



**Village of El Portal
Planning and Zoning Meeting
Date: 1/21/2020
Meeting Start: 8:17 PM
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Mayor Cubillos: I'd like to go ahead and call this Planning and Zoning Committee meeting to order. Today is Tuesday January 21st and it is 8:17 PM. We've already had a moment of silent meditation, pledge of allegiance. Madam Clerk, may I have roll call, please?

Jacobi: Roll call. Chairperson Cubillos?

Mayor Cubillos: Here.

Jacobi: Vice-chair Nickerson?

Vice-Mayor Nickerson: Here.

Jacobi: Member Urbom?

Councilman Urbom: Present.

Jacobi: Member Roman?

Roman: Present.

Jacobi: You have a quorum.

Mayor Cubillos: Excellent, thank you. With that said, may I have a motion for approval of the agenda as is?

Vice-Mayor Nickerson: I'll make a motion to approve the agenda, Madam Mayor.

Mayor Cubillos: Motion's been made by Vice-Mayor Nickerson. Is there a second?

Councilman Urbom: I'll second.

Mayor Cubillos: Second by Councilperson Urbom. All in favor, signal by saying 'Aye'.

All: Aye.

Mayor Cubillos: Any nays? Hearing none, our agenda for this evening for January 21st does pass. There are no minutes to approve as we did not have a meeting last- I believe it was November or September. With that said, we have a pretty heavy agenda so I'm going to try to

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move as quick as we can. There's going to be lots of questions with each one. Again, all of you here for variances, thank you for your patience. We are going to get through each and every single one of you this evening. Just bear with us in terms of patience.

With that said, we have a presentation this evening by Cristo Rey Miami High School presentation. They came forward to meet with our planner, myself and the manager last week or two weeks ago. I want to say it was last week. We've asked them to come tonight to present to the committee. With that said, I turn over to Rudy.

Rudy Cecchi: This one? Can everyone hear me?

Alou: Yes.

Rudy: Thank you very much. Good evening. Good evening, Madam Mayor, Village Manager, Vice-Mayor, council members and citizens of El Portal. My name is Rudy Cecchi, I'm the chair of the board of Cristo Rey Miami High School. I thank you for the opportunity to tell you about our school and ask for your consideration of our proposal to renovate the site on Northeast 2nd Avenue & 87th Street to be our home.

What we would like is the following. We want to be your new neighbor and community partner. We want to bring life and beauty back to that dormant parcel. We want to be involved with El Portal and we want El Portal to be involved with us. We want to put El Portal on the map along with our 37 other schools around the country. That map is here, you can all take a closer look at it later.

A picture is worth a 1000 words, a video is worth many thousand words. In the next six minutes, you're going to see a video which will show you the history of our school and the caliber of our students. Once that is concluded, I'll come back with some brief comments. Enjoy the video.

Jeb Bush: Columba and I are really honored to be the honorary chairs of the Cristo Rey Miami school that is launching soon. We're big fans of the Cristo Rey network all around the country. They're giving children a chance to rise up and to be able to live their life with purpose and meaning through high-quality education. My job today is to be able to share with you a video the Cristo Rey Schools and to introduce to you a great man, Father John Foley.

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Reporter 1: Cristo Rey High School is a private Catholic institution located on Chicago's Southwest Side in a neighborhood where the streets are not generally known as stepping stones to college. Yet the classrooms here pulse with scholastic determination and diligence that puts a smile on the face of Father John Foley.

Father Foley: Very humbling. I can't believe the gift that the Lord put in my hands.

Reporter 1: Father Foley founded the first Cristo Rey here in 1995 and was so successful, *60 Minutes* profiled him and his creation.

Reporter 2: At Cristo Rey, many of these students will be the first in their family to graduate high school. With its small class sizes, these carefully selected students get the best education money can buy. Math, Science, American Literature, taught in both English and Spanish.

Teacher 1: Welcome to Cristo Rey. Good to see you.

Reporter 2: To get them ready for the corporate world, ninth-graders go to freshman boot camp.

Teacher 1: Before you walk in, name tag, where is it? Do you have a tie? You're late. You're chewing gum, this is a pretty bad first impression here.

Reporter 2: This could be called First Impressions 101.

Teacher 1: Keep your tie high. You look good, you look good.

Teacher 2: You're not going to hurt me. Shake my hand hard. Come on.

Reporter 2: They learn the firm handshake.

Teacher 3: I'm not down here, don't forget. I'm up here.

Reporter 2: Good eye contact-

Teacher 2: Over, around, under and-- here we go. Over--

Reporter 2: -and dressing for success. You're teaching them how to dress?

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Father Foley: Right, absolutely.

Reporter 2: Hygiene?

Father Foley: Absolutely.

Reporter 2: How to answer phones?

Father Foley: Absolutely.

Reporter 2: How to speak properly on the phone? This sounds like--

Father Foley: Copying machine.

Reporter 2: This sounds like common sense thing.

Father Foley: Well, it's not common sense if you didn't ever do it.

Reporter 2: Back in 1996 when Father John Foley and his fellow Jesuit started Cristo Rey, they knew the students in this neighborhood couldn't afford the nearly \$9,000 a-year tuition. The school approached Chicago businesses for help but not for charity.

Father Foley: We went out and knocked on doors and said, "Would you give us a job?" In other words, "Would you hire our students?" I remember one day we came back home and we said, "We're getting too many yeses."

Reporter 1: That was 10 years ago, when the Cristo Rey college prep network included 10 schools nationwide. By this fall, there will be 28. When we say college prep, we mean it. Virtually everyone who attends a Cristo Rey school goes to college. The acceptance rate is 100%. There is one catch though.

Father Foley: We have a saying that if you can afford to come here, then you can't come.

Reporter 1: Tuition is about \$12,000 a year but the students pay nothing close to that because of the collaboration with the business community. Each student spends four extended days in their classroom but then a fifth working in the offices of a corporate partner. The partner takes up most of the tuition and gets a dedicated young worker in the deal. In Chicago's financial

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district, we ran into America Ochoa, a graduate of Cristo Rey we first met on that *60 Minutes* broadcast a decade ago.

America Ochoa: I thought I was going to get to high school, and then after that, I'm going to work construction because my dad worked construction, but now it's college.

Reporter 1: He's since graduated from Brooklyn College and works full-time at Chicago's Board of Options Exchange. Do you think you would be where you are today without the experience at Cristo Rey?

America Ochoa: Probably not, it did help a lot.

Reporter 1: The key point is that Cristo Rey gives underprivileged kids a chance they never thought they'd get.

Reporter 2: Senior Alex Macias remembers her first day on the job, arriving at the looming corporate towers of downtown Chicago was the culture shock of her young life. Did you ever come downtown before you started working downtown?

Alex: It's funny because I never did.

Reporter 2: Did you think about working in one of these big office towers?

Alex: Honestly, before Cristo Rey? Not at all.

Reporter 2: What do you get out of this?

Alex: I think it's the experience. It's been the experience of a lifetime.

Reporter 2: What does your resume look like already?

Alex: It's great. I'm going to graduate high school saying that I've worked at four different corporate offices.

Reporter 2: For most of these kids, the idea that they can succeed at anything is a revelation. In these offices, they learn just how far they can go.

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Alex: We're looked at as equals. It surpasses that we're Hispanic, it surpasses that we're 16, 17, 14 and says, "Here, go into the corporate world." It does seem to work in these big buildings. Who knows, maybe even CEO of it one day.

Announcer: Alexandra Macias.

Reporter 2: 10 years ago, the Chicago community had a dropout rate that soared as high as 75%. For the Cristo Rey class, the dropout rate is 1%. Every one of the students marching today has been accepted to college. Alex Macias was accepted to several colleges, the choice was made easier by a phone call from Ohio Xavier University.

Reporter 2: Alex graduated in the top 10 of her class. The girl who had never been downtown before, who had missed only one day of work in four years, reaped her reward.

Alex: I just talked to the dean of admissions from Xavier and they're going to give me the 15,000 plus another presidential scholarship or something like that. Don't cry, you'll make me cry.

Reporter 2: All the rules, the work, the discipline came down to this.

Alex: It all paid off. You said it'd pay off. We did it ma.

Rudy: I've seen that about 1,000 times and I still get a bit emotional when I see it. Cristo Rey is a Catholic school. Our student population is 60% Catholic and 40% non-Catholic. Our population in terms of race is 60% Hispanic, 40% African-American. These are the national averages.

That was shot in 2014. Today we have 38 schools. Miami will be the 38th school in the country, hopefully, here in El Portal. Last year our students collectively earned \$75 million. Every penny of it went to pay for the cost of their high school education. 100% of our students, our graduates, are accepted to college as you heard. The graduation rate from college is three times that of their peer group.

Why am I telling you this? I really want you to understand what the school is all about. What is our plan? Our plan is first and foremost to preserve and beautify the existing structure that exists now. Everyone knows it needs to be beautified. We will restore the chapel as a place for congregation, not only for our students but also for the citizens of El Portal. Our school will

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be small. We will have four classes, freshman, sophomore, junior, senior, each consisting of 100 to 120 students per class. 25% of those students will not be there because they'll be working. Whatever the number we have, it's 400 students, they'll only be 300 showing up.

Our kids will not be coming in chauffeur-driven limousines. Our kids will be taking the bus. To the extent that they are driven, which are a minority of them may be, we will have drop off and pick up with ample supply. We will have zero tolerance for any indiscretions. There will be no fights, there will be no drugs, there'll be no indiscretions of any kind. Our students will wear uniforms. There will be no noise or light pollution. Quiet days and quiet nights. The eastern boundary will be beautifully landscaped. No cement walls.

I've always said the proof is in the pudding and words are cheap but actions are not. You can tell from my board a number of members who are here tonight. David Lawrence, the Founder of Children's Trust, is a member of our board. Our President Ana Marie Morale is here with us tonight. Ignacio Ortiz with the City of Miami is here with us tonight. Otto Boudet is here with us tonight. We have a representative from JP Morgan, Phil Guarco, who is here with us tonight.

As I said, the proof is in the pudding and if you will indulge me, I want to introduce you to someone who is not only a graduate of Cristo Rey High School, but is also the first graduate of Cristo Rey High School to become a principal, our Principal. His name is Cesar Muñoz. His wife Jackie is here, also a graduate of Cristo Rey High School, and the applause are coming from his mom and dad who are sitting back there too. I've asked Cesar to take no more than five minutes to tell you his story. Please, welcome Cesar Muñoz.

[applause]

Cesar Muñoz: First and foremost thank you to everybody who has come today to either show support or to learn more about Cristo Rey Miami. Also, thank you to you all for having us here. Like Rudy said, I'm going to take about five minutes to tell you my story and tell you a little bit more about my vision for Cristo Rey Miami. If my voice is trembling, it's because I'm still trying to get myself together. The video was produced in 2014 but the *60 Minutes* production was actually done in about 2005. I was there. I wasn't one of the lucky ones that got interviewed but I was there. 90% of the people who were there, I can name them by first and last name.

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Honesty, to be standing here in front of you all, this is something that's truly amazing and I do with a lot of passion. One important thing for me was to have my parents here and to have my wife here. I left everything behind in Chicago to come and do this because of the importance that Cristo Rey had in my life. Cristo Rey, helped me grow in so many different ways. It helped me grow academically. I'm currently pursuing my doctoral degree in education and honestly, that probably wouldn't have been possible without the rigor of Cristo Rey and the academic program that I went through.

It helped develop me socially. Being at Cristo Rey allowed me to just come out of my shell. I got bullied a little bit in grammar school and then I got to Cristo Rey and it was something that was like a breath of fresh air. It just allowed me to just come out of my shell. It allowed me to become a captain of a baseball and basketball team. It allowed me to become a retreat leader. It just allowed me to become the person that I am today. It really helped me become an extrovert.

It helped me spiritually. It is a Catholic school. It helped me reflect and gave me more of a moral compass. I did not grow up in the best neighborhood. I had a gun pointed to my head when I was 17 years old, a week before I was suppose to graduate from high school. Cristo Rey gave me a moral compass.

It put me through retreats. I vividly remember the first time that I told my parents, "I love you," because I had never told them in 16 years, "I love you." Then I went to this retreat in Kairos and in the crowd of about 150 people, I said, "I love you," something that I couldn't even do one on one in the comfort of our own home. It helped grow me not just academically but as a holistic individual.

