you
6 people in blue t-shirts, all you fellow alumnae will
7 have another opportunity in front of PZAB to talk about
8 traffic and to talk about congruity but we have the
9 opportunity to talk about congruity tonight. So, why
10 have you not -- why did not you go to PZAB first? Why
11 did you not get an archeological study first?

12 MR. WASSERMAN: Sure. So, this was heavily
13 discussed at the last hearing and I will give you the
14 recap. When we started this project many-many months
15 ago that was one of the very first questions we asked
16 and the Planning Director opined that you have to go to
17 the Historic Board first before you go to the Planning
18 Zoning & Appeals Board. Historic preservation was of
19 paramount importance; we need to know where we can
20 build, the size that we can build, what the proposed
21 structures will be and then we can talk about the use.
22 That was the direction from the City to us and we have
23 followed that and we have also made that clear at every
24 step of the way. I have appeared in these chambers. I
25 think it was in May or June at our first presentation

1 at the Village Council and we advertised to the
2 community, we are going to HEPB with a certain date.
3 It got differed. It got postponed but we have always
4 been traveling under this path of HEPB first, Planning
5 Zoning & Appeals Board second. And I am assuming PZAB
6 would also say the same thing, we do not want to touch
7 this until HEPB touches it. So, it was the directive
8 from the Planning Director from the City to us, this is
9 the appropriate procedure and this is the appropriate
10 method you need to follow.

11 MS. LEWIS: Who else you got to rely on?

12 MR. WASSERMAN: By the Planning Director, correct.
13 I would also add that you asked a fair question about
14 what will prevent us from going to the Planning Zoning
15 & Appeals Board and representing that look, we have the
16 certificate of approval, we have the certificate of
17 appropriateness, HEPB has blessed us. They love the
18 school use. They fully approved everything. It may
19 not mean anything -- I of course would not do that.
20 Our team would of course not do that. I am sure
21 trusted Opposing Counsel would not let us do that, so I
22 hope that gives you some comfort. Based on my
23 representation I am sure I will be corrected if I did
24 say that on the record at PZAB, we will not be doing
25 that. The certificate of appropriateness criteria that

1 you mentioned, mentions a couple things and it
2 addresses multi-district sites, historic districts and
3 historic sites. So, when you are looking at the
4 criteria you have to ask what is it that we have here
5 and what we have here is a historic site. There are
6 specific historically designated components of this
7 project -- of this property. Not every structure on
8 the property is historic. Villa Woodbine is obviously
9 the main crux of it. That is the meat and potatoes of
10 this designation report, and when we analyzed
11 compatibility, contextual, architectural design,
12 congruity, we are really focusing on its relationship
13 to Villa Woodbine. Now, having said that, that does
14 not mean and Rich could explain this better than I can,
15 that we did not design a building that we felt fit in
16 appropriately as well with the site as a whole. It was
17 not just an isolated design component. You asked about
18 the Certificate to Dig. The Certificate to Dig is a
19 standard condition and almost every relevant
20 application that requires before this Board. It is the
21 common practice that we can get a building permit
22 without going through that exercise, without going
23 through that analysis. We have Bob Carr here tonight.
24 He did a site visit. He is our archeologist and he
25 would be doing it as well when the appropriate time

1 came. We are not trying to avoid that by any means.
2 We had him inspect and take a look at the bluff. It is
3 important to us. I think our detailed presentation and
4 analysis on the subject confirms our commitment to
5 doing that, but that is how every application that has
6 come before you has gone before and we follow that
7 practice.

8 MR. HOPPER: Any other questions or are you ready
9 for a couple of motions? Mr. Tragash?

10 MR. TRAGASH: So, pursuant to Section 23-6.2 of
11 the City Code of Ordinances, as amended by the
12 applicant to approve a special certificate of
13 appropriateness to allow for the demolition,
14 restoration, alteration, and new construction.

