



**Village of El Portal
Planning and Zoning Committee Meeting
Date: 2/11/2020
Meeting Start: 6:44 PM
Meeting End: 7:30 PM
Meeting Length: 0:46:14**

Mayor Cubillos: Zoning Committee meeting to order. Today is Tuesday, February 11, and it is 6:44 PM. If I can please have a moment of silent meditation followed by the pledge of allegiance.

All: I pledge allegiance to the flag of the United States of America and the Republic for which it stands, one nation under one God, indivisible,

with liberty and justice for all.

Mayor Cubillos: Madam Clerk, may I, please, have roll call?

City Clerk Jacobi: Roll Call. Chairperson Cubillos.

Mayor Cubillos: Here

City Clerk Jacobi: Vice-Chair Nickerson will not be in tonight. Member Urbom.

Councilman Urbom: Finally, present.

City Clerk Jacobi: Member Roman.

Councilwoman Roman: Here.

City Clerk Jacobi: Also present for the record, Yenise Jacobi, Village Clerk, Christie Alou, Village Manager. Norman Powell, Interim Village Attorney.

Mayor Cubillos: Thank you. Good evening everyone and thank you so much for coming to tonight's meeting. Last month, the committee and council agreed that planning and zoning should be meeting every month, given the amount of activities and projects that we may have coming forward and planning and zoning and actually, every committee is the opportunity for residents to come out and voice their opinion as it's a workshop committee.

I have a challenge though. Unfortunately, even though it was my great idea to do this every month, I have to leave at 7:30 tonight. I have an emergency that I can not get out of. I was made aware that Vice Nickerson is not going to be here, and with him not being here, there is no quorum after I leave. With that said, we have a decision to make and I don't make decisions by myself. I look towards the committee and the residents who are here today because, while

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I mentioned the agenda items, there's a possibility that we may have to reschedule what have you.

Their presentation is only going to take maybe two, two and a half minutes. All of you who are here today, which I can count on two hands, if not more than that, our constituents and residents and neighboring homes of the potential project are going to want to speak, and you have every right to speak. I'm in a pickle because while we can see the skate project, nothing that is of an item that needs to be voted can happen with only two members on the committee because there must be three. With that said, our options are to let the meeting run till about 7:25 to see how far we can get and continue the meeting next month or completely postpone the meeting, and I open it up to the committee.

Councilperson Roman, Councilperson Urbom? Again, I do apologize. If anybody, if who knows me, I don't do this. I don't miss meetings, I don't reschedule meetings. I'm always present but an emergency came up and I have to leave at 7:30. There's just no other way around it for me tonight.

Councilman Urbom: I would say that certainly, my understanding of that is I had to get my daughter somewhere which why I was late and I do sincerely apologize to absolutely everybody here. Looking at agenda items F1, 2, 3, and 4, I know the importance of F3 to us, but I'm curious to know if by focusing on F1 and 2 if that might not be possible to achieve by 7:30. That's my initial thought. Councilperson Roman?

Councilwoman Roman: I'm good with that.

Mayor Cubillos: We can see how far we get better said. Please understand that as flexible as I have been and I am, I cannot be flexible tonight, I have to exit by 7:30. That means that if there's any resident, whoever's on the podium if I have to cut you off, I will have to do so at 7:25. Are we good with that? I thought you were sick. Welcome, our planner. Now, for the skatepark, that's a presentation. There's going to be no voting on that, that presentation can happen. The real big item will be the special exception that's going to require a vote, and that's the action item. Because it's an action item, we'll see how far we can get in terms of listening to the applicant who is here and as well as listening to all of our residents who are here this evening as well.

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I have no problem with that. If that's the pleasure of the committee, I'm more than welcome, I have no problem doing so. What we'll do before I go to approval of the agenda, we'll strike F3, F4 and we'll leave F1, F2. If I can get a motion to approve the agenda striking F3 and F4?

Councilman Urbom: I would make a motion to approve the agenda with those items struck.

Mayor Cubillos: Councilperson Urbom's made a motion. Is there a second?

Councilwoman Roman: I'll second.

