

CORAL GABLES HISTORIC PRESERVATION BOARD MEETING MINUTES

September 20, 2007, 4:00 p.m.

**Coral Gables City Hall, City Commission Chambers
405 Biltmore Way, Coral Gables, Florida**

MEMBERS:

O N D# D J F M A M J J A S

Dorothy Thomson*										P	P	P
Catherine Stewart	P	P	E	P	P	P	P	E	E	P	P	E
Ernesto Santos	P	P	P	P	E	P	P	P	P	E	P	P
Edmund Parnes	E	P	P	P	P	E	P	E	E	P	P	P
Dolly MacIntyre*										P	P	P
Michael Beeman	P	P	P	P	E	P	P	P	P	P	P	P
Joyce Meyers	P	P	P	P	P	E	E	P	P	P	E	P
Lisa Bennett	P	E	P	P	P	P	P	E	P	P	P	E
Shirley Maroon	P	P	P	E	P	P	P	P	P	P	E	P

APPOINTED BY:

Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Comm. Maria Anderson
Comm. Rafael "Ralph" Cabrera, Jr.
Comm. Wayne "Chip" Withers
Historic Preservation Board
City Manager David Brown
City Commission
City Commission

STAFF:

Kara N. Kautz, Historic Preservation Officer
Betty Perez, Historical Resources Department
Simone Chin, Historical Resources Department

A = Absent

P = Present

E = Excused

*** = New Member**

= Special Meeting

GUESTS: Zeke Guilford, Barbara C. Zwick, Aurelio Rey, Helen and Douglas Jolly, Natividad Soto, Barry Berg, Oscar Marti, Oscar Roger, Jon Reaman, Chris Klaic, Ted Linze

RECORDING SECRETARY: Nancy C. Morgan, Coral Gables Services, Inc.

The meeting was called to order by Chair Lisa Bennett at 4:05 p.m. A quorum was present.

DISCLOSURE STATEMENT and DISCLOSURE OF CONTEXT:

Ms. Bennett read for the record the statement regarding lobbyist registration and disclosure. She then stated that if any members of the board had any ex parte communication or contact regarding any cases being heard, it was necessary to disclose such communication or contact. Board members did not indicate that any such communication occurred.

MINUTES: MEETING OF AUGUST 16, 2007:

Ms. Thomson made a motion to approve the minutes of the meeting of August 16, 2007. Mr. Beeman seconded the motion, which passed unanimously by voice vote.

ATTENDANCE:

Mr. Beeman made a motion to excuse meeting attendance of Dr. Parnes. Ms. Maroon seconded the motion, which passed unanimously by voice vote.

DEFERRALS:

Ms. Kautz reported deferrals as follows:

Case File LHD 2007-14, 1700 Cortez Street.

Case File COA (SP) 2007-25, 405 Biltmore Way.

SWEARING IN THE PUBLIC:

Nancy Morgan swore in members of the audience who planned to testify during the meeting.

LOCAL HISTORIC DESIGNATION:

CASE FILE LHD 2007-04 Consideration of the local historic designation of the property at 111 Salamanca Avenue, legally described as Lots 10 and 11, and the East 30 feet of Lot 12, Block 29, Douglas Section of Coral Gables, according to the Plat thereof, as recorded in Plat Book 25, at Page 69, of the Public Records of Dade County, Florida.

During a PowerPoint presentation, Ms. Kautz displayed photographs as the history of the property and its alterations were relayed. In conclusion Ms. Kautz said that staff recommended approval of the local historic designation.

Attorney Zeke Guilford, representing owner Michael Saenz, stated his agreement with staff's recommendation. However, he stated that he was there to represent the owner's personal property rights. If all four units were rented, the total annual rent would equal \$54,000, with expenses of over \$70,000 annually, representing an annual loss of \$16,000. In addition, he said the structure needed a new roof, painting and new windows, estimating total costs of these items at \$100,000. The property, zoned for 16 residential units, has a market value of approximately \$1.4 million. Mr. Guilford recommended that the Board recognize the economic burden on the owner and requested that the property not be designated historic.