That's not just my story. That's the story of literally every single Cristo Rey graduate throughout the country. We have a few Cristo Rey graduates here from New York and from Philadelphia. I've been trying to reach out to as many Cristo Rey graduates that are currently down here in Miami to help me, help us do this because I don't want to do this by myself. I need the help of other Cristo Rey graduates. I asked them for a few words of what Cristo Rey meant for them.

Rebecca Veleslod has just graduated last year from Philadelphia. Her words said, "Cristo Rey gave me all of the support I needed to strive for success." Justin Santiago graduated from Cristo Rey New York in 2012. He said, "Cristo Rey helped me realize that I was destined for destinations I never imagined." [unintelligible 00:16:59] Ferrera, she graduated in 2015 from

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New York. She's not present today but she said, "Cristo Rey has and continues to be my greatest support."

It doesn't matter what Cristo Rey you go to or attended, the message is the same exact thing all over the country. If you don't believe me, please go to our YouTube page and you can see all of the different Cristo Reys throughout the country and you will hear the same message. We currently don't have any content of our own because we don't have students to record yet in the building, but we purposely put together all of the videos from all of our partner schools because the message is the same exact thing regardless of where you are in the country.

Moving on to my vision for Cristo Rey Miami. Like I have mentioned before, I would not have moved down here if it wasn't because of the name Cristo Rey. I wouldn't have moved just to open up a high school. I moved because of the name Cristo Rey was attached to opening up a brand new high school. With that being said, I said, "Pressure is on. As a Cristo Rey grad, not only do I have to do this for the students that I'm going to be servicing, but I also have to do this for the future Cristo Rey graduates who might want to be in my position." I've got to make sure that this Cristo Rey Miami is by far the best Cristo Rey in the entire network because now the Cristo Rey can say, "All right, this is the secret source in order to having a great school because this is the secret source, is having an alumni as a leader."

What does this mean in order to be the greatest Cristo Rey in a network of 39? This means that we'll have to have an attendance rate of over 99%. That's unheard of. The school that has the best attendance rate is Washington DC, 99.3%. I want to have 99.4% and like one of our families who's currently here, one of the things I asked them, I said, "Can you commit to being at school 99% of the time. Mom and son both told me, "Yes," I said, "Okay, cool." I want to be transparent. These are our expectations.

Not only that. That's a high matrix to surpass. We, in order to be the greatest Cristo Rey school in the country, we will have to have a college graduation rate over 72%. Not high school graduation, college graduation over 72%. Sure it will take us eight years in order to track that data, but the vision is now. These are just a couple of the small things that I wanted to share with you all, to just pretty much say, "This is my vision. I'm doing this with a lot of passion. Anything that we can potentially do in order to add value to the village of El Portal, you have me to help out with whatever I possibly can. You have our staff. You'll have our students. We are only here to add value to add value to El Portal."

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This property, the Radar Methodist Sanctuary, it's super important for myself. I want to be able to provide a true home for our students. The sanctuary would serve as a campus, a place where we can make it come alive with beautiful landscape but not just looking nice on the outside, also looking nice on the inside. The substance of just having a positive school culture will make that building come back to life. As Rudy said, it needs some beautification, but we'll be able to do it not just aesthetically but also with the feeling that you will have walking through those halls. With that being said, thank you for your time. I hope I didn't go too far over the five minutes. Thank you so much.

[applause]

Rudy: Thank you, Cesar. In closing, council members, we are unfortunately on a fast track. Time is truly of the essence for us. Our school opens in September. If approved, we can complete the renovations in time to welcome our first class. Will we have 100% of the building completed? No. Will we have enough to complete 25% or 33%, a quarter or a third and do the rest in one year or two years after that? Yes. My goal is to be able to get the students in that building by September. It is a fast track. We believe we can do it.

If not, we have an arrangement with Barry University. They have been extremely good to us. We have temporary space that we can use and we can build our building on an acre and a quarter. Is it the best situation for us compared to El Portal? No, it's not. If we don't have an opportunity here, we really have no other choice. We ask you to look favorably upon our proposal.

We're prepared to answer any questions you may have. We have a good team, our site committee. We've done a lot of research as you probably can imagine. We pretty much know what we have to do in order to refurbish the building, landscape the property and attract students. With that, I would ask if anyone has any questions?

Mayor Cubillos: I really thank you for being here this evening. I want to let the committee know when Juan was there and we met them- I'd like Juan actually to approach the podium briefly because unlike what has been presented before us from the current owners, they still own the property. There are many variances that were required. A school is a different scenario that I wanted Juan to explain.

We have been approached one time officially for a school and one time unofficially. The first time we were approached for a school was probably about six or seven years ago and it was a

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charter school that wanted to house anywhere to 700, 800 kids. That was one thing that immediately the community said no. That was an excessive amount, given the size of our community.

The second school that unofficially approached us was The Cushman School. That never really came forward to the council but the thought process behind The Cushman School was more like-- that was a school coming in where parents were going to be paying well over \$25,000 to \$27,000 for Cushman to have a high school here. We didn't think that even matched who we-- It wasn't going to be our kids going there or kids within our surrounding community.

When we were approached by this group, I believe the manager and I, and I'll let the manager speak for herself and as well as Juan- and Juan, I want him to go over the code- a part of me believed that while the community was never really in favor of school, although the property by right can be a school and a civic us and Juan will explain that, I really felt and when walked away for the meeting, there was a good feeling about this because I believed it fit who our village is.

Even though our home values are off the roof and are \$6,000, \$7,000 to buy a home in El Portal and many people are affording it and their homes are being remodeled, we have a whole list here of people spending money in their homes and improving their community, I do believe- the one thing I've learned being up here is that although that's happened externally, internally, I do believe that this community is one that wants to give back and help those that are less fortunate. I've learned that from a lot of people that I've worked in this community, which was one of the most attractive things that I thought about the program.

With that said, I want Juan to explain a little bit of what that code looks like and then I'd love to hear the committee to ask questions to either Juan or to the proposed applicant because they wanted to come here before they even considered moving forward on purchasing the property. With that said, Juan.

Juan Peña: Very good. Thank you, Madam Mayor. Juan Peña, village planner. Council, mayor, and residents, we met with the potential applicant. We feel that it's compatible with not only the use but the structure that we have there today. There is a special exception that is considered as an educational facility for any facility that comes into the village. The element that we have to look at here is that the building was already being used as a school. It would be a grandfathered use.

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What we recommend having- again this is not something that is exactly following a straight path within the code because, again, it's a grandfathered use- what we would recommend would be to work with the potential applicant, they haven't filed an application yet, but work with a potential applicant to make sure that they fit within not only the confines of the site but also they are compatible with the residential uses that are around it. Beyond that, what we would recommend would be a town hall be set up, a special town hall where, again, the potential applicant could not only present but also have conversations with the residents where this facility would affect most.

This could be done in short notice. We could do a special town hall and, again, it would be public and again and open to the residents for not only comments, questions, but also suggestions as to how the phasing and the student capacity, the parking. I understand the residents are also concerned about traffic, how it is done, whether it's within the property or outside of the property. That has always been an issue with this facility.

Beyond that, in speaking with regards to the building itself, the village is iconic to the village. We feel that the way the potential applicant has expressed their intentions, it would be to save the structure which is not something that is regulated by the code but I understand it as the comprehensive plan calls out, we need to be compatible and conscious about context. To be able to save this building, it would be in line with that. I'll answer any questions with regards to the code if you have or the comprehensive plan as it calls out for a building of this type.

Mayor Cubillos: Thank you, Juan. I wanted to open up to the community for any questions to either Juan or the proposed applicant. Vice-Mayor Nickerson.

Vice-Mayor Nickerson: I just wanted to ask how you're doing. Thank you for your presentation, I appreciate it. Thank you, Juan, for your information. What would be the student body number once the school would be completely done and you guys would be full to capacity, how many students would you imagine?

Rudy: We anticipate 100 to 120 per class at the maximum, under 500. I think it's probably going to be in the area more in the 400 range. We can't have large classes. These kids come in one or two years behind grade. They take a lot of remedial work. We can't have a large class. I would say the most we'd ever have is probably 450 and I don't think we'd have that. Cesar, you agree?

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Cesar: I agree. The average Cristo Rey School nationally probably has around 340 to 350 in terms of students.

Vice-Mayor Nickerson: For your other Cristo Rey schools around the nation, the percentage of those that are bused in opposed to the percentage that are driven are by cars?

Juan: It depends upon the city. For example, I was on the board of the school in Spanish Harlem, nobody came by car. Everybody came by bus, everybody came by train. Now, you probably have other schools, for example, maybe in some of the smaller towns where they don't have public transportation, so they come by car.

We're very, very fortunate here because we have the bus route on second Avenue. We also have another bus route that came up the other day which is an East-West bus route. We're happy to do a traffic study, but we see the vast majority of our kids coming from areas which are maybe a mile, two miles North, two-miles South. I think there's plenty of students in those areas that would be enjoying the school and even students from El Portal.

Vice-Mayor Nickerson: Can you come to the microphone?

Cesar: If I can just add one thing to the comment about the student population. It's just a reminder that we always will only have 75% of our student body in the school with 25% being staggered. At our dismissal at 3:30, we'll only have 250 students or so of which we can report numbers depending on how many get picked up or how many take the bus. It's staggered a little bit which alleviates traffic in the area and also.

Vice-Mayor Nickerson: As far as the students getting to the school through bus, it's always through public transportation? You guys don't have yellow buses then that pick them up?

Rudy: No, we don't but that's a good question because, remember, our kids are going to go to work. The great part about here is that the bus route takes them right down the government center. They can get right on the Metro. They can get on the people mover. They can get to the airport, American Airlines is one of our sponsors. You'll see the companies, a lot of them are brick, a lot of them are in downtown.

To the extent that we have to get someone out to **[unintelligible 00:32:03]**, for example, because we have some potential sponsors out there, we would have a van to take them out

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there. The way we foresee it, most of it is going to be on that bus and it's going to be going South.

Vice-Mayor Nickerson: One more question, madam mayor, do you guys ever hold any afterschool type of events, weekend events, and if so, how often?

Rudy: I'm going to ask Caesar to comment on that.

Cesar: We've created a master calendar that pretty much outlines all of the events that we want to have. Currently, what I have planned is family masses and holidays of obligation, report card pickups. We haven't created anything in terms of sporting events or anything like that yet because we don't know what the students are going to want. That'll be something that we can develop as soon as we start the school year, more in the weeks before the school year starts.

Currently, the only events that we would have after school or on weekends is family masses, community events that follow that like a potluck after mass just breaking bread together and report card pickup.

Vice-Mayor Nickerson: Madam Mayor, thank you. No further questions.

Mayor Cubillos: Any other questions from the committee?

Councilman Urbom: Yes.

Mayor Cubillos: Councilperson Urbom.

Councilman Urbom: How are you doing? Welcome.

Rudy: Thank you so much.

Councilman Urbom: Welcome to everybody you brought with you as well. My first question is, why Miami?

Rudy: Well, why Miami? Why New York City? Why Chicago? Why any place that the school is? Miami needs this school. Miami has a tremendous, disproportionate pace in terms of socioeconomic means. We have serious problems here in Miami. This school can change Miami. This school really has changed communities. Miami, if you just look at the population of Miami, the income inequality, the inequality of education is extremely troublesome. Our

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school will provide a serious college-prep education to kids that really couldn't get it anywhere else. Somebody's got to do it and that's what we're here for.

Councilman Urbom: How long have you been looking at Miami?

Rudy: I've been looking at Miami. I've lived here since before you were born, I've lived here since 1976. I was on the board of the Cristo Rey Spanish Harlem school for six years. At the same time, I was on the board of St Thomas University. When I came on the board of St Thomas University in 2008, we started looking at Miami as a potential school site.

In order to become a school in the Cristo Rey network, you have to jump through many hoops. You have to find a location. You have to find community support. You have to find businesses that are willing to hire our students. You have to raise money. There's a tremendous amount of things that have to be accomplished before you're admitted into the network. To be the 38th school admitted into the network took a lot of work. It really did.

Councilman Urbom: Very good. Let's see. Are you a tax-exempt organization?

Rudy: Yes, we are.