Mayor Cubillos: Second by councilperson Roman. All in favor signify by saying "Aye."

Council: Aye.

Mayor Cubillos: Any nays, hearing none, the agenda passes with the modification of striking out F3 and F4 that we will move to March. With that said, let's go ahead and get a motion to approval of the minutes for January 21st, Planning, and Zoning. Has any member of the committee had the opportunity to read them?

Councilwoman Roman: I browsed through them. I'm okay passing them.

Councilman Urbom: Yes, I think I'm okay, just a standard.

Mayor Cubillos: There's a motion made by councilperson Roman to pass the minutes which was seconded by councilperson Urbom. All in favor signify by saying, "Aye."

Council: Aye,

Mayor Cubillos: Any nays? Hearing none, the minutes for our planning and zoning committee meeting from January 21st now be posted on the website." With that said, we're going to move right into F1. We have a presentation of a recreational skatepark that is going to be in zone five annexed area. I believe the owner of the property and the architect, are here this evening? Please come to the podium, announce your name and address for the record.

Jonathan Strauss: Hi, nice to meet you guys. I'm Jonathan Strauss. I'm actually leasing the property, the owner of the property is the Bailey family, Tom Bailey Jr. Everybody knows the Naked Carpet guy that's right behind there. Do you guys want the other group to go before us since they have a lot more pressure on them or there's a lot of residents that are here [crosstalk]?

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Mayor Cubillos: If you're that amenable to doing that, I think everybody here probably would be in-- That's very gracious of you.

Jonathan: Yes, we'll let them.

Mayor Cubillos: I think their video is already up waiting.

Speaker 7: Let them go first. [crosstalk]

Mayor Cubillos: It was nice meeting you. We'll see you shortly. While you all are doing that, I'm going to go ahead and have our attorney clarify when it comes to a special exception of this, our committee does become quasi-judicial and I want to have the attorney define that on the record, please.

City Attorney Powell: Thank you, Madam Mayor. There's a couple of things I should clarify also, just so that the applicant is well aware of what is presented today. We have a bare quorum, to the extent that we get to the posture where there's a vote of the council, it would have to be unanimous. I say that because sometimes applicants don't want to go forward if they have to get a unanimous vote of the council. The second thing which I don't believe the mayor clarified is that once we no longer have a quorum, the meeting has to end.

Also, the last comment here is that this is a quasi-judicial proceeding, and there's a statement that has to be read into the record concerning how quasi-judicial proceedings are conducted. If you would allow me a few minutes just to read that into the record so that everyone who is on the dais and also in attendance is aware of what the process is. Florida courts have determined that there are certain types of matters including the following application, which are to be treated differently than other issues considered by the council. Most decisions of the village council are legislative in nature, which means that the council is acting as a policy-making body. In contrast, in quasi-judicial matters, the council's applying existing rules and policies to a factual situation, and is, therefore, acting like a judge or jury in a courtroom.

In such cases, the courts have decided that due process and fundamental fairness requires that a more formal process be followed by the village. The Village's procedures shall be as follows, anyone who wishes to speak shall be collectively sworn in by the village clerk. The hearing shall be conducted in an informal manner. I will read the title of the item to be considered. Village staff will present a brief synopsis of the application and a recommendation.

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Next, there will be a presentation by the applicant. The council will hear from the participants in favor or in opposition to the application. All witnesses are subject to cross-examination by the village staff, council, and the applicant. A participant may request that the village council ask questions of a witness. The applicant and staff may make concluding remarks. No further presentation or testimony shall be permitted and the public hearing shall be closed. All decisions of the council must be based on competent and substantial evidence presented at this hearing. All backup materials presented at the hearing will automatically become a part of the record of the hearing. All approval will be subject to staff recommended conditions unless otherwise stated in the motion for approval. Could you swear everyone in who will be testifying?

City Clerk Jacobi: Now?

City Attorney Powell: Yes. Anyone who wishes to testify in these proceedings, please stand and the clerk will swear you all in?

Speaker 1: Is that villagers as well?

City Attorney Powell: Excuse me.

Speaker 1: Villagers as well?