Ms. Bennett invited audience members to speak. Hearing no requests, she closed the public hearing portion of the application and asked for Board or staff comments.

For the benefit of new Board members, Ms. Kautz said that an economic hardship workshop was held last year, and pointed out copies of the workshop materials that were included in their packets. She also said that Assistant City Attorney Lourdes Alfonsin-Ruiz was present to advise the Board.

Issues discussed by Ms. Kautz and Mr. Guilford included comparable assessment values for comparable properties and the possibility of achieving a property tax reduction. Ms. Bennett pointed out that the Board's task was to determine if the property was historic. Mr. Guilford said the owner had the ability to sell the property if it weren't designated, and the new owner could demolish it and construct 16 units on the site as zoned. He said the property was under contract, the request for historic significance determination was made by the potential purchaser, and staff issued its letter. Mr. Guilford suggested that the application be deferred to allow him an opportunity to meet with staff to review all the issues, stating he would have a sworn affidavit from the owner by the next meeting, if one would be required to support the undue economic hardship issue.

Ms. Alfonsin-Ruiz confirmed code requirements pertaining to undue economic hardship, stating that affidavits could be submitted and the Board could require tax returns and income statements to establish proof. She said it was up to the property owner to demonstrate evidence of undue economic hardship. Mr. Guilford again requested a deferral to allow him to obtain additional information to meet Board needs.

Board discussion included observations that the property appeared to be the sole historic structure in the neighborhood and was surrounded by updated properties, the rate of return realized by the owner, and the Board's difficulty in determining undue economic hardship issues. It was recommended that the Commission take a position about undue economic hardship issues and decisions, and was agreed that the Board's expertise was in historic property issues. Ms. MacIntyre discussed options, saying this case was a classic example of one addressed by many historic preservation boards, did not support passing the decision to another entity and said generating solutions to accommodate historic properties was part of the responsibility of the Board. Ms. Meyers agreed, saying the Board was not bound to view the

building as an apartment building, agreeing with Ms. MacIntyre's suggestion of the possibility of Transfer of Development Rights. To those ideas, she added condominium ownership or a bed/breakfast facility, all of which could produce a higher return on investment. She requested an analysis on the return on investment if other options were selected as well as a survey of the property.

Mr. Beeman made a motion to defer the application to the next Board meeting. Ms. Meyers seconded the motion.

Roll Call: Ayes: Ms. Thomson, Ms. Maroon, Ms. Meyers, Mr. Santos, Ms. Stewart, Mr. Beeman, Ms. MacIntyre, Ms. Bennett. Nays: None.

CASE FILE LHD 2007-13 Consideration of the local historic designation of the property at 3009 Alhambra Circle, legally described as Lots 13 and 14, Block 6, Coral Gables Country Club Section Part One, according to the Plat thereof, recorded in Plat Book 8, Page 108, of the Public Records of Miami-Dade County, Florida.

Ms. Kautz reviewed history, features and alterations of the property as photographs were displayed. She stated that staff initiated and recommended approval of the application, and also pointed out a letter opposing designation in Board packets. Ms. Kautz said that staff's efforts to meet with the owner were multiple, and included letters, staff reports and agendas sent via regular and certified mail, without any response from the owner. She stated that staff believes the property has historic significance. It was previously listed for sale, but was currently not on the market.

Board members commented that demolition by neglect was occurring, and questioned whether the City could take action to prevent further deterioration. Ms. Alfonsin-Ruiz advised that Code Enforcement could cite the property and put a lien on it, that the Board could request a determination of condition by the Building Department and a request to have the house sealed until proper remediation could take place.

Mr. Beeman made a motion to approve the historic designation, and to request that the City take steps to secure the structure to prevent additional deterioration by neglect. Ms. Stewart seconded the motion.