15 MR. HOPPER: Time out. Can we do Number 2 first?

16 MR. TRAGASH: Okay.

17 MR. HOPPER: That was Number 3.

18 MR. TRAGASH: I thought we were doing the --

19 MR. HOPPER: Okay.

20 MR. TRAGASH: So, pursuant to Section 23-6.2(b)(4)
21 of the City Code of Ordinances as amended, the
22 applicant who is requesting us a -- to make a motion,
23 to approve a Special Certificate of Appropriateness to
24 allow for the alterations and new construction on this
25 parcel. The subject property is a contributing site --

1 actually, think I have the wrong one here. So, to
2 continue this, the motion for an approval with the
3 following conditions for Special Certificate of
4 Approval. Number 1, the site should be developed and
5 accordance with the plans as prepared by R.J.
6 Heisenbottle, Architects, consisting of 71 sheets
7 submitted under PZ 19-3159. The plans are deem as
8 being incorporated by reference herein. Number 2, the
9 Applicant shall comply with all applicable requirements
10 of Miami 21 Code, Chapter 17 and Chapter 23 of the City
11 of Miami Code of Ordinances as amended. Number 3, the
12 Applicant shall comply with the requirements of all
13 applicable departments, agencies, as a part of the City
14 of Miami Building Department -- Building Permit
15 submittal process. Number 4, the resolution shall be
16 included in the master-permit set. Number 5, the
17 Applicant shall create a silver bluff educational
18 viewing platform. Number 6, the Applicant shall
19 include a landscape buffer as detailed in the updated
20 plan set. Preservation Officer in conjunction with the
21 Environmental Resource Chief shall be able to approve
22 non-substantial changes to the landscape buffer.
23 Number 7, the Applicant shall provide a tree
24 disposition, super-imposed site plan that depicts the
25 canopy of each specimen-sized tree within 30-feet of

1 any proposed development to scale. These same canopies
2 must be drawn in a matter that resembles their
3 respective shapes and dimensions to the greatest
4 reasonable extent. Number 8, the Applicant shall avoid
5 all construction activity within the tree-protection
6 zone of any tree that is to remain. This includes the
7 installation of any underground utility, any grey
8 changes in any -- and/or any soil compaction. If the
9 Applicant is to reduce the size of any tree-protection
10 zone, the Applicant is to perform an investigative
11 digging during -- under the supervision of the ISA
12 Certified Arborist. That same arborist is to provide a
13 supplemental report documenting if the reduction in
14 tree-protection zone is reasonable. Number 9, the
15 Applicant shall include plan sheet L-05, the existing
16 tree study as part of the master-permit set. And,
17 Number 10, for any specimen tree that cannot be
18 reasonably preserved in its current location, the
19 Applicant is to asses which of these trees are
20 appropriate -- are an appropriate candidate for
21 relocation. Any good candidate shall be relocated by
22 their onsite or within the City owned property within
23 Commission District 2. This may exclude any tree
24 listed as being in poor condition.

25 MR. HOPPER: Is there a second?

1 MR. CAMPBELL: Yes.

2 MR. HOPPER: Mr. Campbell has seconded. Any
3 discussion on the motion?

4 MS. LEWIS: Yes.

5 MR. HOPPER: Yes, madam.

6 MS. LEWIS: I would think that the motion should
7 be conditioned on at least two things -- two additional
8 things. Number 1, that a certificate of
9 appropriateness under HEP Item 3 be granted, that this
10 Board would grant a Special Certificate of
11 Appropriateness. And the second condition ought to be
12 that it is put in the record that the Applicant has
13 voluntarily waived any argument of detrimental reliance
14 to be used -- relied before any board that if this
15 resolution passes that we are approving anything with
16 regard to use traffic, driveways, anything.

17 MR. HOPPER: Do you accept those conditions?

18 MR. WASSERMAN: Absolutely.

19 MR. HOPPER: And as the maker of the motion I
20 accept this to -- so, those are conditions 11 and 12.
21 Do you accept Mr. Campbell?

22 MR. CAMPBELL: Yes.

23 MR. HOPPER: Okay. Any other discussion on the
24 motion? We have a roll call, please.

25 MS. ALVAREZ: Mr. Tragash?

1 MR. TRAGASH: Yes.

2 MS. ALVAREZ: Mr. Campbell?

3 MR. CAMPBELL: Yes.

4 MS. ALVAREZ: Mr. Cawley?

5 MR. CAWLEY: No.

6 MS. ALVAREZ: Ms. Galvez Turros?

7 MS. TURROS: Yes.

8 MS. ALVAREZ: Ms. Lewis?

9 MS. LEWIS: No.

10 MS. ALVAREZ: Mr. Trachtenberg?

11 MR. TRACHTENBERG: No.

12 MS. ALVAREZ: Mr. Prieto Y Munoz?

13 MR. MUNOZ: No.

14 MS. ALVAREZ: And Dr. Hopper?

15 MR. HOPPER: Yes.

16 MS. ALVAREZ: Motion fails by four to five -

17 - four to four.