City Attorney Powell: Yes, anyone who intends on testifying or presenting any information today, just raise your right hand and solemnly swear to tell the truth so help you, God.

Speaker 1: I do.

City Attorney Powell: Thank you. The first item is a special exception Cristo Rey Miami High School, 205 Northeast 87th Street. The staff should present first and then the applicant second.

Camila Zablah: Good evening, Camila Zablah, Plusurbia Design. This application is for a site plan special exception approval for the educational use of a high school within the existing building structure at 205 Northeast 87th streets in El Portal, which pursuant to article 3 uses in Z four section of the code of ordinances requires approval by process of special exception. Well, should we let them present the actual--

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City Attorney Powell: When you're finished, they will [inaudible 00:11:38] that you have put in.

Camilla: Without a recommendation?

City Attorney Powell: Okay.

Camila: The application request is to-- the applicant wishes to reestablish the former use of the property as a school with the establishment of a private Catholic High School within the existing building structure. In considering the use for a special exception, the committee must especially consider that events and activities do not exceed the noise volume permitted by the village's noise ordinance, in particular, regarding the abutting residential properties to the east of the site.

After reviewing our findings, the planning staff recommends approval with conditions for the site plan review and special exception of the high school project, with the following conditions. There's a middle package dated February 6th of 2020 that the proposed project is in conformance with. There's middle package dated February 6th, and all subsequent revisions that all representations proffered by the applicant as part of the review of the application at public hearings and that all comments made by staff reviewers and submitted to the applicant be addressed prior to issuing the permit. That is our recommendation.

Mayor Cubillos: Thank you, Camilla. I'm going to go ahead and have the applicant present.

Rudy Cecchi: Thank you very much. Good evening, Mayor Cubillos, Councilperson Roman, Councilperson Urbom, Village Manager Alou, Attorney and Clerk and residents of El Portal. My name is Rudy Cecchi. I'm the co-chair of the Board of Trustees of Cristo Rey Miami High School. I really want to thank you for this opportunity to visit with you again. We were here on January 12th, and made a rather lengthy presentation. Based on the time frame tonight, we're going to cut that back substantially.

I think it's important that those, especially members of the residents here, get to see a real short two and a half minute video about what Cristo Rey High School is about the fact that we will be the number 38th school in the country, we have graduated 18,000 students. We are Catholic school. We are 60% Catholic participants and 40% non-Catholic. We are open to everyone. With that if we can just run a little two minute video just to give you a feel for it, I'll do that.

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[video playback]

[music]

Rudy: Sorry about that.

Mayor Cubillos: Put the microphone.

Dr. Micheal: [inaudible 00:15:17] to come out and transform their neighborhoods to transform the world. We like to say that our goal is to arm students with the skills and the content knowledge and the passion and the love so that they can put a dent in the universe. We truly believe that we can do that.

Joanna Wusinich: The most unique thing about an education a Cristo Rey, Philadelphia High School is that all of our students have jobs. We are part of a network of 32 schools across the country, all with the goal of providing a quality college-prep education for students in the cities in which the Cristo Rey school is located in. The way that that works is that students have an internship every single year, one day a week every week instead of going to classes students actually go to work at places like Deloitte, Comcast, Children's Hospital of Philadelphia

Student 1: For the past three years, I've worked at J.G. Wentworth. My freshman, sophomore, and junior year I worked at J.G. Wentworth. Basically I worked with the customer service and my last year, my junior year there I've worked with the marketing department.

Student 2: I work at Comcast in ISIS department. I have always been to Comcast my first three years. Right now I'm a supervisor. I supervise the other interns in my own grade.

Teacher 1: We teach and love and lead with a sense of urgency, making sure that every minute in the classroom counts, making sure that every interaction in the hallway is one that results in a student feeling that they're loved and valued. Students need to walk out the door every day feeling challenged, and tired, but at the same time, realizing that they're extraordinary and sacred and beautiful.

Student 1: Honestly. I just love just the love that goes around Cristo Rey. When we have assemblies in the morning, our principal starts off and ends every speech that he gives us with, "I love you guys," and then he just goes into a speech. It's like, you get reminded of just love

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every single day. In a classroom, the teacher, they will stay hours at the school just to make sure that you gained one concept.