Roll Call: Ayes: Ms. MacIntyre, Ms. Thomson, Ms. Maroon, Ms. Meyers, Mr. Santos, Ms. Stewart, Mr. Beeman, Ms. Bennett. Nays: None.

CASE FILES LHD 2007-12 AND COA (SP) 2007-19 Consideration of the local historic designation of the property at 604 Alcazar Avenue, legally described as Lot 12, Block 20 Coral Gables, Sec B, according to the Plat thereof, recorded in Plat Book 5, Page 111, of the Public Records of Miami-Dade County, Florida. The applicant is also requesting design approval and the issuance of an Accelerated Special Certificate of Appropriateness for the construction of an addition, alterations, and the replication of original features. Variances have been requested from the Coral Gables "Zoning Code" for the front setback, side setbacks, and for the minimum dimensions of a garage.

Ms. Kautz stated her intention to first present the local historic designation portion of the application. She then conducted a PowerPoint presentation, describing the photographs characteristics and history of the property. Ms. Kautz stated that staff recommended approval of the designation.

After Ms. Bennett invited members of the audience to speak with no response, she asked Board members to comment on the application.

Ms. Maroon made a motion to approve the local historic designation of the property. Ms. Thomson seconded the motion.

Roll Call: Ayes: Mr. Beeman, Ms. MacIntyre, Ms. Thomson, Ms. Maroon, Ms. Meyers, Mr. Santos, Ms. Stewart, Ms. Bennett. Nays: None.

Regarding the Certificate of Appropriateness, Ms. Kautz resumed her presentation with a focus on the construction of an addition, alterations and the replication of existing features. She pointed out that variances were requested for the front setback, side setbacks and the minimum dimensions of a garage. She introduced Architect Aurelio Rey and homeowners Helen and Douglas Jolly.

Mr. Rey reviewed photographs, displayed design drawings and described proposed plans for the addition and alterations. During discussion, Mr. Rey responded to questions clarifying design, variance requests and setback requirements. Mr. and Mrs. Jolly briefly addressed the Board, explaining their reasons for the addition and alterations.

Ms. Kautz reviewed the five requested variances, stating that the overall proposal did not detract from the historic nature of the structure. However, she presented staff comments about the drawings as follows:

- State the material/color of the garage door and windows;
- Discuss the possibility of entirely removing the wrought iron at the front entry porch, and consider screening the area;
- Reconsider the pre-cast balustrades at the master bedroom and terrace, which appear to staff as bulky and ordinary;
- Provide more information about the design of the spiral staircase;
- Investigate further the west elevation of the new addition's first floor loggia, which appears out of proportion, the columns seem too "fat" and the arch between them appears not to be feasible;
- Address the concerns of a neighbor regarding the blocking of light and potential unsightliness of a two-story structure.

Ms. Kautz said staff believed all criteria necessary for authorization of variances applied in this case, and addressed them. Staff's recommendation was to approve the design of the addition and alterations to the property, and recommended motions of approval of each of the five variances.

During discussion, topics included the suggestion that a gate be installed between the subject property and its neighbor, reasons for the variances, proportions of the windows on the front elevations and the existing house, the window at the top of the right arch, and the arch on the west elevation. Design change suggestions were made by Mr. Santos and received well by Mr. Rey.

Mr. Santos made a motion to approve the design for the addition and alterations, and to have the architect work with staff on the fenestrations to bring them back to the original design, and to grant the requested variances. Ms. Thomson seconded the motion.

Roll Call: Ayes: Ms. Stewart, Mr. Beeman, Ms. MacIntyre, Ms. Thomson, Ms. Maroon, Ms. Meyers, Mr. Santos, Ms. Bennett. Nays: None.