Councilman Urbom: We don't anticipate that there'll be any taxes paid on this property. Is that correct?

Rudy: I wouldn't go that far. We understand the situation at El Portal and we also understand that there's a pilot program payment in lieu of taxes. We're totally prepared to discuss that with you.

Councilman Urbom: Where are the headquarters of your organization?

Rudy: Well, each school is independent but we report to a network that's housed in Chicago.

Councilman Urbom: Let's see, the \$12,000 a year that the students earn, that goes towards 50% of the education. Is that my understanding in a nutshell?

Rudy: No. Let me explain it to you. The \$12,000 number was 2014.

Councilman Urbom: What is it now?

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Rudy: This number right now is probably around \$15,000. Here's how that money is raised. The students will raise 50-60% by their own work efforts. In the State of Florida, as you probably are aware, we have the tax credit scholarship program which allows corporations the ability to defer their tax dollars into the tax credit scholarship program. The vast majority of our students will receive that tax credit scholarship.

That scholarship is about \$7,000 per student. The student work is about \$7,000 per student. We're looking at 90% of the educational expense that is not being paid by the student or the student's parents. We like to get \$500 or \$1,000 tuition. We like to have the parents in the game, but we will be relying on philanthropy for a certain amount of our cost of education but it's not that much. It's really not that much.

Councilman Urbom: I've said for years I don't want to pay for anybody else's education, but I know what happens if I don't. I began at 15, working in food service and I did that for 25 years. I've worked for multiple organizations that engage in wage theft. I do have a concern. I can't dance around it. I do have a concern about that structure in terms of what happens when a young person is earning money and then clearly there's value in that money paying for education. I just want you to see where my mind is in terms of the concern that I have that structure. I do have a concern about that. I will say that.

Rudy: Can you explain that a little bit? I'm not sure--

Councilman Urbom: For example, a young person goes out and works and they earn money for their efforts. The idea here is that they wouldn't have that job, but for the school. Therein lies justification in putting that money entirely back into the school. Is it 100% of what the young person earns that one day a week that goes to the school? How exactly is that structured?

Rudy: No. Each one of our students as part of the admissions process agrees to work and agrees that the fruits of that labor, the remuneration is paid directly to the school. Now, what happens here is that student is not only paying for that high school education, that college-prep education, but that student is getting the best education because of where they work.

They are going into an office building. These are only office jobs. These kids are not working in food stores. They're not working in any labor-intensive place. They are working at offices, they're working for banks, they're working for law firms. They meet people like you, like the rest of the commission, like some people in this room. They have never been out of their

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neighborhood. They go into an office and the first thing someone asks them is, "Where are you going to go to college?"

They never thought about where they're going to go to college. They're there two weeks and now they're thinking about where are they going to college and they're thinking about how they can take the job of that person who's training them. That's what happens. The value that they're getting, they're providing a service that's paying for their education. The real value of their education is happening in that office building.

Councilman Urbom: Then, to the committee at least, I don't know, Mayor, if you were here at the beginning of the previous meeting but I did say at the beginning of that meeting, and I again said I'll say it frequently and I'll say it again. The people who should be valuing El Portal more than absolutely anyone else are the people who are here. I have to say, I also have a concern that a large corporate organization- the note I made was a franchise. A large corporate organization that does not yet have an entity in Miami is looking at what in our opinion, I'll speak for myself, my opinion is one of the single most desirable properties in North Miami right now. I do have one more question and that is to ask, have you spoken with the current owners yet in terms of making an offer? Has that discussion taken place yet?

Rudy: Yes, it has. We have signed the letter of intent with the current owners. The current owners suggested that we speak with the council before we spend a lot of money on legal fees, before they spend a lot of money on legal fees. That's why I'm here.

Councilman Urbom: Okay. I will say I do see it as an absolute pro that the building will be preserved. For me, personally, again, I think it's outrageously important that we preserve that building and not tear it down. What you have, your model, I agree, does fit incredibly well with that property. I'm sure you have no doubt I will be vocal with any concerns I have. I don't believe I have any further questions at this time.

Rudy: Well, Councilman, let me thank you for your candor and your concern. Your points are valid points. I'm still not sure I'm 100% with you on the labor issue, but I'm happy to work through that with you. We want to be good neighbors. We want to support your community.

Councilman Urbom: Part of the explanation of my experience with wage theft is that I came up through hospitality. It's one of the most ruthless businesses on this planet.

Rudy: I thank you for your comment.

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Councilman Urbom: In that regard, it's just outrageously important. As you said, the disparity between cost of living in Miami-Dade county and average incomes is the worst in the nation. Specifically, it's the worst in the nation. In that regard, the last question I would have for you is, could you describe the process a little bit of how you do enroll students, find students, accept students? What would be your acceptance process?

Rudy: As I mentioned to you, our students are a year or two behind grade. A question I ask a lot of people is, how do you think we accept our students? I'm not going to take your time and have you answer that. You may be surprised. One of the main factors that we look at is their grammar skill and middle school attendance record. If they have a good attendance record in those schools, there's two things that are happening, they're interested and their parents are interested. I neglected to recognize Terry Canada who is another one of our board members. Terry, I apologize.

Councilman Urbom: I'm good.

Mayor Cubillos: Any other questions from the committee?

Councilwoman Roman: Madam Mayor, I don't have any questions but I want to thank you all for coming. Personally, the questions that I had have been answered by listening to the other council members. I do believe there is a need of such in our community, in Miami as a whole. I'd love to see that in El portal. You definitely have my support.

Rudy: Thank you Councilwoman.

Mayor Cubillos: Anybody else on the committee? Thank you all of you. Councilperson Urbom asked probably 8 out of the 10 questions I asked, the exact same ones, so on point. Again, I do welcome the Town Hall. I'm going to open it up briefly because we do have a little bit of a full house. I ask each and every single person to please adhere to three minutes because we have a long agenda and I really want to respect everybody's time here this evening. I see two people against the wall. If you want to just come up, say your name and address and just brief. Whether it's pro or con, doesn't matter, just brief.

Carmen Muñoz: [Spanish language]

Mayor Cubillos: [Spanish Language] She has said she's the mother of [unintelligible 00:45:07]. Sorry, she's going to speak Spanish. She's from Mexico. [Spanish Language]

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Carmen: [Spanish Language]

Mayor Cubillos: [Spanish Language]

Carmen: Mi nombre es Carmen Muñoz.

Mayor Cubillos: Her name is Carmen Muñoz. She's going to just take two seconds. I will do my best to remember. I'm going to translate it in English for all of those that may not understand her this evening.

Carmen: [Spanish language]

Mayor Cubillos: Basically, what she has just said is, we live in a conflicted world and we need to focus on educating. We need to educate the next generation, give the opportunity to the minorities to have a chance that otherwise will not have the opportunity or the chance to receive an education of this caliber. She, since 2003, has been at that Cristo Rey where it was shown on *60 Minutes*. She said that each day that she was there, she never saw an unhappy child. With that said, she says, just please believe. Please believe in their potential and we won't be disappointed. That's the Cliff Note version. I just aged myself. Spark Note version. [laughs]

David Lawrence: Madam Mayor, members of the council, my name is David Lawrence. I've been in this community for 30 years. I love this community, will live the next of my life in this community. I'm more worried about our country than I had been in all of my 77 years. I think the school is part of the answer. You and I live in a country where three out of four 17 to 24-year-olds cannot enter the American military. They have a substance abuse problem, a criminal justice problem, an academic problem or a physical challenge. We're in trouble.

The best way to get out of that is to give folks the highest possible quality education. I got too much to do, but I believe so sincerely in what this program is. I'll give you a straight forward answer that I can get away with at my age. You ought t be begging this place to come here. This would be special. It would- make the community even more special, you would make an extraordinary difference in several hundred children's lives, and then several hundred more, and then several hundred more, and no telling what these kids could do. Doctors, lawyers, business people, maybe not hospitality management.

[laughter]

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I think this is a jewel in the making and I'm personally committed to helping this work. Thank you.

Mayor Cubillos: Mr. Lawrence, thank you for all your time that you've done in the children's trust and thank you for being here this evening.

Lawrence: Thank you, mayor.

Alumni: Good evening, I'm a Cristo Rey alumni from Philadelphia, I graduated last year. I just like to speak briefly on a question that stuck with me from one of the councilmen which was why Miami? I think a better question to ask is why not Miami? I'm a young person, I just came here and I realized this is the magic city. There's a lot of distractions here, so I firmly believe that this high school will help these kids and steer them in the right way. I come from Philly, from North Philly. It's not really that good over here and for me to take this giant step and come miles and thousands of miles away from my family really help me grow as a person.

Without Cristo Rey, I really would not be here today. The work experience that I've gotten, another point that I would also like to talk on is the money goes straight to the school. We don't have access to that money throughout the school year, so it's not like we're going to pocket that money and then give half to school, no. Those work city jobs helps us build relationships, build connections, and network with really important people so when the summer comes if we have a good relationship with them, they ask us to come back for a paid internship in the summer. That's when we work, that's when we get the money because it's in the summer.

Cristo Rey is all about helping these students grow and giving them the support that they need to get to where they need to be in life. I honestly think that this school is going to help shape the kids in Miami and steer them the right way. Like he said, they're not lost into drugs and that they could get somewhere in life when they grow older. Thank you.

Mayor Cubillos: Thank you for being here. Good job.

[applause]

Dominique Garen: Hello, everyone. My name is Dominique Garen, I am also a Cristo Rey alumni. I graduated in 2008 from the Cleaveland School. I currently work at Florida International University. I've been down here for about two years. She really said everything I was going to say because I thought about the money part, but then I also thought about another

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part which is, I see a lot of students come in from the Miami school who are underprepared, and so we can give them that opportunity with the Cristo Rey school to prepare them because I work with them on a daily basis. What is more rewarding than that?

Than to have them ready for college, graduating early, getting into the work stuff force, starting their own businesses, contributing back to their communities, what better way to do that than through this school? That's what I would like to leave you all with.

Mayor Cubillos: Thank you for being here. One more.

[applause]

Rudy: We understand you have business. We have one more and then we'll leave.

Mayor Cubillos: Yes, I just said one more.

Rudy: That's it, let's go. We can go all night. I don't think you can.

Philip Guako: Thank you, council members.

Mayor Cubillos: Name, please.

Philip: Sorry, my name is Philip Guako and I live in Miami area. I'm a managing director at JP Morgan at 1450 Brickell Avenue. As a representative of the business community, I'd like to reiterate the support that Rudy spoke about. JP Morgan will indeed be having students with us beginning in September. We've agreed in Miami to provide that support. JP Morgan provides that support to more than a hundred Cristo Rey students all over the country.

Whereas they may not learn how to cook very well, Councilman Urbom, they're going to be sitting next to me on the 32nd floor of 1450 Brickell Avenue and they're going to be learning lessons that are going to serve them very differently from what they might do in a more manual job. As Rudy said, that's the point. It's to put them into a different environment that hopefully can give them a jumpstart in life that's quite different. As you can see here, there's more than 50 companies in Miami who's agreed to provide the same support that we have at JP Morgan.

From the corporate sector, I think I could speak for all of those 50 companies that we're behind Cristo Rey and we're already putting our money down in support. Thank you.

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Mayor Cubillos: Thank you for being here.

Rudy: Thank you, madam mayor. Thank you, council.

Mayor Cubillos: Thank you all for being here. Juan, thank you. I encourage the committee to reach out to either the proposed applicant or to Juan with any other questions, and I will send an email to do a proposed townhall date. Yes.

Juan: You're sure that we're moving forward with that townhall, madam mayor?

Mayor Cubillos: Why don't you brief the committee a little bit about in terms of what was discussed before as well giving them the opportunity with regards to based on what the code says that they have because of grandfather Dane.

Juan: I'm sorry, I don't understand, do you mean the other option other than the town hall?

Mayor Cubillos: No, what I'm saying any other option going forward. Before moving forward, we generally we'll always do a townhall and that, would say for lack of a better word, the next step to be able to get public input.

Juan: Right, well, given the fact that this is a sizeable project and a sizeable potential future neighbor, and the fact that their grandfather Dane as a use, there would not be a need to either go through a committee or council, so the townhall really is the vehicle to be able to inform, connect, and understand exactly who this future neighbor will be. It will give the opportunity for the resident to be comfortable with that. It will probably have to be advertised in due time and with enough time for people to plan to be at the event. Again, we should consider whether or not it's during a weekend or an evening just to make sure that we give ample opportunity for all the residents to get informed.

