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Subject: FW: Historic Preservation document - update

Commissioners, I wish to share my thoughts on historic preservation.

I live in a historically designated house, which I designated, and throughout my tenure as Mayor and Commissioner before that I have always been a strong supporter of historic preservation. In fact, my first vote as a Commissioner in 1985 was for the preservation of the Biltmore as a hotel, preserving history, and not a conversion to a dormitory for UM students or a condominium project. The hotel usage prevailed with a 3 to 2 vote.

Please consider the above as the issue is important to our City both from the preservation of our history but also from a common sense point of view. Not every old property should be designated as "historic" under our criteria. Much damage can be done.

RVF



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HISTORIC PRESERVATION

This is a report on what has become the troublesome issue of Historic Preservation and Coral Gables. We are proud of being at the nation's forefront on preserving our history, but things have gone too far in my opinion.

We have a few residents who are obsessed with the process of historic designation, but we also have over 50,000 people that care, but not obsessively, about this process and view how it impedes commerce, real estate sales and transfers in our City of Coral Gables as important as these are for our progress.

How Historic Designation is initiated:

1. Property owner requests designation.
2. Owner files a request to demolish the building; if the property is 50 years or older; the application automatically referred to Historic Staff to determine whether property qualifies for Historic designation. If Staff determines property is eligible for designation, staff prepares recommendations for Historic Board consideration. This means that any property built before 1970 qualifies.
3. Anyone (regardless of standing or any claim to property) can file a Petition for Designation; Staff will review and determine whether property qualifies; Staff presents its analysis and recommendation to Historic Board. Yes, any property built before 1970, repeat, 1970, and that anyone without any claim or interest in the property can file for designation. Some have even filed to have entire neighborhoods designated without having any interest in those properties.

Observations:

The consequences of designation are severe, inability not only to demolish but also to add or make changes to the property without incurring delays and substantial expenses. We have a current case where a prominent resident bought a ranch style house without having the slightest suspicion that the house had any historic significance, a ranch style house like thousands in our city.

1. Often someone buys a house without knowing that the property cannot be demolished without passing a historic designation analysis and hearing. The owner later pleads with the Board they had no idea their new purchase was subject to Historic review and designation. This has happened several times.
2. Most recently a ranch style house was recommended for designation for being a "ranch style house". An article even appeared in the front page of the Herald on the issue. One of the excuses was that it had a great architect design the house. I invite you to LOOK AT THE STAFF REPORT, the reason for designation does not even mention the house's architect.

3. Because ANYONE can petition for the Historic Designation of any property, there have been situations where the property Owner is not provided notice. Thus the property Owner does not appear before the Board or submit written comments. This happened only two meetings ago.

Staff informed the Board at the last meeting that due to the Board's recent denial of a Staff recommendation for Historic Designation, the Commission is considering changes to the review process.

At present, any decision of the Board may be reviewed the full Commission if an aggrieved party files a timely request for review. An aggrieved party is defined as the property Owner or anyone who lives within XX distance from the property and received a mailed notice of the hearing where the Board acted on the petition. Why should neighbors be able to appeal a decision of our expert board with qualified members in various professions who take their duties seriously?

In a recent situation of a property in Catalonia, the owner was satisfied with the Board's voting to deny historic designation. The Board voted 5 to 3, (3 of the 5 were architects), so our professional staff did not appeal. However, an "aggrieved" individual filed for review. It was later determined the party seeking review was not an aggrieved party as defined by City ordinance. The Board's decision stands and the property is now eligible to be demolished.

Historic Staff with the support of an outside group held meetings with some Commissioners. This meeting resulted in draft proposed amendments to the City ordinance to provide for review of Board actions by the Commission by:

1. Staff shall seek review of any Board decision that is not consistent with Staff designation recommendation, in this case staff did agree to abide with the 5 to 3 decision:
2. Grant standing to Dade Historic Trust to seek any such review. Why should we give a third party, as expert as that third party may be, any say on appeals to our board decisions, decisions by our expert board appointed by us commissioners?

Concern with draft review process

1. The existing review process based on rights of aggrieved parties to seek review has worked well for years. Is there really a need to change this process because of one situation where the Board acted by a vote of 5 to 3 to deny a Staff recommendation? There is no pattern that the existing review standard/process is not working properly. We have done this to please very few obsessed members of the public who view the designation process so seriously affecting the properties involved that some have not even sought to designate their own qualifying properties.
2. In effect, the proposed changes assume and will result in the role of the Historic Preservation Board will be to rubber-stamp Staff recommendations. Why bother with a Board?
3. The ultimate result of these changes and of the appeals by third non-Coral Gables parties will be that the Commission will end up serving as the Historic

Preservation Board, and that only the Commission could second-guess Staff recommendations. Does the Commission have the time and experience in these matters to assume the role of Historic Preservation Board. Why does the City need to cede any review rights to Dade Historic Trust?

In conclusion, we are going overboard to satisfy a few very committed residents to the detriment of our real estate industry and the City and at the end, our own historic preservation integrity will be impaired. Overkill kills.