Teacher 2: Cristo Rey means family, love, determination, hard work, and persistence.

[music]

Rudy: That's the story in Philadelphia and it's also the story in 36 other cities and it will be the story in Miami too. Really, what we want to impart to you tonight is that we want to be your neighbor and we want to be a community partner. We want to bring beauty and life back to the parcel of land that sits vacant for the last 12 years on 87th in the Northeast Second. We want to be involved with the village and we really want the village to be involved with us. We want to make this a community event. We want participation and we want all people of the village to enjoy what we propose to do at the site.

We want to put El Portal on the map along with those other schools that we currently have in our network. Just to bring you up-to-date, we're 38 schools. Last year the students earned \$75 million. Every penny of it went to pay for their own education. Virtually 100% of our graduates go to college. Our job is not only to get them into college but through college. We graduate our students at three times the rate of their peer group. It's a proven entity, and it's been around since 1996.

Here's our plan. We want to preserve and beautify the existing structure. We're not going to expand it, we want to keep that structure exactly as it is. We will preserve the chapel. The Chapel will be restored as a place for congregation of students and residents of El Portal. Our school will be small. We're looking at approximately 100 students per class. The freshman year we'll start out with 100, and then it'll increase by 100 thereafter until we reach our 400 student limit. There's a possibility it could go to a little bit more like 120 but right now, our thought is we're going to have 100 students per class.

The interesting part about it is that we will never have that school at full capacity because they'll only be 75% of the students at school at any time. A quarter of those students will be at the workforce and they'll be at companies that you see here exhibited, all these companies have agreed to hire our freshman year students. Our kids will not be chauffeur-driven to the school, many will take the bus, perhaps many will take a bike, and our students will not be permitted to drive to the school, we're very cognizant of the traffic issues here in El Portal. There will be adequate pickup and drop off. There will be zero tolerance for any form of indiscretions for

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fighting, for drugs, any form of indiscretion is not going to be accepted or welcomed in our school. Our students wear uniforms. They will be no noise or light pollution from our properties, it'll be quiet in the day, and it'll be quiet at night.

The eastern boundary will be beautifully landscaped, and we want to make sure that we comply with the requests of the village here. In closing, we'll try to keep this really short, we're on a fast track as we mentioned to the council before, our first students come to the school at the end of August of this year. We have arranged for some temporary space, to the extent that we would need it if we can't complete the construction that's required to bring our first year of students in. If approved we think we can get our first class in, but as I said we have a contingency plan if we don't.

We hope that you will look favorably upon our application, I thank you very, very much for your attention at the last meeting and your attention at this meeting. At this point, I'd like to open it up for questions or answer the staff's recommendations.

Mayor Cubillos: Thank you, Rudy. Can we have your attorney come forward and walk us through the specials session application, is he here too?

Rudy: If you'd like I'm happy to do that myself.

Mayor Cubillos: Yes, either you or your attorney, of course.

Rudy: I'll be happy to do it. I'll answer each in the order that was provided by clerk. There's no doubt about that recommendation we anticipate students coming by bike, and we certainly will have as many bike racks as necessary to support those students, not a problem. Provide additional landscape to mask parking from the frontage, that's not a problem either. We really plan to landscape this property and make it a real gem of El Portal and a real gem for Miami. Remove the chain-link fence on the northeast corner.

We had an issue before as to who really owns that fence, to the extent that we own it, and we can remove it, we're happy to do that, but if we don't obviously we can't. If we can clarify that, I'm happy to comply with your request except I just don't feel like I can remove somebody else's chain-link fence. Provide additional information on any proposed signage. We anticipate using only the monument that's currently on the premises, that will be our sign. To the extent that we need additional signage, for example, if we're going to have a building dedicated to a particular donor, we would stay within the code requirements in order to do that.

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The repurpose abutting residential property proposed as a hardcourt. Our concept for the hardcourt was a recreational area for our students not open to the public. It is something that we believe that we can manage in terms of noise or light et cetera. That being said, if you are not comfortable with it, we will take whatever steps required to make you comfortable with that, we certainly do not want that to be a deal-breaker for us. We're totally cognizant, we definitely do not want to create any kind of environment that's going to be in any way, intruding upon the peace and quiet of the direct neighbors or the village itself.