Mayor Cubillos: What I'll do is, once this meeting is over tomorrow, I'll email the manager and the clerk to look at the calendar for the village hall to ensure that it's available. I think I like that idea. I think we should do a Saturday and then an evening because it allows the opportunity two times for different parents if they're working or what have you, and then we'll see what date. I know we have a town hall, the census townhall coming up February 29th.

I know Saturdays get booked pretty fast and weeknights too with kids sports and all that good stuff, so I'll reach out to you guys tomorrow and then the group here will take a look at what

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dates are available that all of us can agree on so that the clerk can throw it out to the committee and then move it out to the public. Any other questions from the committee to Juan before I close out?

Vice Mayor Nickerson: Madama mayor, I just want something really, really small really, really quickly. Being that their grandfather Dane and that the town hall is just for information purposes more or less. When it comes down to, let's say, things like, I don't know, let's say if they're planning on having a late-night type of event or something like that. I remember when we did the sanctuary, we discussed they can go past a certain time and things like that, so I don't know in this occasion if those type of small details is going to come up again or not. I'm not sure.

Juan: Again, the special exception that would apply here if it wasn't a school before would be dealing with the use itself, so it's not with regards to the actual application for the future improvements of the site. The future improvements of the site will have to go through the regular improvements through building, et cetera. It's just that zoning from my line use perspective, they're grandfather Dan, and therefore, we can move forward.

Vice Mayor Nickerson: I got you.

Juan: With regards to events, I remember that with the current property owner, we discussed with them policying, we discussed with them valet, and we discussed with them hours of operation. Remember there was an alcohol--

Vice Mayor Nickerson: No, I remember.

Juan: I'm assuming that the only alcohol that will be served will be at church on Sundays, but other than that, the only other thing that comes to mind that was discussed with the previous owner was the potential of doing special events permits. If there's a special events, if there's events that the potential neighbor will be having that will affect the neighborhood or the neighbors, they will have to apply for a special event. If the events are happening within their property and it doesn't require any additional policing, we're talking about events with a lot of people. If they have a mass on Sundays, that's not a special event, that's part of the use that they're applying for. Does that answer your question?

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Vice Mayor Nickerson: Yes, thank you. I just didn't know when you said Grandfather Inn, I didn't know exactly what that entailed, but thank you very much, Juan. Thank you, madam mayor. I appreciate it.

Mayor Cubillos: Norman, did you want to add anything?

Norman: You guys have covered it.

Mayor Cubillos: You're good? Okay. Councilperson Urbom, I see you with a green button.

Councilman Urbom: Just one final question for Juan. First, I do want to say that

every meeting we have a moment of silence, personally, I envision the weight of responsibility that weighs upon the actions we take here for the future of El Portal. I'm devil's advocate for a reason. The only question I have, Juan, is do you have any reservations whatsoever, big or small, regarding this project?

Juan: I have reservations every time I'm standing behind this podium. If I can take my planner hat off for a second, I think it's a great opportunity for the village having worked with you for over, I don't know how many years now, six?

Mayor Cubillos: December 2014.

[laughter]

Juan: Mayor always remembers.

Mayor Cubillos: He will tell you that I actually didn't vote for his firm.

Juan: I think it's a great opportunity because it's a use that's compatible with the building itself, it's also a use that the hours of operations do not have a great impact on residential other than the traffic that it could generate, but again, I think that answer has been partly been provided by the applicant. At the same time, I have to say that the size that they are proposing, it seems to fit within the size of the village. When we took the master plan from 2012 for the vision that the village had authored, 2nd Avenue is supposed to be or it was envisioned to be a three-story main street.

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We're not talking about more than three-stories, which from a planning perspective, it's a village-style main street. I think that a village sized school fits within this site.

I also have to tell you that as a planner, I always think about the worst-case scenario and I also think about what applicants could come in today and what they could propose. The tearing down of the sanctuary, the sanctuary is not protected. We could have events and we could have other applicants, other uses that would be less compatible with the residential nature of the Z3 around it.

Again, I have my reservations about everything. I always try to think about the worst-case scenario. I think that through this town hall, we need to come up with some of the concerns that the residents may have and then propose as they move forward with their site plan approval which will require some time for review. Also, come up with some conditions that we might feel that needs to be replaced, but as they present it, I don't have that many reservations. They seem to have been very open and forward with their intentions and with what's on the record.

Councilman Urbom: I do agree.

Juan: That's where we are.

Mayor Cubillos: Any other questions that comes from the committee? I just want to close saying one thing. A practice that I've always put into place, I believe, since I've been the mayor is, whenever I'm approached by anyone and generally developer or future business owner, they're always going to contact the mayor. It's just way the cookie crumbles whether it's good or bad, but I've put something into practice. Rudy and Iggy, I was reached out by many of them, and they will tell you I didn't call any of them. Even David Lawrence, I actually didn't get to call any of them back right away.

I usually have a thought process behind it, and when it's time for me to meet with them, I told them on the phone, the manager has to be there and the planner has to be there.

I'm not going to meet with them. I don't meet with anybody alone because I don't want it just to be what I think.

Clearly, it cannot be us meeting with them because you can't have two members of the council or two members of a committee meeting with any potential developer or resident or anything of that nature, but I always include probably 99.99% of the time the attorney, the manager, and

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the planner on almost every discussion that we sit on because I completely rely on the manager's perspective administratively, the attorneys legally, and Juan from the planner perspective. I encourage any council member to do the same thing whenever you are approached to meet with any potential whatever the case may be. That's number one.

The second thing I wanted to say was I have been here what? I think since the spring or the fall of '07 to spring of '08, and that building has been vacant. It's on septic. It is going to be really hard to get it going on that. I mentioned it to the group that we met with because Seth and Sam who were the developers are still the owners there. It took him two years to get a permit with the county to approve their septic design, and when they got the approval, the county doubled the impact fees of which the village of El Portal gets nothing.

If we have before as an opportunity of someone that can actually pay for the building and renovate it, I think what they want to do and what you've seen tonight, and we have to hear more. There's going to be a town hall and not every stone has been unturned, but I do believe it's that good feeling that you walk away with that if we continue to dot every I, cross every T, meet with them the way we're supposed to, get the planet perspective, get the committee, get the county, get the manager, get the attorney, and get, more importantly, the residents to actually attend the town halls and ask those hard questions that this could be really great for El Portal.

I would be really excited to really see something happen. Then the third point is they're not going to take down our building, which I believe when speaking to any resident, they don't want that. We're actually trying to have a meeting with the preservation to preserve the building. How horrible would it be, picture this for a minute as I close, that we are here and we didn't do anything to protect it, and we're driving by, and it's just completely being demolished? That would be horrible. We're taking the actions necessary so that does not happen to El Portal because that would really, really just not be a good day in El Portal.

With that said, I thank the committee for all the really great questions. Juan, I thank you for your time and I thank the applicant and the students, congratulations to all of you. To the parents, kudos to you guys for making it happen for them and we continue on this journey because this is not even nearly started yet. We will get, the manager or the clerk will get with you on states that we all can agree on. I think two is reasonable, I think an evening and a Saturday would be fair to the residents. Thank you so much, and again, thank you to the residents who have been so patient. We're going to slip right into F2 which is a garage conversion, 149 North East 89th Street. Bye. Thank you. Whichever you want.

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[background conversations]

My, they were a lot of people. Excuse me. Please go ahead, name and address.

Dakota Henry: Hi, Dakota Henry with A&D Studio offices at 3735 Southwest 8th Street in Coral Gables. I'm excited to present to you the application for a variance for the property located at 149 Northeast 89th Street on behalf of our clients Tom Stephen and Janelle Downing who are new residents of El Portal. We initially applied for the variance back in August with the idea that this would be a growing family and that they needed the house to get larger in order to eventually start a family. Since that time, Janelle has actually gotten pregnant, so we are excited to be before you to hopefully get this variance approved.

The variance is part of an interior renovation that's being pursued to modernize the existing houses built in 1940. The existing single car garage is a bit too small to fit an actual modern vehicle, so it is currently being used for laundry and mechanical purposes. As I mentioned, the purpose of this conversion is to provide a new bedroom, a new bathroom for the house. We are actually taking away an existing half-bath in order to put the full-bath into the garage. We believe that this works. Within the form-based code, we are able to provide the two parking spaces within the front yard while not exceeding any of the impervious calculations that are mandated by the form-based code.

We've also taken specific measures to help integrate the house with a new look of the house into the neighborhood by using proportional windows that match the existing house and we also plan to match the existing brick that's on the front of the house that was original. We found some really great blueprints of the house before when it was originally built, and we think we're keeping with that character.

I think that covers most of it. I'm happy to answer any questions. I'm sorry, I did didn't mention the exact location. It's on 89th Street between Northeast 1st and Northeast 2nd on the north side.

Mayor Cubillos: Thank You, Dakota, for being here. Now, I'd like to hear Juan to give the staff recommendation on this, and then a little bit over to the committee.

Juan: Madam mayor, council, the planning department recommends approval for this item. This is a good example of a garage conversion. I'd like to mention before we go into all of the items that we are in the process of creating an architectural guideline. For every garage

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conversion that you're going to see tonight, planning will address the reasons why some are recommended for approval and some recommended for approval with conditions based on some, what you might think, subjective opinions, but there is a background to these opinions that are based on some of the work that we are actually conducting right now for you.

In the case of this item, we recommend approval. The reason why we recommend approval for this one without conditions is because of the elevation and the architectural character that is provided in the new elevation in a single volume with the enclosure of the garage, and with the ability to match the windows. It seems with the final elevation, the house was designed this way. This I think will be important as we move on to the other applications where we ask to approve with conditions because we would like for those renovations as they happen, those garage conversions as they get approved in the village to make sure that they don't become a sore thumb or they look like they were meant to be.

That's very important as we move forward with architectural standards so that we continue having a cohesive and a beautiful village. Again, we recommend approval for this item.

Mayor Cubillos: All right, thank you, Juan. I'd like to ask the committee to open up for questions for either the applicant or the architect and for Juan, our planner. Keeping in mind that if it passes, it still has to go to full-council. We may say yes or no tonight, but our answer may be differently in the council, so always be open to that-

Juan: We understand.

Mayor Cubillos: - just because from here to there, we may have more questions and so on and so forth. I'd like to open it up for the committee to ask questions to either the architect or this applicant here. I know our neighbor is here on 89th Street and the applicant not here? No.

Dakota: Janelle was going to try to make it. We just found out actually this morning about it.

Mayor Cubillos: That's she's pregnant, okay.

Dakota: Yes, and she's currently pregnant, she's about two months away or three months away.

Juan: Madam mayor, if I may. Thank you for reminding me. I also wanted to mention that these conditions can be met between committee today and council and that's why we recommend approval with conditions in some of them because if you go by our

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recommendation, you will approve to council so that we don't delay this projects and we will work with the applicants to make sure that they are more consistent with the village looks.

Mayor Cubillos: Yes, and so if and when any of these were to pass the council, by the time we get to the council meeting, we're going to be able to see some type of plans or

drawings with your recommendations.

Juan: Yes.

Mayor Cubillos: You're sure? Okay, any other questions from the committee to either Wuan or the architect. Council Urbom.

Councilman Urbom: A question is for Juan actually. As I look through these plans and then the others that will see this evening, from your mind, am I correct in thinking that this is about as an ideal application as we could get for a garage conversion?

Juan: I guess it is fair that I compare them so that you understand why we approve this one just as its presented and not. I do see a lot of merits in the way that this one is presented from an architectural standpoint as well as from a completeness. I also have to admit that some of the other applications that have reached our desks are not as complete and it helps to understand what, for instance, the existing plan looks like and what the future plan looks like. We're not just looking at architectural standards, we're also looking at how the additional space is going to be used.

Based on our Charter, the applicant needs to prove the need to enclose those garages. Some of the applications we don't see what exists. Some of them they are just showing what the envelope is. I'll have to say this is one of the most complete ones that we have received, yes.

Councilman Urbom: Okay.

Mayor Cubillos: Any other questions from the committee? Hearing none, now, I'm going to ask for a motion. Is there a motion to accept this application and move it to full-council?