18 MR. HOPPER: We need a majority vote. We are not

19 finished. We are not. Please be seated. We are not

20 finished.

21 MS. KETTERER: So, if I may, this Boards

22 rules and procedures provides that if there is a tie

23 vote, it would be construed as a denial.

24 MR. HOPPER: Right, but we need another motion.

25 Is that correct? Do we need a substitutive motion?

1 MR. LEWIS: Because if we do nothing it is deemed
2 a denial.

3 MR. HOPPER: Okay.

4 MS. KETTERER: That is right. So, as it
5 stands there is a denial. If the Board wishes to
6 reconsider there could be a motion to reconsider, but
7 as it stands it is going to be deemed as a denial.

8 MR. HOPPER: So, we do not need -- we do not need
9 affirmative motion. No?

10 MS. KETTERER: Correct.

11 MR. HOPPER: Okay. Then we are onto Number 3.

12 MR. TRAGASH: I will make a motion to prove a
13 resolution, Miami Historic Environmental Preservation
14 Board approved this application for Special Certificate
15 of Appropriateness for demolition, restoration,
16 alteration and new construction to the property located
17 approximately 2167 South Bayshore Drive. And subject
18 to the following conditions, the site shall be
19 developed in accordance with the plans prepared by R.J.
20 Heisenbottle, Architects, submitted as part of the
21 application PZ 19-695. These plans are deemed as being
22 incorporated and reference herein. Specifications and
23 manufactures brochures or color photographs of all the
24 proposed new windows and doors shall be submitted to
25 staff for review. All proposed paint color shall be

1 submitted to staff for review. The labeling of the
2 doors on the east elevation drawing of the new-main
3 building is incorrect and shall be corrected. Number
4 6, demolition-keynote numbering shall be corrected.
5 Number 7, all interior historic-floor and wall tiles
6 shall be retained where possible including tiles from
7 adjoining rooms when an interior wall is removed.
8 Number 9, Certificate to Dig is required for all
9 ground-disturbing work as the site is located within a
10 high-probability archeological conservation area. The
11 Applicant shall apply for a Certificate to Dig. Number
12 10, a certificate of approval is required for all work
13 impacting coral-rock walls, trees and natural features,
14 such as the limestone bluff as the site is located
15 within an Environmental Preservation District and a
16 Scenic Transportation Corridor. The Applicant shall
17 apply for Certificate of Approval. Number 11, the
18 Applicant shall apply for all required waivers. 12,
19 the Applicant shall be included in the master-permit
20 set -- the resolution shall be included in the master-
21 permit set. The Applicant shall comply with all
22 applicable requirements of Miami 21 Code and Chapter 17
23 and Chapter 23 of the City of Miami Code of Ordinances.
24 And, last, the Applicant shall comply with the
25 requirements of all applicable departments, agencies as

1 part of the City of Miami Building Permit submittal
2 process.

3 MR. HOPPER: Is there a second?

4 MR. CAMPBELL: Yes.

5 MR. ADAMS: Can I just point out that one of the
6 conditions is that they apply for a certificate of
7 approval and that is just being denied?

8 MS. LEWIS: Discussion.

9 MR. HOPPER: Mr. Campbell has seconded.

10 MR. WASSERMAN: Yes.

11 MR. HOPPER: Ms. Lewis has some discussion.

12 MS. LEWIS: I wonder whether you would want to
13 also add two more conditions. One, receipt of a
14 certificate of approval concerning the proposed
15 construction regard -- related to the significant
16 environmental features and a last one, conditioned on
17 the applicants waiver of an argument that it relied on
18 the HEP Board approval that is entitling it to a school
19 use or approving any driveways or points of vehicular
20 ingress and egress.

21 MR. TRAGASH: Yes, I will accept that, but I would
22 like just for the discussion on Mr. Warrens Adams
23 question on how dependent is this motion or the last
24 motion that this was not approved.

25 MR. ADAMS: Okay. And I should also point out

1 that the certificate of appropriateness only covers the
2 area of the site that is designated. The area of the
3 site with the swimming pool and the auditorium and that
4 is not covered under the certificate of
5 appropriateness. That is covered under the certificate
6 of approval and the certificate to dig. So, this only
7 relates to the idea that this is historically
8 designated.