Those were the areas of recommendation and we are more than happy to comply with each and every one of them, thank you.

Mayor Cubillos: If it is okay with the committee because we have already heard from the applicant, and because we have so many residents and are the audience this evening, and due to the timing, are you okay if I just open up a public hearing?

Councilwoman Roman: Yes.

Mayor Cubillos: Thank you, Rudy, Camila. I'll just ask the residents, you're probably going to have most questions, probably to the applicant or to us, perhaps maybe you use this microphone so then you're not speaking from the same microphone. With that said, I'm going to close the P&Z Committee meeting and open it up public hearing. When you come to the podium, please state your name and address for the record.

Courtney Kirk: Which podium do you want--

Interviewer: Over here, so they can use that, yes.

Courtney: Thank you madam mayor and committee, my name is Courtney Kirk, 265 Northeast 87th Street that would be three houses down from the proposed school. I'd like to start off by saying I hope I'm not coming across as angry, but I expect I will at some point during this discussion. We've had issues when a charter school tried to come in before, we again are basically making very, very similar arguments, this is a special exception it is not something that is guaranteed by right. In that, the council members and committee members have a weighty responsibility to look at the code in its entirety, and make a decision that is in the best interests of the El Portal residents.

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We've heard 400 students, we've heard maybe 120 a class, there's a certain concern that once the special exception is granted, that then it becomes not a zoning issue, it becomes simply a build-out code issue, there's significant concern there. Let me tell you why I think this is bad for El Portal and does not meet either the goals nor requirements. First of all, it's inappropriate for El Portal as this will cost us actual dollars, this is currently a property that provides El Portal between \$16,000 and \$17,000 a year, if the sanctuary as originally envisioned and approved went in, that number would be closer to 40,000 to 50,000 a year.

We'll likely need additional policing costs. This is simply like every other school does at entry time and exit time to deal with traffic et cetera. Those are costs that a school that is a non-profit or Catholic organization would not need to pay, and we, of course, would be on the hook for it. Also given all the traffic issues, it makes the area a less desirable neighborhood. As stated in the prior committee meeting, this is not targeted at any El Portal residence, while if they met the requirements they would likely be allowed to apply, the requirements are not targeting in any way El Portal's residents.

Let's also talk about the traffic, the worst times for traffic are the morning rush hour back up from Northeast 2nd to Northeast 3rd. In case anybody wants to see it I took pictures yesterday, all the way back to Northeast 3rd people trying to come out, this was just a normal Monday, nothing unusual, no big traffic jams, nothing was shut down on 95 or that sort of thing. Secondly, the traffic study that was presented was wholly inadequate, not only is it statistically based and not based in reality as in no cycle counts, no road traffic counts, it has three major issues.

One, it counts on an illegal left-turn coming out of their property, you are not allowed to go on 87th to the left that's crossing over to double yellow lines. Any person who's worked with traffic or has studied it at all would know that. The traffic study also states it would have 862 daily trips, yet when they go to distribute that they say only 161 during the morning rush hour. If you're estimating 431 in, I can't imagine that the school would have 250 odd traffic entrances during a time that's not coming into school.

Secondly, if you look at 88th Street, and you look at what the FDOT Green Book has which is what you are supposed to have for road widths, et cetera, neither part of either to the east or to the west of their exits on 88th Street are viable for two-way traffic. They are 15 feet to the east and 17 feet to the west. The Green Book says that for a 20 mile to 25 mile an hour, not 30 like it is, it's got to be nine to 9 feet to 10 feet in each side that assumes that you don't have

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pedestrian traffic nor bike traffic. Which, of course, since there is no sidewalk through that entire street, people walk their dogs, their strollers, themselves in the street.

If it's to go by the Green Book for a 30-mile an hour zone it needs to be 10 to 11 feet in each direction for residential 30-mile an hour zones, again that's the Green Book, I encourage people to look it up. Additionally, we're a tree city, I was at the Arbor Day event where Mayor Cubillos in 2017, we had a wonderful event, anybody who's familiar with El Portal knows we take our trees canopy very, very seriously.