Councilwoman Roman: I motion to accept and move to council.

Councilman Urbom: I'll second the motion.

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Mayor Cubillos: The motion has been made by Councilperson Roman, it's been second by Councilperson Urbom to accept it and move it into full-council. Any other discussion from the committee? Hearing none, madam clerk roll call.

City Clerk Jacobi: Roll call. Councilperson Urbom.

Councilman Urbom: Yes.

City Clerk Jacobi: Councilperson Roman.

Councilwoman Roman: Yes.

City Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

City Clerk Jacobi: Mayor Cubillos.

Mayor Cubillos: No.

City Clerk Jacobi: Motion passes three to one.

Mayor Cubillos: All right, thank you.

Dakota: Thank you.

Mayor Cubillos: Just for clarity purposes from the clerk and from Juan, this is going to be in next Tuesday's meeting or we're looking at a February council meeting?

City Clerk Jacobi: February because it has some notice.

Mayor Cubillos: Okay, perfect, February council meeting, so just all the applicants that joined you. If it passes and go to council, you're going to be at the February council meeting, not the January one.

Dakota: Thank you very much.

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Mayor Cubillos: Nice meeting you, thank you. Garage conversion, 9001 Northeast 1st Avenue, is the applicant here? *Buenas noches*. Good evening.

Marty: [inaudible 01:16:46] Mayor Claudia Cubillos, Vice Mayor Omarr Nickerson, councilperson, village manager, village clerk. I bet you're not the old people person, and I can't be the only old person here in this variant to having safe as for the good and hearing for those who, unfortunately, are suffering for the good and hearing in the past year. Today I'm requesting for support under the same regulation to my variant request to close my garage and carport. I want to give my complete information with my security, tranquility, peace, and stability for my family. My family, that is my mother, who was with me until four years ago, my husband, and me.

I'm residing in El Portal for almost 24 years in 900137. This is a 1957 building. At this time, I was a, I guess what I wanted to add in there, it was a bird sanctuary because a lot of birds in my house. This has open areas. Open areas are those sanctuary trees that give that real tranquility and security that when I seen the name El Portal the gate because it's like entries to the gate to the greener and peaceful landscape. The reason for my request is that they have the right to my security, tranquility, peace, and my family stability. My carport is an open gate to all undisable people who take advantage of that and sleeping inside the carport area.

Human needs and they take by using the house in the backside of my property. Dog, cat, and raccoons is in my backyard and vandalize my car. These people use my washing and dry machine when we're not at home. Some people feed the cat and baby potting in my house, under my house. The cat have multiplied from what they did, it's quite embarrassing. Yesterday I saw the horrifying scene. Three cat eating a squirrel between. This is terrible for me. There's no way every garbage are on my property. It looked like abandoned and invaluable. That's what is happening with my house.

Therefore, my

constitutional right, of course, the El Portal Village are being constantly violated. How can I modify this situation if my rights are not respected? This enclosure areas become a space for utility room for washing and drying machine, and when I close and put my washer and dry machine like utility area. It's been for my computer room, it's been for my husband office as well as the guest bathroom. According to housing and planning, it's a place for cars in the front because there are two lots with this property to help the lot. The breaking the standards came on the window with my facade.

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I am paying by owner because I am not using any contractor to redo because I will increase my budget. [unintelligible 01:20:50] hopefully I help when they ask me. I am retired, so my budget is limited. From now on, I'm thankful for your understanding in relation to my situation.

Mayor Cubillos: Thank you. I apologize. Thank You, Marty. Juan.

Juan: Thank you, madam mayor. Again, this application is for a garage enclosure and interior renovation. As planning and zoning is concerned, it is about the enclosure of that garage

and conversion into a living space. We recommend approval of this and to move to general counsel.

Mayor Cubillos: Okay, thank you. Any comments or questions from the committee to the applicant or to Juan? Councilperson Roman.

Councilwoman Roman: I have a question, I didn't quite understand the usage of it. I think it was going to be two offices or one office.

Marty: No, I have one big garage. I divided into two rooms, one for my office and for my husband. The other area is for utility area for dry and washing machine, and one for bathroom, guest bathroom, that's all.

Juan: Yes, councilmen, there is a drawing that is entitled floor plan. You'll see it's the proposed new floor plan for that space that includes both the breezeway and the current garage. As you can see there, part of it is turned, the breezeway is actually turned into a family room, bathroom, and laundry room, and then the garage is turned into two bedrooms. We will try and work with the applicant to improve on these drawings for the council so that it's clear for you what it is exactly or how it fits with the existing building for clarity, but in working with the applicant, we do understand what they're doing, so we're comfortable recommending approval.

Councilwoman Roman: Yes, I couldn't tell based on the drawings. Okay, that's it. I don't have any other questions.

Mayor Cubillos: Councilperson Urbom?

Councilman Urbom: Yes, just a couple of questions. Just to be clear, what I'm looking at in addition to the conversion is you're also doing windows at the same time?

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Marty: Yes, the thing looks up.

Councilman Urbom: Then the carport looks like we'll be walled-in for the utility space?

Marty: Yes.

Councilman Urbom: Then the current garage will have a front-facing window.

Marty: Yes.

Councilman Urbom: Okay, I'm on the same page here. Okay, got it.

Mayor Cubillos: Vice Mayor Nickerson, any questions? Okay, nothing else from the committee? Okay, hearing none, is there a motion to adopt this garage conversion and move it to council for council final approval?

Councilman Urbom: I'll make a motion to adopt.

Mayor Cubillos: A motion is made by Councilperson Urbom, is there a second?

Councilwoman Roman: I'll second

Mayor Cubillos: Second by Councilperson Roman. Any other discussion? Okay, hearing none, madam clerk, roll call, please?

City Clerk Jacobi: Roll call, council person Urbom.

Councilman Urbom: Yes.

City Clerk Jacobi: Councilperson Roman.

Councilwoman Roman: Yes.

City Clerk Jacobi: Vice mayor Nickerson

Vice Mayor Nickerson: Yes.

City Clerk Jacobi: Mayor Cubillos

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Mayor Cubillos: No.

City Clerk Jacobi: Motion passes three to one.

Mayor Cubillos: *Gracias*. February it's going to go before the February council meeting.

Marty: February which day?

Mayor Cubillos: The 4th Tuesday in February.

City Clerk Jacobi: February 25th.

Mayor Cubillos: February 25th, okay, but please stay in contact with our clerk if you have any questions, from now until then, okay?

Marty: Okay.

Mayor Cubillos: Marty, have a good night, *gracias*.

Marty: You too, thank you. Goodnight.

Mayor Cubillos: Garage conversion 12 Northwest 91 Street. If the applicant or the architect if they're here please come forward.

Patty: Good evening.

Mayor Cubillos: Good evening.

Patty: Mayor, councils, everybody.

Mayor Cubillos: Your name and address, please.

Patty Ester Margera: I'm sorry, Patty Ester Marrera 12 Northwest 91 Street.

Mayor Cubillos: Okay, welcome. Thank you.

Patty: The reason why I'm requesting a variance for my garage is because right now is a damaged area. I don't have inside access to my laundry. The laundry is in the garage, so I have

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to go outside my house into the yard which is very complicated, especially with the change of weather. I really don't have much lighting since it really needs a complete renovation, but I would like to add an inside door. I sent already the plans to be reviewed. I want to convert this into a Florida room where I have an easy access to my laundry, and I also want to give my kids an area where they can study, have their desk, and dedicate some of that area to storage, which I don't have at this moment.

Mayor Cubillos: Patty, thank you so much for being here. Juan, now we're going to hear from our planner, staff recommendation, okay?

Patty: Okay.

Juan: Yes, ma'am, thank you. We recommend the approval of this item, it's a garage conversion once again with conditions. The conditions are to work with us before council to improve on the facade, the front facade more than anything, which faces the public and which affects other neighbors. If you see, and again, I don't want to get into too much details, it's already very late, if you see in this case the volume of the building is actually lower than the rest of the building, so this was actually intended as a garage, and actually, the volume of the building shows, so it's a little bit more complicated.

Whereas I don't know if you care to see the other previous two that you have approved, it's one single volume that extends, and so it's easier with a single volume because you can just continue the facade. When it's a separate or different volume that is attached as a garage, it's a little bit more challenging.

Mayor Cubillos: Is one of the recommendations going to be that they keep the garage look?

Juan: That's one of the options, but we'll work with them to improve. Again, it will be your decision at council, if this passes today, to approve or not.

Patty: If I may say something. I have spoken with my architect and they recommended, they sent me actually last night a new drawing for the facade, to keep the facade of the garage looking as if it was a garage. I don't know if I'm going to give it to him.

Juan: We have it on file, yes, thank you.

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Patty: Sorry. I have no problem to make the garage look like a garage door. The garage, at this moment, does not have a window for me to have access. I wanted to dedicate it for my kids to study and it's like a dark room, so I like to still be able to put the windows there, but on the outside, make it look like if still a garage door. Obviously, the architect will work more with you.

Juan: Madam mayor, with your permission if I may address the applicant.

Mayor Cubillos: Yes.

Juan: One of the things that we will require all applicants for garage conversions is to show how you're going to park your two cars in the front yard and how that front yard is going to be improved in consistence with the zoning code, which requires a certain amount of space to be devoted for cars because now you're not going to have a garage.

Patty: Right now I have a circular driveway. No, not right now.

Juan: You don't have to, we can go into it to improve the drawings so that the council has more information at council time.

Mayor Cubillos: Do you currently park your car in the garage?

Patty: No.

Mayor Cubillos: Any car in the garage?

Patty: None, at all.

Mayor Cubillos: Any other questions from the committee to the applicant or to Juan?

Councilman Urbom: Yes.

Mayor Cubillos: Councilperson Urbom.

Councilman Urbom: For Juan, I imagine this will be the question. I'm looking at the before and after photo or the rendering. The window that she's proposing, the applicant's

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proposing where the garage currently is, if that window were raised to be at the same level as the window immediately next to it, would that alone solve the problem?

Juan: Definitely it would improve the look of it. That would mean that you'd have a lot less headroom.

Councilman Urbom: It would look a little bit different because of the eaves for example.

Juan: Because ideally, garage conversions, as you can imagine, should also raise their floor to match the rest of the floor, otherwise, you have a building where you step down into a slab, which is obviously a garage. That is an issue when your volume is lower, so it is a challenge.

Councilman Urbom: The window placement could go a long way with that.

Juan: That would help, potentially.

Councilman Urbom: Because, for me, I can be torn about garage conversions, and so I think it's important that we figure out a capacity to accommodate them because of the reality of everything. In theory, Miami-Dade County will start moving away from having so many vehicles on the road, so garages may not be the issue in the future that they were in the past. I would love to have a garage, by the way, but I might also be tempted to turn it into another room, that's for sure. My concern is that if the design could be accommodated so that it would meet our standards, I would feel way more comfortable about that than doing a full conversion where the garage door is there and serves no purpose.

I would also have concerns for the future value of the property in terms of a conversion like that. For me personally, I like asymmetrical design, so I really think you put a lot of thought in this and it really does look nice.

Patty: Thank you.

Councilman Urbom: I'm on board with that, but I certainly will weigh heavily what Juan has to say. He and I have had specific conversations about this several times. That's what I would say. The window placement being in line with the window immediately next to it could go a long way towards getting it to a place where we feel more comfortable with that. You're okay with having a false garage door on a garage conversion, that would be my direct question to you.

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Juan: You're putting me in a tough spot-

Councilman Urbom: I know.

Juan: - because disagree with my wife and we both have different opinions about this, but rest assured that before council, we'll come to a solution that I think you'll be happier with. I'm hoping that my marriage is not in the balance.

Councilman Urbom: I'm with you there.

Mayor Cubillos: Any other questions from the committee? Hearing none, is there a motion to accept, as a committee, this garage conversion and move it to full-council for final approval?

Councilman Urbom: I'll make the motion to accept.

Mayor Cubillos: Motion has been made by Councilperson Urbom, is there a second?

Councilwoman Roman: I'll second.

Mayor Cubillos: Second by Councilperson Roman. Any discussion? Hearing none, madam clerk, can I get roll call, please?

City Clerk Jacobi: Roll call, Councilman Urbom?