9 MS. LEWIS: But, Mr. Adams, their plans encompass
10 three point -- encompass 169,000 -- almost 170,000-
11 square feet. So, the plans include the grey map, the
12 historic property plus the vacant lot, so that to me --
13 and this is the intent of my request for adding two
14 more conditions, they interrelate. So, we can say we
15 approve the -- we can issue a COA for the plans for the
16 historic property but it is got to be condition on if
17 you want to do the Heisenbottle plans which include an
18 auditorium and a pool and a deck, you got to get a
19 certificate of approval with regard to that other --
20 other part of the property, that is all I mean.

21 MR. ADAMS: Yes, yes.

22 MS. LEWIS: That is all I mean.

23 MR. ADAMS: Yes --

24 MR. HOPPER: A new one.

25 MS. LEWIS: Right.

1 MR. CAMPBELL: So, let me get this straight. The
2 condition for -- to be able to construct or demolish,
3 restore the Villa was what was just denied or --

4 MS. LEWIS: No, we have not voted on it.

5 MR. HOPPER: That is this one.

6 MR. CAMPBELL: Okay. What Mr. Adam just stated
7 about approving Item Number 3, one of the conditions
8 was the approval of Item Number 2, correct?

9 MR. ADAMS: Yes.

10 MR. CAMPBELL: So, in proceeding with Number 3 and
11 one of the conditions for getting Number 3 was not
12 approved, how do we now proceed with Number 3? And I
13 am confused.

14 MR. HOPPER: I believe they would be --

15 MR. CAMPBELL: Two applications mean of what, what
16 content?

17 MR. HOPPER: They would need a new application for
18 a certificate of approval.

19 MR. CAMPBELL: By the applicant?

20 MR. HOPPER: Yes.

21 MR. CAMPBELL: To this very same board?

22 MR. HOPPER: Yes.

23 MR. CAMPBELL: Okay.

24 MR. HOPPER: Any other questions or comments?

25 Okay, let us have a roll call.

1 MS. KETTERER: Just to clarify, were those
2 conditions adopted by the mover and the seconder?

3 MR. HOPPER: By the mover, yes.

4 MR. CAMPBELL: Yes.

5 MR. WASSERMAN: Could you for my benefit, I
6 apologize. Could you repeat the extra two conditions?

7 MS. LEWIS: 18 of them?

8 MR. WASSERMAN: No-no, please no.

9 MS. LEWIS: The last two. It is conditioned upon
10 a certificate of approval concerning construction and
11 development within the areas of significant
12 environmental features and it is conditioned upon the
13 applicant waiver of any argument that it relied on the
14 HEP Board approval that is entitling the applicant to a
15 school use or approving of driveways, or points of
16 vehicular ingress or egress. Yes.

17 MR. HOPPER: Yes. Roll call.

18 MS. ALVAREZ: Mr. Tragash?

19 MR. TRAGASH: Yes.

20 MS. ALVAREZ: Mr. Campbell?

21 MR. CAMPBELL: Yes.

22 MS. ALVAREZ: Mr. Cawley?

23 MR. CAWLEY: No.

24 MS. ALVAREZ: Ms. Galvez Turros?

25 MS. TURROS: Yes.

MS. ALVAREZ: Ms. Lewis?

MS. LEWIS: No.

MS. ALVAREZ: Mr. Prieto Y Munoz?

MR. MUNOZ: No.

MS. ALVAREZ: Mr. Trachtenberg?

MR. TRACHTENBERG: Yes.

MS. ALVAREZ: Dr. Hopper?

MR. HOPPER: No.

MS. ALVAREZ: Motion fails by a vote of four to four. Again, according to the rules and procedures of this Board, a tie vote does -- is deemed a denial.

MR. HOPPER: Thank you all ladies and gentleman. You have something to say about appeals. Appeals, this decision is --

MS. KETTERER: This decision is a final decision. Any appeals need to be filed with the Division of Hearing Boards within 15 days of the decision being rendered.

MR. HOPPER: So, you all make that. So, thank you all for staying so long. We now have -- we are now moving on to Item Number 5. As you exit please bear please bear with -- bear in mind that we are still working. -- bear in mind -- that we are still working.

(HEARING CONCLUDED AT 08:08 P.M.)

C E R T I F I C A T E

THE STATE OF FLORIDA
COUNTY OF BROWARD

I, YASMIN MORSHEDIAN,
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