

MINUTES OF THE REGULAR MEETING
OF THE CITY COMMISSION
THE CITY OF CORAL GABLES, FLORIDA
DECEMBER 6, 1960

The City Commission of The City of Coral Gables convened in regular session at the City Hall, Coral Gables, Florida at 3:00 o'clock P. M. on Tuesday, December 6, 1960.

Present at the meeting were Mayor Montgomery, Commissioners Kerdyk, Murphy, Searle and Wynne. Also present were City Attorney E. L. Sempie, City Manager L. W. Robinson, Jr. and City Clerk Loretta V. Sheehy. Absent: None.

The meeting was opened with invocation by the Rev. Charles Wicks, Coral Gables Congregational Church.

The Minutes of the regular City Commission meeting of November 8, 1960 were approved as corrected.

The meeting was then turned over to the award of bids opened in the office of the Purchasing Agent on November 25, 1960 for furnishing chlorine requirements for a one year period ending December 1, 1961. No representatives of any chemical companies were present at the meeting. The following resolution was then presented and read:

RESOLUTION NO. 8621

A RESOLUTION ACCEPTING THE BID OF BISCAYNE
CHEMICAL LABORATORIES, INC, FOR FURNISHING
LIQUID CHLORINE REQUIREMENTS TO THE CITY FOR
A PERIOD OF ONE YEAR ENDING DECEMBER 1, 1961.

WHEREAS, pursuant to City Charter, the City has advertised for

- sealed proposals for furnishing liquid requirements for a one year period ending December 1, 1961, and bids therefor were opened in the office of
- the City Purchasing Agent at 11:00 o'clock A. M. November 25, 1960 as follows:

Company	Make	Cost per CWT 1 Ton	Cylinders 150 lb.	Total Cost
Allied Chlorine & Chemical Company, Inc.	Not specified	6.50	12.75	11,497.50
Aquachem Company, Inc.	Diamond Alkali	6.50	12.75	11,497.50
Biscayne Chemical Laboratories, Inc.	Solvay	6.50	12.75	11,497.50
Jones Chemicals, Inc.	Solvay	6.50	12.75	11,497.50
Standard Chemical Company	Diamond Alkali	6.50	12.75	11,497.50

and;

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WHEREAS, the bid of BISCAYNE CHEMICAL LABORATORIES, INC. for furnishing liquid chlorine requirements to the City for a period ending December 1, 1961 is the most advantageous bid;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

1. That the above recited bid of BISCAYNE CHEMICAL LABORATORIES, INC., for furnishing liquid chlorine requirements to the City for a period of one year and ending December 1, 1961, be and the same hereby is accepted.

2. That the City Manager be and he hereby is authorized to execute a contract with said Biscayne Chemical Laboratories, Inc. in compliance with such bid.

Motion for its adoption was made by Commissioner Wynne, seconded by Commissioner Kerdyk. Resolution was adopted by the following roll call: "Yeas" - Commissioners Kerdyk, Murphy, Searle and Wynne; Mayor Montgomery. "Nays" - None.

The meeting was then turned over to a public hearing to hear objections on the part of interested persons to the proposed construction of an apartment building to be twelve stories in height, located on Lots 6 to 22, inclusive, Block 10, "Biltmore Section" (SW corner of Biltmore Way and Cardena Street), Coral Gables, Florida, in accordance with Resolution No. 8607, passed and adopted November 22, 1960, which authorized the publication of a legal notice calling for a public hearing upon a request for such construction. The City Clerk advised that eighty notices were mailed to property owners in approximately eleven blocks adjacent to the above described property informing them that a public hearing was scheduled to be held before the City Commission on Tuesday, December 6, 1960 in the Commission Chamber, and also stated that a legal notice was duly published in the Times on November 24, 1960. The City Clerk reported that ten letters of objection from affected property owners were received and one letter was received in support of the proposed construction. Presently assembled in the Commission Chamber were approximately one hundred interest persons. Mayor Montgomery called upon Attorney Franklin Parson, 839 Avenue Catalonia, to act as spokesman for the group, whereupon Attorney Parson presented a petition containing the names of 212 persons, all of whom were not affected property owners, in which objection was made to any change of zoning or variance of the present zoning of property known as Lots 6 to 22, inclusive, Block 10, "Biltmore Section" and also to the proposed construction of an apartment building to be more than three stories in height on such property. Objections were then voiced by approximately sixteen property owners present in the Commission Chamber, who