Councilman Urbom: Yes.

City Clerk Jacobi: Councilwoman Roman.

Councilwoman Roman: Yes.

City Clerk Jacobi: Vice Mayor Nickerson?

Vice Mayor Nickerson: Yes.

City Clerk Jacobi: Mayor Cubillos?

Mayor Cubillos: No.

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City Clerk Jacobi: Motion passes three to one.

Mayor Cubillos: We'll see you February council meeting, okay?

Patty: Thank you.

Mayor Cubillos: February 25th, I think we said. Thank you so much, you all for your patience. Garage conversion, 155 Northwest. That can't be right. 56th Street, that can be right.

Neshgo Prethrego: No, 86th street.

Mayor Cubillos: 86th Street, okay. I just saw that. How are you? Thank you for your patience.

Neshgo Prethrego: Okay, Inez Prethrego, 155 Northwest 86th street. The reason I want to convert is I have my nephew coming to study FIU and he's going to stay with me. I'm a real estate broker and I work from home. I have a dedicated office. Actually, it's the biggest room in the house because I need a lot of space and I need to accommodate my nephew, so my solution is to use the garage. I would pass my office to the garage that I don't use because the door is small and I have a Kia Sportage, and I've only got it in once during the hurricane with someone guiding me, so I don't use it. I think it's a very easy conversion.

I would bring up the floor to the same level as the bedroom in the side. It's basically bringing up the floor. What I proposed too was a window. The window I proposed was the same as the one in the other room, but I'm open to work with the city. I proposed a very basic plan and if this passes, I have my architects that will work with the city. Very happy to accommodate whatever is good. If I have to have a garage door, I will have it because I really need that space. I need to work and I would like to have my nephew and not making him go to spend money.

Mayor Cubillos: Thank you, Inez. Huan.

Juan: Thank you. Once again, garage conversion. That's what zoning is looking at. We are recommending approval with conditions as they have been stated before or with regards to the character of the front facade that affects the look of the neighborhood. In this case, and going back to your question about the ideal application, we need a lot more information to make our best determination. We will probably require the applicant to show the rest of the building and how this room fits in the context of that building, how the parking is handled in the front, their driveway, plus the 30% max parking area, et cetera.

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In addition to all the questions that will be answered when the plan is fully submitted, like where the bathrooms are, et cetera.

Mayor Cubillos: Okay, thank you.

Juan: We recommend approval with conditions.

Mayor Cubillos: With conditions. Does the committee have any questions for either the applicant or for Juan? Councilperson Urbom?

Councilman Urbom: When might we be able to see those formal designs as he was referencing?

Inez: For what? Because I went to the office to see how this process went and they told me there was this first step. This first step, I just made like a simple thing because honestly, I wasn't going to spend the money in architects without knowing if I had a chance of getting it. If now I pass, I have my architect ready, so I might have everything very clear and I will work with Juan's department in order to present anything they need.

Councilman Urbom: Then I guess for Juan, you're comfortable with that timeline of having everything we would need by February 25th too.

Juan: We're comfortable working with the applicant to have more information and let you make a proper decision.

Councilman Urbom: Okay, very good.

Juan: An informed decision rather.

Councilwoman Roman: I have a question.

Mayor Cubillos: Councilperson Roman.

Councilwoman Roman: Yes, I have a question, Inez. You're actually converting it into an office, and then your nephew is going into another bedroom?

Inez: Yes, the actual house, which is small, it's 1400 square feet has three bedrooms. One is my bedroom, I have a little one for my guests, especially for my mother when she comes to

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see me, and then I have a big one, which was the original master bedroom of the house. That's my office because I am a full-time broker and I have signs, postcards, I need a lot of space. If my nephew is coming, I would accommodate him in that, what my office is so he has the bathroom and everything there, and my office would go to the garage.

Councilwoman Roman: Okay, got it. The reason I asked that question is because I didn't see a closet, so that explains it. You don't need a closet if you're having an office there.

Inez: Probably I will put because when I did this in November, it was very basic, if you can see, I said I was going to put the split, but now working with the architect, we decided it's going to be better to put central air conditioning because the bedroom beside has a split also. I just wanted to present quickly because you never know when you're going to get this meeting going. I just did it like that and I'd been working these months with the architect, so I probably will put a wardrobe.

Mayor Cubillos: Any other questions from the committee to the applicant or to the planner?

Vice Mayor Nickerson: Quick, madam mayor.

Mayor Cubillos: Yes, Vice Mayor Nickerson.

Vice Mayor Nickerson: You're going to put a wardrobe, but nobody's adding, Juan or the applicant, nobody's adding another bathroom though. Everything else is staying.

Juan: Honestly, we don't have architectural drawings.

Vice Mayor Nickerson: You can't answer that.

Juan: The current drawings, it don't show a bathroom.

Vice Mayor Nickerson: Is there extra plumbing? Are you adding extra plumbing anywhere?

Inez: No, I'm changing the water heater. I have to change it of place because it's just where I can open the door to the house because I'm closing the door that goes outside logically, and I'm opening the door, and the only place I can open it is where the water heater is, so that's the only change I will do.

Vice Mayor Nickerson: We have to see that.

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**Village of El Portal
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Mayor Cubillos: Any other questions to Juan or the applicant? I see somebody staring at me. Hearing none, is there a motion to move this to full-council, this garage conversion?

Mayor Cubillos: Motion's been made by Councilperson Roman, is there a second?

Councilman Urbom: I'll second.

Mayor Cubillos: Second by Councilperson Urbom. Any other discussion? Okay, hearing none, madam clerk, can I have roll call, please?

City Clerk Jacobi: Roll call, Councilperson Urbom?

Councilman Urbom: Yes.

City Clerk Jacobi: Councilperson Roman?

Councilwoman Roman: Yes.

City Clerk Jacobi: Vice Mayor Nickerson?

Vice Mayor Nickerson: Yes.

City Clerk Jacobi: Mayor Cubillos?

Mayor Cubillos: No.

City Clerk Jacobi: Motion passes three to one.

Mayor Cubillos: Inez, so February 25th, okay?

Inez: Okay.

Mayor Cubillos: Work with Juan. To all the applicants, just keep in mind that nos can be yeses and yeses can be nos. At least for me, it's really important that the planner has made recommendations, I like to see them in an architectural format because, as you said, when you spend that money, you're more inclined to do it properly. There's been many garage conversions in the past that I've said yes or no, and when I see it come to life, it's not the reality

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we saw here. It's really important that everything that he recommends is really based on the guideline of our code, and that's generally what we follow.

With that said, just keep that in mind, yeses can be nos, nos can be yes, and then once you have it to Juan, it's important that we get it so that we can make more sound and educated decisions. Thank you so much and again, thank you all for your patience. We're going to go right into the amendment to fence regulations to allow for privacy fences. Juan.

Juan: Madam mayor, council, this is a seemingly simple amendment to the code, I'll let Camilla talk about it since she's authored this with me and she led the project.

Camilla: Hi, good evening committee members. This small amendment came after the fact that a concerned resident reached out about the fact that under the code, especially particularly under wood fences, there's specific language then makes it so that privacy, they're technically not permitted under the language now. We needed to make amendments so that they were because they are necessary for a lot of people in the interior of the lots and the rear.

These amendments make it so that privacy wood fences, well, actually, it's very similar to the provisions for wire fences now, it just makes it so that residents can build privacy fences in the interior lot lines and the rear, but they will not be visible from the street, from the public right of way. With that amendment came the additional removal of, in the previous amendments that were passed earlier or late last year, PVC and composite material were added to the materials allowed. Now they have been removed to allow for all fences, but rather for just privacy fences so that these materials aren't used for fences that are visible from the public right of way.

This is our proposal. Of course, we're open to comments too if you don't agree. The diagrams in the back just summarise where fences currently are allowed and what we're proposing. The height remains the same, six feet max, and for wire fences, it's actually five feet, but that's a small change, it's just to allow for provision for privacy fences. You see at the very end of wood fences, there's additional language under C. It says 'privacy fences' and it just lists what I've just summarised.

Mayor Cubillos: Does the committee have any questions to the planner?

Councilwoman Roman: This is not on corner lots, this is on a regular lot.

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Camilla: Yes.

Councilwoman Roman: I'm a visual person and these drawings don't show me much, though I don't understand them. Got ahead.

Camilla: No, please, continue with the question.

Councilwoman Roman: I'm looking here, what are we allowing now? I'm confused.

Camilla: It's confusing because actually these fences, if you look at the original code for wood fences, if you go to the section where it says under B, 'wood fences', and then one underneath, the very last sentence says, "Picket shall be placed so as to provide a space between of not less than one-half the width of the picket." That provision alone, it doesn't allow for the privacy fences, where the pickets, they don't have any space and they're not see-through. We're just adding this language to permit those fences, but only in the interior lot lines and the rear, not on corner lots or the front, anywhere on the front.

Councilwoman Roman: Okay, all right, that's fine. That clears it up. It's just the question I had is because of what I've seen being built.

Camilla: Right, which is why we're running this, but if you're not in agreement, then we're open to suggestions. If this proposal restricts too much or if you think that they should be allowed within the frontage, not the primary frontage, we're not allowing within the first 25 feet as we agreed last time, but in line with the building. Right now we're not permitting that for privacy fences.

Mayor Cubillos: Does the committee have any questions? I think for purpose of clarity because it's come up a lot and we got another email is Northeast 2nd Avenue which is not zoned Z3, they are allowed to have a privacy fence about eight feet tall. I think it's just important to put it back in the record because it comes often to us because Northeast 2nd Avenue is zoned differently. Is it Z4? Yes, Z4, right?

Camilla: Yes, Z4.

Mayor Cubillos: As a part of being Z4, their fence regulations are a little different. Just for clarity, can you remind us what that regulation? Do you guys know off the top of your head? Z4 reference regulation is?

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Camilla: It's street screens and fences up to eight feet and that are in line with the building, so they too cannot come forward to anywhere in the yard that goes beyond the main facade. For example, in this case, it's the rear and the problem is that it's a corner lot and so is very visible and that's why it raised a lot of concerns, and it's a duplex and it's not currently used. Those provisions in the code were written for what the vision was for 2nd Avenue and in this case, this property, the use hasn't changed, and so they propose this fence for the duplex and it's highly visible and everybody raised those concerns.

The code can keep evolving and we're always working to make amendments so we can address this if it becomes an issue.

Mayor Cubillos: I think it's a little bit of an eyesore. I get privacy, I own a business on Northeast side and I get it, so I just think that maybe we need to revisit what that looks like because I think when you all write and we approve codes is one thing, and then you see it come to life puts things in perspective. Maybe revisit that and come up with something a little more - You all are, you guys are pretty planners, you make something look a little more permeable or not so stiff. It's an eight-foot wooden fence.

Juan: I get it, but if I can give you the other side of the argument. I have seen the pictures, I have seen the fence, and it does look out of place because you have a one-story, and a one-story, and this huge fence and it looks really terrible, but I'll give you the reason why it's allowed. It's allowed because it's actually protecting the Z3 from a potential development of a three-story building. I would argue that whereas today people might see this as out of scale, it is actually an attempt to protect visually those residents that right now feel that it's too tall.

Once we start getting those two and three-story buildings that are mixed-use and half the back of house, back of house meaning the alley with the trash and everything else, I would bet that at that point the residents are going to be happy that they have those eight-foot fences. I think that we would be happy to amend the code to allow or to deny offenses of a certain height unless the taller building is designed, but I think that will just be a patch to something that is bound to happen in the future.

Again, planners, unfortunately, they think we're nuts because we're thinking 40 years ahead of time, but 40 years ahead of time, we envisioned that the vision that the village had of those three stories in the 2012 charrette will be a reality. At that point, we will need visual privacy and visual protection from one use to the next.

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Mayor Cubillos: Councilperson Roman.

Councilwoman Roman: Maybe you did answer this, but is there a way to put a stipulation that the building has to be commercial or it has to be the three-stories in order for it to have that horrific looking fence?

Juan: It certainly can and if directed, we will propose that amendment.

Councilwoman Roman: Yes, I don't know.

Mayor Cubillos: I think we need to just think about all of this because my only thought is, if I'm coming in and I want to buy four properties, am I going to be like, well, now I got to put the fence because that was put there because it's only one floor, but now I wanted a three.