SPECIAL CERTIFICATE OF APPROPRIATENESS:

CASE FILE COA (SP) 2007-17 An application for the issuance of a Special Certificate of Appropriateness for the property at 475-495 Biltmore Way, a non-contributing structure within the Coral Gables City Hall Historic District, legally described as Lots 20 to 26, Block 4, Coral Gables Biltmore Section, according to the Plat thereof, recorded in Plat Book 20, at Page 28, of the Public Records of Dade County, Florida. The applicant is requesting the issuance of a Special Certificate of Appropriateness and design approval for the alteration of the existing building.

Ms. Chin displayed photographs and presented the applicant's request for design approval for the alterations to the existing structure. She explained that the design review for the alterations and addition were for the purpose of determining impact and compatibility to the historic district. Ms. Chin said the overall design did not detract from the district's historic nature and was compatible in scale and massing. The new structure was designed to remain the same height and created a presence on the prominent historic street without overpowering the composition of the neighboring buildings within the district. Items that were recommended for further review and separate Certificates of Appropriateness

applications as details are finalized include: awnings, stone veneer, paint colors, decorative metal grills and signage. She concluded that staff's recommendation to approve the design for the addition did not include these items.

Architect Natividad Soto displayed drawings and comprehensively described proposed plans. The application included the construction of an addition, demolition of several sections of the building and the reorganization of spaces. At the conclusion of her presentation, she responded to questions about the alterations, storefront, details, finishes and displacement or business disruption of tenants during construction.

Board comments included the importance of paying close attention to details and finishes, and adding street trees and landscaping to the public sidewalk.

Ms. Soto addressed parking and described lifts that would accommodate stacked cars.

Ms. Meyers made a motion to approve the application on the condition that subsequent applications will be made for approval of the materials, finishes and landscaping. Mr. Santos seconded the motion.

Roll Call: Ayes: Mr. Santos, Ms. Stewart, Mr. Beeman, Ms. MacIntyre, Mr. Thomson, Ms. Maroon, Ms. Meyers, Ms. Bennett. Nays: None.

CASE FILE COA (SP) 2007-22 An application for the issuance of a Special Certificate of Appropriateness for the property at 9610 Old Cutler Road, a local historic landmark, a lengthy legal description is on file in the Historic Preservation Office. The applicant is requesting the issuance of a Special Certificate of Appropriateness and design approval for the installation of new canvas awnings at the building occupied by the restaurant "Red Fish Grill."

Ms. Kautz conducted a PowerPoint presentation, describing the history, district and 1995 approval to rehabilitate the building and allow the current use. She explained that the awning at the pass-through window was a standard application and would have a minimum impact on the historic structure. Stating an understanding of the need for canopies at the entry and patio, Ms. Kautz explained that the design of those canopies detracted from and was not sympathetic to the existing structures. Staff and the applicant's awning representative were diligent in efforts to create an alternate solution, but were unable to craft a design that fulfilled both the historically aesthetic and practical needs for the canopies. As a result, staff's recommendation was to defer the two entry canopies and to allow them to be restudied unless the Board could offer other suggestions.

Ted Linze, representing the awning company hired by Red Fish Grill, explained challenges regarding the canopy design. During discussion, the following suggestions were explored by the Board, staff and Mr. Linze:

- Create a rectangular entry area, using two parapets and adding a canopy structure that could be attached to trusses;
- Consider other colors for the canopy;
- Scale the design of the front entry;
- An arched shape is inappropriate for the building; the front entrance application should appear more minimalistic;
- Consider using large umbrellas such as those used by sidewalk cafes on the rear dining terrace.

Mr. Linze indicated willingness to study the suggestions if the Board would defer the application. Ms. Kautz said staff recommended approving the pass-through window awning separately and to ask the applicant to bring the design for the other two canopies back for Board review.

Ms. Meyers made a motion to defer the entire application, and to restudy the use of umbrellas on the back terrace and a minimal awning on the front entrance. Mr. Santos seconded the motion.