One of the things that the Beacon council says about us is a small, quiet, diverse city, blah, blah, blah, talks about Majestic Oak trees. The mayor even said on the 2017 Arbor day, we're celebrating our beautiful and extensive tree canopy yet part of their site plan calls for cutting down Oak trees. Some of them 48 inches in size. Think about the number of centuries that those had to grow and these are not things that can be moved. These things have 70 to 90 feet deep roots. You're not going to move that. You're going to kill it. Let's talk about where the zoning code and if I-- Juan is here for the zoning? Okay.

A couple of things that say comply, but the numbers don't add up. The secondary frontage build-out is 50% minimum yet, this is on page two, yet you've got 29% and 44%, yet it says it complies. That's confusing to me. The spaces that you're supposed to have for parking 39 plus 40 plus four is 83, you've got 76 spaces, yet it says it complies. There are certain things that are N/A, again, unclear as to why we're rushing this through instead of doing a proper job. We don't know how they're doing their sewer or septic, that was a big issue with the last project. We know it's an issue in El Portal with the rising tides and the groundwater.

Then let's go into looking at section 17-59 and there, let's take a moment to actually be very thankful that the founders of El Portal and the prior Councils were very clear in their wording. They didn't say a little, they didn't say some, in many cases, they said any. Okay. There's a reason to take that into consideration. Some of the ones where the claims that they meet these requirements, I strongly challenge and I urge the council to hold back and say, this is not in fact good for El Portal. These include, make requirements as to location of such parking spaces and driveways giving access thereto and have vehicular access to the site that will protect the public safety and serve public convenience.

If you're going on a road that is already too small for two way traffic and you're adding 150 cars during, or excuse me, 141 don't want exaggerate, excuse me, 161 during the morning rush hour, you're going to have accidents, you're going to have people get hurt. This is not for the

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public convenience. Assure harmonious relation between the uses to which the site plan applies and the existing and prospective residential and other development in the vicinity.

My neighbors Joanie and Ken just spent a significant amount of money putting in a beautiful back deck and what is going to be eight feet or 10 feet from that back deck, a basketball court with now no trees. Their beautiful backyard that they have taken great care of is now no longer usable in the way that they intended. Next, there shall be no noise or vibration resulting in or connection with the use that is perceptible from any part of any district. I think we can all agree that clearly will fail.

The volume and type of vehicular traffic associated with such use, particularly its impact on residential streets must be appropriate to the location and the surrounding road network. As I've just stated, the road network does not support what they're asking for. Compliance with the goals, objectives, and policies of the village's adopted comprehensive plan. Now, when we did the charrette many years ago, this location was supposed to be the anchor to our main street. It was supposed to spur other small businesses and that sort of thing.

When you put a school there, you are going to kill that charrette. I humbly ask that you look at what the facts are and what the law is and vote down this in the best interest of El Portal. Thank you.

Rudy: May I respond to that?

Mayor: Yes. Just for purposes of time, it's 7:19, but yes.

Rudy: I'm sure we're not going to conclude the hearing.

Mayor: Then I'm going to call the next-- why don't we just let-- go ahead and respond.

Rudy: I appreciate the comments but I do want to mention a few things. We're happy to limit our students. I mean, if I said 420 or 460 if you're happy with 450 or 400, we're fine with that. With respect to taxes, there's something called a pilot program. We can in fact pay taxes and at the last committee meeting, we offered to do that. We're not going to try to beat you out of your taxes. We definitely are not going to do that. I told you we want to be good neighbors and I really mean it. With respect to traffic issues. I'm going to ask John Kim to respond to those issues, but perhaps we don't have enough time to do that tonight and so, John, if you want to respond to them.

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With respect to sewer, we have the ability to put up- what do you, what do you call that? What's the station? A pump station to connect to the sewer. We know exactly what we need to do there. Noise or vibration, like I said we'll take that cord away. I didn't argue with them if they suggested we want the cord away, we do. With respect to the trees, I wasn't aware that we're cutting any trees down because we're not even changing the structure of the building. That building is remaining intact. I don't know why trees have to come down, but I'd sure like to find out and we will address that issue.