Juan: We're only talking about the-- I'm sorry to interrupt, mayor, please continue.

Mayor Cubillos: No, that's okay. Go ahead.

Juan: I think this conversation has deviated. The item in place is privacy fences.

Mayor Cubillos: Yes, I'm sorry, I brought up Northeast 2nd Avenue, I apologize.

Juan: You're absolutely right to bring it up because it's something that has actually concerned us as well, but we're only talking about specific locations between Z4 and Z3. There is that protection. In fact, it's not that different than what the school, potential school the sanctuary may be required or may be allowed to do in order to protect from visual noise, et cetera, nuisance to the residents. The specific instance, in this case, is between Z3 and Z4. I'll be happy to discuss this in more detail. We think it's a protection, can we make a modification? Absolutely, we can consider that and we can present a proposal. If you want, we can continue talking about this or we can move back.

Mayor Cubillos: No, we're going to move into privacy fence. The committee, do you have any questions for Juan? If not, is there a motion to move this to the full-council?

Councilwoman Roman: I'll motion to move this to full-council.

Mayor Cubillos: Motion has been made by Councilperson Roman to move the amendment to fence regulation for zone three. Is there a second?

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Councilman Urbom: I will second.

Mayor Cubillos: Second by Councilperson Urbom. Any discussion? Hearing none, madam clerk, roll call.

City Clerk Jacobi: Roll call, Councilperson Urbom.

Councilman Urbom: Yes.

City Clerk Jacobi: Councilperson Roman.

Councilwoman Roman: Yes.

City Clerk Jacobi: Vice Mayor Nickerson.

Vice Mayor Nickerson: Yes.

City Clerk Jacobi: Mayor Cubillos.

Mayor Cubillos: Yes.

City Clerk Jacobi: Motion passes four to none.

Mayor Cubillos: Great. Thank you for your patience. Site plan review, 310 Northeast 88th Street. If you could please have the applicant, the architect, whomever is here to come forward, and then we will hear the staff recommendation.

Fernando Aroti: Good evening. How are you doing there?

Mayor Cubillos: Good evening. State your name and address for the record.

Fernando: Fernando Aroti and the property address is 310 Northeast 88th Street. Magrin the architect.

Mayor Cubillos: If you can pause. Can you all see the drawing from where you're sitting?

Vice Mayor Nickerson: Yes.

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Mayor Cubillos: Okay, may I have the drawing. Thank you.

Fernando: Thank you for having me here tonight and taking the time out of your busy schedules here. I applied for a variance last in the summer last year to build a home on a vacant lot that's located right in the corner of Northeast 3rd and 88th. I wanted to propose it and to see if we can have the opportunity to continue with the project. What we're proposing is a single-family residence. Two-story residence on the corner lot, a vacant lot right now and it's 3000 square feet and air condition, four bedrooms, three baths, three and a half bath. We tried to take into consideration the design is a home to continue with the beauty of the village.

Your village is very beautiful. Myself and my family fell in love with it and we want to conserve the beauty of the area, the trees, and the foliage to incorporate the home, so I don't know.

Mayor Cubillos: No, thank you, Fernando.

Fernando: I think we met.

Mayor Cubillos: Yes, we've met once before. Juan.

Juan: Yes, ma'am. Thank you, council, madam mayor. This application for a new construction requires both committee approval and council approval. This is a new construction that fits within the village zoning. Again, it is recommended for approval with conditions in order to figure out some of the architectural elements that don't fit as I said earlier in item one of planning and zoning, which was the architectural standards that we're looking at and we'll be happy to work with the applicant. I think that with some minor modifications, we might be able to have something that fits within the character of El Portal.

Mayor Cubillos: I'll open up to the committee. Councilperson Urbom.

Councilman Urbom: Hello, welcome. Juan.

Juan: Yes, sir.

Councilman Urbom: What modifications are we talking about architecturally?

Juan: I'll be more than happy to go over these with you. It could get lengthy and I don't want to create an architectural debate.

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Councilman Urbom: Okay, we'll meet.

Mayor Cubillos: I'd like you to go through some of them.

Juan: Some of them, okay.

Mayor Cubillos: I think it's necessary.

Juan: Okay, you're asking me to review the findings of the architectural character that we found in El Portal, which is based on four different styles that we've identified going from the early part of the century to the 1920s to the mid-century modern to the modern, which we're also including as part of the guidelines, the language of the El Portal.

In most of these cases, we find that there's a certain level of symmetry that happens within this building and these volumes, which is if respected, it gives the building both scale and proportion that is, not only consistent with the character that we find in most of the existing buildings but also it is easier to the eye.

Again, we are not stylistically driven. The guidelines will show what we are basing our findings on, but mostly it is scale proportion and an author which we will show in our guidelines. If you look at the long facade of the main building that they're proposing, there is a certain disarray on window shapes and sizes that are not conducive to, I guess, a facade that creates a regime or an author, a rhythm going down. It is a long facade, so because that rhythm is not respected, it seems that some areas where the windows are most separated, it becomes a much more solid wall than it could be, and hence, the ratio of opening looks a lot less creating a solid facade.

There's also an issue that we find with the front yard providing two driveways. We don't necessarily see that as necessary, but of course, we'd like to hear the reasons why the applicant feels that there's a need for two driveways that will reduce the amount of green space that we have on these two frontages. There is a number of other items that I could bring up, but I think that I'd rather work with the applicant to improve some of those conditions than, again, my architecture lectures are only from 2:00 to 5:00. I try to keep those only to my third-year students.

Councilman Urbom: I appreciate it. I do have one question. The intention is to build this house and sell it?

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Fernando: Yes.

Councilman Urbom: I just have to say I'm having a hard time with this design specifically because of how far into the modern era it is, and I really do have a genuine concern with, exactly as he's describing, the way the windows are on that one facade. It really is a monolith in terms of a wall. For me, I can only speak for myself, as I look at El Portal 30 years from now, what will set us apart from any other community is exactly preserving the architectural style that exists here because, in 30 years from now, I believe that this is the style that will dominate Miami-Dade County. I have very sincere concerns about the number of modern properties and even a couple of ultra-modern properties that are already here.

My direct question really, for Juan is, in anticipation of our architectural guide that, in theory, will be produced sometime in the next few months, potentially, as early as, would this style home, it's almost an impossible question for me to ask you because we don't have that guide yet, but I'd be looking for your guidance to understand if this home would fit into where we're headed with that architectural guideline. You're saying modern is included in the four styles.

Juan: Again, I have to also add to this. It has to be brought to light the fact that this applicant has been applied a long time ago. I know this is not an excuse but bear with me for a second. I feel I need to work with this applicant because of force majeure; the hurricane, and the holidays, and a whole bunch of other reasons. He's been waiting for this for a while, and so we feel that we have to work with this applicant to make sure that this is approved by council. That's preface. To answer your question, I'll go back to what I said already.

Our office, our service to you is not to provide you a preferred style, it is to organize and to make sure that scale, the volume, basically the scale, the author and the proportion of these buildings fit. You can do that with many different styles and that's why, unless directed by the council, unless we go towards a more, I'll use the example of one of our neighbors, Coral Gables, which has a much more restrictive and prescriptive architecture style. They even have a board of architects that weighs in on the merit of some of these applications.

Unless we go that route, we need to put a certain amount of author in the guidelines so that it allows you, the council, to make better decisions or at least more informed decisions about the new buildings that come to you. Since we don't have that, all I can do is proffer our studio's time to work with the applicant so that we can use what we've learned from what exists today. At the end of the day, the reason why we're doing this is because the comprehensive plan calls for- the zoning code doesn't talk about style. It could but it doesn't. The comprehensive plan

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though talks about construction being compatible with existing and being harmonious with both nature and the existing structures.

That is one of the reasons why we feel strongly and, in fact, the council instructed us to work on these guidelines is to give you better information and part of that will be us working with them. I think that within the next couple of months, we can present to you something that you might not like it, but at least it will be authored and it'll fit within the context better, and then you might vote against it because there's nothing written on taste.

We might agree to disagree, but I will do my best, our team will do our best to work with the applicant so that given the fact that I know you a little better than the applicant does because of the longer time that I've worked with you, I think I might be able to help in getting something a little bit more palatable to the council because that, it's a long way.

Councilman Urbom: Yes, that sounds fine. The reason largely for my comments for your benefit is most residents are already concerned that ultramodern is the direction where new construction is headed.

Juan: We took that into consideration not to do ultra-modern rocks, you know what I mean? We tried to stick with the [crosstalk].

Councilman Urbom: It's a clean design, the layout seems amazing. You certainly did a very good job with this. By no means at all am I discounting the quality of the work whatsoever. Again, as I'm sure you heard me say a long time ago in the previous committee meeting a couple of hours ago now, I really do have to be the devil's advocate and that's part of the reason I weigh towards input so heavily is because you really is someone who does think multiple decades ahead, and that's always where my mind is. Not that I always agree with Juan, I certainly don't, but, again, with his expertise, I weigh very heavily with what he has to say.

I just want you to understand that the residents really are truly concerned that any new construction is going to look ultramodern, and I am convinced that the long-term health of El Portal relies heavily on maintaining largely the architecture that exists here because it will be unique in short order, and so I'll leave it at that.

Mayor Cubillos: Juan, I'm going to put you on the spot at the moment and I apologize beforehand. As you mentioned, you know us pretty well. Actually, more than us four that we're up here, you know a lot of our residents very well. They call you, they freely call you. Some

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that have been formally elected, some that used to be really involved. I guess my concern because I feel bad for everybody involved. I know you've been in this process for a really long time, but I like to not make mistakes more than once, at least at the same ones.

I made a mistake, I'm not going to say we, even though it's a we, we made a mistake by approving a home that although this was crowded with residents, all wanted us to do it. We were pressured and if not, we're terrible people, now a lot of them regret, and that home is at 87th Street. When I see this, I think of that home. I take 87th Street every single night and every single morning to go home and to work back and forth, and it's a reminder of the mistake that we made. I made, I'll take the blame. I made that mistake of approving a home like that because it doesn't fit. It's an eyesore, for lack of a better word.

I encourage you, if you have not, to go look at that home. Now I'm going to go to Juan. Knowing us, and our character, and who we are, I would like to have options. If you knew, seeing this, that we were going to have a hard time swallowing this, it's terrible that you've waited for a year with this exact same join. There was plenty of time for them to have been advised. I don't know, maybe you didn't feel like the freedom or what that is.

You know we think you're fantastic, but I have to think of that and have to think what's going to happen again in the future because this can happen again, and there's no need for you to wait to come see the committee when this conversation I could be having with you guys, and, hey, you could be sitting here today, we could be looking at that or we could be looking at another couple of drawings. Guess what? We might pick the second one, but it's hard for me to say I would even move that to council because from the way I think it needs to look like based on what this village looks like, it's got a long way to go.

It makes me sad for you because it's been a long time and it's not fair to you, and our process generally doesn't take that long. One of the things I want to propose to this committee is I do believe that with the Civista, with the potential business coming forward and with a couple of new developments, I almost propose that this planning and zoning needs to meet monthly on a different night. I'd like the committee to just put it in the back of their heads for the second Tuesday in every month. I think we need to meet because it's not fair because we don't meet once a month or so on, so that's a separate conversation, but we're here in 2020. This application was turned in when?

Fernando: I started this process--

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Mayor Cubillos: When did you turn it in?

Fernando: I think it was, the date on the application, I think it was May.

Mayor Cubillos: Yes, so there's time. It didn't matter if our committee meetings had been canceled - Unfortunately, we had a committee that was canceled, I apologize for the potential Hurricane Dorian, all of the unforeseen, but more importantly, there was still time of being able to work together. My only recommendation is let's not let this happen again. If this is presented to you, I think you may know already that this is not something that the committee may like and start working with the applicants so that we can see some choices here. That's all. I'll leave it up to any other committee members if they have any questions for either Juan or the applicant.

Councilwoman Roman: I do have a question in regards to the sector two driveways. Why was it designed that way?

Fernando: That lot is 52-feet wide. Really it's a corner lot, the setbacks are 15-feet.

Councilwoman Roman: I'm familiar with the lot.