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based their objections upon devaluation of their property, deprivation of light and air in the adjoining two-story apartment buildings and also to the future subjugation to the noise and confusion of traffic attendant upon numerous service trucks having common use of the alley. Also present was the applicant, Mr. Albert H. Sakolsky and Mr. Peter Jefferson; Architect, both of whom presented their request and plans of the multi-story apartment building, and, as proponents, expressed a desirability to form a residential community within walking distance of theatres and restaurants, stated that the parking of occupants' cars would be underground which would relieve the traffic congestion, that the building would be beautiful and its occupants would pay a higher rental. Also present was former Mayor Fred B. Hartnett to speak on behalf of the plan as being in anticipation of the future growth in population and the economic development of the City which will require some part of the community to have buildings constructed upwards. After all proponents and opponents were duly heard and additional letters of objections received and noted, a discussion followed on the part of the Commission with reference to Section 9.03 "Height of Buildings" of Ordinance No. 1005, known as the "Zoning Code", at which time the City Attorney was called upon to give an explanation of this section of the Code. As to the discussion on the part of the Commission upon the adequacy of fire protection; Architect Jefferson explained that masonry walls and fire doors, as approved by the National Board of Fire Underwriters, are included in the plans. In the discussion it was determined that, if approved, such construction must meet all requirements of fire, traffic; building and any and all other ordinances of the city. Attorney Parson inquired whether this would be passed by resolution or ordinance and was informed upon advice of the City Attorney that a resolution is in order. A motion was then made by Commissioner Murphy to deny the applicant's request to construct an apartment building to be twelve stories in height on Lots 6 to 22, inclusive, Block 10, "Biltmore Section". The motion was seconded by Commissioner Kerdyk. The motion FAILED by the following roll call: "Yeas" - Commissioners Kerdyk and Murphy. "Nays" - Commissioners Searle and Wynne; Mayor Montgomery. The following resolution was then presented and read:

RESOLUTION NO. 8622

A RESOLUTION AUTHORIZING AND PERMITTING CONSTRUCTION OF AN APARTMENT BUILDING, LOCATED ON LOTS 6 TO 22, INCLUSIVE, BLOCK 10, "BILTMORE SECTION", TO BE TWELVE STORIES IN HEIGHT.

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WHEREAS, Section 9.03 of Ordinance No. 1005, as amended, and known as the "Zoning Code", requires that no apartment building, hotel or other structure shall be constructed in Coral Gables of more than three (3) stories in height, without special permission of the City Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That permission be and the same hereby is granted to the owner, Albert H. Sakolsky, to erect an apartment building on Lots 6 to 22, inclusive, Block 10, "Biltmore Section" (Southwest corner of Biltmore Way and Cardena Street), Coral Gables, Florida, according to Plat Book 20, Page 28 of the Public Records of Dade County, to be twelve (12) stories in height, provided that the plans as submitted comply in all respects with the requirements of the Fire Code as approved by the National Board of Fire Underwriters, the Building and Zoning Codes, Traffic and other regulations of The City of Coral Gables.

Motion for its adoption was made by Commissioner Wynne, seconded by Commissioner Searle. Resolution was adopted by the following roll call: "Yeas" - Commissioners Searle and Wynne; Mayor Montgomery. "Nays" - Commissioners Kerdyk and Murphy. In voting "Nay", Commissioner Kerdyk stated that he is opposed to the request for two reasons, one, that there would be too many people in the 150 units living on too small a piece of property, and secondly that a twelve-story building at this location is entirely too high and will overshadow anything, in the area. Commissioner Murphy in voting "Nay" stated that in his belief Coral Gables was designed for its inhabitants to enjoy gracious living, and he is unable to see how this highly concentrated population at this particular site would be compatible with our way of living in Coral Gables.

Commissioner Murphy became absent from the Commission Chamber at this time.

The meeting was then turned over to a public hearing upon Confirmation of the Preliminary Assessment Roll in Local Improvement District A-52, the paving of the east-west alley in Block 5, "Industrial Section" (Avenue San Lorenzo abutting the City limits). No one was present to object to the Confirmation of the Roll and the City Clerk advised that she had received no written objections. The following resolution was presented and read:

RESOLUTION NO. 8623

A RESOLUTION, CONFIRMING THE PRELIMINARY ASSESSMENT ROLL IN LOCAL IMPROVEMENT DISTRICT A-52.

WHEREAS, the Commission of The City of Coral Gables met at 3.00 o'clock P. M. on Tuesday, December 6, 1960, pursuant to legal notice of said meeting published in accordance with provisions of City Charter, to hear objections on the part of interested persons to the Confirmation of the Preliminary Assessment Roll for Local Improvement District A-52 (paving of the East/West alley in Block 5, "Industrial Section", Avenue San Lorenzo abutting the city limits), and no objections were voiced;

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permit for the sale of magazines during the period of February 1 to February 15 by the students of the school and that the suggestions contained in the letter were accepted.

The request of a business firm to have discontinued the Christmas music broadcasting from the loud speakers on street standards on Miracle Mile was presented. It was the general concensus that such music should continue until the end of the holiday season.

The City Manager reported receipt of a notice from Dade County advising that a special meeting on a Preliminary General Land Use Plan, as prepared by the Planning Advisory Board of Dade County, would be held on Monday, December 12, 1960 at 7:30 P. M. in the auditorjum of the Museum of Science and Natural History, 3280 S. Miami Avenue.

The City Clerk reported that Dr. Roy T. Bovard had sent in his written acceptance of his appointment to serve as a member of the Trial Board for the year ending November 30, 1962. The City Clerk reported that Mr. John B. Keena had accepted by letter his membership on the Trial Board, as elected by the City employees, and has executed the oath as required by the ordinance.

There being no further business, the meeting was adjourned.

APPROVED:

J. M. Montgomery
J. M. Montgomery, MAYOR

ATTEST:

Loretta V. Sheehy
Loretta V. Sheehy, CITY CLERK