Speaker 4: [inaudible 00:36:05]

Rudy: Say again

Mayor: [crosstalk] I got to say something, only speak if you're at the podium please. It's the only way we can have order.

Rudy: If there's no court, there's no trees coming down. I really think if you want to work with us, we're happy to work with you. If you want to wait and see what could possibly develop there, that's your decision, that's the council's decision. We're here to give you a remedy, a good remedy to be a good neighbor, to make a good place for your families too, not only ours. You've said your kids or your people aren't going to be involved, 50% of this community's African-American, 60% of our school is African-American, 30% is Hispanic. 40% of our school is Hispanic.

I mean, I'm just trying to address the issues. I have only a limited amount of time and I'd like to come back and I'd like to discuss them with you because I mean we're providing you an alternative and if you don't want that alternative, that's fine. Just let us know as we had our first committee meeting, I don't have a lot of time. You might say, "Why are we rushing things?" But you know, it's up to you guys. Whatever you guys decide to do, if you want to postpone this to another time, we're happy to do that and perhaps that's in the best interest of the further discussion.

Mayor: Just for time, I would like to hear from another resident because I think it's important that we hear as many as we can given a timeframe so that clearly no decision is really going to be made tonight, but I think it's important for the applicant to hear as many residents so you know exactly what you may or if this is going to move forward where you have to do or not have to do. I'd like to hear from another resident. With that said, we're still in public comments. If there's any other resident that'd like to come up and go to the podium and speak your

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concerns or recommendations or suggestions or likes or dislikes, just state your name and address for the record.

Ken Hector: Hi, I'm Ken Hector, 260 Northeast 88th Street. I am the basketball court sideline to show you where--

Rudy: What basketball court?

Ken: Well, your court over there. Basically, I have some concerns. Our property abutts that green area, which over time we were told was going to become a green area no matter who was taking over the building for this sanctuary. As Courtney Kirk said earlier, we, my wife and I, we spent tens of thousands of dollars to put a deck in so we can get our backyard, see nature, love the trees that we've had in our backyard and we worked so hard to do that and then to have those taken down in order to put a court up for a high school, I don't know how many people could put up their hand and say, I got a basketball court five feet from your home, I'm sure nobody would but I could basically say that.

It's right next to my garage and to take that whole area down, you'll have to take down four Oak trees that are older than me. I'm not going to go over the traffic issues I think Courtney did a great job with that, my main concern is to have the property remain to be part of the community, to be used in a good way that blends with us and so maybe your project works with that. I really don't know but I just want to make my concerns heard as being your neighbor to the east.

Rudy: I totally appreciate your concerns and as I said, the basketball court is a nonentity. The trees will not be moved and we will make sure that you are happy with whatever we put there as a buffer. The noise will be limited, there's no basketball court there, I don't want this to end the project. I really want to continue the discussion and, hopefully, we can do it another time.

Mayor Cubillos: Rudy, given with times sake, is there any other resident that would like to come up and state anything? Because I think it's important that the more that the applicant hears the better that they and we can all move forward. It's 7:24 and again I'm so sorry about this.

Johnie Hector: Johnie Hector, 260 Northeast 88th Street, Ken's wife. I have to say a lot of what I feel about this is extremely impressed with the whole idea of it. My issue is obviously whether or not it fits in with the village of El Portal and fits in with my lifestyle. I've been a

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resident here since 1984 in that house and seen a lot of changes. I have one question for you right now and I'll limit it to that you've talked about a pump station, I thought I heard the word pump station. Those are pretty darn big where would that go if that's what we're looking for for a septic?

Rudy: This is Gus Barrera, he's the architect.

Augustine Barrera: I'm also a board member of Cristo--

Mayor Cubillos: Name and address for the record please.

Augustine: Augustine Barrera, 5030 Southwest 65th Avenue. The pump station goes underground you don't see it. The reason we have to have a pump station is because it's a force main so we can't do a gravity connection so that's why it has to be a pump station.