Roll Call: Ayes: Mr. Santos, Ms. Stewart, Mr. Beeman, Ms. MacIntyre, Ms. Thomson, Ms. Maroon, Ms. Meyers, Ms. Bennett. Nays: None.

ITEMS FROM THE SECRETARY:

As background, Ms. Kautz explained that Board packets contained a letter written by staff to the homeowners of the six districts scheduled for designation, and the dates for homeowners informational meetings. Three districts will be addressed in October and three in November. The October districts include Obispo Avenue, Santa Maria Street, and Country Club Prado; November districts include Alhambra Circle, Castile and Alcazar Avenues. The homeowners and the Board will receive copies of the designation reports.

BOARD ITEMS/CITY COMMISSION UPDATE:

Ms. Kautz reported that she and Ms. Chin attended on September 18th the unveiling of a plaque installed at NE 1st Street and NE 1st Avenue, dedicated to the victims and survivors of the 1926 hurricane.

Ms. Kautz will attend, as a Diversity Scholarship Winner, the National Trust Conference the first week of October.

DISCUSSION ITEMS:

Ms. Bennett raised an issue related to economic hardship, stating her opinion that the City should take a position regarding these issues for the benefit of the Board prior to being presented to the Board. She pointed out that the Board generally receives one side of the issue, made by an advocate for the owner, and recommended that the City also have an advocate. Ms. Kautz said that staff would always advocate for preserving historic properties. Ms. Bennett suggested that an appraiser or other qualified professional assess the facts pertaining to the issue in advance and submit a written recommendation. Mr. Beeman pointed out that statements regarding economic hardship were supposed to be accompanied by certified statements. Ms. Meyers suggested that the Board should have the ability to request an analysis by an expert. Ms. Bennett reaffirmed her position that the City should state its position to the Board when the application is presented for review. Debate continued, with Ms. Kautz indicating support of the Board's concerns, stating that the burden of proof was on the applicant, that the Board could move on the information presented by the applicant and that the applicant could then appeal decisions to the City Commission.

Ms. Maroon suggested a motion to ask the Commission to alleviate the Board's having to hear economic hardship applications; however, Ms. Kautz explained that the Commission only reviewed issues on appeal that had previously been heard by the Board. Ms. Bennett restated the importance of needing an advocate for both sides of the issue.

Ms. Meyers made a motion to request that staff make a recommendation at the time of presentation to the Board, including an analysis of the economic hardship, together with the City Attorney and others. Mr. Santos seconded the motion.

Debate continued, during which time Ms. Thomson said such action might subject the City to unfair analysis and generate litigation, and requested more in-depth information from the City Attorney.

Roll Call: Ayes: Ms. Meyers, Mr. Santos, Ms. Stewart, Ms. Maroon, Ms. Bennett. Nays: Mr. Beeman, Ms. Thomson (Ms. MacIntyre had left the meeting).

Ms. Meyers made a motion to ask the City Attorney's opinion regarding whether or not the Board could make economic hardship claims separate actions from historic designation. Mr. Santos seconded the motion.

Roll Call: Ayes: Ms. Thomson, Ms. Maroon, Ms. Meyers, Mr. Santos, Ms. Stewart, Mr. Beeman, Ms. Bennett. Nays: None.

OLD BUSINESS:

Ms. Thomson raised the issue of the Althea Merrick painting of Solomon Merrick, stating that Mr. Tully Dunlap and the Oak Foundation committed to donating \$5,000 towards restoration of the painting.

NEW BUSINESS:

Ms. Bennett reminded Board members that the City's second budget hearing would be held September 25th at 5:01 p.m. Board members were encouraged to attend the budget hearing and speak about issues related to the historic preservation budget.

ADJOURNMENT:

Mr. Beeman made a motion to adjourn, which was seconded by Ms. Thomson and unanimously passed.

The meeting adjourned at 6:50 p.m.

Respectfully submitted,

Kara N. Kautz
Historic Preservation Officer and Secretary to the Board