Fernando: Basically, on a four-bedroom home, you can fit one park driveway in the front. In a corner house, most of the corner houses have their garages on the side like the one across the street, so if you got a two-car garage, the entrance to the two-car garage in the back, then you've got one car driveway in the front. If we don't put that driveway there, it's basically a two. If you got a four-bedroom house, you need a two-car driveway basically and the garage. In other words, we're trying. Not only that, we've had a two-car garage in the front. Based on the sides of the lot and the setback, you have to put the garage in the back.

Again, we can eliminate the driveway in the front, but then you have just the driveway in the back coming into the garage. Use your bearing, that works very differently. I've done three, you know what I mean? There's multiple houses I have done. I have done a couple of houses along here already in Northwest and the Northwest side, the other side of the school with very large driveways permitted by you, by the department here.

Juan: The reason partly why the council is asking is because, if you have a garage but you need a driveway to park your car, why are you putting a garage? That's part of the questions that we have with regard to that because then, as you heard, the four applications before you, we are going to get up a garage conversion.

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Fernando: The garage nowadays, a lot of people with electric cars and so on, very convenient to have a garage, and a house in this caliber, not having a garage is a big mistake.

Councilwoman Roman: This is not a question, this is just a comment. I agree with what the mayor says because it's like a waste of our time right now, but scale is important. When you're talking to Juan, please keep that in mind.

Fernando: No, before designing the home, we went through them and they gave us all the guidelines that you have written, the village has in place to design the home. The architect designed the home based on the guidelines, the setbacks, the amount of land coverage that you're allowed to build on the home in your land, that's how we came up with the design of the home. We didn't basically decide that we want to build. We went based on the guidelines that El Portal has.

Councilwoman Roman: That's why we're building the architectural design.

Fernando: That architectural doesn't exist and we went based on what at the moment does exist. Trust me, I want to spend the money to do this. I spent tens of thousands of dollars on this already.

Mayor Cubillos: Councilperson Urbom?

Councilman Urbom: I would say that as you're listening to the harshness of the criticism tonight, I do feel like we're closer than it may sound. I really do. Just quickly, for me, I'm looking at the eaves of the top roof right in the height of the building, so for me, it's like a tiny little hat on a big person a thing.

Fernando: If you see the scans.

Councilman Urbom: Yes, I'm with you. I actually like the garage, the garage component in that open space I think is wonderful. I would love to have a garage. I need the sun off of my vehicle to keep the length to maintain the life of my vehicle, and so I'm currently trying to look for a way to provide shade for a vehicle outside of storage, security, safety, and as you said, with the electric vehicles and all manner of other things that I would like to store in a garage.

I would hope that you're not completely discouraged tonight because I really do feel that with further discussion with Pusabia and then understanding truly where our minds are at, I really

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do think that within this design, there would be modifications that can be made. No one's ever going to please everybody. Like the garage, Councilperson Roman doesn't.

Councilwoman Roman: No, I didn't say that.

Councilman Urbom: No, you know what I'm saying, but anyway, in terms of those differences, you're never going to please everybody. I wouldn't want you to go away tonight thinking that you got to start completely from scratch. Like I said, the layout seems great. As it is right now, it would be a phenomenal home for a great many people, so there's no knocking that at all. I would just encourage you not to feel that we're as far apart as it sounds like we are. I really do think that there would be a compromise in there and I really do think that Juan would be one of the best people in the county probably to help us get there, so no pressure.

Juan: Wow.

Mayor Cubillos: Any other comments from the committee? Okay, hearing none, is there a motion to move this to council?

Vice Mayor Nickerson: I'll make the motion to move it to council, madam mayor.

Mayor Cubillos: Motion has been made by Vice Mayor Nickerson, is there a second?

Councilwoman Roman: I'll second it.

Mayor Cubillos: Second by Councilperson Roman. Any discussion?

Councilman Urbom: If there's--

Mayor Cubillos: No, my only comment it will be is, with the amount of workshop that I still think it needs, it's not to say it'll never pass, I think those are the things that happens at committee, not at council, hence why I'm inclined to say it needs to stay in the council. I have no problem meeting on the 2nd. I have to look at that, but we can meet in February again, we don't have to wait till March. I have no problem doing that. I'm sure the council is amenable to that. That's just where I stand. It's not because I'm against the home, I just would like to see it more along the lines of where of El Portal. Councilperson. *Si*.

Fernando: May I say something?

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Mayor Cubillos: Yes.

Fernando: I'm willing to do work with Juan and Camilla along with my architect, Mark, till we can expedite this and meet tomorrow. I really would hate to continue to prolong this. We can meet and make the changes that we need to do and move forward.

Juan: Certainly, we've been available. In fact, we offered to do that prior to this meeting. The conversation with you was that you wanted to hear the council's opinion, so we've waited until now. Now you've heard the council will be happy to work with you to move forward with this.

Fernando: I would ask, if we do this briefing, how soon can we can have this or we can have this for your following council?

Mayor Cubillos: Once you all come to an agreement, Juan's in constant contact with our manager, and I'm the chair of this committee, so they will contact and we'll put it out to the entire committee. We'll come up with the date once he tells us that you have all your ducks in a row and we'll meet again, but we have a motion on the table, we still have to vote. All right, so any discussion from the committee? Councilperson Urbom.

Councilman Urbom: Yes, so first, I'm on board with planning and zoning on a monthly basis. I'll say that I'm definitely on board with that. The question I have is if this does not pass tonight, I would imagine he would still have access to still working this out with Juan and getting a meeting in February so that in theory, we would be able to revisit this in February ahead of the February general council meeting. Is any of that possible on a no vote tonight?

Mayor Cubillos: I don't know how long it will take for, number one, you all you to meet and then come up with something else. I know there's an architect involved, there's an owner involved, there's a planner involved, you might need to get ahold of the manager, however long that takes, we're in January 21st. If you tell the manager that everything is ready to go and the clerk, that everything is ready to go and she contacts us and we get a date, we'll meet, but we have to have everything in place. There's guidelines you have to follow.

Juan: If this doesn't pass this committee meeting, it will have to come back to a community meeting.

Mayor Cubillos: Yes.

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Juan: As a new application. If it passes, we can still work. We work with the applicants regardless of that moment in the process that they're in.

Councilman Urbom: Hold on, that's important. You're saying if this goes to a no-vote tonight, you're saying that a new application must be submitted. Tonight will be the end of the application.

Juan: There will be a new application and he'll have to go through the same process and he'll have to go through this committee again.

Councilman Urbom: Very important to consider, okay.

Juan: If it's approved today, then we'll move forward to working with this application.

Councilman Urbom: If we proceed today, we're discussing this at January general council meeting?

City Clerk Jacobi: No, in February.

Juan: We're talking about with respect to, correct me if I'm wrong, attorney, you have an option to approve, approve with conditions or deny? We recommend approval with conditions.

City Attorney Powell: There's a third option which may be in order. You can move to table it to give them an opportunity to meet as they are discussing it, and then work out some of the comments, and then bring it back at maybe another meeting to discuss at the committee level.

Juan: Then it will be back to a committee level?

Powell: Correct, that way you don't have a denial, and then I believe the client also has to adhere too.

Fernando: May I speak? I'm willing to, at no moment I'm denying or I'm being difficult or saying that. Any of you guys know that I'm willing to meet with the gentleman and with my architect so we can do whatever tweaks that we need to do to the property so we can present it in the next meeting in February so we can move forward from this. Like I said, I'm not being difficult, I'm not saying that I'm not willing to do anything, I'm saying that I'm willing to continue paying my architect so that he can sit with the gentleman and myself so we can modify the property so we can put this past us and move forward.

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Mayor Cubillos: Norman, there is a motion on the dias right now and there is a motion that is a second. If the council wants the motion to table this which may be more prudent so that it doesn't have to go through the entire process again, then the person who made the motion is to rescind their motion. You can, therefore, guide the council member that made the motion, that's if that's the avenue they want to go, they want to go that way. It's still my opinion, and I'm only one person, there's four of us here that we all will take a vote on, I still believe this needs to go to committee, it should not go to full-council with the amount of discussions.

I think the amount of discussions to have at a full-council I think it will be much in my opinion, but that's just me. There's a motion on the table, who made the motion?

Vice Mayor Nickerson: Me.

Mayor Cubillos: Vice Mayor Nickerson made the motion.

Vice Mayor Nickerson: Can I say something?

Mayor Cubillos: Yes.

Vice Mayor Nickerson: First of all, I wanted to say that I appreciate the time that you've put in. I appreciate the time you've always put in. I agree wholeheartedly with the mayor, with Councilperson Urbom, I did this throughout this whole process. If anybody knows me like, "Why he make the motion?" but I've always said before, I do believe that everybody deserves an up or down vote, it's the way I am. It's been times in the past where I've motioned something and I've voted against it. That being said, I think, Mr. Attorney, correct me if I'm wrong, so we'll vote on this motion up or down and then can after that somebody make a second motion?

Powell: Technically a motion to table will take precedence, but I think just to be procedurally correct, you can withdraw your motion with the permission from the second. Then if it's your pleasure to just go ahead and make a motion to table to give the parties an opportunity to work out the application satisfactory based upon the comments that we've discussed today to bring it back to the committee because it just doesn't sound like there's readiness to move it to the council meeting based upon what that meeting might turn into in terms of a workshop when it should be at the committee level.

Councilman Urbom: All right, I will make a motion to--

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Vice Mayor Nickerson: I have to rescind.

Powell: You have to make a motion.

Councilman Urbom: Okay.

Mayor Cubillos: There's a motion on the dias. Whoever made the motion must, with the approval of the second,-

Powell: To amend it.

Mayor Cubillos: - to amend it.

Councilman Urbom: It's got to be a first? Okay.

Vice Mayor Nickerson: With the approval of Councilperson Urbom, by you.

Councilman Urbom: Councilperson Roman.

Vice Mayor Nickerson: It was Councilperson Roman. Councilperson Roman with your approval, may I please rescind my motion?

Powell: Just to amend it to table.

Mayor Cubillos: Amend it to table it.

Vice Mayor Nickerson: Okay, well, rescind the original motion to go to--

Powell: Amend.

Vice Mayor Nickerson: Just amend the motion.

Powell: Just amend the request.

Mayor Cubillos: Put your microphone on please.

Powell: I'm sorry. I'm just going to make the request to amend your motion to table it with the permission of the second, and then that will be the motion on the table.

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Vice Mayor Nickerson: Okay, I thought I heard the word rescind a couple of times.

Powell: That was the mayor.

Mayor Cubillos: Probably, don't listen to me

Vice Mayor Nickerson: Madam second, Councilperson Roman, I wanted to make an amendment to the motion to table it to a future planning and zoning committee meeting to be set at a later date. That's my new motion.

Councilwoman Roman: It's fine.

Mayor Cubillos: There's a motion to amend the initial motion to then table it so that the parties can come to a better agreement and bring it back to a planning and zoning committee. It was motion made by Vice Mayor Nickerson and it was second by Councilperson Roman. Attorney Powell, is that okay?

Powell: Right.

Mayor Cubillos: Perfect, thank you.

Powell: It's accepted.

Mayor Cubillos: Accepted, okay. I'm not going to have a discussion. Madam Clerk, can I have roll call, please.

City Clerk Jacobi: Roll call, Councilperson Urbom?

Councilman Urbom: Yes.

City Clerk Jacobi: Councilperson Roman?

Councilwoman Roman: Yes.

City Clerk Jacobi: Vice Mayor Nickerson?

Vice Mayor Nickerson: Yes.

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City Clerk Jacobi: Mayor Cubillos?

Mayor Cubillos: Yes.

City Clerk Jacobi: Motion passes four to none.

Mayor Cubillos: All right, good job. Thank you and we look forward to seeing you guys in February and you're in very good hands. With that said, anybody in Good and Welfare? Hearing none, may I please have a motion to adjourn?

Councilman Urbom: I make the motion to adjourn.

Mayor Cubillos: Motion has been made by Councilperson Urbom. Is there a second?

Councilwoman Roman: Second.

Mayor Cubillos: Second by Councilperson Roman. The planning and zoning committee meeting on January 21st adjourns at 10:44 PM. Thank you, have a goodnight. One more meeting left. God bless.

Vice Mayor Nickerson: [inaudible 02:27:17]

Mayor Cubillos: I don't know, it's the clock. I always forget about the 11:49.

[02:27:22] [END OF AUDIO]

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