Mayor Cubillos: I want to thank the applicants, I want to thank the residents. Emmy Mehu Lebron come to the podium it's 7:25 you are waiting, 7:25. State your name and address for the record.

Emmy Mehu: Emmy Mehu, 255 Northeast 88th Street. The pump station it's running off of what?

Augustine: We're still working with Miami Dade Water and Sewer it would either be on 87th or Northeast 2nd Avenue, that hasn't been finalized yet.

Emmy: But what's the power source because--

Augustine: It will be electric and it will have a backup generator to go with it.

Emmy: Then what happens when we lose power the way we informally due and the generator also fails because that happens.

Augustine: Well, then there won't be students in the school so there won't be any sewage going into the sewer system at that point.

Emmy: Why is it an assumption that there won't be any students in the school?

Augustine: Because there is no power.

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Emmy: What if they're in the school at the time when the power goes out? I'm only saying this because as Johnie may be aware or other residents who live on 88th Street we lose power when someone sneezes. That's just from the fact that we have a lot of trees and we have above-ground lines. I'm concerned with sewage running through a pump station and a pump station being relied on power. Power being an issue with us and generators failing or generators needing to be turned on and having that. What happens when all those things happen and I'm only asking just because it's something to think about now. To try and address now as it's something that would matter to us and our neighbors and the residents around.

Augustine: The school is going to have a generator, the pump station is going to have a generator I don't know what else we're going to tell you. If there's no power then we can come into an agreement where we can do some covenant with running with the land that if there is no power then we shut down the school. But there's pump stations all over Dade County and they run on--

Emmy: They fail, that's why I'm bringing it up because they fail and they also tend to not be underground, they tend to be above ground and they're massive.

Augustine: It depends again on the pump station. This is not a massive pump station, the ones you're talking about could be a pump station that's used to a pump station to--

Emmy: Yes, there's different versions, yes.

Augustine: -to a whole area, this is a pump station for only one specific property. There are big pump stations, right across the street from the arena is a massive pump station that pumps the water out to--

Emmy: The bay.

Augustine: To the bay, that's not what this is this is a pump station that's going to pump out for 400 students. That's going to be a small pump station that's going to be underground it's going to have a backup generator that's going to be part of it.

Emmy: Okay.

Mayor Cubillos: Thank you and thank you. For those residents that did not come forward I really encourage you if your concerns are different than, it was Courtney and Ken and Emmy,

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I kindly ask you to email the manager because I think it's important that the applicant gets it so that when we come back again to meet that either you have answers or they don't have answers. With that said again, I reiterate to every single resident if you have concerns other than the ones that the three residents Emmy, Ken, and Courtney addressed this evening, please email to the manager so that the manager can assure that the applicant gets it.

As you all know I must end the meeting, I apologize to the committee, I apologize to every single one of you but I really do have to go. It's actually a flight I have to catch and it's not for fun at all because if it wasn't the flight I would keep going. Again, I want to thank you all, I want to thank the applicant and I want to thank the state architect. Thank you for being so gracious to allow them to go first. I will reschedule the meeting. I have no problem doing that I will get with the clerk.

We are meeting every single month so this meeting would be the second Tuesday next month unless we need to meet earlier for some reason which might be a little difficult because I think that February is relatively short. Before I wrap up, I want to close public comments and drop it up to the committee. Anything else that you guys would like to add before I ask for an adjournment?

Councilman Urbom: I just have one question, by show of hands can I see who the residents in the audience are?

Mayor Cubillos: There's plenty.

Councilman Urbom: All right.

Mayor Cubillos: Any other. Hearing none again I thank each and every single one of you. Rudy, you'll hear from the manager as far as what the next step may be. Juan, thank you for being here I know you are incredibly sick. May I ask for a motion to adjourn.

Councilwoman Roman: Motion to adjourn.

Mayor Cubillos: Motion has been made by councilperson Roman is there a second.

Councilman Urbom: I will second.

Mayor Cubillos: Councilperson Urbom has seconded and it is 7:30 PM our planning and zoning committee does conclude on February 11th, thank you.

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[00:46:14] [END OF AUDIO]

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